

John Cannas by
Vicki Scivilla Deputy
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting of April 21, 2020

RESOLUTION P-7-2020

WHEREAS, The 2020 Budget, adopted October 29, 2019 established the titles and salaries of officers and employees of the Town of Oyster Bay pursuant to Section 27 of Town Law, and other Local Laws relating to the establishment of Town Departments, and Rules and Regulations governing appointments, etc., of employees; and

WHEREAS, The adoption of said 2020 Budget, on October 29, 2019, was by a Resolution of the Town Board; and

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

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

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

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

Meeting of April 21, 2020

Resolution No. TF-7-2020

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
019-20	DGS	\$230,000.00	DGS A 1620 42200 000 0000
			TO
		\$230,000.00	DGS A 1620 41600 000 0000

-#-

Reviewed By
Office of Town Attorney

Thomas M. Hutton

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

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

INTER – DEPARTMENTAL MEMO

Date: APRIL 3, 2020
To: MEMORANDUM DOCKET
From: RALPH J. RAYMOND, DEPUTY COMMISSIONER GENERAL SERVICES
Subject: **OPERATING ACCOUNTS – TRANSFER OF FUNDS**

The following transfer is respectfully requested:

FROM: DGS A 1620 42200 000 0000 LIGHTS, POWER, WATER \$230,000.00

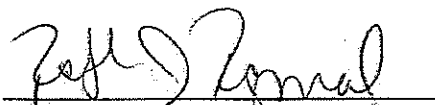
TOTAL \$230,000.00

TO: DGS A 1620 41600 000 0000 MATERIALS & SUPPLIES \$230,000.00

TOTAL \$230,000.00

JUSTIFICATION: TRANSFER NEEDED TO COVER THE SHORTAGE OF
AVAILABLE FUNDS REQUIRED TO PURCHASES MATERIALS &
SUPPLIES

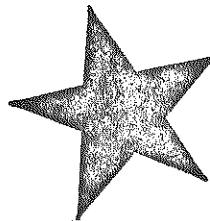
Town Board approval is respectfully requested.



Ralph J. Raymond
Deputy Commissioner of General Services

RJR/nl

cc: Town Attorney + 9 Copies



WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 27, 2020, requested that the Town Board reappoint Angelo Stanco, 5 Ashley Place, Glen Head, New York 11545, to the Planning Advisory Board for the Town of Oyster Bay, to serve as Chairman, for a term commencing April 11, 2020, nunc pro tunc, and ending December 31, 2024;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved and Angelo Stanco is hereby appointed to the Planning Advisory Board for the Town of Oyster Bay, to serve as Chairman, for a term commencing April 11, 2020, nunc pro tunc, and ending December 31, 2024.

-#-

Reviewed By
Office of Town Attorney

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

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

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

To: MEMORANDUM DOCKET

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

Date: MARCH 27, 2020

**Subject: RE-APPOINTMENT TO THE PLANNING ADVISORY BOARD
CHAIRMAN**

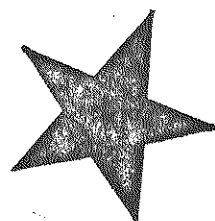
It is respectfully requested that the following re-appointment be made to the Planning Advisory Board for a term effective April 11, 2020 as follows:

Angelo Stanco TERM: (4/11/20 –12/31/24) nunc pro tunc.
5 Ashley Place
Glen Head, New York 11545


ELIZABETH L. MACCARONE
COMMISSIONER

ELM/dm

cc: Legislative Affairs +9
Vicki Spinelli, Human Resources



WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 27, 2020, requested that the Town Board reappoint Anthony DiLeonardi, 7 Sager Lane, Massapequa, New York 11758, to the Planning Advisory Board for the Town of Oyster Bay, for a term commencing April 11, 2020, nunc pro tunc, and ending December 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved and Anthony DiLeonardi is hereby appointed to the Planning Advisory Board for the Town of Oyster Bay, for a term commencing April 11, 2020, nunc pro tunc, and ending December 31, 2022.

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

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

2Ms
Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

Inter-Departmental Memo

To: MEMORANDUM DOCKET

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

Date: MARCH 27, 2020

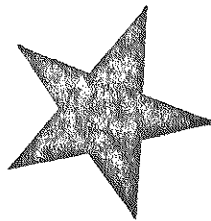
Subject: RE-APPOINTMENT TO THE PLANNING ADVISORY BOARD

It is respectfully requested that the following re-appointment be made to the Planning Advisory Board for a term effective April 11, 2020 as follows:

Anthony DiLeonardi TERM: (4/11/20 – 12/31/22) nunc pro tunc.
7 Sager Lane
Massapequa, New York 11758

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
COMMISSIONER

ELM/dm
cc: Legislative Affairs +9
Vicki Spinelli, Human Resources



WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 27, 2020, requested that the Town Board reappoint Louis Warner, 20 Cherry Street, Locust Valley, New York 11560, to the Planning Advisory Board for the Town of Oyster Bay, for a term commencing May 1, 2020, and ending December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved and Louis Warner is hereby appointed to the Planning Advisory Board for the Town of Oyster Bay, for a term commencing May 1, 2020 and ending December 31, 2023.

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

To: MEMORANDUM DOCKET

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

Date: MARCH 27, 2020

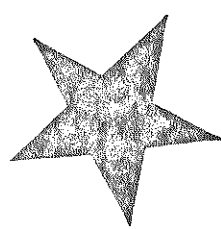
Subject: RE-APPOINTMENT TO THE PLANNING ADVISORY BOARD

It is respectfully requested that the following re-appointment be made to the Planning Advisory Board for a term effective May 1, 2020 as follows:

Louis Warner TERM: (5/1/20 – 12/31/23)
20 Cherry Street
Locust Valley, New York 11560


ELIZABETH L. MACCARONE
COMMISSIONER

ELM/dm
cc: Legislative Affairs +9
Vicki Spinelli, Human Resources



WHEREAS, NORTH MASSAPEQUA FIRE DISTRICT, fee owner, has applied to the Department of Planning and Development of the Town of Oyster Bay, for approval of a Building Permit Application, for a 66 foot x 66 foot, one-story temporary building, on a parcel of land, currently used for parking (across the street from the existing fire department building) on the west side of North Broadway, between North Albany Avenue and North Rutherford Avenue, North Massapequa, Town of Oyster Bay, New York 11735, said premises being described as Section 52, Block 54, Lots 2110-2113 on the Land and Tax Map of Nassau County; and

WHEREAS, Elizabeth L. Maccarone, Commissioner and Timothy R. Zike, Deputy Commissioner, Department of Planning and Development, by memorandum dated April 2, 2020, advised that the Department of Planning and Development has reviewed the following two (2) plans prepared by Richard F. Kriz, Jr., P.E., Mahaffey USA, Memphis, TN:

SHEET NO.	TITLE	PREPARED BY	LAST
1 OF 2	Structural Framing	Richard F. Kriz, Jr., P.E.	01/31/20
2 OF 2	Structural Framing	Richard F. Kriz, Jr., P.E.	01/31/20

which plans were submitted by NORTH MASSAPEQUA FIRE DISTRICT as part of its application for approval of a Building Permit; and

WHEREAS, said Commissioner and Deputy Commissioner further report that the plan submitted complies with the standards set forth in the Code of the Town of Oyster Bay, Section 246-4.1.4.2, Governmental Uses (Special Purpose Districts) and Section 246.6, Site Plan Review, and recommended Town Board approval for the plans enumerated herein,

NOW, THEREFORE, BE IT 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 2, 2020, the plans enumerated herein are hereby approved; and be it further

RESOLVED, That the application of NORTH MASSAPEQUA FIRE DISTRICT, fee owner, for approval of a site plan, for a 66 foot x 66 foot, one-story temporary building, on a parcel of land, currently used for parking (across the street from the existing fire department building) on the west side of North Broadway, between North Albany Avenue and North Rutherford Avenue, North Massapequa, Town of Oyster Bay, New York 11735, said premises being described as Section 52, Block 54, Lots 2110-2113 on the Land and Tax Map of Nassau County, is hereby APPROVED.

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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

DATE: APRIL 2, 2020

SUBJECT: BUILDING APPLICATION REVIEW AND APPROVAL
NORTH MASSAPEQUA FIRE DISTRICT (TEMPORARY BUILDING)
PROPERTY LOCATION: WEST SIDE OF NORTH BROADWAY
LOCATED BETWEEN NORTH ALBANY AVENUE AND NORTH
RUTHERFORD AVENUE
NORTH MASSAPEQUA, NEW YORK 11758
SECTION 52, BLOCK 54, LOT(S) 2110 - 2113

This Department has reviewed the proposed Building Permit Application for the above referenced project. The Department has reviewed the Application with regard to section, block, and lot designation, zoning classification, existing variances and zoning violations.

This review is made pursuant to Chapter 246, Section 4.1.4.2 (Governmental Uses) of the Code of the Town of Oyster Bay which requires the applicant to submit plans for Town Board Approval prior to the issuance of Building Permits (without the need of a public hearing).

This Application involves approval from the Department of Planning and Development for a 66 foot x 66 foot, one-story temporary building, on a parcel of land currently used for parking, across the street from the existing Fire Department building.

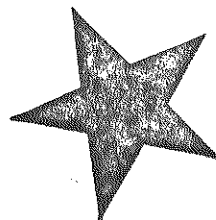
Two (2) plans prepared by Richard F. Kriz, Jr., P.E., Mahaffey USA, Memphis, TN have been submitted for approval. The plans are as follows:

SHEET NUMBER/TITLE	PREPARED BY	LAST REVISED
1 OF 2 NORTH MASSAPEQUA FIRE DEPARTMENT (STRUCTURAL FRAMING)	Richard F. Kriz, Jr., P.E.	01/31/2020
2 OF 2 NORTH MASSAPEQUA FIRE DEPARTMENT (STRUCTURAL FRAMING)	Richard F. Kriz, Jr., P.E.	01/31/2020

Also submitted for your review are the following documents:

1. A Geographic Information System rendering depicting the location of the proposed building situated on the subject property.

Said plans were prepared and modified using the standards set forth in Chapter 246, Section 4.1.4.2 (Governmental Uses) of the Code of the Town of Oyster Bay as a guide.

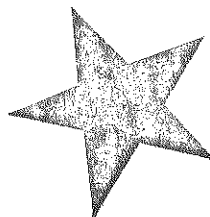


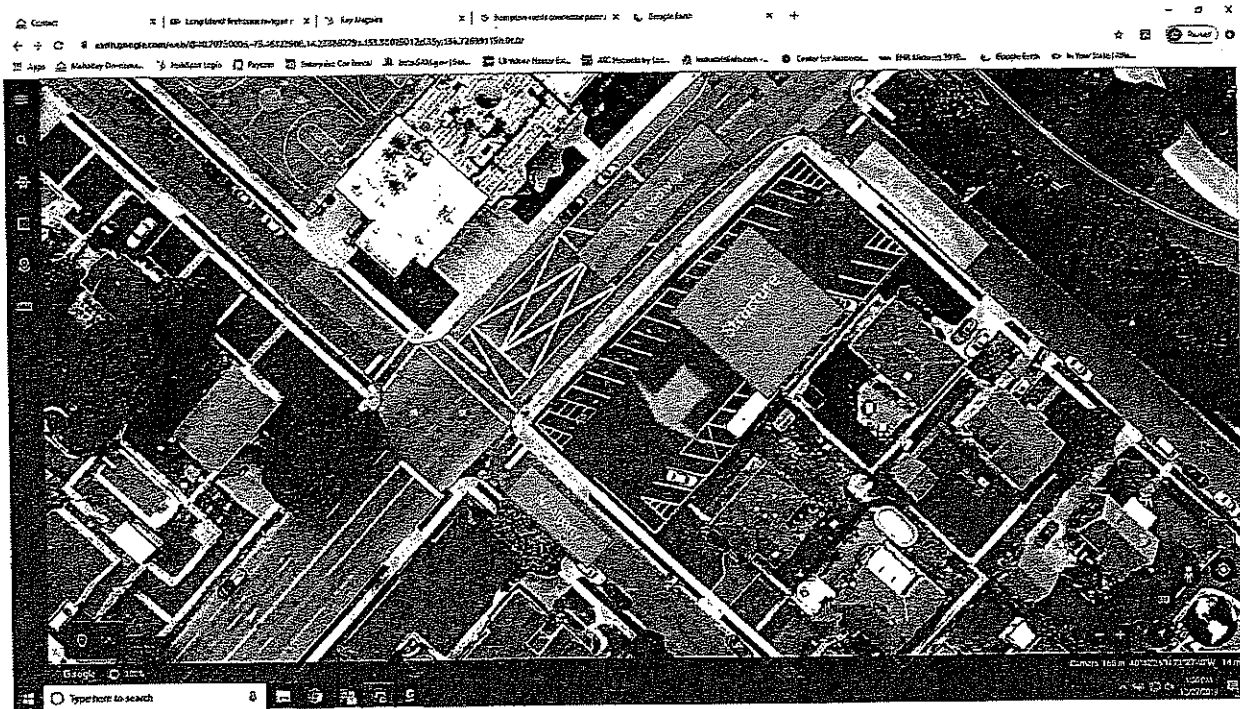
Development of the subject premises in accordance with the plan attached does, in this Department's opinion, comply with the requirements of Chapter 246, Section 4.1.4.2 of the Code of the Town of Oyster Bay.

Elizabeth L. MacCarone
ELIZABETH L. MACCARONE
COMMISSIONER

ELM:slb
Encls.
cc: Legislative Affairs (9 copies w/attachments)

BY *Timothy R. Zike*
TIMOTHY R. ZIKE
DEPUTY COMMISSIONER





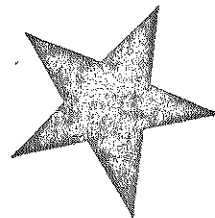
North Massapequa Fire Department

1000 N. Broadway, North Massapequa, NY 11758

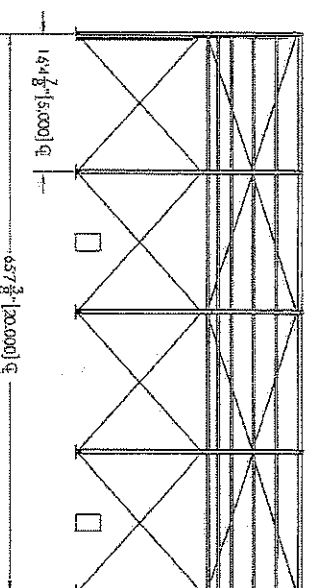
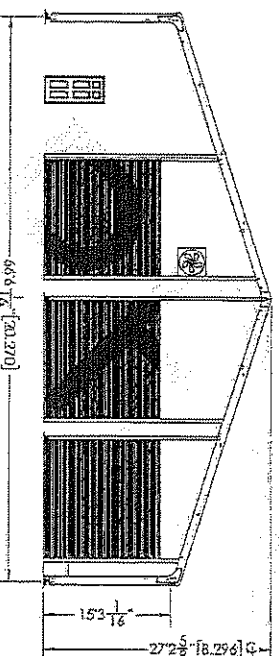
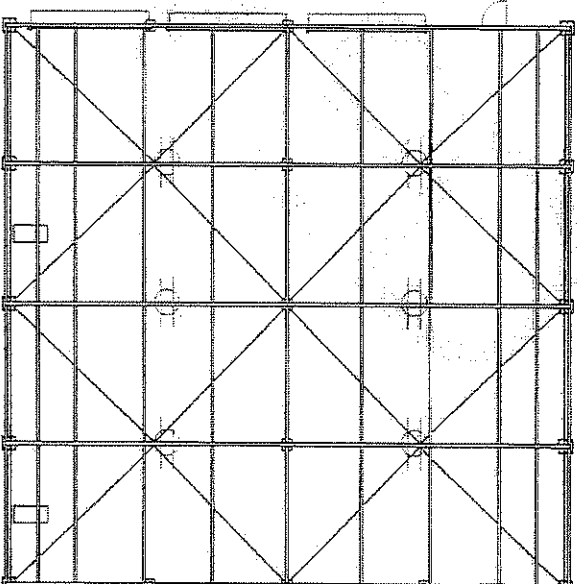
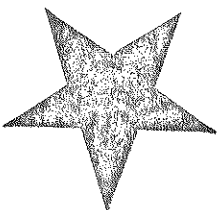
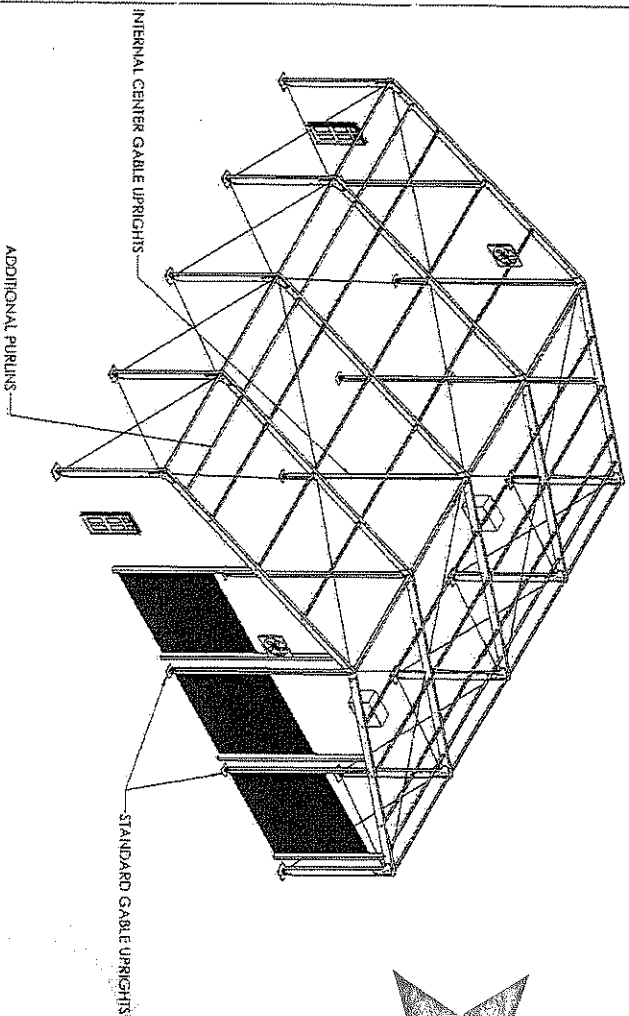
HQ Parking Lot

Lot measures approx 80' x 200'

Structure to be installed: 40 feet from curb parallel to N. Rutherford St. (red line on picture) and as close to back side of parking lot as possible. OH door side to face N. Albany St. (direction of Truck entrance/exit is yellow arrow).



20030173



20030173

- NOTES:
- 1. IF STRUCTURE IS LOCATED IN AREA THAT HAS HEAVY SNOW OR 150 MPH WIND STRUCTURE MUST HAVE BEAMS BASED ON WIND STRIPS OR STRUCTURE MUST HAVE BRACE BARS AND/OR RIDGE STRIPS IF ENGINEER REQUIRES EXTRA BRACING.
 - 2. SQUARE MEASUREMENT FOR 1200 EAVE BASE PLATES 66'5 $\frac{1}{2}$ " [20.876]

ACCESSORIES:

- 1. 2x4x6 PERSONNEL DOORS: 1 PER GABLE
- 2. FIRE EXTINGUISHERS
- 3. 1x4x1 ROLL UP DOORS: FRONT GABLE
- 4. CUSTOM GABLE UPRIGHTS (INCLUDING 2 STANDARD GABLE UPRIGHTS)
- 5. LED LIGHTS: 2 PER INTERMEDIATE TRUSS
- 6. GABLE VENT FANS: 1 PER GABLE
- 7. GABLE ELECTRIC HEATER
- 8. SUNSHADE HAND SIZES
- 9. ADDITIONAL HAND SIZES
- 10. INTERNAL CENTER GABLE UPRIGHTS
- 11. ASPHALT SURFACE



NOT FOR CONSTRUCTION

MAHAFFEY

STRUCTURAL ENGINEER

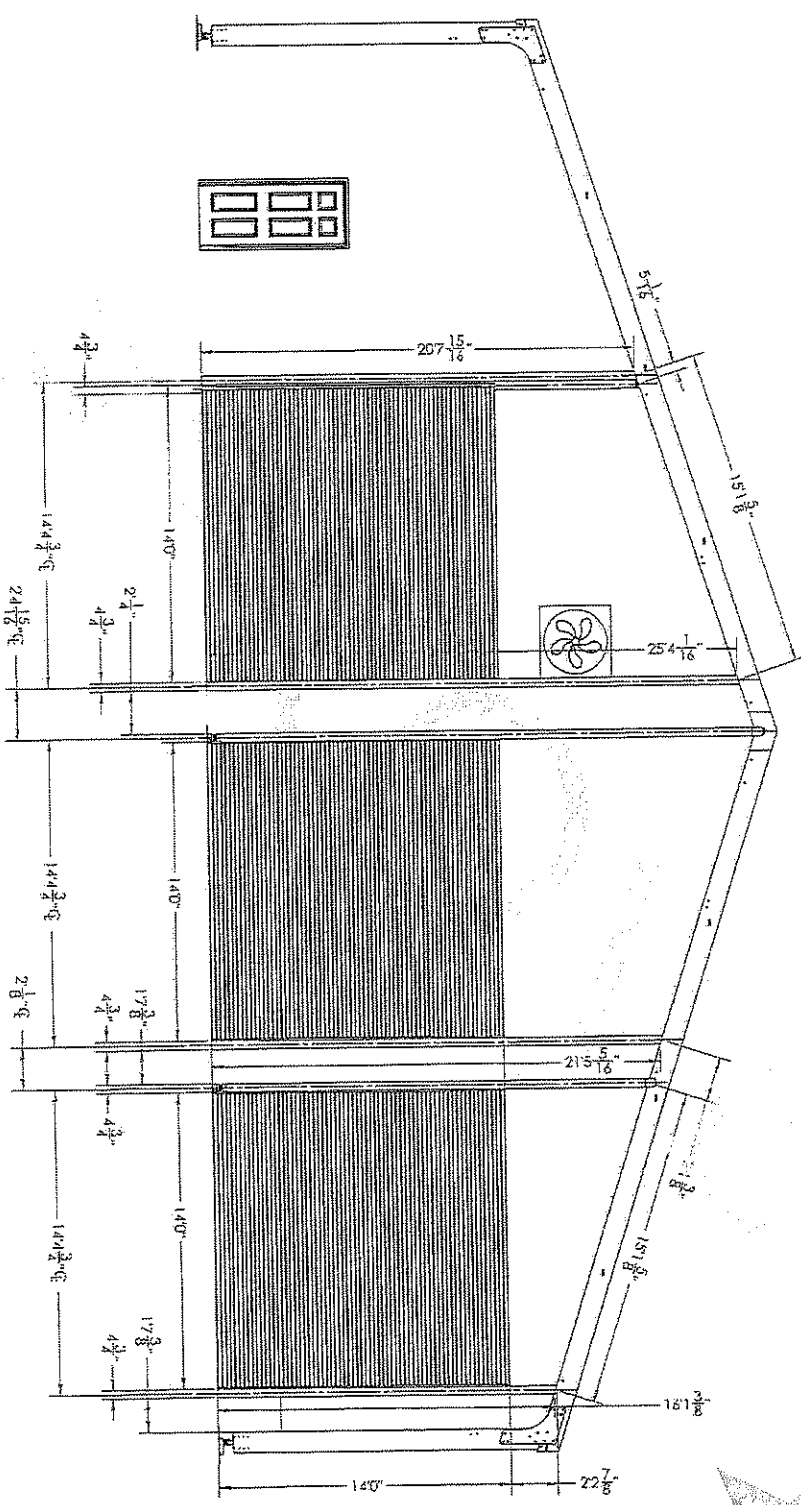
1000 W. 10th St. Suite 100
Tulsa, Oklahoma 74103
Phone: (918) 438-1234
Fax: (918) 438-1235
Email: info@mahaffey.com

DATE: 10/1/2003
SCALE: 1/8" = 1'-0"

TITLE: NORTH MASSAQUEUA FIRE DEPARTMENT

REV: 1

20030173



20030173



NOT FOR CONSTRUCTION

MAHAFFEY

NORTH MASSACHUSETTS FIRE DEPARTMENT

DATE: 10/1/2003
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1/8" = 1'-0"

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated April 3, 2020, stated that on behalf of the Town of Oyster Bay, he filed the 2019 Annual Financial Report of the Town of Oyster Bay with the New York State Comptroller, and will file a copy thereof in the Office of the Town Clerk by May 1, 2020; and

WHEREAS, Comptroller Ballas, by said memorandum, recommended Town Board authorization for the Town Clerk to publish a legal notice stating that a copy of the 2019 Annual Financial Report of the Town of Oyster Bay is on file in the Office of the Town Clerk, and is available for public inspection and copying,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the Town Clerk is hereby authorized and directed to publish a legal notice stating that a copy of the 2019 Annual Financial Report of the Town of Oyster Bay is on file in the Office of the Town Clerk and is available for public inspection and copying.

-#-

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

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

245
Reviewed By
Office of Town Attorney

PUBLIC NOTICE

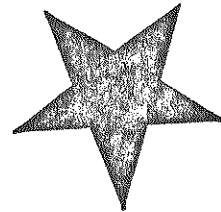
NOTICE IS HEREBY GIVEN, That the Annual Financial Report of the TOWN OF OYSTER BAY, for the period beginning January 1, 2019 and ending on December 31, 2019, has been performed by the Office of the Comptroller, and that the Annual Financial Report has been filed in the Office of the Town Clerk, where it is available as a public record for inspection by all interested persons. Pursuant to Section 35 of the General Municipal Law, the governing board of the Town of Oyster Bay may, in its discretion, prepare a written response to the Annual Financial Report by the Office of the Town Comptroller and file any such response in the Office of the Town Clerk, as a public record for inspection by all interested persons, not later than June 21, 2020. TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor. RICHARD L. LAMARCA, Town Clerk. Dated: April 21, 2020.

Reviewed By
Office of Town Attorney



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Annual Financial Report of the TOWN OF OYSTER BAY, for the period beginning January 1, 2019 and ending on December 31, 2019, has been performed by the Office of the Comptroller, and that the Annual Financial Report has been filed in the Office of the Town Clerk, where it is available as a public record for inspection by all interested persons. Pursuant to Section 35 of the General Municipal Law, the governing board of the Town of Oyster Bay may, in its discretion, prepare a written response to the Annual Financial Report by the Office of the Town Comptroller and file any such response in the Office of the Town Clerk, as a public record for inspection by all interested persons, not later than June 21, 2020. TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor. RICHARD L. LAMARCA, Town Clerk. Dated: April 21, 2020.



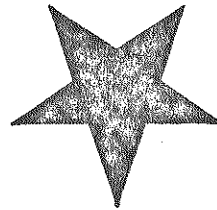
Reviewed By
Office of Town Attorney

[Signature]

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Annual Financial Report of the TOWN OF OYSTER BAY, for the period beginning January 1, 2019 and ending on December 31, 2019, has been performed by the Office of the Comptroller, and that the Annual Financial Report has been filed in the Office of the Town Clerk, where it is available as a public record for inspection by all interested persons. Pursuant to Section 35 of the General Municipal Law, the governing board of the Town of Oyster Bay may, in its discretion, prepare a written response to the Annual Financial Report by the Office of the Town Comptroller and file any such response in the Office of the Town Clerk, as a public record for inspection by all interested persons, not later than June 21, 2020. TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor. RICHARD L. LAMARCA, Town Clerk. Dated: April 21, 2020.

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TOWN OF OYSTER BAY

Inter-Departmental Memo

April 3, 2020

To: MEMORANDUM DOCKET

From: STEVEN C. BALLAS, COMPTROLLER

Subject: PREPARATION AND FILING OF THE 2019 ANNUAL FINANCIAL
REPORT OF THE TOWN OF OYSTER BAY

In accordance with Section 30 of the General Municipal Law and Resolution of the Town Board dated December 18, 1962, I, on behalf of the Town of Oyster Bay, filed with the New York State Comptroller the 2019 Annual Financial Report of the Town of Oyster Bay, on or before April 30, 2020.

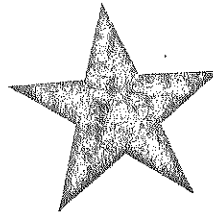
Further, in accordance with Section 29, subdivision 10-a of the Town Law, I filed with the Town Clerk, on or before May 1, 2020 the 2019 Annual Financial Report of the Town of Oyster Bay. In accordance with said law, I will recommend the Town Board at its meeting of April 21, 2020, by resolution, authorize the Town Clerk to publish a legal notice stating that a copy of the 2019 Annual Financial Report of the Town of Oyster Bay is on file in the Town Clerk's Office and is available for public inspection and copying.


STEVEN C. BALLAS
COMPTROLLER

SCB:RPP

cc: Town Attorney (9)
IAD (AFR File)
Reading File

uff docket item



WHEREAS, by Resolution No. 230-2018, adopted on April 10, 2018, the Town Board awarded Contract No. HFR18-172, Fence Replacement Requirements Contract, to LandTek Group, Inc., for the period commencing April 10, 2018 through April 9, 2019; and

WHEREAS, by Resolution No. 253-2019, adopted on April 16, 2019, the Town Board extended Contract No. HFR18-172, Fence Replacement Requirements Contract, with LandTek Group, Inc., *nunc pro tunc*, for the period April 10, 2019 through April 9, 2020, at the same prices, conditions and terms provided for in the original contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 6, 2020, requested Town Board authorization to exercise the second one-year extension of Contract No. HFR18-172, Fence Replacement Requirements contract, with LandTek Group, Inc., *nunc pro tunc*, from April 10, 2020 through April 9, 2021, at the same prices, conditions and terms provided for in the original contract; and

WHEREAS, Commissioner Lenz, by said memorandum, further requested Town Board authorization to use Five Hundred Thousand (\$500,000.00) Dollars for the use of the subject contract at various locations within the Town of Oyster Bay, and also noted that funds are available for this purpose pursuant to Town Board Resolution No. 674-A-2019, adopted on October 29, 2019; and

WHEREAS, Commissioner Lenz informed the Board that, to date, LandTek Group, Inc.'s work under Contract No. HFR18-172 has been satisfactorily completed in a timely manner,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and Contract No. HFR18-172 with LandTek Group, Inc. is hereby extended, *nunc pro tunc*, for the period from April 10, 2020 through April 9, 2021, at the same prices, conditions, and terms as provided in the original contract; and be it further

RESOLVED, That the Highway Department is authorized to use Five Hundred Thousand (\$500,000.00) Dollars for the use of the subject contract at various locations within the Town of Oyster Bay.

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

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

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

April 6, 2020

TO: MEMORANDUM DOCKET

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

SUBJECT: REQUEST APPROVAL FOR EXTENSION
NUNC-PRO-TUNC
FENCE REPLACEMENT REQUIREMENTS CONTRACT HFR18-172
LANDTEK GROUP, INC.

The Highway Department has reviewed the work performed by LandTek Group, Inc. with respect to Fence Replacement Requirements Contract under contract number HFR18-172 which was awarded by Town Board Resolution Number 253-2019 on April 16, 2019.

The work performed by LandTek Group, Inc. was satisfactory and completed in a timely manner. Therefore, it is hereby requested by the Highway Department that contract HFR18-172 be extended, Nunc-Pro-Tunc from April 10, 2020 through April 9, 2021. This will be the second extension of a four year extension option.

In addition, it is hereby requested that the amount of \$500,000.00 to be authorized for the use of the above subject contract at various locations within the town of Oyster Bay. Also funds are available for this purpose as per Town Board Resolution No. 674-A-2019 for the Highway Department to use these funds for the Highway Department Requirement Contracts as needed throughout the year within the Town of Oyster Bay.



RICHARD W. LENZ, P.E.

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/lb

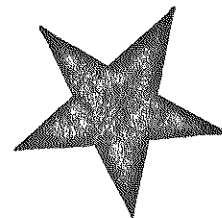
Cc: Office of Town Attorney (w/9 copies)

Steve C. Ballas, Comptroller

John P. Bishop, Deputy Commissioner/HWY

John Tassone, Deputy Commissioner, DPW, Division of Engineering

Grace Santamaria, Highway Administration





235 COUNTY LINE ROAD, AMITYVILLE, NY 11701
TEL (631) 691-2381 • FAX (631) 598-8280

April 3, 2020

Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, New York 11771
Parks Department/ Division of Engineering
John Tassone
Deputy Commissioner

**RE: Requirements Contract for Fence Replacement throughout the Town
of Oyster Bay - HFR18-172 (PW004-18)**

Dear Mr. Tassone

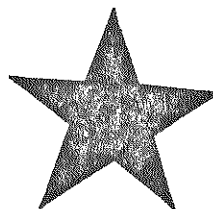
The LandTek Group, Inc. is hereby requesting to extend the above referenced contract. Under the same terms, conditions and pricing awarded in the original contract.

Federal Tax ID #: [REDACTED]

Thank you

Edward Ryan

Edward Ryan
Vice President



"Building Champions from the Ground Up"

www.landtekgroup.com

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 3, 2020, advised that in order to comply with various New York State statutory requirements for solid waste management and practices, the Town must prepare and implement a Local Solid Waste Management Plan ("LSWMP"); and

WHEREAS, the Town prepared a Draft LSWMP, which was deemed adequate by the New York State Department of Environmental Conservation ("NYSDEC") Division of Materials Management; and

WHEREAS, a duly noticed public meeting was conducted on December 10, 2019, at which time the public was afforded the opportunity to comment upon the Draft LSWMP; and

WHEREAS, during the forty-five (45) day public comment period following the public meeting, comments were received and the Town Board further extended the public comment period through January 31, 2020; and

WHEREAS, in response to certain comments that were not relative to the LSWMP, but pertaining to a separate Town initiative connected with a request for proposals for the management of the Town's municipal solid waste and recyclables, an appendix to the LSWMP was prepared that distinguishes the two separate initiatives; and

WHEREAS, the Town's Responsiveness Survey, Preface, and Final Draft LSWMP were submitted to, and approved by, the NYSDEC; and

WHEREAS, Commissioner Lenz, by the aforementioned memorandum, advised that all necessary steps for the development of the LSWMP have been completed and therefore recommended and requested that the Town Board adopt the LSWMP, dated April, 2020, effective upon NYSDEC approval of the Final LSWMP, that the Town agree to implement and maintain the solid waste management system described in the LSWMP, and that the Town agree to submit annual planning unit reports and biennial updates,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations and requests as hereinabove set forth are accepted and approved, and the Town hereby adopts the LSWMP, dated April, 2020, effective upon NYSDEC approval of the Final LSWMP, agrees to implement and maintain the solid waste management system described in the LSWMP, and agrees to submit annual planning unit reports and biennial updates.

-#-

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

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

Reviewed by
Office of Town Attorney
Matthew J. G.

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

APRIL 3, 2020

TO: MEMORANDUM DOCKET

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

SUBJECT: ADOPTION OF THE LOCAL SOLID WASTE MANAGEMENT PLAN FOR THE
TOWN OF OYSTER BAY SOLID WASTE DISPOSAL DISTRICT

In order to comply with the State's statutory requirements for solid waste management and practices set forth in the New York State Environmental Conservation Law (ECL) Sections 7-0106 and §27-0107, as well as New York State Department of Environmental Conservation (NYSDEC) regulations Chapter IV, Subpart 366: Local Solid Waste Management, a Local Solid Waste Management Plan (LSWMP) must be developed and implemented by the Town of Oyster Bay (Town) for the Solid Waste Disposal District.

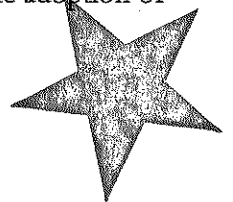
A LSWMP is an instrument intended to evaluate the current solid waste management practices, evaluate the options and alternatives available for future solid waste management, and to set forth the implementation steps for a 10-year planning period along with establishing projections of reduction in waste disposal over the 10-year plan.

A Draft LSWMP had been prepared for the NYSDEC Division of Materials Management and deemed to adequately address all required elements, which allowed the Town to enter the required public comment period. Town Board Resolution 704-2019, dated November 19, 2019, authorized a public presentation of the Draft LSWMP at the Town Board meeting of December 10, 2019. Notice of the public meeting was published in Newsday on November 21, 2019, copy attached, providing the necessary 15-day prior notice in addition to a posting on the Town website.

While no public comments were offered following the presentation on December 10, 2019 a 45-day public comment period commenced which was due to expire on January 24, 2020. Comments were received during this period, at which time the Town Board extended the public comment period to January 31, 2020 by Town Board Resolution 95-2020, dated January 28, 2020.

All comments received were compiled and a response issued as "LSWMP Public Comments and Responsive Survey." Additionally, as several comments had been relative not to the LSWMP but a separate Town initiative in a Request for Proposals (RFP) for the management of the Town's municipal solid waste and recyclable materials, a Preface was developed to distinguish the two separate initiatives. The Responsiveness Survey, Preface, and Final Draft LSWMP were submitted to the NYSDEC for review.

The Department of Public Works received the attached letter from NYSDEC on March 30, 2020 which states that the LSWMP complies with the relative sections of New York State ECL and NYSDEC regulations and was deemed an approvable plan. The final steps in the LSWMP process is the adoption of the plan by the Town Board.



TO: Memorandum Docket
Page 2

In accordance with NYSDEC regulations Section 266-4.1(d) the Town must prepare a Final LSWMP incorporating the corrections, changes and/or revisions necessitated by the Public Comment process and final NYSDEC review and requires the Town Board to adopt the Final LSWMP. The Preface and Public Comments and Responsiveness Survey have been incorporated into the Final LSWMP as 'Appendix J.'

As the Town, as a cooperative effort between the Department of Public Works and Department of Environmental Resources, has completed all necessary steps for the development of the LSWMP, conducted the required public comment process, and received the necessary NYSDEC approvals in accordance within applicable State laws and regulations, recommends and request that the Town Board, by Resolution, adopt the LSWMP, dated April 2020, effective upon NYSDEC approval of the Final LSWMP; agree to implement and maintain the solid waste management system described in the LSWMP; and, agree to submit annual planning unit reports and biennial updates.


RICHARD W. LENZ, P.E.

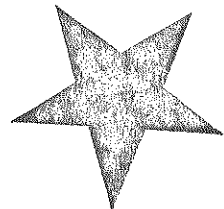
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/CT/MR/mr

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
George Baptista, Deputy Commissioner/Environmental Resources
Daniel Pearl, Deputy Commissioner/Public Works

LSWMP DOCKET FOR ADOPTION



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Solid Waste Management
625 Broadway, Albany, New York 12233-7260
P: (518) 402-8678 | F: (518) 402-9024
www.dec.ny.gov

March 30, 2020

Mr. Richard Lenz, P.E., Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791
rlenz@oysterbay-ny.gov

Dear Mr. Lenz:

Re: Town of Oyster Bay Draft Local Solid Waste Management Plan

The New York State Department of Environmental Conservation (Department) has completed the review of the Town of Oyster Bay's (Town) Draft Local Solid Waste Management Plan (LSWMP) received as a final draft on March 24, 2020.

Based on this review, the Department has determined that the Town of Oyster Bay LSWMP provides substantive consideration of the elements set forth in New York State Environmental Conservation Law (Section 27-0107) and the State's Local Solid Waste Management Plan Contents regulations (6 NYCRR Part 366-2) and constitutes an approvable plan.

For the Department to grant final approval of the Town's LSWMP, the following items must be submitted:

1. A complete stand-alone final Town of Oyster Bay LSWMP which contains all revisions to the draft LSWMP resulting from department review.
2. Certified resolutions from the Town of Oyster Bay stating: 1) that the LSWMP is adopted by the Town, 2) that the Town will implement and maintain the solid waste management system as described in the final LSWMP and 3) that the Town will submit biennial updates as required by 366-4.1(d). These certified resolutions should be included in the final LSWMP.

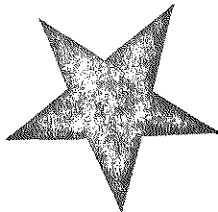
The Department will continue to work with the Town through the finalization process.

Please contact Kate John at (518) 623-1230 or planning@dec.ny.gov if you have any questions concerning this matter.

Sincerely, Richard
Clarkson

Richard Clarkson, P.E.
Director
Bureau of Solid Waste Management

Digitally signed by
Richard Clarkson
Date: 2020.03.30 13:11:16
-04'00'



Department of
Environmental
Conservation



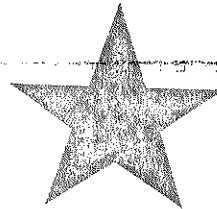
WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated October 31, 2019, requested that the Department of Public Works be permitted to conduct a presentation of the Local Solid Waste Management Plan (LSWMP) at the Town Board meeting of December 10, 2019. Commissioner Lenz, in said memorandum, further requested that the Office of the Town Clerk be authorized to publish a Public Notice for this purpose at least 15 days prior to the presentation,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Public Works is hereby authorized to conduct a presentation of the LSWMP at the Town Board meeting of December 10, 2019, and the Office of the Town Clerk is hereby authorized and directed to publish the aforesaid Public Notice.

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

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



Announcements



- Lost/Found
- Personals
- Ticket brokers
- Professional Services
- Legal Services

LEGAL NOTICES

Legal Notice # 21546920

PUBLIC NOTICE
PLEASE TAKE NOTE that the Town of Oyster Bay Town Board will be presenting the draft Local Solid Waste Management Plan (LSWMP) for the Town of Oyster Bay Solid Waste Disposal District at the Town Board meeting of December 10, 2019, at 10:00 a.m. Following this presentation a 45-calendar day public comment period shall commence. A copy of the draft Local Solid Waste Management Plan is available for viewing at the Office of the Town Clerk, 24 Audrey Avenue, Oyster Bay, New York, and is also available on the Town of Oyster Bay website at www.oysterbaytown.com. Public comment can be made at the Town Board meeting of December 10, 2019, or by writing to the Department of Public Works, at: LSWMP Public Comment, 150 Miller Place, Syosset, New York, 11791. The draft Local Solid Waste Management Plan has been prepared in accordance with the requirements of New York State Environmental Conservation Law sections 27-015b and 27-107, and New York State Department of Environmental Conservation (DEC) Regulations Part 365-3. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY,
JOSEPH S. SALADINO, Supervisor,
JAMES ALYADONNA, JR., Town Clerk.
Dated: November 8, 2019,
Oyster Bay, New York.

Legal Notice # 21528296
Notice of formation of Hamilton Steele Properties LLC. Articles of Organization filed with the Secretary of State of New York (SSNY) on 08/27/2019. Office located in Nassau, SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC 244 Trumbull Rd. Manhasset NY 11030. Purpose: any lawful purpose.

Legal Notice # 21532278
Notice of formation of Affiliates Marketing Strategies LLC, a domestic LLC, Articles of Organization filed with the Secretary of State of New York (SSNY) on September 5, 2019. Office location: Nassau County, SSNY is designated for service of process. SSNY shall mail copy of process to: The LLC, 39 Vermont St. Long Beach, NY 11561. Purpose: any lawful purpose.

Legal Notice # 21545732
Notice of Formation of Limited Liability Company (LLC) Name: PSE Electric LLC. Articles of Organization filed with the Department of State of New York on 10/18/2019. Office location: County of Nassau. Purpose: Any and all lawful activities Secretary of State of New York (SSNY) is designated as agent of LLC upon whom process against it may be served. SSNY shall mail a copy of process to: The LLC 30 Devine Street, Lynbrook, NY 11563

Legal Notice # 21546893
The New York Racing Association, Inc. ("NYRA") is soliciting bidders for the purchase, delivery and installation of new commercial kitchen equipment for Saratoga Race Course located at 281 Avenue of the Americas, Saratoga Springs, NY 12866. M/W/DBE participation is encouraged. Interested parties may fax their request for a copy of the Request for Proposal (RFP) to: procurement@nyrac.com. He Later Than Thursday, December 28, 2019 @ 5:00 PM EST.

Legal Notice # 21537235
PROJECT AIR TUNNEL 27, LLC, Arts of Org. filed with the SSNY on 07/29/2019. Office loc Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to:

ess to: The LLC, 21 Wilson Lane, Rockville Centre, NY 11570. Purpose: Any Lawful Purpose.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that pursuant to the County Government Law of Nassau County, the Nassau County Legislature will hold a public hearing in the Peter J. Schmitt Memorial Legislative Chamber of the Nassau County Legislature, Theodore Roosevelt Executive and Legislative Building, 1550 Franklin Avenue, Mineola, New York, Monday, November 25th, 2019 at one o'clock in the afternoon on a Proposed Local Laws entitled:

- A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE WITH REGARD TO ASSESSMENT REVIEW COMMISSION FEES THAT DO NOT REDUCE ASSESSMENTS. 403-15(1E)
- A LOCAL LAW TO ESTABLISH THE OFFICE OF CRIME VICTIM ADVOCATE.
- A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE TO ESTABLISH AN ANNUAL REPORT TO NASSAU COUNTY ON THE CURRENT CONDITIONS OF THE GROUND WATER AND PUBLIC WATER SUPPLY SYSTEMS. 407-15(1E)

A copy of the proposed Local Law is on file and may be examined in the Office of the Clerk of the Nassau County Legislature during normal business hours. BY ORDER of the Nassau County Legislature of the County of Nassau, New York,
Michael C. Pultrone, Clerk of the Legislature,
Nassau County, New York
Dated: November 18, 2019
Garden City, (Mineola, P.O.) New York.

As per the Nassau County Fire Marshall's Office, the Legislative Chamber has a maximum occupancy of 72. Passes will be distributed on a first come first served basis beginning at 12:30 PM and attendees must be given an opportunity to sign in to be admitted to the hearing. The Nassau County Legislature is committed to accessible public meetings accessible to individuals with disabilities. Any necessary accommodations will be made so that they can participate. Every Legislative meeting is streamed live 1122/www.nassaucounty.ny.gov/broadcasts/index.html.

Legal Notice # 21546424

NOTICE TO BIDDERS

The Board of Education of the Great Neck Public Schools, in accordance with Section 103 of Article 5A of the General Municipal Law, hereby invites the submission of sealed bids for KOSHER CHICKEN LEGGETS & KOSHER SKEIN TURKEY. Bids must be clearly labeled with the name of the bid and submitted in a sealed envelope to:
Purchasing Department
Philip Amadio, Director
Building
445 Lakville Road
Great Neck, NY 11020
Bids will be received at the address indicated above until 11:00 AM EDT on DECEMBER 5, 2019, at which time all bids will be publicly opened. The Board of Education reserves the right to waive any informality in the bids, or to reject all bids, or to accept any bids which, in the opinion of the Board, will be in the best interest of the District. Any bids submitted will be binding for sixty days (60) days subsequent to the date of the bid opening.
By: Jason Martin
Purchasing Officer
Great Neck Public Schools

Legal Notice # 21543213
Shepherd Management, LLC, Arts of Org. filed with Sec. of State of NY (SSNY) 10/17/2019. Cur Nassau, SSNY design as agent upon whom process against may be served & shall mail process to 15 Shuler Rock Rd, Manhasset, NY 11030. General Purpose.

Legal Notice # 21546107

NOTICE TO BIDDERS

SEALED BIDS will be publicly opened by the DEPT. OF SHARED SERVICES, COUNTY OF NASSAU, at its office, 1 West Street, Mineola, New York 11501 at 11:00 A.M. November 5, 2019. The bids are the dates) indicated below.
Bid Opening Date:
a) December 3, 2019
b) Sewage Grinders (F & D), December 5, 2019
c) Communal Cabling
d) Fresh Fruits & Vegetables
e) Poultry Meat & Meat Products.
December 12, 2019
a) Gasoline Regular & Premium
All bids must be made on DEPT. OF SHARED SERVICES bidding sheets only, subject to all County terms, conditions and detailed specifications which must be downloaded @bids/ny.gov/nygov.
Dated: November 21, 2019
at Mineola, New York
Vaughn Benson,
Deputy Comm. of Shared Services.

Legal Notice # 21546821

LAWRENCE UNION FREE

PLEASE TAKE NOTICE that pursuant to the authority granted to the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead and the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead hereby gives notice of a public hearing pursuant to Section 202 of the Education Law, as amended, to consider the proposed acquisition, by eminent domain, of the property described as 287 Mott Avenue, Inwood, New York 11096, which is also known as Section 40, Block 163, Lot 215 on the Nassau County Land and Tax Map. The acquisition of this property by the Lawrence Union Free School District Number 15, Town of Hempstead will be used to enlarge the campus of a District owned educational facility. Persons may appear at the hearing in person or by agent and will be given the opportunity to present oral or written statement and to submit other documents or information concerning the proposed acquisition. If the property owners wish to challenge condemnation of their property via judicial review, they may do so only on the basis of issues, facts and objections raised at this hearing.
Dated: 11/21, 11/22, 11/23, 11/24, 11/25/2019
Cedarhurst, New York
BY ORDER OF THE BOARD OF EDUCATION, LAWRENCE UNION FREE SCHOOL DISTRICT, DISTRICT CLERK

Legal Notice # 21546578

NOTICE OF REQUEST FOR CONSULTATION SERVICES

The Long Beach Housing Authority is requesting proposals for Management Consultation Services in relation to the Capital Fund Program. Proposals will be accepted until 3:00 p.m. on December 12, 2019.
If you are interested in providing this Management Consultation Service, please appear during business hours for a copy of the Request for Proposals (RFP) at:
Long Beach Housing Authority
500 Centre Ave.
Long Beach, NY 11561
The Long Beach Housing Authority reserves the right to reject any all proposals.
Mike Cruz
Executive Director

Legal Notice # 21546578

A COPY OF THE FULL TEXT OF THIS ORDINANCE INCLUDING EXHIBITS THAT ARE SCHEDULED TO BE 16/2020 AND VOTED ON BY THE NASSAU COUNTY LEGISLATURE LOCATED AT 1550 FRANKLIN AVENUE, MINEOLA, NY 11501 ON NOVEMBER 19, 2019 AT 1:00 PM HERETO IS AVAILABLE IN THE OFFICE OF THE CLERK OF THE NASSAU COUNTY LEGISLATURE WHERE IT IS AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. A COPY CAN ALSO BE OBTAINED FREE OF CHARGE BY CALLING 516-572-4252 FOR ASSISTANCE OR VIEWED ONLINE AT www.nassaucountyny.gov/legislation.

PROPOSED ORDINANCE NO. 119-2019

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LEGAL NOTICES

Legal Notice # 21543216

V & D Holdings, LLC, Arts of Org. filed with Sec. of State of NY (SSNY) 10/22/2019. Cur Nassau, SSNY design as agent upon whom process against may be served & shall mail process to 28 Kaubayev, 77 Barnyard Ln, Roslyn Heights, NY 11577. General Purpose.

Legal Notice # 21544256

Notice of formation of MCLT

Real Estate LLC, Articles of Organization filed with the Secretary of State of New York (SSNY) on 10/22/2019. Office located in Nassau, SSNY is designated for service of process. SSNY shall mail copy of any process served against the LLC 6 Alliance Street, Valley Stream, NY 11580. Purpose: any lawful purpose.

Legal Notice # 10022

Notice of formation of 3116

CLARENDON INVESTORS LLC, Arts of Org. filed with the Secretary of State of New York (SSNY) on 12/22/17. Office location: Nassau County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: POB 158, 124 Grove Ave, Cedarhurst, NY 11516. Purpose: any lawful activity.

Legal Notice # 21546578

A COPY OF THE FULL TEXT OF THIS ORDINANCE INCLUDING EXHIBITS THAT ARE SCHEDULED TO BE 16/2020 AND VOTED ON BY THE NASSAU COUNTY LEGISLATURE LOCATED AT 1550 FRANKLIN AVENUE, MINEOLA, NY 11501 ON NOVEMBER 19, 2019 AT 1:00 PM HERETO IS AVAILABLE IN THE OFFICE OF THE CLERK OF THE NASSAU COUNTY LEGISLATURE WHERE IT IS AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. A COPY CAN ALSO BE OBTAINED FREE OF CHARGE BY CALLING 516-572-4252 FOR ASSISTANCE OR VIEWED ONLINE AT www.nassaucountyny.gov/legislation.

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OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK

TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION

CHAPTER IV. QUALITY SERVICES

SUBCHAPTER B. SOLID WASTES

PART 366. LOCAL SOLID WASTE MANAGEMENT PLANNING

SUBPART 366-4. LSWMP APPROVAL

6 CRR-NY 366-4.1

6 CRR-NY 366-4.1

366-4.1 LSWMP approval process.

A draft LSWMP submitted to the department for review and approval must be in a format acceptable to the department.

(a) Draft LSWMP completeness review.

The department will determine if the draft LSWMP contains all the required elements identified in this Part for purposes of commencing review and will provide written notification to the planning unit of its completeness determination within 30 calendar days of receipt of the draft LSWMP. If written notification is not provided within 30 calendar days of receipt of the draft LSWMP, the draft LSWMP will be deemed complete, by default, for the purposes of this subdivision.

(1) If the department determines the draft LSWMP is complete, or the draft LSWMP is deemed complete by default the existing LSWMP will remain in effect for the planning unit throughout the draft LSWMP review and development period, not to exceed one year from the date the draft was determined complete by the department or was deemed complete by default.

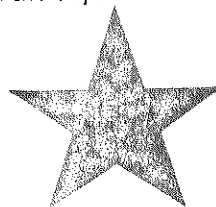
(2) If the department determines that the draft LSWMP does not adequately address all the basic elements of a LSWMP, the draft LSWMP will be deemed incomplete and the planning unit will be advised in writing of the deficiencies and will be required to resubmit a revised draft LSWMP for review. Upon resubmittal of the revised draft LSWMP, the department will review for completeness as outlined in this subdivision.

(b) Complete draft LSWMP review.

The department will review the complete draft LSWMP to determine whether it adequately addresses all required elements identified in this Part and will provide written notification to the planning unit of its determination within 120 calendar days after the date the draft LSWMP is deemed complete. If written notification is not provided within 120 calendar days, the complete draft LSWMP will be considered approvable.

(1) If the department determines that the complete draft LSWMP adequately addresses all required elements, the written notification provided by the department to the planning unit will advise that the complete draft LSWMP is approvable and that a final LSWMP must be prepared in accordance with subdivision (d) of this section.

(2) If the department determines that the complete draft LSWMP does not adequately address all required elements, the written notification provided by the department to the planning unit identifying the deficiencies and a revised complete draft LSWMP will be required to be resubmitted for review. For the second and any subsequent reviews of the revised complete draft LSWMP, the revised complete draft LSWMP will be considered approvable if written notification to the planning unit advising of any deficiencies is not provided from the department within 60 calendar days of receipt of the revised complete draft LSWMP.



(c) If, the approvable LSWMP differs substantively from the first draft LSWMP, as determined by the department or planning unit, the planning unit must commence an additional public comment period in accordance with Subpart 366-3 of this Part. A responsiveness summary must be submitted to the department as part of a revised approvable LSWMP, which will include all changes to the approvable LSWMP based on the additional public comments, with a letter summarizing these changes. The department will provide written notification to the planning unit within 30 calendar days of receipt of the revised approvable LSWMP whether the revised approvable LSWMP is accepted. If written notification to the planning unit is not provided within 30 calendar days, the revised approvable LSWMP will be considered accepted.

(d) Final LSWMP.

Once the department provides written notification to the planning unit that the draft LSWMP is approvable or the revised approvable LSWMP is accepted, the planning unit must submit to the department the following:

- (1) a final LSWMP including all corrections, changes and/or revisions resulting from any department review;
- (2) a resolution(s) of adoption from all necessary planning unit members, which states that the planning unit or planning unit members, as applicable, will:
 - (i) adopt the LSWMP, effective upon department approval of the LSWMP;
 - (ii) implement and maintain the solid waste management system described in the LSWMP; and
 - (iii) submit annual planning unit reports and biennial updates.

(e) LSWMP approval.

Once the department has determined that the final LSWMP and adopting resolution or resolutions are complete and acceptable, the department will approve the LSWMP, in writing. The LSWMP, as approved, will then be the LSWMP in effect for the planning unit for the 10-year planning period it describes.

(f) Subsequent LSWMP.

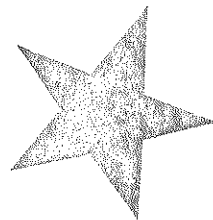
At least 180 days prior to the expiration of the planning period established by an approved LSWMP, a draft LSWMP must be submitted to the department.

(g) Optional LSWMP planning period extension.

As provided in section 366-5.2 of this Part, the planning period of the final LSWMP may be extended by two years as part of the biennial LSWMP update.

6 CRR-NY 366-4.1

Current through December 15, 2019



WHEREAS, by Resolution No. 809-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with de Bruin Engineering, P.C. to provide technical services in connection with Contract No. PWC07-20, On-Call Engineering Services relative to Civil Engineering, for a two (2) year period, from January 1, 2020 through December 31, 2021; and

WHEREAS, Robert W. de Bruin, P.E., de Bruin Engineering, P.C., by letter dated March 3, 2020, described the scope of work to be performed under Contract No. PWC07-20, relative to the permitting process for beach nourishment at TOBAY Beach and Fire Island Inlet Dredging, for an amount not to exceed \$135,914.50; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 2, 2020, requested Town Board authorization for payment to de Bruin Engineering, P.C. for the aforesaid engineering services under Contract No. PWC07-20, requested that the Town Board authorize de Bruin Engineering, P.C.'s use of Gayron de Bruin Surveying and Engineering, P.C., Soil Mechanics Drilling Corp., Amalgamated Consulting Engineering and Surveying, PLLC, and Land Use Ecological Services, Inc., as sub-consultants, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$135,914.50 for this purpose; and

WHEREAS, funds in the amount of \$135,914.50 to satisfy said engineering costs are available in Account No. PKS H 7197 20000 000 1902 001,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and payment to de Bruin Engineering, P.C. is hereby authorized for the aforementioned services in connection with Contract No. PWC07-20, On-Call Engineering Services relative to Civil Engineering, and be it further

RESOLVED, That the Town Board hereby authorizes de Bruin Engineering, P.C.'s use of Gayron de Bruin Surveying and Engineering, P.C., Soil Mechanics Drilling Corp., Amalgamated Consulting Engineering and Surveying, PLLC, and Land Use Ecological Services, Inc., as sub-consultants, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, in an amount not to exceed \$135,914.50, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account PKS H 7197 20000 000 1902 001.

-#-

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

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

Reviewed By
Office of Town Attorney
Matthew L. K.

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

APRIL 2, 2020

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICES RELATIVE TO CIVIL ENGINEERING
USE OF SUB-CONSULTANTS
PERMIT PROCESS FOR BEACH NOURISHMENT AT TOBAY BEACH AND
FIRE ISLAND INLET DREDGING PERMITS/BUILD UP TOBAY BEACH
CONTRACT NO. PWC 07-20
ACCOUNT NO. PKS H 7197 20000 000 1902 001
PROJECT NO. 1902 PKSA-02

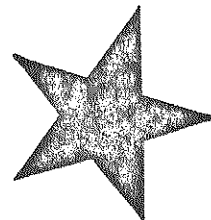
The consultant, de Bruin Engineering, P. C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PW 07-20 by Resolution No. 806-2019 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated March 3, 2020 from de Bruin Engineering, P. C. regarding the scope of work to continue to be performed in an amount not to exceed \$135,914.50. Services to continue to be performed include the necessary permit process for Beach Nourishment at TOBAY Beach Ocean Side and Fire Island Inlet Dredging Permits to build up TOBAY Beach and the stabilization of erosion. Said permits are maintenance permits and have a ten (10) year duration. In addition, pre and post beach scraping surveys will be performed and submitted to the New York State Department of Environmental Conservation (NYSDEC) along with environmental monitoring for any work that may occur after April 1, 2020.

Attached is an availability of funds in the amount of \$135,914.50 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1902 001.

In addition, de Bruin Engineering, P. C. requests the following sub-consultants be approved to assist with the permit process:

- Gayron de Bruin Surveying and Engineering, P. C. – Topo Survey and settling bench marks.
- Soil Mechanics Drilling Corp. – Grain size analysis of beach samples.
- Amalgamated Consulting Engineering and Surveying, PLLC. – Beach profiles into the ocean.
- Land Use Ecological Services, Inc. – Sampling and testing material from heading and NYS Boat Channel.



It is hereby requested that the Town Board authorize by Resolution de Bruin Engineering, P. C. under Contract No. PWC 07-20, On-Call Engineering Services Relative to Civil Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose as well as approval of Gayron de Bruin Surveying and Engineering, P. C., Soil Mechanics Drilling Corp., Amalgamated Consulting Engineering and Surveying, PLLC. and Land Use Ecological Services, Inc. as sub-consultants.

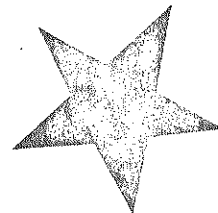

RICHARD W. LENZ, P. E.

COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/JSP/MR/jct

cc: Town Attorney's Office (w/9 copies)
Steven C. Ballas, Comptroller
Joseph G. Pinto, Commissioner/Parks
Lori Kabelka, Division of Engineering

PWC 07-20 DOCKET DEBRUIN TOBAY BEACH PERMITS 2020



March 3, 2020

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

Re: On Call Engineering Services / Civil Engineering
Contract No. PWC 07-20
TOBAY Beach Re-nourishment
de Bruin No. 6238

Dear Commissioner,

Our original proposal for this project, under PW 18-07 had a total fee of \$168,310.00. Through December 31, 2019 we have spent and billed \$61,395.50. We respectfully request that the balance of the funds be authorized under PWC 07-20 for a total amount of **\$106,914.50**.

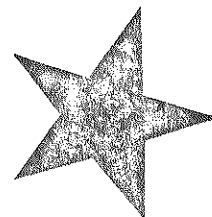
The work remaining to be completed under the 2019 authorization is as follows:

Permit for Beach Scraping and Importing Sand

1. Provide assistance to the Town as required during execution of re-nourishment work. It is our understanding that the Town will execute this work in-house. As such, this proposal does not include preparation of construction contract documents, or bidding and construction administration work.

Permit for Dredging from Fire Island Inlet and Building Up TOBAY Beach

1. Prepare a grading design of the re-nourishment to determine the required volume of material required for re-nourishment and the amount of material available from beach scraping.
2. Obtain information on the USACE permitted dredging of Fire Island Inlet and incorporate in design documents.
3. Prepare construction drawings suitable for performing the project work and for filing for permits with NYSDEC, USACE and NYSDOS.



- 4. Prepare permit applications to NYSDEC, USACE and NYSDOS with supporting Environmental Assessment forms.
- 5. Attend pre-application meeting with the agencies, submit applications, and address questions that arise during review.

Investigate Quality of Bottom Materials in the Heading and NYS Boat Channel

- 1. Obtain samples of bay and channel bottom materials to a depth of 6' below the bottom. Examine samples in the field and separate them by material types. Perform grain size analysis of sandy materials.
- 2. Obtain samples from bay side beach and perform grain size analysis.
- 3. Review data with NYSDEC to assess feasibility of using materials for renourishment.
- 4. Prepare a report to the Town with results of investigation.

In addition to the work proposed under our 2019 authorization, the NYSDEC has inserted two (2) special condition in the Beach Scraping permit that were not covered in the 2019 authorization.

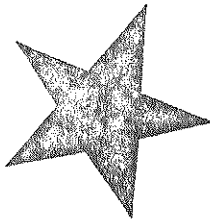
- 1. Provide pre and post beach scraping surveys and submit beach profile drawings to the NYSDEC.
- 2. Provide Environmental Monitoring on the beach in accordance with the permit conditions for any work conducted after April 1st.

The cost for pre and post scraping surveys is \$4,000.00 each for a total of \$8,000.00

The cost of Environmental Monitoring is \$1,250.00 per day for pre-construction monitoring for 4 days for a total of \$5,000.00. The cost of monitoring during construction is \$1,050.00 per day for an estimated 20 days for a total of \$21,000 bring the total estimated cost of monitoring to \$26,000.00.

In summary, we request the following authorization of funds for 2020 work on this program:

Item	Amount
Transfer of Funds from 2019 Authorization	\$106,914.50
Pre and Post Scraping Surveys	\$8,000.00
Environmental Monitoring	\$26,000.00
Total	\$135,914.50



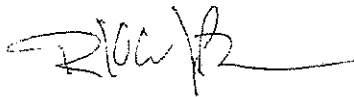
March 3, 2020

We respectfully request that the following sub-consultants be approved for the work remaining:

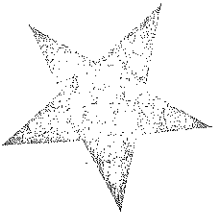
SUB-CONSULTANT	SCOPE
Gayron de Bruin Surveying and Engineering, PC	Topo survey of TOBAY Beach and setting benchmarks
Soil Mechanics Drilling Corp.	Grain Size Analysis of Beach Samples
Amalgamated Consulting Engineering and Surveying, PLLC	Beach Profiles into ocean
Land Use Ecological Services, Inc.	Sampling and Testing materials from the Heading and NYS Boat Channel; Environmental Monitoring

Thank you for your consideration in this matter. Please contact me at your convenience with any comments or questions.

Sincerely yours,



Robert W. de Bruin, P.E.





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



Requesting Division/Department

PARKS

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

Contract Number PWC07-20

Contract Period JANUARY 1, 2020 THRU DECEMBER 31, 2021

Consultant/Contractor de Bruin Engineering, P. C.

Discipline On-Call Engineering Services / Civil Engineering

Total Authorization

Resolution No. 806-2019 Date 12/10/2019

Funded To Date

Amount Requested \$135,914.50

Account To Be Used PKS - H - 7197 - 20000 - 000 - 1902 - 001 P.I.A - 1902 - PKSA-02

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

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

On-Call Engineering Services / Civil Engineering / TOBAY Beach Nourishment

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$ n/a

Requesting Division/Department

Signature

Title Deputy Commissioner of Parks

Date 4/1/20

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title Commissioner of Public Works

Date 4/2/20

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 135,914.50

Unencumbered Balance 135,914.50

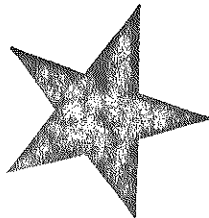
Is The Account To Be Used Consistent With The Nature Of Work Listed Above?

Yes ☒ No ☐

Signature

Date

4/2/20





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2020

Contract No. PWC07-20

Contract End 12/31/2021

Commencement Date _____

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

Vendor Name and Address

de Bruin Engineering, P. C.

1400 Old Country Road Suite 106

Westbury, New York 11590

Requesting Town Department _____

Parks

Contact _____

John Tassone
Brian Kunzig

Phone _____

5722
X-5744

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

On-Call Engineering Services / Civil Engineering / TOBAY Beach Nourishment

This work order shall not exceed \$ \$135,914.50

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

Requesting Division/Department

Signature _____

Title Deputy Commissioner / Parks

Date _____

4/1/20

Department Of Public Works Approval

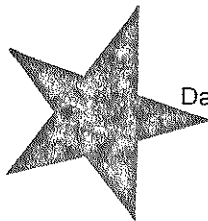
Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date _____

4/2/20



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2019, advised that a Request for Proposals for On-Call Engineering Services relative to Civil Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC07-20, for a two (2) year term contract commencing January 1, 2020 through December 31, 2021 was issued to nine (9) firms, and was placed on the Town of Oyster Bay website; and

WHEREAS, in response to that Request for Proposals, sixteen (16) responses were timely received by the Division of Engineering; and

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

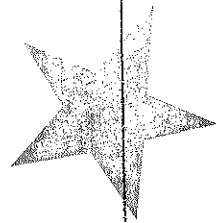
WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with AECOM USA, Inc., D&B Engineers & Architects, P.C., de Bruin Engineering, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and N&P Engineering, Architecture and Land Surveying, PLLC, to provide On-Call Engineering Services relative to Civil Engineering, in accordance with the specifications contained in Contract No. PWC07-20, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

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. PWC14-20 with AECOM USA, Inc., D&B Engineers & Architects, P.C., de Bruin Engineering, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and N&P Engineering, Architecture and Land Surveying, PLLC, in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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



Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 3, 2020, advised that the design for Contract No. H18-171-P1, Reconstruction Program, Cabot Road West Area and Harbor Place Area, Massapequa, has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised, that he approved the plans and specifications submitted, with an estimated construction time for completion of two hundred forty (240) calendar days, and recommended that the Division of Purchasing, Department of Public Works, proceed with setting a date for receiving bids for said Contract; and

WHEREAS, this project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of Public Works, is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H18-171-P1.

#

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

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

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Reviewed By

Office of Town Attorney

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

APRIL 3, 2020

TO: MEMORANDUM DOCKET

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


SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
FLOOD DIVERSION PROJECTS FOR MASSAPEQUA & MASSAPEQUA PARK,
PHASE 1, AS PART OF THE NEW YORK RISING COMMUNITY
RECONSTRUCTION PROGRAM
CABOT ROAD WEST AREA AND HARBOR PLACE AREA, MASSAPEQUA
CONTRACT NO. H18-171-P1

Town Board Resolution 293-2018, authorized N&P Engineers & Land Surveyor, PLLC to perform engineering services relative to this project. The design phase has been completed and the Commissioner of Public Works/Highway has approved the plans and specifications. The estimated construction duration for this work is 240 calendar days.

This project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas.

The Department of Public Works requests permission to proceed with the Bid and Construction Phases of this project.

It is further requested that the Town Board authorize that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.

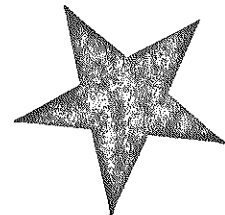

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/mr

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/Intergovernmental Affairs
John P. Bishop, Deputy Commissioner/Highway
Daniel D. Midgette, Division of Engineering

H18-171-P1 DOCKET PERMISSION TO BID



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated April 6, 2018 and April 19, 2018, advised that, in connection with Contract No. H18-171-P1, Flood Diversion and Control Projects for Massapequa and Massapequa Park, Project 1, Outfall 126 System and Outfall 67 System, the Department of Public Works issued a request for proposals for professional services; and

WHEREAS, in response to the request for proposals, five (5) responses were timely received, which were evaluated in accordance with the provisions of the Procurement Policy; and

WHEREAS, following due consideration of the responses, the Department of Public Works selected N&P Engineers & Land Surveyor, PLLC, to provide services under Contract No. H18-171-P1, which selection has been reviewed and approved by the Governor's Office of Storm Recovery; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize N&P Engineers & Land Surveyor, PLLC to perform engineering services under Contract No. H18-171-P1 and that Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis be authorized as sub-consultants, in an amount not to exceed \$449,135.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001; and

WHEREAS, the funding of this project is being provided by the Governor's Office of Storm Recovery and is without cost to the Town; and

WHEREAS, Commissioner Lenz has further requested that the Supervisor, or his designee, be authorized to execute a required consultant agreement following final approval by the Governor's Office of Storm Recovery,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and N&P Engineers & Land Surveyor, PLLC is authorized to perform engineering services under Contract No. H18-171-P1 and Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis are authorized as sub-consultants, in an amount not to exceed \$449,135.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001, and be it further

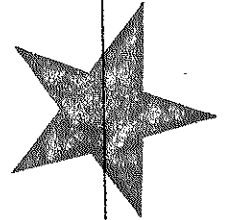
RESOLVED, That the Supervisor, or his designee, is authorized to execute a required consultant agreement following final approval of same by the Governor's Office of Storm Recovery.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs
Public Works



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 3, 2020, advised that the design for Contract No. H18-171-P2, Reconstruction Program, Seneca Place Area, Massapequa, has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that he approved the plans and specifications submitted with an estimated construction time for completion of ninety (90) calendar days, and recommended that the Division of Purchasing, Department of Public Works, proceed with setting a date for receiving bids for said Contract; and

WHEREAS, this project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of Public Works, is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H18-171-P2.

#

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

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

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

APRIL 3, 2020

TO: MEMORANDUM DOCKET

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

SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
FLOOD DIVERSION PROJECTS FOR MASSAPEQUA & MASSAPEQUA PARK,
PHASE 1, AS PART OF THE NEW YORK RISING COMMUNITY
RECONSTRUCTION PROGRAM
SENECA PLACE AREA, MASSAPEQUA
CONTRACT NO. H18-171-P2

Town Board Resolution 437-2018, authorized N&P Engineers & Land Surveyor, PLLC to perform engineering services relative to this project. The design phase has been completed and the Commissioner of Public Works/Highway has approved the plans and specifications. The estimated construction duration for this work is 90 calendar days.

This project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas.

The Department of Public Works requests permission to proceed with the Bid and Construction Phases of this project.

It is further requested that the Town Board authorize 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.

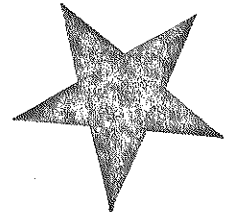
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/mr

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/Intergovernmental Affairs
John P. Bishop, Deputy Commissioner/Highway
Daniel D. Midgette, Division of Engineering

H18-171-P2 DOCKET PERMISSION TO BID



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 11, 2018, advised that, in connection with Contract No. H18-171-P2, Flood Diversion and Control Projects for Massapequa and Massapequa Park, Project 2, Outfall 109 System, the Department of Public Works issued a request for proposals for professional services; and

WHEREAS, in response to the request for proposals, five (5) responses were timely received, which were evaluated in accordance with the provisions of the Town's Procurement Policy; and

WHEREAS, following due consideration of the responses, the Department of Public Works selected N&P Engineers & Land Surveyor, PLLC, to provide services under Contract No. H18-171-P2, which selection has been reviewed and approved by the Governor's Office of Storm Recovery; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize N&P Engineers & Land Surveyor, PLLC to perform engineering services under Contract No. H18-171-P2 and that Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis be authorized as sub-consultants, in an amount not to exceed \$129,493.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001; and

WHEREAS, the funding of this project is being provided by the Governor's Office of Storm Recovery and is without cost to the Town; and

WHEREAS, Commissioner Lenz has further requested that the Supervisor, or his designee, be authorized to execute a required consultant agreement following final approval by the Governor's Office of Storm Recovery;

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and N&P Engineers & Land Surveyor, PLLC is authorized to perform engineering services under Contract No. H18-171-P2 and Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis are authorized as sub-consultants, in an amount not to exceed \$129,493.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001, and be it further

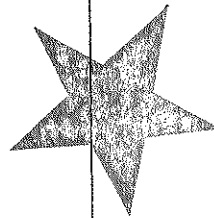
RESOLVED, That the Supervisor, or his designee, is authorized to execute a required consultant agreement following final approval of same by the Governor's Office of Storm Recovery.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Intergovernmental Affairs



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 3, 2020, advised that the design for Contract No. H18-171-P3, Reconstruction Program, Brockmeyer Drive Area, Clearwater Avenue Area and Iroquios Place Area, Massapequa, has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that he approved the plans and specifications submitted with an estimated construction time for completion of two hundred forty (240) calendar days, and recommended that the Division of Purchasing, Department of Public Works, proceed with setting a date for receiving bids for said Contract; and

WHEREAS, this project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of Public Works, is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H18-171-P3.

#

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

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

Reviewed By

Office of Town Attorney

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

APRIL 3, 2020

TO: MEMORANDUM DOCKET

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

SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
FLOOD DIVERSION PROJECTS FOR MASSAPEQUA & MASSAPEQUA PARK,
PHASE 1, AS PART OF THE NEW YORK RISING COMMUNITY
RECONSTRUCTION PROGRAM
BROCKMEYER DRIVE AREA, CLEARWATER AVENUE AREA, AND IROQUIOS
PLACE AREA, MASSAPEQUA
CONTRACT NO. H18-171-P3

Town Board Resolution 295-2018, authorized N&P Engineers & Land Surveyor, PLLC to perform engineering services relative to this project. The design phase has been completed and the Commissioner of Public Works/Highway has approved the plans and specifications. The estimated construction duration for this work is 240 calendar days.

This project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas.

The Department of Public Works requests permission to proceed with the Bid and Construction Phases of this project.

It is further requested that the Town Board authorize 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.

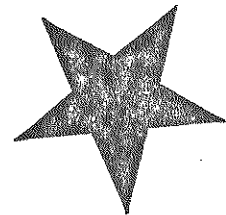
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/mr

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/Intergovernmental Affairs
John P. Bishop, Deputy Commissioner/Highway
Daniel D. Midgette, Division of Engineering

H18-171-P3 DOCKET PERMISSION TO BID



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated April 6, 2018 and April 19, 2018, advised that, in connection with Contract No. H18-171-P3, Flood Diversion and Control Projects for Massapequa and Massapequa Park, Project 3, Outfall 31 System, Outfall 114 System, and Outfall 128 System, the Department of Public Works issued a request for proposals for professional services; and

WHEREAS, in response to the request for proposals, five (5) responses were timely received, which were evaluated in accordance with the provisions of the Procurement Policy; and

WHEREAS, following due consideration of the responses, the Department of Public Works selected N&P Engineers & Land Surveyor, PLLC, to provide services under Contract No. H18-171-P3, which selection has been reviewed and approved by the Governor's Office of Storm Recovery; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize N&P Engineers & Land Surveyor, PLLC to perform engineering services under Contract No. H18-171-P3 and that Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis be authorized as sub-consultants, in an amount not to exceed \$462,390.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001; and

WHEREAS, the funding of this project is being provided by the Governor's Office of Storm Recovery and is without cost to the Town; and

WHEREAS, Commissioner Lenz has further requested that the Supervisor, or his designee, be authorized to execute a required consultant agreement following final approval by the Governor's Office of Storm Recovery,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and N&P Engineers & Land Surveyor, PLLC is authorized to perform engineering services under Contract No. H18-171-P3 and Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis are authorized as sub-consultants, in an amount not to exceed \$462,390.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001, and be it further

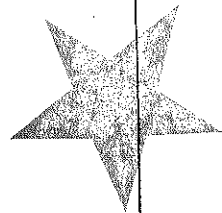
RESOLVED, That the Supervisor, or his designee, is authorized to execute a required consultant agreement following final approval of same by the Governor's Office of Storm Recovery.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs
Public Works



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 3, 2020, advised that the design for Contract No. H18-171-P4, Reconstruction Program, Division Avenue Area, Massapequa, has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, also advised that he approved the plans and specifications submitted with an estimated construction time for completion of two hundred forty (240) calendar days, and recommended that the Division of Purchasing, Department of Public Works, proceed with setting a date for receiving bids for said Contract; and

WHEREAS, this project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of Public Works, is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H18-171-P4.

#

Reviewed By
Office of Town Attorney

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

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

APRIL 3, 2020

TO: MEMORANDUM DOCKET

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


SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
FLOOD DIVERSION PROJECTS FOR MASSAPEQUA & MASSAPEQUA PARK,
PHASE 1, AS PART OF THE NEW YORK RISING COMMUNITY
RECONSTRUCTION PROGRAM
DIVISION AVENUE AREA, MASSAPEQUA
CONTRACT NO. H18-171-P4

Town Board Resolution 438-2018, authorized N&P Engineers & Land Surveyor, PLLC to perform engineering services relative to this project. The design phase has been completed and the Commissioner of Public Works/Highway has approved the plans and specifications. The estimated construction duration for this work is 240 calendar days.

This project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapeguas.

The Department of Public Works requests permission to proceed with the Bid and Construction Phases of this project.

It is further requested that the Town Board authorize that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.



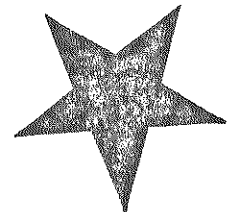
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/mr

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/Intergovernmental Affairs
John P. Bishop, Deputy Commissioner/Highway
Daniel D. Midgett, Division of Engineering

H18-171-P4 DOCKET PERMISSION TO BID



J1
MR
EW
R2

Meeting of June 26, 2018

Resolution No. 438-2018

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 11, 2018, advised that in connection with Contract No. H18-171-P4, Flood Diversion and Control Projects for Massapequa and Massapequa Park, Project 4, Outfall 38 System, the Department of Public Works issued a request for proposals for professional services; and

WHEREAS, in response to the request for proposals, five (5) responses were timely received, which were evaluated in accordance with the provisions of the Town's Procurement Policy; and

WHEREAS, following due consideration of the responses, the Department of Public Works selected N&P Engineers & Land Surveyor, PLLC, to provide services under Contract No. H18-171-P4, which selection has been reviewed and approved by the Governor's Office of Storm Recovery; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize N&P Engineers & Land Surveyor, PLLC to perform engineering services under Contract No. H18-171-P4 and that Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis be authorized as sub-consultants, in an amount not to exceed \$359,647.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001; and

WHEREAS, the funding for this project is being provided by the Governor's Office of Storm Recovery and is without cost to the Town; and

WHEREAS, Commissioner Lenz has further requested that the Supervisor, or his designee, be authorized to execute a project-specific consultant agreement following final approval by the Governor's Office of Storm Recovery,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and N&P Engineers & Land Surveyor, PLLC is authorized to perform engineering services under Contract No. H18-171-P4 and Gayron deBruin Land Surveying & Engineering, Gedeon GRC Consulting, East Coast GeoServices, and Nelson Pope & Voorhis are authorized as sub-consultants, in an amount not to exceed \$359,647.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001, and be it further

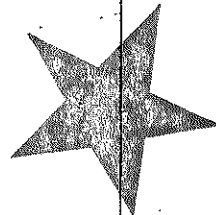
RESOLVED, That the Supervisor, or his designee, is authorized to execute a project-specific consultant agreement following final approval of same by the Governor's Office of Storm Recovery.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Intergovernmental Affairs



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated April 3, 2020, advised that the design for Contract No. H18-171-P5, Reconstruction Program, Philadelphia Avenue Area, Massapequa Park, has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that he approved the plans and specifications submitted with an estimated construction time for completion of one hundred fifty (150) calendar days, and recommended that the Division of Purchasing, Department of Public Works, proceed with setting a date for receiving bids for said Contract; and

WHEREAS, this project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of Public Works, is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H18-171-P5.

#

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

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

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

APRIL 3, 2020

TO: MEMORANDUM DOCKET

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


SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
FLOOD DIVERSION PROJECTS FOR MASSAPEQUA & MASSAPEQUA PARK,
PHASE 1, AS PART OF THE NEW YORK RISING COMMUNITY
RECONSTRUCTION PROGRAM
PHILADELPHIA AVENUE AREA, MASSAPEQUA PARK
CONTRACT NO. H18-171-P5

Town Board Resolution 454-2018, authorized Lockwood, Kessler & Bartlett, Inc. to perform engineering services relative to this project. The design phase has been completed and the Commissioner of Public Works/Highway has approved the plans and specifications. The estimated construction duration for this work is 150 calendar days.

This project is funded by the Governor's Office of Storm Recovery as detailed in the New York Rising Community Reconstruction Plan for The Massapequas.

The Department of Public Works requests permission to proceed with the Bid and Construction Phases of this project.

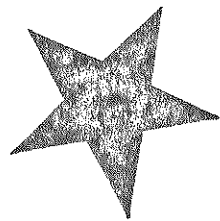
It is further requested that the Town Board authorize that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.


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

RWL/JCT/MR/mr

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/Intergovernmental Affairs
John P. Bishop, Deputy Commissioner/Highway
Daniel D. Midgett, Division of Engineering



H18-171-P5 DOCKET PERMISSION TO BID

57
111
EW

FILE

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated April 6, 2018 and April 19, 2018, advised that, in connection with Contract No. H18-171-P5, Flood Diversion and Control Projects for Massapequa and Massapequa Park, Project 5, Philadelphia Avenue Area, the Department of Public Works issued a request for proposals for professional services; and

WHEREAS, in response to the request for proposals, three (3) responses were timely received, which were evaluated in accordance with the provisions of the Town's Procurement Policy; and

WHEREAS, following due consideration of the responses, the Department of Public Works selected Lockwood, Kessler & Bartlett, Inc., to provide services under Contract No. H18-171-P5, which selection has been reviewed and approved by the Governor's Office of Storm Recovery; and

WHEREAS, Commissioner Lenz requested that the Supervisor, or his designee, be authorized to execute the approved consultant agreement with Lockwood, Kessler & Bartlett, Inc. for Contract No. H18-171-P5; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize Lockwood, Kessler & Bartlett, Inc. to perform engineering services under Contract No. H18-171-P5 in an amount not to exceed \$427,300.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001; and

WHEREAS, the funding of this project is being provided by the Governor's Office of Storm Recovery and is without cost to the Town; and

WHEREAS, the Governor's Office of Storm Recovery has given final approval to the required consultant agreement with Lockwood, Kessler & Bartlett, Inc.,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and Lockwood, Kessler & Bartlett, Inc. is authorized to perform engineering services under Contract No. H18-171-P5, in an amount not to exceed \$427,300.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001, and be it further

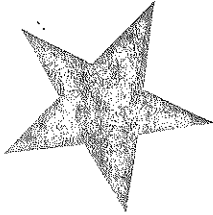
RESOLVED, That the Supervisor, or his designee, is authorized to execute the consultant agreement for Contract No. H18-171-P5 with Lockwood, Kessler & Bartlett, Inc.

#

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	Nay
Councilwoman Alesia	Abstain
Councilwoman Johnson	Aye
Councilman Imbroto	Absent
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Intergovernmental Affairs



Reviewed By
Office of Town Attorney
B. J. J.

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND SECTION 96-21, REGISTRATION OF REAL PROPERTY WITH MORTGAGE-IN-DEFAULT, OF CHAPTER 96 – DANGEROUS BUILDINGS AND ABANDONED BUILDINGS, OF THE CODE OF THE TOWN OF OYSTER BAY", and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on February 25, 2020, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated April 14, 2017, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 26, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that such Local Law to amend the Code of the Town of Oyster Bay is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 26; and be it further

RESOLVED, That said Local Law 1 -20, entitled "A LOCAL LAW TO AMEND SECTION 96-21, REGISTRATION OF REAL PROPERTY WITH MORTGAGE-IN-DEFAULT, OF CHAPTER 96 - DANGEROUS BUILDINGS AND ABANDONED BUILDINGS, OF THE CODE OF THE TOWN OF OYSTER BAY", is hereby adopted without change and shall take effect immediately upon filing with the Secretary of State; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State.

-#-

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

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

WHEREAS, George Baptista, Deputy Commissioner, Department of Environmental Resources, by memorandum dated April 10, 2020, advised that as a component of the Department's ongoing Oyster Bay-Cold Spring Harbor Shellfish Management, they are seeking a Shellfish Relay Permit from the New York State Department of Environmental Conservation (NYSDEC) to allow for the transfer of specific shellfish species from uncertified waters into certified waters; and

WHEREAS, Deputy Commissioner Baptista, by said memorandum, further advised that the proposed transfer program is time sensitive, and must be accomplished before the bay waters warm and clams begin to spawn, and stated that it is imperative that the clams be placed into the designated certified areas prior to spawning to maximize the environmental benefit of this program; and

WHEREAS, Deputy Commissioner Baptista, by said memorandum, further stated that this transfer task requires the assistance of individuals familiar with the geography of the bay and shellfish harvest methods, and who possess the necessary tools, vessels and equipment to transfer the shellfish, and that in order to timely accomplish the completion of this project it is the intent of the Department of Environmental Resources to utilize individual baymen who hold Town of Oyster Bay Commercial Shellfish Licenses to perform the task under the necessary oversight and monitoring of the Department of Environmental Resources, the Town of Oyster Bay Constables and other regulatory and enforcement agencies as required. Deputy Commissioner Baptista further stated that NYSDEC has acknowledged the use of individual baymen to accomplish this task; and

WHEREAS, Deputy Commissioner Baptista, by said memorandum, requested that the Town Board approve the plan of the Department of Environmental Resources to use the services of up to fifteen (15) individual license holders, selected by lottery if necessary, at a cost of \$150.00 per diem, to each produce a minimum of six bushels of shellfish to be transferred, at a total cost not to exceed \$25,000, and advised that funds for the project are available in Account No. TWN TA 0000 00085 451 0000 - Marine Life Trust Account, and noted that funding for this project is derived from a portion of commercial shellfish license fees and the cash value of boat day assistance from Frank M. Flowers and Son, and no taxpayer funding will be used; and

WHEREAS, the Office of the Town Attorney, by Thomas M. Sabellico, by memorandum dated April 10, 2020, stated that the Town's Procurement Policy be waived, based upon the time sensitive nature of the project and the unique skill set of the licensed baymen who possess a particular knowledge of the geography of the bay and the marine life therein and who also possess the necessary vessels, tools, and equipment to accomplish the task,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved and the Town Board hereby approves the plan of the Department of Environmental Resources to obtain a Shellfish Relay Permit from the New York State Department of Environmental Conservation (NYSDEC) to allow for the transfer of specific shellfish species from uncertified waters into certified waters and to use the services of up to fifteen (15) individual license holders, selected by lottery if necessary, at a cost of \$150.00 per diem, to each produce a

Reviewed By
Office of Town Attorney

minimum of six bushels of shellfish to be transferred, at a total cost not to exceed \$25,000, to accomplish the 2020 Oyster Bay Shellfish Transfer Program; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, from Account No. TWN TA 0000 00085 451 0000 – Marine Life Trust Account, upon presentation of duly certified claims, after audit.

-#-

Reso2020shellfishpermit TMS

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

Supervisor Saladino	- 2 -	Aye
Councilwoman Johnson		Aye
Councilman Imbroto		Aye
Councilman Hand		Aye
Councilman Labriola		Aye
Councilwoman Maier		Aye
Councilwoman Walsh		Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 10, 2020

TO : MEMORANDUM DOCKET

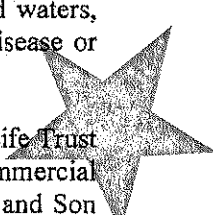
FROM : GEORGE BAPTISTA, DEPUTY COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT : 2020 Oyster Bay Shellfish Transfer Program

As a component of the Department of Environmental Resources (DER) ongoing Oyster Bay-Cold Spring Harbor Shellfish Management, the department is seeking a Shellfish Relay Permit from the New York Department of Environmental Conservation (NYSDEC). This permit will allow the transfer of specific shellfish species (mercenaria-mercanria – hard clam) from uncertified waters into certified waters. This transfer program provides many benefits to the bay. A portion of the clams will be placed in the "Spawner Sanctuary" located just east of Laurel Hollow Beach, where they will remain undisturbed and help to naturally restock the bay. The other portion of the clams will be placed in Conservation Management Area 1, adjacent to West Shore Road, where after a sixty period the area would be open, and shellfish harvested for sale.

The proposed transfer program requires the assistance of individuals familiar with the geography of the bay, shellfish harvest methods, and possess the necessary tools, vessels and equipment necessary to transfer the clams. It is the intent of this program to utilize individual Town of Oyster Bay Commercial Shellfish License holders to perform this task with the necessary oversight and monitoring performed by the Department of Environmental Resources, Town of Oyster Bay-Bay Constable and other regulatory and enforcement agencies as required. The NYSDEC has acknowledged the use of individual baymen and requires information relevant to their participation on their permit. The transfer program is time sensitive, as the transfer permit allows for an initial operating period that will likely end in mid-May, when waters warm and clams begin to spawn. It is imperative that the clams be placed into the designated certified areas prior to spawning to maximize the environmental benefit of this program. Up to 15 individual license holders, selected by lottery if necessary, will be paid \$150.00 per diem providing a minimum of six bushels of clams. The total cost of the project shall not exceed \$ 25,000. It is estimated that 960 bushels of clams will be transferred from the uncertified to certified waters, creating clam densities that will promote spawning but avoid densities that promote disease or other stresses for the clam population.

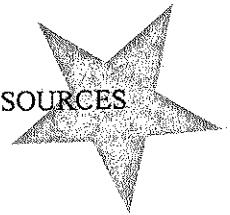
Funds for the project are available in account TWN TA 0000 00085 451 0000 - Marine Life Trust Account. Please note that funding for this project is derived from a portion of commercial shellfish license fees and the cash value of boat day assistance from Frank M. Flowers and Son and no taxpayer funding will be used.



The Town Attorney's Office has provided the necessary legal opinion (attached) to allow the Department of Environmental Resources to procure the necessary assistance required to transfer the shellfish, consistent with the NYSDEC transfer permits.

The Department of Environmental Resources respectfully requests the Town Board approve the above referenced plan.


GEORGE BAPTISTA JR
DEPUTY COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES



GB

c. Town Attorney with 9 copies

2020 Shellfish Transfer Program

In an effort to improve the standing stock of shellfish in the Oyster Bay/Cold Spring Harbor Complex the 2020 Shellfish Transfer Program has been crafted to benefit the overall health of the complex and further protect the historic and iconic Oyster Bay industry of shellfish growers and harvesters.

Time Frame – Effective April 22, 2020 to October 22, 2020. The specific transfer dates and conditions will be determined by the Shellfish Relay Permit issued by the New York State Department of Environmental Conservation (NYSDEC). However, in no instance, shall the program begin before the issuance of the appropriate relay permit. Although the permit has an overall 6-month operational window, the maximum environmental benefit of the transfer will come from the spring transfer, which will allow the clams to spawn in the conservation management area in which they are placed.

Regulatory Authorities - All requisite NYSDEC permits; Town of Oyster Bay permits, and applicable laws rules and regulations, including but not limited to the following, shall be complied with:

New York State Environmental Conservation Law	Code of the Town of Oyster Bay
Article 11 - Fish and Wildlife	Chapter 196 - Shellfish
Article 13 - Marine and Coastal Resources	

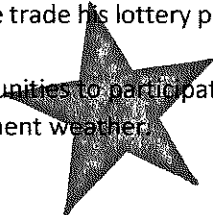
Any and all regulations not specifically noted above shall be followed at all times.

Compensation – Transfer participants shall be paid \$ 150.00 per diem and shall transfer six bushels of clams per day.

Funding – Currently \$25,500 is available for this project in account TWN TA 000 00085 451 0000, Cust. – NO. 70252 Marine Life Trust Account.

Eligibility and Selection

1. Only individual Town of Oyster Bay Commercial Shellfish Permit holders who have obtained their license prior to January 1, 2020 are eligible to participate in this program.
2. Permit holders shall express an interest in participating in this program by a method determined by the Department of Environmental Resources in conjunction with the Office of the Town Clerk.
3. Eligible permit holders will be offered an opportunity to participate in the program by assignment of dates. If necessary, a participation lottery may be held.
4. Selected permit holders will be assigned the dates noted on the DEC permit in ascending date order.
5. If a permit holder declines to participate in this program, his or her lottery place shall be forfeited for the duration of this program.
6. A person selected to participate in this program may not sell, barter or otherwise trade his lottery position or participation slot in the program.
7. Every participant will be afforded an equal number of transfer slots and opportunities to participate.
8. Assigned slots will be automatically transferred to alternate dates due to inclement weather.



9. Alternate participants for unfilled slots caused by sickness or other emergencies may be selected at the discretion of the Commissioners of the Department of Public Works.
10. The Department of Environmental Resources shall establish a transfer bushel limit for each participant.

Transfer Procedure

At all times the shellfish transfer or relay shall be performed in full accordance with the requisite NYSDEC Shellfish Transfer Permit.

At all times this the shellfish transfer or relay shall be managed and monitored by the Town of Oyster Bay Department of Environmental Resources, the Department of Public Safety, Bay Constables Division and other law enforcement and environmental agencies necessary to ensure the safe and lawful transfer of the shellfish.

Participants will be assigned specific areas, as designated in the NYSDEC permit to harvest and then provided to DER staff to be placed in designated Town of Oyster Bay Conservation Management Areas. Participants that fail to adhere to their assignments will be disqualified from participating in the program and forfeit the proceeds from any harvested and reseeded shellfish.

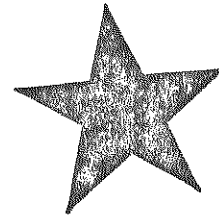
Participants may only perform harvest and transfer work during this period and work until they have met their bushel quota.

Species of Shellfish will be hard clams (*Mercenaria mercenaria*) only,

Approved Harvest Area- Shellfish will be harvested shall be taken from the uncertified area of Oyster Bay Harbor, New York, only. This program will exclude the uncertified areas of Mill Neck Creek.

Relay Area/ Disposition of Shellfish:

On the same day as harvest, hard clams removed from the uncertified area shall be planted in a certified area of Oyster Bay Harbor within the jurisdiction of the Town of Oyster Bay, known as Conservation Management Area #1 or Conservation Management Area #2 (see attached map) identified as a polygon within the following lat/long coordinates:



Conservation Management Area #1

NW(40.885151 °N, -73.546077°W)

NE (40.886299°N, -73.543195°W)

SE (40.883356°N, -73.541165°W)

SW (40.882303°N, -73.543888°W), (40.882416°N, -73.54419°)

Conservation Management Area #2

NW(40.876619 °N, -73. 487969°W)

NE (40.878222 N, -73.486267°W)

SE (40.874618°N, -73.4847°W)

SW (40.87622°N, -73.482997°W)

This relay area is marked and shall remain marked with perimeter buoys, one at each corner.

Method of Harvest-

Transplant activities will involve the participants and harvest methods as follows: **Hand-harvested Methods-** Town of Oyster Bay's Environmental Resources Department will use vessels owned and operated by Town baymen, who will harvest shellfish with hand rakes and tongs.

No more than twenty five individual vessels are to be used for the harvest and transplanting activities specified here-in on any given day during the permitted dates, times and days that is to be specified in NYS DEC transplant permit. The Department of Environmental Resources proposes using the same conditions as approved in 2019 transfer permit. Those conditions are: Transplanting activities involving hand-harvesting methods shall be limited to 80 hours per vessel, per week, from Monday to Saturday of any given week.

No vessel owned and operated by Town baymen shall be used for the harvest of shellfish from any other area on any day that is used for the transplant activities as specified by NYSDEC transplant permit. All participants must possess a valid New York State Shellfish Digger's Permit.

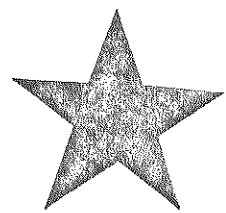
Security and monitoring Program.

All shellfish harvesting and transplanting activities will be supervised by the Town of Oyster Bay's Environmental Resource Department personnel and Town Bay Constables. Town of Oyster Bay Department of Environmental Resources has developed a shellfish monitoring and security program. This program was developed using guidelines created by the National Shellfish Sanitation Program. Security patrols are done every day and the relay area can be monitored by both land and sea patrols. See attached document for an example security log sheet. Reports and documentation of security patrols and shellfish monitoring activities are maintained by



Environmental Resources staff. Department Environmental Resources can provide security patrol and monitoring documentation upon request by NYSDEC.

Law Enforcement Notification- Town of Oyster Bay Department of Environmental Resources will notify all law enforcement as specified in the transplant permit at least 24 hours prior to the transplanting activities. This notification shall include information on the vessels involved, days of transplanting will be undertaken and individuals involved.



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

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

TO: GEORGE BAPTISTA, Deputy Commissioner
Department of Environmental Resources

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: April 10, 2020

SUBJECT: Procurement of Assistance for Shellfish Transfer

You have advised our office that as a component of your Department's ongoing Oyster Bay-Cold Spring Harbor Shellfish Management, you are seeking a Shellfish Relay Permit from the New York State Department of Environmental Conservation (NYSDEC) to allow for the transfer of specific shellfish species from uncertified waters into certified waters.

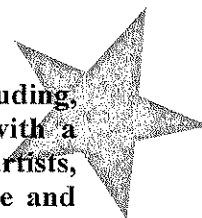
It is our understanding that the proposed transfer program is time sensitive, and must be accomplished before the bay waters warm and clams begin to spawn. You have stated that it is imperative that the clams be placed into the designated certified areas prior to spawning to maximize the environmental benefit of this program.

It is our further understanding that this transfer task requires the assistance of individuals familiar with the geography of the bay and shellfish harvest methods, and who possess the necessary tools, vessels and equipment to transfer the shellfish, and that in order to timely accomplish the completion of this project it is the intent of your Department to utilize individual baymen who hold Town Commercial Shellfish Licenses to perform the task under the necessary oversight and monitoring of your Department, the Town Bay Constables and other regulatory and enforcement agencies as required. You have informed our office that the NYSDEC has acknowledged the use of individual baymen to accomplish this task.

Guideline 5 of the most recent procurement policy adopted by the Town provides:

Guideline 5. Except when directed by the Town Board, no solicitation or written proposals or quotations shall be required under the following circumstances:

- a. Emergencies;
- b. Sole source vendors or providers of services, including, but not limited to, the procurement of those with a unique skill set, including performers, artists, presenters, arts organizations, and fitness, dance and sports instructors, etc.;



While this does not appear to constitute an “emergency” situation, this Office does recognize the time sensitivity of accomplishing the task and the difficulties presented in light of the current coronavirus pandemic. Beyond that, we recognize the unique skill set of the licensed baymen, who possess a particular knowledge of the geography of the bay and the marine life therein, and who also possess the necessary vessels, tools and equipment to accomplish the task.

Therefore, this memorandum shall serve as the opinion of the Office of Town Attorney that the Department of Environmental Resources may proceed to procure the necessary assistance from individual licensed baymen to transfer the shellfish, consistent with the NYSDEC transfer permits, without the solicitations, written proposals or quotations normally required under the Town’s procurement policy.

Very truly yours,

Thomas M. Sabellico

Thomas M. Sabellico
Special Counsel



TMS/nb

Attachment

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

Oyster Bay Harbor Clam Transplant Plan Draft Recommendations
March 31, 2020

Recommendations for Oyster Bay Clam Transplant Plan

The proposed transplant program would involve harvesting of hard clams from uncertified areas and re-planting of the clams in Bay Management Areas 1 and 2 (referred to as BMA #1 and BMA #2). BMA #2 would serve as a sanctuary area, while BMA #1 could be open to shellfish harvesting following the appropriate depuration period. The Town Department of Environmental Resources would have the responsibility of deciding if and when harvesting would take place, within the regulatory requirements of the NYSDEC for transplant programs. It is proposed that the harvested clams first be deposited in BMA #2 until an objective stocking density goal is achieved. The clams would then be placed in BMA #1.

Recommended Stocking Density

Based on available clam density data, it appears that both BMA's have a low/moderate clam density (1 to 4 clams/sq m). It is recommended that stocking be performed to raise the density to a moderate level (4 to 10 clams/sq m). This moderate density is found in other productive area of the harbor, but it is lower than the high densities found in uncertified area and other areas (over 10 clams/sq m). The stocking rate should help to achieve a moderate density of clams but avoid creating high density areas. The goal of achieving moderate densities would provide a density beneficial to clam spawning success, but avoid creating high density areas which could promote diseases or other stresses for the clam population. A moderate clam density would be suitable for hand harvesting without making the re-planted area vulnerable to short-term over-harvesting as could occur if clams were placed at high density,

A planting rate of approximately 3 clams/sq m would raise the low/moderate density to moderate density in the re-planted areas. With a re-planting area of about 12 acres in each BMA, approximately 486 bushels of clams would be needed for each area (based on an estimated average of 300 clams per bushel).

Recommendations: Stocking goal of about 486 bushels of clams per BMA is recommended. The replanting area should be limited to half of each BMA (about 12 acres). It is recommended that the north half of each BMA be utilized for the re-planting.

Uncertified Harvest Areas

It is recommended that the clams be harvested from the uncertified areas in Oyster Bay Harbor along the south side of the harbor. The area is a relatively large area and has a relatively high density of clams in many areas. It is also an area that can be efficiently monitored by the Town during the harvesting activities. The south end of Cold Spring Harbor (Town of Oyster Bay side only) could also be considered as a harvest area in the program if needed; if harvests from the central harbor do not meet harvest goals.

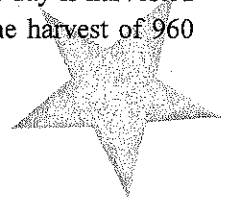
The uncertified area near Sewanhaka Yacht Club is not recommended for harvesting, as it may be better to leave it as an unharvested spawner area. Similarly, uncertified waters in and adjacent to Mill Creek are not recommended for harvesting.

Program Management

The harvesting would need to be carefully monitored by Town forces. It is recommended that the Town be responsible for receiving all the clams that are harvested from uncertified waters during the program, and that the Town personnel conduct the re-planting in the BMA's. The Town should strive to distribute the clams as evenly as practical in the re-planting areas. By monitoring where clams are distributed at the end of each day, the Town can help assure that the entire area is stocked. Daily records of the bushels harvested and planted should be maintained.

Harvesting Rates and Quantities

It is anticipated that 16 baymen will anticipate in the program. If a goal of 4 bushels per day is harvested by each bayman, a total of about 960 bushels could be obtained in 15 work days. The harvest of 960 bushels would meet the stocking goal of about 480 bushels per BMA.



WHEREAS, on March 7, 2020, New York State Governor Andrew Cuomo issued Executive Order 202 and declared a statewide disaster emergency to address the coronavirus (COVID-19) threat; and

WHEREAS, on March 16, 2020, Governor Cuomo issued Executive Order 202.4 which contained a directive that in all counties in New York State at least 50% of the workforce was mandated to work from home; and

WHEREAS, Supervisor Joseph Saladino declared a local state of emergency for the Town of Oyster Bay, effective March 16, 2020, and directed all Department Heads to comply with Executive Order 202.4; and

WHEREAS, on March 19, 2020, Governor Cuomo issued Executive Order 202.7 which contained a directive that in all counties in New York State employers were to reduce the in-person workforce at any work locations by 75% no later than March 21, 2020 at 8:00 p.m. The Town of Oyster Bay directed all Department Heads to comply with Executive Order 202.7; and

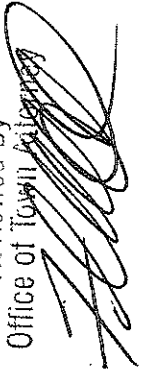
WHEREAS, on March 20, 2020, Governor Cuomo issued Executive Order 202.8 which contained a directive that in all counties in New York State employers were to reduce the in-person workforce at any work locations by 100% no later than March 22, 2020 at 8:00 p.m. further providing that: "Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function"; and

WHEREAS, the Town of Oyster Bay ("Town") is committed to following the Governor's directives and reducing the work force in response to containing the COVID-19 virus;

WHEREAS, the Town acknowledges that these are extraordinary times and circumstances that are not covered by any provision within the Collective Bargaining Agreement between the Town and the CSEA, nor existing rules, practices, policies, or procedures; and

WHEREAS, the Town is committed to providing essential services to the residents of the Town and adopts this Policy to address the method by which essential employees required to report to work, on-site or remotely, and non-essential employees, should be compensated; and

Reviewed By
Office of Town Attorney



WHEREAS, Frank M. Scalera, Chief Deputy Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated April 14, 2020, recommended that the Town Board adopt the *Town of Oyster Bay Temporary Compensatory Time Policy*, to be distributed to all employees ; and

NOW, THEREFORE, BE IT RESOLVED, that the abovementioned recommendation be accepted, and that the Town Board hereby adopts the *Town of Oyster Bay Temporary Compensatory Time Policy* and directs the Department of Human Resources to distribute a copy of the policy to all employees.

#

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

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

Town of Oyster Bay

Inter-Departmental Memorandum

TO: Memorandum Docket
FROM: Office of the Town Attorney
DATE: April 14, 2020
SUBJECT: Temporary Compensatory Time Policy

On March 7, 2020, New York State Governor Andrew Cuomo issued Executive Order 202 and declared a statewide disaster emergency to address the coronavirus (Covid-19) threat. Subsequently, as deemed necessary by Gov. Cuomo, he issued additional Executive Orders (Nos. 202.1 through 202.16), modifying and extending the original Executive Order, with the most recent Executive Order having been issued on April 12, 2020.

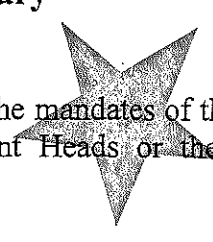
On March 16, 2020, the Governor issued Executive Order 202.4 which contained a directive that in all counties in New York State at least 50% of the workforce was mandated to work from home. On that same date, Supervisor Joseph Saladino declared a local state of emergency for the Town of Oyster Bay and directed all Department Heads to comply with Executive Order 202.4.

On March 19, 2020, the Governor issued Executive Order 202.7 which contained a directive that in all counties in New York State employers were to reduce the in-person workforce at any work locations by 75% no later than March 21, 2020 at 8:00 p.m. The Town of Oyster Bay directed all Department Heads to comply with Executive Order 202.7.

On March 20, 2020, the Governor issued Executive Order 202.8 which contained a directive that in all counties in New York State employers were to reduce the in-person workforce at any work locations by 100% no later than March 22, 2020 at 8:00 p.m. further providing that

Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function.

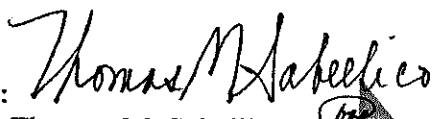
Given the extraordinary circumstances of the Covid-19 outbreak and the mandates of the Governor to reduce the workforce, the Town has directed all Department Heads or their

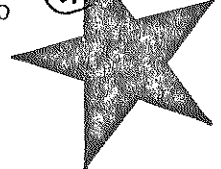


designee(s) to notify certain employees or groups of employees not to report to work or to work remotely from home. The Town acknowledges that these are extraordinary times and circumstances not covered by any provision within the collective bargaining agreement between the Town and the CSEA, nor existing rules, practices, policies or procedures, and recognizes the need, on an emergency basis, to provide essential services to the residents of the Town of Oyster Bay and address the method by which essential employees required to report to work, on-site or remotely, and non-essential employees, shall be compensated. To help ensure the continued delivery of government services while the workforce transitioned from the on-site workplace to their remote workplace at home, the Town has developed a policy to provide employees with compensatory time.

The Office of the Town Attorney has reviewed the attached Temporary Compensatory Time Policy, and requests and recommends that the Town Board adopt said policy at the Town Board meeting of April 21, 2020, ratifying the Town policy effective March 17, 2020, as established under the state of emergency declared by Governor Cuomo, and by Supervisor Saladino effective March 16, 2020.

FRANK M. SCALERA
Chief Deputy Town Attorney

By: 
Thomas M. Sabellico
Special Counsel



TMS/nb
Attachment
cc: Office of the Town Attorney (w/ 9 copies)

S:\Attorney\RESOS 2020\MD & RESO\MD Compensatory Policy TMS.docx

TOWN OF OYSTER BAY TEMPORARY COMPENSATORY TIME POLICY

WHEREAS, on March 7, 2020, New York State Governor Andrew Cuomo issued Executive Order 202 and declared a statewide disaster emergency to address the coronavirus (COVID-19) threat; and

WHEREAS, on March 16, 2020, Governor Cuomo issued Executive Order 202.4 which contained a directive that in all counties in New York State at least 50% of the workforce was mandated to work from home; and

WHEREAS, Supervisor Joseph Saladino declared a local state of emergency for the Town of Oyster Bay, effective March 16, 2020, and directed all Department Heads to comply with Executive Order 202.4; and

WHEREAS, on March 19, 2020, Governor Cuomo issued Executive Order 202.7 which contained a directive that in all counties in New York State employers were to reduce the in-person workforce at any work locations by 75% no later than March 21, 2020 at 8:00 p.m. The Town of Oyster Bay directed all Department Heads to comply with Executive Order 202.7; and

WHEREAS, on March 20, 2020, Governor Cuomo issued Executive Order 202.8 which contained a directive that in all counties in New York State employers were to reduce the in-person workforce at any work locations by 100% no later than March 22, 2020 at 8:00 p.m. further providing that: **"Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function"**; and

WHEREAS, the Town of Oyster Bay ("Town") is committed to following the Governor's directives and reducing the work force in response to containing the COVID-19 virus;

WHEREAS, the Town acknowledges that these are extraordinary times and circumstances that are not covered by any provision within the Collective Bargaining Agreement between the Town and the CSEA, nor existing rules, practices, policies, or procedures; and

WHEREAS, the Town is committed to providing essential services to the residents of the Town and adopts this Policy to address the method by which essential employees required to report to work, on-site or remotely, and non-essential employees, should be compensated:

1. This Temporary Policy provides rules and guidance for the Town and its full-time employees relative to the matter of compensatory time during the COVID-19 state of emergency, and the effect of the said emergency on the general operations of Town government. In all cases, this Temporary Policy should be construed with this in mind and should be understood as guiding

the Town. This Temporary Policy supersedes all pre-existing policies, procedures, and or orders relating to personnel matters of the Town and its employees.

2. Given the extraordinary circumstances of the COVID-19 outbreak and the mandates of the Governor to reduce the work force to essential employees only, the Supervisor directed Commissioners, Deputy Commissioners, and/or Department Heads of each Department or his/her designee to notify certain employees or groups of employees not to report to work or to work remotely from home.

3. Compensatory time has been offered to help ensure the continued delivery of government services while the workforce transitioned from the on-site workplace to their remote workplace at home.

4. Any full-time employee who was deemed essential and required to report to work, on-site or remotely, from March 17, 2020 through April 5, 2020, shall earn equivalent compensatory time at straight time, hour for hour, for actual time worked in addition to their regular pay.

5. From April 6, 2020 through April 12, 2020, all full-time employees who were deemed essential by their Department Head, whether they were working remotely or on site, shall receive compensatory time at a rate equal to one half the actual time worked in addition to their regular pay. Employees are expected to keep a detailed log of the time worked to justify the compensatory time accrued.

6. Effective April 13, 2020 through April 29, 2020, all full-time employees, with the exception of those working in the Departments of Sanitation and Public Safety, shall be paid their regular pay without compensatory time. All employees are subject to being called into work by their Department Heads. Those who are not called into work are to be on call during their regular working hours and are to perform their work tasks from home if they are able to do so.

7. From March 17, 2020 through April 5, 2020, all full-time employees in the Department of Sanitation shall earn compensatory time in addition to their regular pay as all other full-time Town employees. From April 6, 2020 through April 29, 2020, full-time employees in the Department of Sanitation shall receive compensatory time at a rate equal to one half the actual time worked in addition to their regular pay. Any full-time employee in the Department of Sanitation who works "task completion" shall earn compensatory time for actual hours worked. Any part-time employee in the Department of Sanitation shall be paid their regular established pay.

8. From March 17, 2020 through April 5, 2020 (hour for hour) and then from April 6, 2020 through April 12, 2020 (50% for time worked), full-time employees in the Department of Public Safety shall receive additional compensation as any full-time employee who was deemed essential during the same time periods. Full time employees from April 13, 2020 through April 29, 2020, shall receive compensatory time at a rate equal to one half the actual time worked in addition to their regular pay.

9. From April 13, 2020 through April 29, 2020, any full-time employee employed by the Town of Oyster Bay in titles classified as exempt shall not receive compensatory time.

10. After April 29, 2020, all full-time employees will be paid their regular pay without additional compensatory time as the transition from the on-site workplace to the remote workplace at home is now successful and complete.

11. Compensatory time earned by employees shall not be subject to monetary payout upon termination of service and must be used in accordance with the CBA.

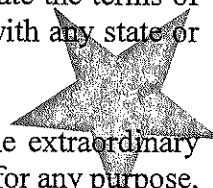
12. Any full-time employee who declines or refuses to report to work when directed to by their Department Head shall have their accrued vacation, personal or sick time charged. An employee without any accrued time, will be charged as an unauthorized absence.

13. There shall be no paid overtime earned by any employee without the approval of the Deputy Supervisor.

14. It shall be the obligation of the employee to communicate with the employee's Commissioner, Deputy Commissioner, and/or Department Head or his/her designee to ascertain whether or not the employee must report to work. Such communication by the employee shall be prior to the employee's normal starting time.

15. The Town recognizes the evolving and ever-changing situation with the Governor's directives and the unprecedented nature of these extraordinary circumstances. The Town will continue to re-evaluate circumstances as they present themselves and to re-evaluate the terms of this Policy and shall act as necessary during this state of emergency to comply with any state or federal directives.

16. This Policy is non-precedential and is only entered into given the extraordinary circumstances the Town is facing and shall not be used or presented in any forum for any purpose.



Reviewed By
Office of Town Attorney

Elizabeth A. Faughnan

WHEREAS, after a duly issued Request for Proposals for the provision of insurance for the Town of Oyster Bay Volunteer Firefighters, pursuant to the contract with the Town, the Town Board adopted Resolution No. 49-20 on January 7, 2020, authorizing the Office of the Town Attorney to secure such coverage from Public Employer Risk Management Association, Inc. ("PERMA"), 9 Cornell Road, Latham, NY 12110, *nunc pro tunc*, for the period from January 1, 2020 to January 1, 2021, with an initial premium in an amount not to exceed \$263,230.00; and

WHEREAS, by Resolution No. 96-20 adopted on January 28, 2020, the Town Board amended and supplemented its prior resolution to include necessary language which has regularly been approved by the New York State Workers' Compensation Board, which entity must review the resolution of each municipal entity securing such coverage with PERMA; and

WHEREAS, Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated April 16, 2020, informed the Town Board that the Town Attorney's Office received an email letter from PERMA that PERMA could not, in fact, provide such coverage for the period January 1, 2020 – January 1, 2021, and that the previously approved coverage for the Town of Oyster Bay Volunteer Firefighters would terminate on April 30, 2020; and

WHEREAS, Elizabeth A. Faughnan, Deputy Town Attorney, by said memorandum, further informed the Town Board that a new Request for Proposals was issued in accordance with the Town of Oyster Bay Procurement Policy for the provision of insurance for the Town of Oyster Bay Volunteer Firefighters for the period May 1, 2020 – December 31, 2020, that two responses were received in response to the Request for Proposals; determined that an adequate attempt was made to obtain proposals, in accordance with Guideline 7 of the Town's procurement policy; and recommended that coverage be secured from Fire Districts of New York Mutual Insurance Company, 1 Blue Hill Plaza, PO Box 1609, Pearl River, NY 10965, for the period from May 1, 2020 to December 31, 2020, for the Town of Oyster Bay Volunteer Firefighters, with a premium in the amount of \$147,985.00; and

WHEREAS, Elizabeth A. Faughnan, Deputy Town Attorney, by said memorandum, further recommended that Resolution No. 49-20, adopted on January 7, 2020, and Resolution No. 96-20, adopted on January 28, 2020, be amended and rescinded, so as to approve the procurement of such insurance from PERMA, for the period January 1, 2020 – April 30, 2020 only, with an initial premium in the amount of \$87,024.00,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the New York State Volunteer Firefighters' Benefit Law Policy (VFBL), from Fire Districts of New York Mutual Insurance Company, for the period from May 1, 2020 to December 31, 2020, for the Town of Oyster Bay volunteer firefighters, at a premium of \$ 147,985.00, and 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 with said funds to be drawn from Accounts No. TWN SF12-3410-47790-000-0000; TWN SF02-3410-47790-000-0000; TWN SF15-3410-47790-000-0000; TWN SF08-3410-47790-000-0000 and TWN SF09-3410-47790-000-0000; and be it further

RESOLVED, That Resolution No. 49-20, adopted on January 7, 2020, and Resolution No. 96-20, adopted on January 28, 2020, be amended, so as to approve the procurement of such insurance from PERMA, for the period January 1, 2020 – April 30, 2020 only, with an initial premium in the amount of \$87,024.00

-#-

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

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

Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : April 16, 2020

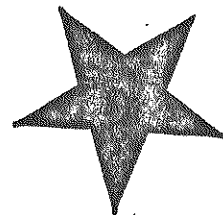
SUBJECT: New York State Volunteer Firefighters' Benefit Law Policy
Town of Oyster Bay Volunteer Firefighters

In December 2019, the Town issued a Request for Proposals (RFP) for the provision of insurance pursuant to the New York State Volunteer Firefighters' Benefit Law Policy (VFBL), in accordance with the requirements of the Town of Oyster Bay Procurement Policy. After receipt and review of proposals received in response to the RFP, the Town Board adopted Resolution No. 49-20, on January 7, 2020, authorizing the Office of the Town Attorney to secure such coverage from Public Employer Risk Management Association, Inc. ("PERMA"), 9 Cornell Road, Latham, NY 12110, *nunc pro tunc*, for the period from January 1, 2020 to January 1, 2021, for the Town of Oyster Bay Volunteer Firefighters, with an initial premium in the amount of \$263,230.00.

Subsequent to the adoption of Resolution No.49-20, PERMA informed the Town Attorney's Office that the New York State Workers' Compensation Board must review the resolution of each municipal entity securing such coverage with PERMA, and recommended that the Town Board amend its prior resolution to include necessary language which has regularly been approved by the New York State Workers' Compensation Board. The additional language was adopted on January 28, 2020, by Town Board Resolution No. 96-20.

On January 28, 2020, the Office of the Town Attorney was informed by email letter from PERMA that PERMA could not, in fact, provide such coverage for the period January 1, 2020 – January 1, 2021, because the Town of Oyster Bay is self-insured for workers' compensation purposes. PERMA further informed the Town Attorney's Office that the previously approved coverage for the Town of Oyster Bay Volunteer Firefighters would terminate on April 30, 2020.

In April 2020, the Town Attorney's Office issued a new Request for Proposals (RFP) for such coverage for the period May 1, 2020 – December 31, 2020, in accordance with the requirements of the Town of Oyster Bay Procurement Policy. The RFP was posted on the Town's



website; in addition, letter requests were sent via fax, email and regular mail, to eight insurance brokers. This Office has reviewed the two proposals received in response to the RFP. This Office deems that the Town Procurement Policy has been satisfied as to the effort made to secure quotations for coverage, and recommends that this insurance be secured from Fire Districts of New York Mutual Insurance Company, 1 Blue Hill Plaza, PO Box 1609, Pearl River, NY 10965, for the period from May 1, 2020 to December 31, 2020, for the Town of Oyster Bay Volunteer Firefighters, with a premium in the amount of \$147,985.00

Funds are available in Accounts No. TWN SF12-3410-47790-000-0000; TWN SF02-3410-47790-000-0000; TWN SF15-3410-47790-000-0000; TWN SF08-3410-47790-000-0000 and TWN SF09-3410-47790-000-0000.

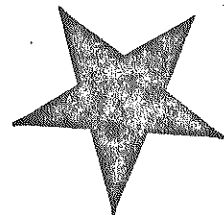
This Office also recommends that Resolution No. 49-20, adopted on January 7, 2020, and Resolution No. 96-20, adopted on January 28, 2020, be amended, so as to approve the procurement of such insurance from PERMA, for the period January 1, 2020 – April 30, 2020 only, with an initial premium in the amount of \$ 87,024.00.

Kindly suspend the rules and include this matter on the docket for the April 21, 2020 Town Board meeting. Submitted herewith is the proposed Resolution for the foregoing requests, as well as copies of Resolution No. 49-20 and Resolution No. 96-20, the letter from PERMA dated January 27, 2020, and the insurance quote from Fire Districts of New York Mutual Insurance Company.

OFFICE OF THE TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

.EAF:eaf
GS 4299
Town Attorney (w 9/copies)



1/14/20
Reviewed By
Office of Town Attorney

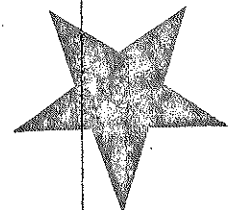
WHEREAS, Joseph Nocella, Town Attorney and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated January 2, 2020, recommended that the New York State Volunteer Firefighters' Benefit Law Policy (VFBL), be insured from the Public Employer Risk Management Association, Inc. ("PERMA"), 9 Cornell Road, Latham, NY 12110, nunc pro tunc, for the period from January 1, 2020 to January 1, 2021, at a premium in an amount not to exceed \$263,230.00,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the New York State Volunteer Firefighters' Benefit Law Policy (VFBL), from PERMA nunc pro tunc for the period from January 1, 2019 to January 1, 2020, at a premium in an amount not to exceed \$263,230.00, and 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 with said funds to be drawn from Account Nos. TWN SF12-3410-47790-000-0000; TWN SF02-3410-47790-000-0000; TWN SF15-3410-47790-000-0000; TWN SF08-3410-47790-000-0000 and TWN SF09-3410-47790-000-0000.

-#-

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

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



Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, after a duly issued Request for Proposals for the provision of insurance for the fire companies under contract with the Town pursuant to the New York State Volunteer Firefighters' Benefit Law Policy (VFBL), the Town Board adopted Resolution No. 49-20 on January 7, 2020, authorizing the Office of the Town Attorney to secure such coverage from Public Employer Risk Management Association, Inc. ("PERMA"), 9 Cornell Road, Latham, NY 12110, nunc pro tunc for the period from January 1, 2020 to January 1, 2021, with a premium in an amount not to exceed \$263,230.00; and

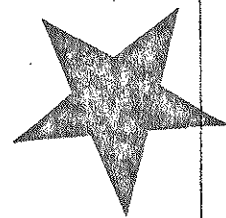
WHEREAS, Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated January 28, 2020, informed the Town Board that New York State Workers' Compensation Board must review the resolution of each municipal entity securing such coverage with PERMA, and she recommended that the Town Board supplement Resolution No. 49-20, adopted on January 7, 2020, to include the following language which has regularly been approved by the New York State Workers' Compensation Board,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and Resolution No. 49-20, is hereby supplemented to include the following language which has been approved by the New York State Workers' Compensation Board:

WHEREAS, the Town Board of the Town of Oyster Bay, as the Authorized Representative of the Town of Oyster Bay Volunteer Firefighters, desires to fulfill its obligation to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance program of which the Town of Oyster Bay will be a member; and

WHEREAS, the Town Board of the Town of Oyster Bay, duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 3-a of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows,

NOW, THEREFORE, BE IT RESOLVED, That the Authorized Representative (hereinafter "Representative") of the Town of Oyster Bay Volunteer Firefighters does hereby resolve to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance plan of which the Town of Oyster Bay will be a member for the period from January 1, 2020 to January 1, 2021; and



BE IT FURTHER RESOLVED, That the Representative of the Town of Oyster Bay Volunteer Firefighters does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York; and

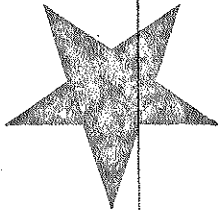
BE IT FURTHER RESOLVED, That in order to effectuate the Town of Oyster Bay's membership in said group self-insurance program, the Supervisor or his designee are hereby authorized to execute any and all documents necessary and to enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement, on behalf of the Town of Oyster Bay and the Town of Oyster Bay Volunteer Firefighters; and

BE IT FURTHER RESOLVED, That this Resolution shall be effective as of January 1, 2020.

#

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

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





Public Employer Risk Management Association, Inc.

9 Cornell Road, Latham, NY 12110

Toll Free in US (888) 737-6269

www.perma.org

Managed by Northeast Association Management, Inc.

1/27/2020

FOA & Sons Insurance Agency
400 Columbus Ave
Valhalla, NY 10595
Attn: RJ Impastato

SENT VIA EMAIL

RE: PERMA-Workers' Compensation Volunteer Benefit Law Coverage
Town of Oyster Bay / East Norwich Volunteer Fire Co.
RFP 12/12/2019
Effective Coverage 1/1/2020

Dear RJ,

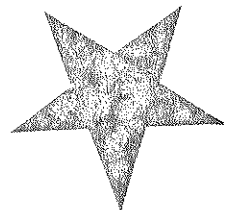
As you know, we quoted and were awarded the bid to bind coverage for the town of Oyster Bay and East Norwich Volunteer Fire Co, for coverage effective 1/1/2020. While we bound coverage for both, we have still not received formal executed town resolutions for submission to New York State office of self-insurance for issuance of a letter of authority approving membership to PERMA pursuant to sec. 50 3 a WCL.

As we subsequently learned, East Norwich is a private non-for profit, not considered a municipal entity, and therefore not eligible for PERMA membership. Please note that PERMA had provided coverage in the past for the Town of Oyster Bay Firefighters from 1/1/93-12/31/01 and again 1/1/04-12/31/05.

Today, however, we were advised by email from the New York State Workers' Compensation Board office of self-insurance that due to a rule change, the town of Oyster Bay Fire Dept. is also not eligible for PERMA membership. Apparently, the town is self-funded (self-insured) for their Workers' Compensation coverage. Accordingly, for membership in PERMA to be approved, both the town and the fire departments would need to join PERMA together. Essentially, only municipal corporations are permitted to join PERMA and individual fire companies and/or fire departments will no longer qualify on their own – even if the Town is listed as the named “insured” for the benefit of the fire companies.

We apologize for this misunderstanding and inconvenience as we were thrilled to learn we were getting the town fire departments back into PERMA after a long absence. In order to ensure coverage and avoid any penalty for non-coverage, we approached and have received approval from NYS Self-Insurance Office to provide coverage from 1/1/2020-2/29/2020 for East Norwich Fire Co and 1/1/2020-4/30/2020 for the Town of Oyster Bay Fire department volunteers.

Please keep in mind that PERMA continues to work with the Self-Insurance office on changes and improvements to the current regulations, and we hope to someday receive





Public Employer Risk Management Association, Inc.

9 Cornell Road, Latham, NY 12110

Toll Free in US (888) 737-6269

www.perma.org

Managed by Northeast Association Management, Inc.

approval for individual departments and also our large deductible options. We have learned that it is a cumbersome and difficult process to enact changes, but we remain steadfast in our approach to give New York State municipalities and public entities more options to purchase their workers compensation and volunteer firefighter benefits coverage. We may call upon both yourself and the Town of Oyster Bay for support at the appropriate time, if they have interest in helping.

Please note that we will still need forms SI-26 and resolutions to obtain the aforementioned coverage extensions. My deepest apologies again for any inconvenience and look forward to working with you in the future.

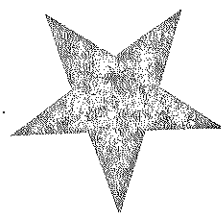
The contributions will of course be pro-rated.

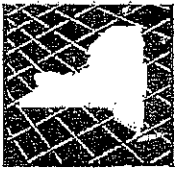
Sincerely,

A handwritten signature in dark ink, appearing to read "Alfred G. Campney", written over a horizontal line.

Alfred G. Campney

Vice President, Marketing & Underwriting





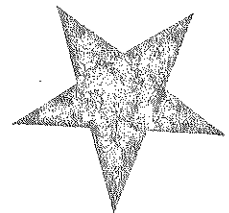
P E R M A

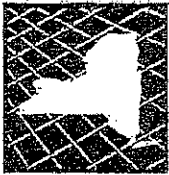
WORKERS' COMPENSATION AND EMPLOYERS
LIABILITY COVERAGE DOCUMENT
Information Page

Public Employer Risk Management Association, Inc.

9 Cornell Road
Latham, NY 12110

COVERAGE CHANGE ENDORSEMENT #1		COVERAGE NUMBER: WC 0001516-00	
CHANGE EFFECTIVE: 2/11/2020		PRIOR COVERAGE NUMBER: N/A	
1. Named Member: Town of Oyster Bay Volunteer Firefighters 54 Audrey Ave Oyster Bay, NY 11771		Broker of Record: 1456-1 Foa & Son Corp. Attn: R.J. Impastato 68 South Service Road Melville, New York 11747	
Other Work Places: See WCE107	Federal ID Number: NYS Unemployment IERN: [REDACTED]	Legal Entity: Other	
2. COVERAGE PERIOD: The Coverage Period Is From: 1/1/2020 To 4/30/2020 12:01 A. M. Standard Time at The Member's Mailing Address			
3. COVERAGE: A. Workers Compensation Coverage: Part One of the coverage document applies to the Workers Compensation Law of the states listed here: NY B. Employers Liability Coverage: Part Two of the coverage document applies to work in each state listed in item 3A. The limit of our liability under Part Two is: Unlimited per occurrence C. Other States Coverage: Part Three of the coverage document applies to the states, if any, listed here: D. This coverage document includes the endorsements and schedules listed on form PERMA WC01-F (Ed. 08-03) Schedule of Endorsements Extension			
4. CHANGE IN CONTRIBUTION DUE TO ENDORSEMENT : The contribution for this coverage will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All information required on the attached extension of Information Page is subject to verification and change by audit.			
Interim Adjustment: Annually		Total Estimated Contribution \$87,024	
		Additional Fees (See WC01 Extension) \$0	
		(See Form PERMA WC16 (08-03) for change of contribution details, if any.)	
Countersigned By: <u>aepl vs. Camp</u>		Issue Date: 2/11/2020	
Signed for the above Company as provider for any section of this coverage by:			
		President <u>[Signature]</u>	





WORKERS' COMPENSATION AND EMPLOYERS
LIABILITY COVERAGE DOCUMENT
Extension of Information Page

P E R M A

Coverage No: WC 0001516-00
Coverage Term: 1/1/2020 to 4/30/2020

NAMED MEMBER: Town of Oyster Bay Volunteer Firefighters
LOCATION NAME: Town of Oyster Bay Volunteer Firefighters

Rating Period: 1/1/2020 to 4/30/2020

Workers' Compensation and Employers Liability

No Coverage Elected

Class Code	Description	Estimated Exposure	Estimated Contribution
Subtotals:			

All Volunteers - Secondary Medical Coverage:

Included

Volunteer Firefighters Benefit Law (VFBL):

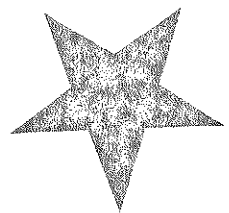
Class Code	Description	Total Population	% Served	Estimated Contribution
7711	VFF	80,252	100%	\$87,024
	Extension of Employers Liability Coverage			Included
Subtotals:		80,252		\$87,024

Volunteer Ambulance Workers Benefit Law (VAWBL):

No Coverage Elected

Please note that the promulgated Experience Modification Factor for the Town of Oyster Bay Volunteer Firefighters is 1.

Total Contribution:	\$87,024
New York State Assessment:	\$0
Total Contribution & Assessment:	\$87,024
Total Coverage Cost due PERMA:	\$87,024



QUOTATION ONLY
THIS IS NOT A POLICY OR A BINDER
FDM Preferred Insurance Company, Inc.
NCCI No.: 78952
FIRE DISTRICTS OF NEW YORK MUTUAL, P.O. BOX 22185, New York, NY 100872185
(845) 352-8855

Item 1. FEIN: (Volunteer Firefighters' Benefit Law Policy)
The Insured: Town Of Oyster Bay Volunteer Firefighters

Quote No.
APP20312100

Mailing Address: 54 Audrey Avenue
Oyster Bay, NY 11771

Item 2. The policy period is from 05/01/2020 To 01/01/2021 12:01 A.M Standard time, at the insured's mailing address.
Item 3. Premium – Classification Code No. 7711

Location	Population	% Area	Annual Premium
Home Area: 001	80,252	100	\$ 210,266
List Other "Home Areas" Serviced Under Contract:			
List "Outside Areas":			
Schedule Rate Plan	0.0000		\$0
Estimated Manual Premium			\$ 141,131
Extension of Employers Liability	10.00%		\$ 14,537
Premium Subject to Experience Modification			\$ 141,131
Modified Premium	1.03		\$ 145,365
Terrorism Risk Insurance Program	3.40%		\$ 4,798
National Disasters & Catastrophic	0.70%		\$ 988
Estimated Standard Premium			\$ 159,902
New York State Assessment	0.00%		\$0
Premium Discount	-11.20%		\$ -17,903
Security Fund	0.00%		\$0
Expense Constant			\$ 200
Estimated Annual Premium			\$ 147,985
Annual Minimum Premium: \$ 4,886.00			

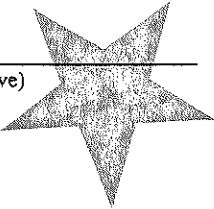
Fill in only where "Outside Area" has more than one contract for fire protection, provided the records of the "Home Area" are maintained so as to show separately its contract price as well as the total cost of all contracts being paid by the "Outside Area"

Form numbers of endorsements forming a part of the policy on its effective date:
WC 31 00 01A WC 31 00 00 A Signature Page WC 00 04 21D WC 00 04 22B VF-105

THIS QUOTATION IS NOT VALID AFTER 30 DAYS FROM THE ISSUE DATE

Producer: Harbor Insurance Agency, LLC
5 Flint Road
Amity Harbor, NY 11701

Countersigned by: _____
(Authorized Representative)



Issue Date 04/14/2020
Rate Board File No.

Reviewed By
Office of Town Attorney

WHEREAS, the Town solicited quotes from seven brokers for renewal of the Town's Excess General and Automobile Liability Insurance coverage for the policy period of May 1, 2020 to May 1, 2021, and received responses from eleven insurance carriers, of which ten declined to extend a quotation for coverage. The proposal with the lowest cost was from Allied Public Risk ("Allied"), which currently provides this coverage to the Town through Salerno Brokerage Corp. ("Salerno"). Allied, through Salerno, proposed an extension of the current policy at a renewal premium of \$197,224. Allied's proposal also includes a provision to add additional coverage for firearms to be issued to approximately 24 authorized employees at a total additional premium of \$5,520.00. The policy proposed by Allied would permit the inclusion of additional Officers for an additional authorized employees for the added premium of \$230.00 each; and

WHEREAS, Paul Ehrlich, Deputy Town Attorney, by memorandum dated April 16, 2020, determined that an adequate attempt was made to obtain proposals, in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town's Excess General and Automobile Liability Insurance coverage be obtained from Allied through Salerno at a total premium of \$202,744.00 for the policy period of May 1, 2020 to May 1, 2021, and

WHEREAS, Funds to make payment for the insurance coverage are available in Account No. TWN AMS 1910 43010 602 0000 000,

NOW THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to obtain the Town's Excess General and Automobile Liability Insurance coverage from Allied Public Risk for the policy period of May 1, 2020 to May 1, 2021 for an annual premium of \$202,744.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim therefor, after audit, with funds to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

-#-

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

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

Town of Oyster Bay

Inter-Departmental Memo

TO: Memorandum Docket

FROM: Office of the Town Attorney

DATE: April 16, 2020

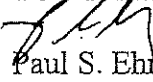
SUBJECT: Excess General and Automobile Liability Insurance

The Town of Oyster Bay is self-insured for general and automobile liability since May 1985. It has been the Town's policy to procure excess general liability and automobile liability insurance, so to protect the Town against the possibility of liability or judgment exceeding the Town's self-insured retention limit of one million dollars (\$1,000,000).

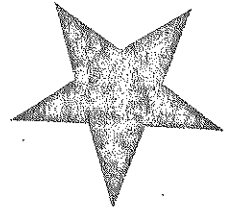
The Town solicited quotes from seven brokers for a general liability and automobile liability coverage for the 2020-2021 policy period commencing May 1, 2020. The Request for Proposals was also posted on the Town website. One broker, Salerno Brokerage Corp. ("Salerno"), responded. Salerno solicited quotes from eleven insurance carriers. One quote, from the current insurer, Allied Public Risk ("Allied"), provided the best coverage and lowest premium for general liability and automobile liability excess coverage for the 2020-2021 policy period. The remaining responding insurance carriers declined to extend a quotation for coverage, or provided a quote significantly higher than Allied's quote.

Allied, through Salerno, proposed an extension of the current policy at a renewal premium of \$197,224. The Allied proposal also includes a provision to add additional coverage for firearms to be issued to approximately 24 authorized employees at a total additional premium of \$5,520.00. The policy would permit the inclusion of additional authorized employees for the added premium of \$230.00 each. The total premium due to Allied, through Salerno, under the Allied proposal is \$202,744.00.

This Office deems that the Town Procurement Policy has been satisfied as to the effort made to secure quotations for coverage, and recommends that the Town's Excess General Liability and Automobile Liability coverage for the policy year May 1, 2020 to May 1, 2021 be procured through Allied Public Risk at a total renewal premium of \$202,744.00. Funds are available in Account No. TWN AMS 1910 43010 602 0000 000.

OFFICE OF THE
TOWN ATTORNEY

Paul S. Ehrlich
Deputy Town Attorney

PSE:pse
Attachment
Town Attorney (w/9 copies)





SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

April 13, 2020

Jeffrey Lesser, Esq.
Town of Oyster Bay
Town Attorney's Office
54 Audrey Avenue
Oyster Bay, NY 11771

RE: Automobile and General Liability Policy- 2020-2021 Proposal- RFP Response

Dear Jeff,

In response to the Town's Request for Proposals due April 16, 2020, and as the Town's liability program expires shortly, we have canvassed the market to replace or renew coverage for the May 1, 2020-2021 policy period.

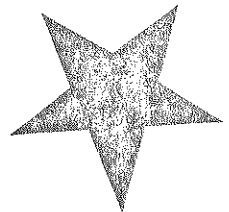
NOTE: The premium for the 5/1/19-20 expiring program with Allied Public Risk is \$184,721.

We are pleased to advise the following results.

- 1) Allied Public Risk (current carrier)- quoted \$197,224 (A copy of the renewal proposal is attached for your review and consideration.) This includes TRIA for \$2,498.

Should the Town wish to arm law enforcement during the policy term, each person will be charged at the rate of \$230. We anticipate about 24 people which may be an additional cost of \$5,520. Please keep us abreast of situation.

- 2) Berkley Public Entity Managers -advised their premium would be at least greater than double the expiring premium for a similar program. (In excess of \$350,000.) In addition, they are reticent to meet the \$10M limits.
- 3) NYMIR advised they are unable to compete with the pricing.
- 4) Old Republic- advised unable to compete with the current program; indicated a premium in excess of \$250,000.
- 5) Hudson- declined as they could not match pricing.
- 6) AIX- declined as unable to be competitive; indication is in excess of \$250,000.





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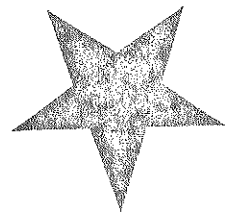
Town of Oyster Bay

- 7) Travelers-due to time constraints, unable to provide a competitive quote.
- 8) US Specialty – could not be competitive. Premium indication last year was between \$275,000 and \$315,000.
- 9) Chubb- advised the sexual abuse limit would be sub-limited; unable to match expiring program.
- 10) Safety National- advised could not compete with premium.
- 11) Trident- advised the premium would be in excess of \$230,000. A higher SIR and a lower limit would allow them to quote more competitively.

The Allied Proposal is summarized as follows:

Limits of Insurance – Auto, General Liability, and Employee Benefits Liability:

Coverage	Specific Limit	Annual Aggregate Limit	Retention	Coverage Trigger	Retroactive Date
Auto Liability	\$10,000,000	N/A	\$1,000,000	Accident	N/A
General Liability	\$10,000,000	\$12,000,000	\$1,000,000	Occurrence	N/A
Sexual Abuse Liability	\$10,000,000	Included in GL	\$1,000,000	Occurrence	N/A
Employee Benefits Liability	Included in GL	Included in GL	\$1,000,000	Occurrence	N/A
Law Enforcement Liability	\$10,000,000	\$12,000,000	\$1,000,000	Occurrence	N/A





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The following items are enclosed:

1. Allied Public Risk Renewal Proposal along with Policy Forms
2. Terrorism Acceptance Form

Please review the enclosures and advise any questions you may have. We look forward to continuing our work relationship with the Town.

Very truly yours,

Maryann K. Aiello

MKA:mm
Enclosures

