

Meeting of May 8, 2018

Resolution No. TF-08-2018

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

ITEM NO.	DEPT.	AMOUNT	FROM
025-18	DER	\$3,000.00	DER SR05 8160 41740 000 0000
			TO
		\$3,000.00	DER SR05 8160 41600 000 0000
			FROM
026-18	DPW	\$125.00	DPW A 1490 41300 000 0000
			TO
		\$125.00	DPW A 1490 46100 000 0000
			FROM
027-18	IGA	\$40,000.00	IGA CD 6293 12010 000 CW17
			TO
		\$40,000.00	IGA CD 6293 12020 000 CW17
			FROM
028-18	IGA	\$21,943.75	IGA CD 0001 02170 000 CD18
			TO
		\$21,943.75	IGA CD 8668 48250 733 CD18
			FROM
		\$6,500.00	IGA CD 0001 02170 000 CD18
			TO
		\$6,500.00	IGA CD 8686 22000 000 CD18
			FROM
029-18	IGA	\$4,688.75	IGA CD 8668 48250 731 CD16
			TO
		\$4,688.75	IGA CD 8668 48250 732 CD16
			FROM
		\$10,458.58	IGA CD 8686 80000 000 CD16
			TO
030-18	DPW	\$1,000.00	IGA CD 8668 48250 732 CD16
			FROM
		\$1,000.00	DPW A 1490 11000 000 0000
			TO
		\$1,000.00	DPW A 1490 47200 000 0000

Reviewed By
Office of Town Attorney

John McArthur

ITEM NO.	DEPT.	AMOUNT	INCREASE
031-18	EXE	\$250,000.00	TWN AMS 001 02680 000 0000 000
			INCREASE
		\$250,000.00	TWN AMS 1910 43030 606 0000 000
			#

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

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

cc: Supervisor
Town Attorney
Comptroller
Environmental Resources
Public Works
Intergovernmental Affairs
Finance

2H

Town of Oyster Bay

Inter-Departmental Memo

April 3, 2018

TO: Memorandum Docket

FROM: Neil O. Bergin, Commissioner
Department of Environmental Resources

SUBJECT: Transfer of Funds

The Department of Environmental Resources requests Town Board authorization to transfer the following funds for the purchase of various materials for the maintenance of the Solid Waste Disposal Facility and the operation of the scalehouse.

From:	DER SR05 8160 41740 000 0000	Chemicals	\$3,000.00
To:	DER SR05 8160 41600 000 0000	Materials and Supplies	\$3,000.00

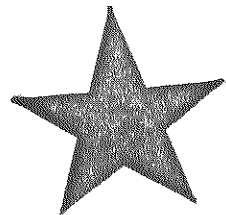
This transfer is necessary for the purchase of parts for the equipment at the Solid Waste Disposal Facility and thermal tape for the scalehouse.



Neil O. Bergin, Commissioner
Department of Environmental Resources

NOB/tml
cc: Town Attorney - w/ 7 copies

DER file no. G500
Docket memo transfer of funds for equipment supplies at SWDD March 2018 .doc



2B

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 23, 2018


TO: MEMORANDUM DOCKET
FROM: RICHARD W. LENZ, P.E.
COMMISSIONER OF PUBLIC WORKS / HIGHWAY
SUBJECT: TRANSFER OF FUNDS

Kindly arrange to transfer funds as indicated below:

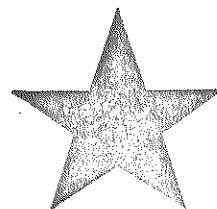
<u>ACCOUNT #</u>	<u>OBJECT DESCRIPTION</u>	<u>AMOUNT</u>
<u>INCREASE:</u>		
DPW A 1490 46100 000 0000	EQUIPMENT MAINTENANCE	\$125.00
<u>DECREASE:</u>		
DPW A 1490 41300 000 0000	OFFICE SUPPLIES	\$125.00

This transfer is necessary to satisfy repair cost for the Widmer Time Clock for the Department of Public Works, Administration office.

Thank you for your attention to this matter.


Richard W. Lenz
Commissioner of Public Works / Highway

RWL/jb
cc: Town Attorney 7 copies



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TOWN OF OYSTER BAY

Inter-Departmental Memo

April 23, 2018

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

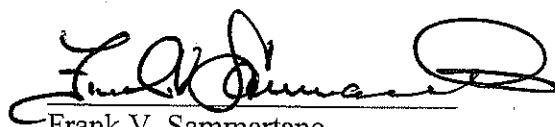
SUBJECT: TRANSFER OF FUNDS

AMOUNT: \$ 40,000.00

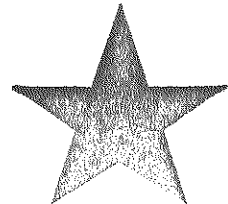
FROM:	IGA CD 6293 12010 000 CW17 (Salaries-Seasonal)	\$ 40,000.00
TO:	IGA CD 6293 12020 000 CW17 (Salaries-Internships)	\$ 40,000.00

The above listed transfer of funds is required to accommodate the Department of Intergovernmental Affairs (IGA), Division of Employment and Training's (DET) Workforce Innovation and Opportunity Act (WIOA) program expenses. All WIOA program funding is provided to the Town through a federal grant passed through the New York State Department of Labor. As IGA DET is informed by NYS DOL of its annual appropriation of WIOA funding, IGA DET make projections as to how that funding will be utilized on program expenses over the course of the fiscal year. As the fiscal year advances and actual expenditures vary from preliminary projections, transfers of WIOA funds are required to accommodate present day WIOA program needs.

Thank you for your attention to this matter.


Frank V. Sammartano
Commissioner

FVS:dp
cc: Town Attorney, 7 copies



2A

Town of Oyster Bay Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: April 27, 2018

SUBJECT: Increase Budget/Transfer of Funds

DEBIT

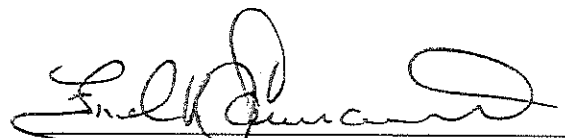
IGA CD 0001 02170 000 CD18 (Community Development Income General)	\$ 28,443.75
--	--------------

CREDIT

IGA CD 8668 48250 733 CD 18 (Res Rehab Deferred Loan)	\$ 21,943.75
IGA CD 8686 22000 000 CD18 (Office Equipment Deferred Loan)	\$ 6,500.00

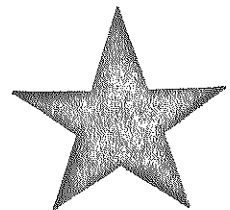
JUSTIFICATION

The above transfer is respectfully requested in order to expend funds received from the Deferred Loan Program. These funds are to be utilized within the Community Development Block Grant Program. These particular funds will be utilized in the Residential Rehabilitation Program, as well as funding the purchase of a replacement copy machine for the Community Development Program.



Frank V. Sammartano
Commissioner

FVS/PA
cc: Town Attorney w/7 copies





DEPARTMENT OF
INTERGOVERNMENTAL AFFAIRS

Frank V. Sammartano
Commissioner
Colin Bell
Deputy Commissioner

Town Hall South
977 Hicksville Road
Massapequa, NY 11758
(516) 624-6170 Fax: (516) 797-7862
www.oysterbaytown.com

Divisions
Community Development
Employment & Training
Federal & State Aid

The Law Firm of Ryan J. Walsh and
Associates IOLTA ACCOUNT

JPMorgan Chase Bank N.A.

76-12 41st Ave, Elmhurst, NY 11373

Check #: 19113
Date: 2/6/2018

Pay to the
order of: Town of Oyster Bay

Amount: \$28,443.75

Twenty Eight Thousand Four Hundred Forty Three and 75/100

Dollars

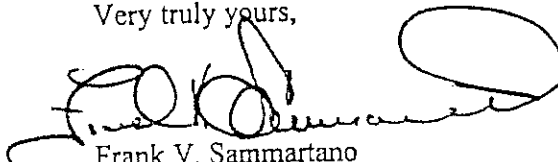
.... CHECK VALID FOR 180 DAYS FROM DATE OF CHECK

Memo: 206628

⑈19113⑈ ⑆021000021⑆ 833308872⑈

If you have any further questions, please contact Joseph F. Rondinelli at
(516) 797-4571.

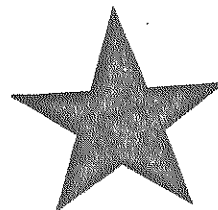
Very truly yours,


Frank V. Sammartano
Commissioner

Please forward
satisfaction confirmation

to: TRIBOROUGH LAND SERVICES
1121 Old West Ave. Town Hall
Suffolk Co. NY 11968

PS/jr melville, ny 11747



II GA CD 000102170 000 CD18

26

Town of Oyster Bay Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: April 27, 2018

SUBJECT: Transfer of Funds

FROM

IGA CD 8668 48250 731 CD16 (Residential Rehabilitation- Lead Based Paint)	\$4,688.75
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IGA CD 8686 80000 000 CD16 (Medical, Dental, Optical Insurance)	\$10,458.58
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TO

IGA CD 8668 48250 732 CD 16 (Residential Rehabilitation- Res Rehab)	\$15,147.33
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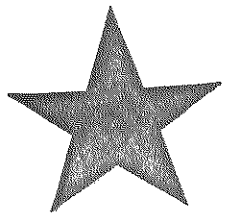
JUSTIFICATION

This transfer is respectfully requested to expend the remaining funds that are available from the funding agency, for the benefit of participants in the Residential Rehabilitation Program.



Frank V. Sammartano
Commissioner.

FSV/PA
cc: Town Attorney w/ 7 copies



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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

April 30, 2018

TO: MEMORANDUM DOCKET

FROM: JEFFREY P. PRAVATO, DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: TRANSFER OF FUNDS

Kindly arrange to transfer funds as indicated below:

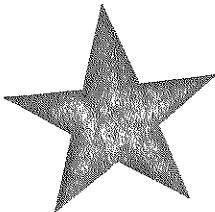
ACCOUNT #	OBJECT DESCRIPTION	AMOUNT
INCREASE:		
DPW A 1490 47200 000 0000	TRAVEL EXPENSE	\$1000.00
DECREASE:		
DPW A 1490 11000 000 0000	SALARIES - REGULAR	\$1000.00

This transfer is necessary to allocate additional funds needed for the Commissioner of Public Works / Highway to attend The Federation of New York Solid Waste Association's 2018 **Strive For Sustainability**, Solid Waste and Recycling Conference. The nationally known conference is May 20-23, 2018 at The Sagamore in Bolton Landing, NY.

Thank you for your immediate attention to this matter.


Jeffrey P. Pravato
Deputy Commissioner of Public Works

RWL/jb
cc: Town Attorney 7 copies



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Town of Oyster Bay
Inter-Departmental Memo

May 2, 2018

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

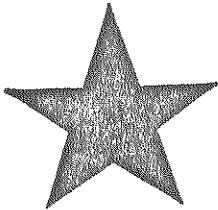
In April 2018, a fire damaged the Albany Avenue Community Center. Funds need to be made available as soon as possible to begin to repair the building while the insurance company goes through the process of determining the exact amount of our claim. It is expected that insurance will cover 100% of the repair costs, less the applicable deductible. Therefore, the following transfer of funds is hereby requested:

Increase:									
TWN	AMS	0001	02680	000	0000	000	Ins Recoveries	250,000.00	
Increase:									
TWN	AMS	1910	43030	606	0000	000	Ins Prop-Albany Ave	250,000.00	

Thank you.


Robert Darienzo
Director of Finance

RD/rd
cc: Town Attorney (with 7 copies)
Word/Documents/Docket/TOF 2018 AMS AACC2



Meeting of May 8, 2018

Resolution No. 300-2018

WHEREAS, Sue Rodgers, Troop Leader of Girl Scout Troop 3178 and Ashley Tarricone of Girl Scout Troop 3178, by letter dated April 9, 2018, have requested Town Board approval to accept the donation of two trees to be planted in Parklet F-03 in Farmingdale, along with a donation of \$800.00 for improvements to Parklet F-03 related to Ashley Tarricone's Girl Scout Gold Award Project; and

WHEREAS, the total donation by Ashley Tarricone and Girl Scout Troop 3178 to improve Parklet F-03 is valued at \$1,200.00; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 9, 2018, has recommended that the Town accept said donations,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Town hereby accepts the donation from Girl Scout Ashley Tarricone and Girl Scout Troop 3178.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

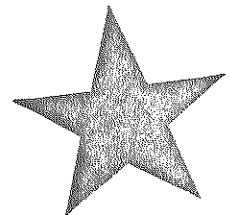
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET
FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS
DATE: April 9, 2018
SUBJECT: GIRL SCOUT GOLD AWARD PROJECT

Town Board approval is requested for Ashley Tarricone from Girl Scout Troop 3178 to further improve Parklet F-03 by planting two trees and donating \$800.00 for a total donation of \$1,200.00. This will assist with further renovations which consists of adding an extra segment for hop scotch and four square, drilling holes for trees along with refurbishing the basketball court which was in disrepair.


JOSEPH G. PINTO
COMMISSIONER OF PARKS

JGP:dl
Cc: Town Board (+7 copies)
Attachment



April 9th, 2018

Dear Supervisor Saladino and Members of the Oyster Bay Town Board,

I would like to thank you for all your help during my Girl Scout Gold Award project to improve Parklet F-03. This would not have been accomplished if I didn't get the help I needed from the Public Information Office and especially the Parks Department.

To further improve the venue, I seek to donate two trees to be planted at the parklet. I seek to give an \$800 contribution to the town to assist with renovations related specifically to my Gold Award Project. This consists of, adding the extra segment for hop scotch and four square, drilling holes for trees, along with refurbishing the basketball court which was in disrepair. I look forward to seeing this projects commencement in the spring. Thank you in advance.

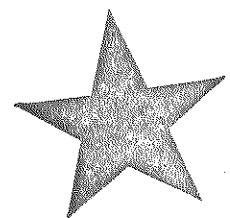
Sincerely,

Ashley Tarricone

Sue Rodgers

Girl Scout Troop 3178

Troop Leader



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 28, 2017, authorized the Highway Department to clean up the premises located at 3 Miller Road, Farmingdale, New York 11735, also known as Section 49, Block 232, Lot 9 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 2, 2017, in the total amount of \$2,928.37, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,928.37 may be assessed by the Legislature of the County of Nassau against the parcel known as 3 Miller Road, Farmingdale, New York 11735, also known as Section 49, Block 232, Lot 9 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

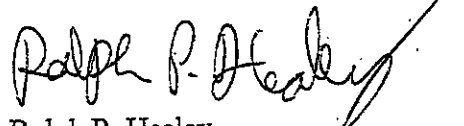
SUBJECT: Property Cleanup Assessment
3 Miller Road, Farmingdale, New York 11735
Section 49, Block 232, Lot 9

The Department of Planning and Development, by memorandum dated August 28, 2017, directed the Highway Department to clean the premises located at 3 Miller Road, Farmingdale, New York 11735, also known as Section 49, Block 232, Lot 9 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 5, 2017, advised that the property was cleaned by a crew from the Highway Department on October 2, 2017. The cost incurred by the Town of Oyster Bay was \$2,928.37.

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

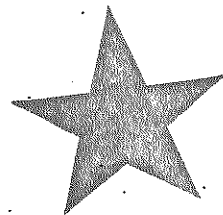
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 3 Miller Rd 4.10.18.doc



2017-6228
Need It

TOWN OF OYSTER BAY

Inter-Departmental Memo
August 28, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 3 Miller Road Farmingdale, NY 11735
SBL: 49-232-9

Notice of Violation (No.TL056) was issued to the owner of the above-referenced premises 08/10/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

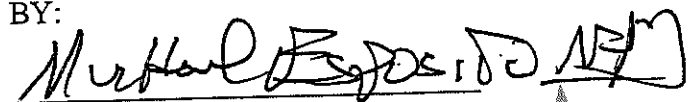
In accordance with the provisions of Section 135.54: I am directing that:

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

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

ELIZABETH L. MACCARONE
COMMISSIONER

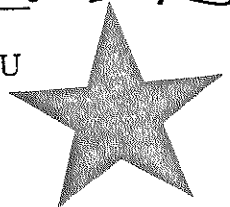
BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney



part of the second part,

party of the second part,
 WHEREAS, that the party of the first part, in consideration of Ten Dollars and other valuable consideration
 paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs
 or successors and assigns of the party of the second part forever,
 all that certain lot or lots of land with the buildings and improvements thereon erected, situate,

and being more particularly described on a certain map entitled, "Milldale at Bethpage, be-
longing to Ira I. Miller, surveyed February 1950 by Albert L. Loeffler, Land Surveyor, 3896
Merrick Road, Seaford, N. Y. and filed in the Office of the Clerk of the County of Nassau on
May 16, 1951 as Number 5221 and known as part of Lot 1, Block 232 which said part of lot is,
according to said map, bounded and described as follows:

May 16, 1951 as Number 3221 and known as follows:
 according to said map, bounded and described as follows:

May 15, 1931 as Number _____ according to said map, bounded and described as follows:

BEGINNING at a point on the westerly side of Miller Road distant 64.60 feet northerly from the extreme northerly end of the arc connecting the westerly side of Miller Road with the northerly side of Hempstead Turnpike (old line before widening); thence South 82 degrees 49 minutes 00 seconds West, 158.16 feet; thence North 6 degrees 21 minutes 30 seconds West, 92.41 feet; thence South 88 degrees 50 minutes 55 seconds East, 176.50 feet to the westerly side of Miller Road; thence along the westerly side of Miller Road the following two courses and distances: (1) South 9 degrees 13 minutes 50 seconds West, 41 feet; (2) southerly along the arc of a circle bearing to the left, having a radius of 220 feet, a distance of 34.83 feet to the point or place of **BEGINNING**.

_____ of _____ Miller Road, Bethpage, New York.

Said premises being also known as 3 Miller Road, Bethpage, New York.

Said premises being also known as 5 Winter Road, London, N. 1.
Subject to covenants, easements and restrictions of record.
A more detailed survey may show.

Subject to any state of facts as accurate survey may show.

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

AND the duty of the first part is confirmed that the party of the first part has not done or suffered anything to the contrary of and in any way whatever, except as aforesaid.

AND the party of the first part covenants that the party of the second part shall have the right to use the premises for any lawful purpose, whether the said premises have been incorporated in any way whatever, except as aforesaid.

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

the same that to the payment of the debt of the company
and other purposes.
The word "copy" shall be written in ink "plain" whenever the same is the signature as required.
IN WITNESS WHEREOF, the party of the first part has duly executed this deed this day and year first above
written.

1. 1990-1991

Henry Chan

2000

STATE OF NEW YORK, COUNTY OF NASSAU SS:
On the 30 day of January 1974 before me
personally came HERMAN CHASE and MOLLY
CHASE

to me known to be the individuals described in and who
executed the foregoing instrument, and acknowledged that
they executed the same.

Robert F. Tomlin

ROBERT F. TOMLIN
NOTARY PUBLIC, State of New York
No. 25-011332
Qualified in Nassau County
Term Expires March 30, 1974

STATE OF NEW YORK, COUNTY OF SS:
On the day of 19 , before me
personally came
to me known, who, being by me duly sworn, did depose and
say that he resides at No. ;

that he is the
of the corporation described
in and which executed the foregoing instrument; that he
knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so
affixed by order of the board of directors of said corpora-
tion, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF SS:
On the day of 19 before me
personally came

STATE OF NEW YORK, COUNTY OF SS:
On the day of 19 before me
personally came
the subscribing witness to the foregoing instrument, with
whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he resides at No.

that he knows
to be the individual
described in and who executed the foregoing instrument;
that he, said subscribing witness, was present and saw
execute the same; and that he, said witness,
at the same time subscribed his name as witness thereto.

Margain and Sale Book
WITH COVENANT AGAINST GRANTOR'S ACTS
FILE NO. 74-1100062-14

HERMAN CHASE and MOLLY CHASE

TO
CLIFFORD F. BOULD and JO-ANN BOULD

STANDARD FORM OF
NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

American
TITLE
INSURANCE COMPANY

Member of The Commercial Insurance Company

SECTION 49
BLOCK 232
LOT 9
COUNTY OR TOWN NASSAU

Received At Request of American Title Insurance Company

RETURN BY MAIL TO:

Frank L. Nolan, Esq.
110 Old Country Road
Mineola, New York 11501

FEB 1 1974

RECORD THIS SPACE FOR USE OF RECORDING OFFICE

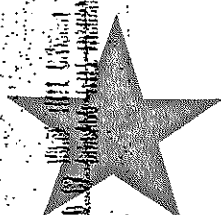
RECORDED

FEB 1 11 30 AM '74
CLERK
COUNTY OF NASSAU

209

2435

RECORDED



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

October 5, 2017

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


FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 3 MILLER ROAD, FARMINGDALE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,928.37.

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

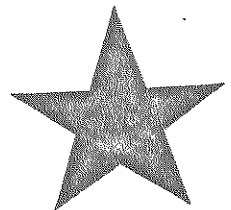


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 3 MILLER ROAD, FARMINGDALE TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-232-9) 3 MILLER RD FARMINGDALE 11735

Date Oct 2, 2017

Work Order # 39702

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
STEVE DIAKOIANNIS	General Maintenance	03:30	\$38.36	00:00	0	\$134.26
MICHAEL MARTIN	General Maintenance	03:30	\$24.36	00:00	0	\$85.26
DERRICK SCOTT	General Maintenance	03:30	\$39.49	00:00	0	\$138.22
ANTHONY VOLLONO	General Maintenance	03:30	\$50.61	00:00	0	\$177.14
NICOLAS CAMMARANO	General Maintenance	03:30	\$24.46	00:00	0	\$85.61
Total Labor						\$620.49

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	\$105.00	03:30	\$367.50
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	03:30	\$276.50
TD682	TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	03:30	\$367.50
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	03:30	\$367.50
Total Equipment				\$1379.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$83.98	2.13	\$178.88
Total Materials			\$928.88

Grand Total \$2928.37

Description of Work:

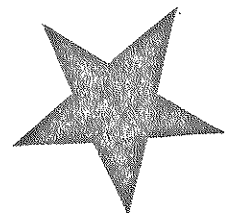
CLEAN UP 3 MILLER ROAD FM

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 4, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 19, 2017, authorized the Highway Department to clean up the premises located at 85 Amby Avenue, Plainview, New York 11803, also known as Section 12, Block 15, Lot 28 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 27, 2017, in the total amount of \$1,248.58, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,248.58 may be assessed by the Legislature of the County of Nassau against the parcel known as 85 Amby Avenue, Plainview, New York 11803, also known as Section 12, Block 15, Lot 28 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

749
Reviewed By
Office of Town Attorney
Ralph P. Healey

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

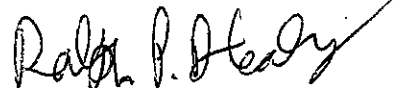
SUBJECT: Property Cleanup Assessment
85 Amby Avenue, Plainview, New York 11803
Section 12, Block 15, Lot 28

The Department of Planning and Development, by memorandum dated July 19, 2017, directed the Highway Department to clean the premises located at 85 Amby Avenue, Plainview, New York 11803, also known as Section 12, Block 15, Lot 28 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 1, 2017, advised that the property was cleaned by a crew from the Highway Department on July 27, 2017. The cost incurred by the Town of Oyster Bay was \$1,248.58.

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

Kindly place this matter on the Town Board Action Calendar.

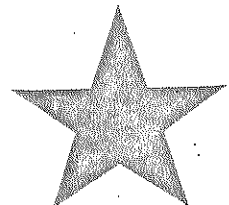
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 85 Amby Ave 4.10.18.doc



2018-6404
Niedl

TOWN OF OYSTER BAY

JUL 21 4 10 38

Inter-Departmental Memo
July 19, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

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

Subject: 85 Amby Avenue Plainview, NY 11803
SBL: 12-15-28

Notice of Violation (No.17588) was issued to the owner of the above-referenced premises 07/12/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass be cut.
- The bushes be trimmed off the sidewalk.

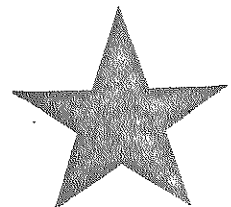
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



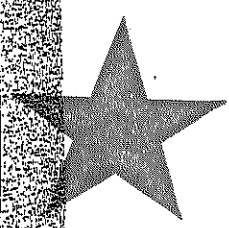
5698-452
Ohio Indemnity

BETWEEN THE OHIO INDEMNITY CO. and THE OHIO INDEMNITY CO.
under and to the use of the OHIO INDEMNITY CO.
for the purpose of INSURING the OHIO INDEMNITY CO.

Party of the first part and THE OHIO INDEMNITY CO. of the second part
do hereby certify that the OHIO INDEMNITY CO.

WITNESSETH that the OHIO INDEMNITY CO. of the first part
has duly executed the OHIO INDEMNITY CO.
and the OHIO INDEMNITY CO. of the second part
has duly executed the OHIO INDEMNITY CO.
ALL in full compliance with the provisions of the
Ohio Indemnity Act.

TOGETHER with the OHIO INDEMNITY CO. of the first part
TO HAVE AND TO HOLD the premises hereunto granted
AND the OHIO INDEMNITY CO. of the second part
AND the OHIO INDEMNITY CO. of the third part
IN WITNESS WHEREOF



STATE OF NEW YORK: COUNTY OF ...

On the 22nd day of May 1961 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that _____ executed the same.

STATE OF NEW YORK, COUNTY OF [redacted]

On the _____ day of _____, 1999, before me,
personally named _____,
the undersigned witness to the foregoing instrument,
with whom I am personally acquainted, who being duly
sworn, depose and say that she resides at _____,
No. _____,
that he knows _____.

to be the individual who executed the foregoing instrument, that the said subscribing witness was present and saw the said individual executing the same and that the said witness is a competent and qualified juristic witness thereon.

RESEARCH

[illegible]

Table No. 22-1859

DAI SOUTHERN VINYL & PLASTIC INDUSTRIES, LTD.

21-110470

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新嘉坡大坡大馬路門牌九號

THE UNIVERSITY OF CHICAGO PRESS

Therapist and Self Therapist

COVENANT

UNDAVIDEVAL OR CORPORATION

the land, and appraised by the within instrument at
 \$25,000.00, as shown in Block 15 on the
 plat in Subdivision 12 in Block 15 on the
 plat and Map of the County of Hamilton

DEFINITION

RECORDED BY
INTER-COUNTY TITLE
GUARANTY & MORTGAGE COMPANY
170 JERICHO TURNPIKE
FLORAL PARK, N. Y.

DEMILO

94 West Main Street, Rye, N.Y.

55 South Main Street, New Orleans, LA 70112

2-15-Min Sweat Weekend

57 Post Road, Fairfield, Conn.

This Space For Use by Recording Offices

REFERENCE

www.pearsoned.com

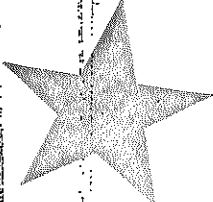
新華書店

THE UNIVERSITY OF CHICAGO PRESS

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

August 1, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 85 AMBY AVENUE, PLAINVIEW
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,248.58.

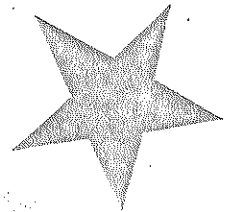
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

TOWN ATTORNEY / OFFICE
JENNIFER G. SULLIVAN
677-5804
1 2017 DEC -5 P 3:52



CLEAN - 85 AMBY AVENUE, PLAINVIEW TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (12-15-28) 85 AMBY AVE PLAINVIEW 11803

Date Jul 27, 2017

Work Order # 38614

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANGELO ABBONDANDOLO	General Maintenance	01:00	\$44.28	00:00	0	\$44.28
GREGORY MARCHESE	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
ROBERT PALACIOS	General Maintenance	01:00	\$25.05	00:00	0	\$25.05
JOSEPH SANTANGELO	General Maintenance	01:00	\$41.75	00:00	0	\$41.75
DONALD BRUWER	General Maintenance	00:12	\$24.36	00:00	0	\$4.87
PAUL HARABEDIAN	General Maintenance	01:00	\$23.27	00:00	0	\$23.27
Total Labor						\$186.58

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK406	SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932)	\$105.00	01:00	\$105.00
PU414	PICK UP 2011 FORD F250 YELLO (12 / 012)	\$79.00	01:00	\$79.00
SW175	SWEEPER 2011 SCHWZ M6000 YW (S-181)	\$115.00	00:12	\$23.00
TD706	TRUCK DUMP 2011 FORD F350 YELLO (T-125) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$312.00

Materials

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

Grand Total \$1248.58

Description of Work:

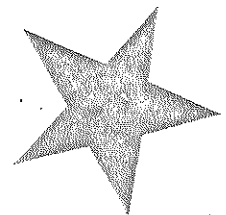
CLEAN UP 85 AMBY AVENUE PLAINVIEW

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jul 31, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated November 29, 2017, authorized the Highway Department to clean up the premises located at 8 Terry Court, Glen Head, New York 11545, also known as Section 21, Block 206, Lot 362 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on December 13, 2017, in the total amount of \$1,228.54, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,228.54 may be assessed by the Legislature of the County of Nassau against the parcel known as 8 Terry Court, Glen Head, New York 11545, also known as Section 21, Block 206, Lot 362 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

12

Town of Oyster Bay Inter-Departmental Memo

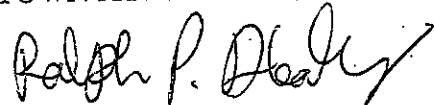
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: April 10, 2018
SUBJECT: Property Cleanup Assessment
8 Terry Court, Glen Head, New York 11545
Section 21, Block 206, Lot 362

The Department of Planning and Development, by memorandum dated November 29, 2017, directed the Highway Department to clean the premises located at 8 Terry Court, Glen Head, New York 11545, also known as Section 21, Block 206, Lot 362 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated January 10, 2018, advised that the property was cleaned by a crew from the Highway Department on December 13, 2017. The cost incurred by the Town of Oyster Bay was \$1,228.54.

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

Kindly place this matter on the Town Board Action Calendar.

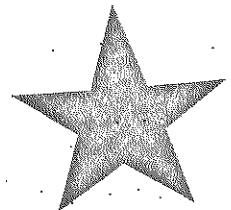
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 8 Terry Ct 4.10.18.doc



2018-6432
Need it

TOWN OF OYSTER BAY

**Inter-Departmental Memo
November 29, 2017**

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 8 Terry Court Glen Head, NY 11545
SBL: 21-206-362

Notice of Violation (No.17748) was issued to the owner of the above-referenced premises 11/09/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass and weeds be cut.
- The pool be secured with locks on the gates.

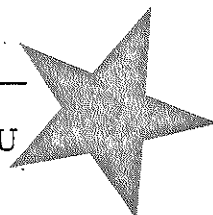
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made the 29th day of June in the year Two Thousand Six

BETWEEN

party of the first part, and

party of the second part,

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

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

SEE "SCHEDULE A" ATTACHED

BEING AND INTENDED TO BE the same premises described and conveyed to the party of the first part by deed dated 6/24/06 and recorded 7/25/06 in the Office of the Clerk of the County of Nassau in Liber 12048 Page 950.

Premises: 8 Terry Court, Glen Head, NY

SUBJECT to any state of facts an accurate survey might show.

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

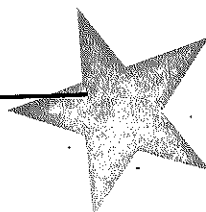
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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

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

Witness:

John Rutigliano



CEB

Town of Oyster Bay
Inter- Departmental Memo

January 10, 2018

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

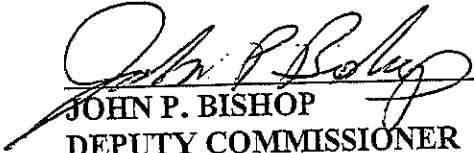
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 8 TERRY COURT, GLEN HEAD
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,228.54.

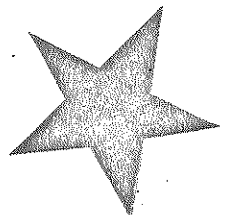
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 JAN 17 P 3:29
TOWN OF OYSTER BAY
COMMUNITY DEVELOPMENT
DEPARTMENT



CLEAN-UP - 8 TERRY COURT, GLEN HEAD TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (21-206-362) 8 TERRY CT GLEN HEAD 11545

Date Dec 13, 2017

Work Order # 43394

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANDREW HOUGHTON	General Maintenance	01:30	\$27.75	00:00	0	\$41.63
JOSEPH LOIODICE	General Maintenance	01:30	\$27.75	00:00	0	\$41.63
BRIAN TROTTA	General Maintenance	01:30	\$27.52	00:00	0	\$41.28
Total Labor						\$124.54

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD661	TRUCK DUMP 2009 INTER 7300 YW (T-112)- 6 Wheeler	\$131.00	01:30	\$196.50
TD715	TRUCK DUMP 2012 FORD F-350 YW (T-115)- Power Wagons	\$105.00	01:30	\$157.50
Total Equipment				\$354.00

Materials

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

Grand Total \$1228.54

Description of Work:

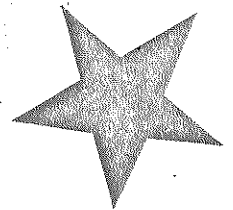
CLEAN UP 8 TERRY COURT GH

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jan 9, 2018



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated April 26, 2017, authorized the Highway Department to clean up the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 1, 2017, in the total amount of \$824.84, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$824.84 may be assessed by the Legislature of the County of Nassau against the parcel known as 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

13

Town of Oyster Bay Inter-Departmental Memo

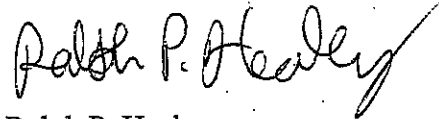
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: April 10, 2018
SUBJECT: Property Cleanup Assessment
50 Elizabeth Street, Massapequa, New York 11758
Section 53, Block 43, Lots 1, 3, 5 and 7

The Department of Planning and Development, by memorandum dated April 26, 2017, directed the Highway Department to clean the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 3, 2017, advised that the property was cleaned by a crew from the Highway Department on May 1, 2017. The cost incurred by the Town of Oyster Bay was \$824.84.

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

Kindly place this matter on the Town Board Action Calendar.

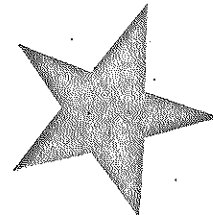
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 50 Elizabeth St 4.10.18.doc



2018-6436
Need ltr DBS

TOWN OF OYSTER BAY

**Inter-Departmental Memo
April 26, 2017**

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY DEPT.
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF DEPARTMENT OF PLANNING AND DEVELOPMENT
**Subject: 50 Elizabeth Street Massapequa, NY 11758
SBL: 53-43-1**

1 2018 JAN -3 A 10:13
TOWN OF OYSTER BAY
COMMUNITY DEVELOPMENT
RECEIVED

Notice of Violation (No.16880) was issued to the owner of the above-referenced premises 04/17/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

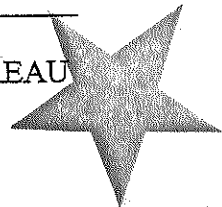
- **The litter and debris be removed.**

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

ELIZABETH L. MACCARONE
COMMISSIONER

BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU




ME/js

cc: Joseph Nocella, Town Attorney

1994

2

FSB

party of the first part, and

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

100-443886-100

Said premises known as 50 Elizabeth Street, Massapequa, NY

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

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

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

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

RAYMOND A. GRAHAM

ANNE S. GRAHAM

下等

C C B

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

May 3, 2017

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

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

SUBJECT: 50 ELIZABETH STREET, MASSAPEQUA
CLEAN UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$824.84.

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

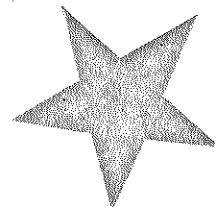

JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 JAN - 3 A 10:13

STANDARD OFFICE
TOWN OF OYSTER BAY
MASSACHUSETTS



CLEAN-UP 50 ELIZABETH STREET, MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-43-1) 50 ELIZABETH ST MASSAPEQUA 11758

Date May 1, 2017

Work Order # 36331

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RICHARD JULIANO	General Maintenance	01:00	\$42.34	00:00	0	\$42.34
MICHAEL MARTIN	General Maintenance	01:00	\$24.36	00:00	0	\$24.36
JOSE NUNEZ	General Maintenance	01:00	\$38.36	00:00	0	\$38.36
MARK SCHLOSSER	General Maintenance	01:00	\$41.18	00:00	0	\$41.18
DERRICK SCOTT	General Maintenance	01:00	\$39.49	00:00	0	\$39.49
ANTHONY VOLLONO	General Maintenance	01:00	\$50.61	00:00	0	\$50.61

Total Labor \$236.34

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	\$105.00	01:00	\$105.00
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	\$131.00	01:00	\$131.00
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	01:00	\$79.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:00	\$105.00
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	01:00	\$105.00

Total Equipment \$525.00

Materials


Material	Cost Per Unit	Units	Line Cost
Tipping Fee (per ton)	\$82.47	0.77	\$63.50

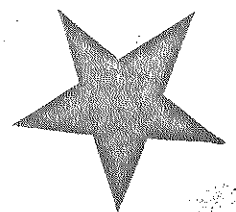
Total Materials \$63.50

Grand Total \$824.84

Description of Work:

clean up litter and debris only at 50 Elizabeth Street MS to Doug

Signature: 
Name: Douglas Robalino
Title: Storeyard Supervisor
Date: May 4, 2017



WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to re-secure the front door of the house at the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on May 9, 2017, in the amount of \$178.12, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$178.12 may be assessed by the Legislature of the County of Nassau against the parcel known as 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

Reviewed By
Office of Town Attorney

Ralph P. Healey

14

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

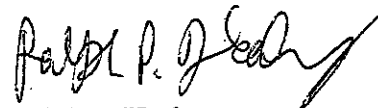
SUBJECT: Property Cleanup Assessment
50 Elizabeth Street, Massapequa, New York 11758
Section 53, Block 43, Lots 1, 3, 5 and 7

By the emergency powers granted to the Department of Planning and Development, the Highway Department was directed to re-secure the front door of the house at the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 11, 2017, advised that the property was secured by a crew from the Highway Department on May 9, 2017. The cost incurred by the Town of Oyster Bay was \$178.12.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

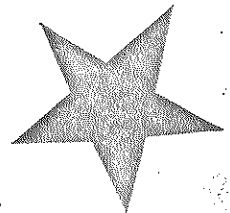
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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



2018-6352

Need it

Ken Bishop

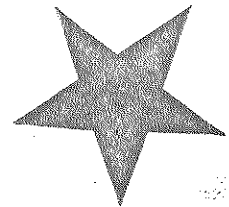
From: Michael Esposito
Sent: Tuesday, May 09, 2017 9:37 AM
To: Ken Bishop
Cc: Leslie Maccarone
Subject: 50 elizabeth street massapequa 53-43-1

Kenny

Please have Jeff re-secure the front door at the subject premises. My inspector observed that the home has been broken in to. A dog was also seen in the home. The animal shelter will be contacted along with NCPD if the animal is still in the home.

Thanks

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



1478 v

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

THIS INDENTURE, made the 11th day of May, 2005

BETWEEN

~~RAYMOND A. GRAHAM~~ ^{ASC}
~~UNDALE, NY 11553~~

party of the first part, and

~~RAYMOND A. GRAHAM~~ ^{ASC}

party of the second part,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Nassau, more particularly described as follows:

SEE ANNEXED DESCRIPTION

Said premises known as 50 Elizabeth Street, Massapequa, NY

Being and intended to be the same premises as described in Deed recorded in Liber 11896 page 126.

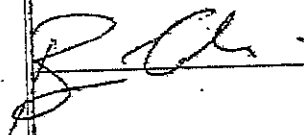
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;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

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

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

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

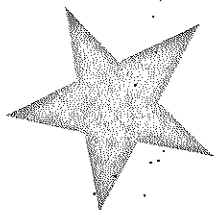
IN PRESENCE OF:





RAYMOND A. GRAHAM


ANNE S. GRAHAM
^{ASC}



RC

Sec. 53
Aug 13
11/13/09



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (53-43-1) 50 ELIZABETH ST MASSAPEQUA 11758

Date May 9, 2017

Work Order # 36652

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RUBEN FOURNIER	General Maintenance	01:00	\$35.14	00:00	0	\$35.14
JEFFREY VAN NOSTRAND	General Maintenance	01:00	\$43.33	00:00	0	\$43.33
Total Labor						\$78.47

Tools/Vehicle

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

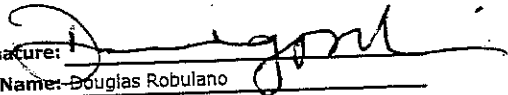
Materials

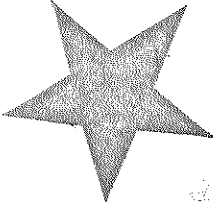
Material	Cost Per Unit	Units	Line Cost
Plywood 4'X8'X1/2"	\$20.65	1	\$20.65
Total Materials			\$20.65

Grand Total \$178.12

Description of Work:

RE-SECURE THE FRONT DOOR OF 50 ELIZABETH ST MS TO DOUG

Signature: 
Name: Douglas Robulano
Title: Storeyard Supervisor
Date: May 11, 2017



WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to board up the house located at 526 Central Avenue, Massapequa, New York 11758, also known as Section 52, Block 159, Lots 43, 97, 362, 439-442 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 19, 2017, in the amount of \$1,712.04, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,712.04 may be assessed by the Legislature of the County of Nassau against the parcel known as 526 Central Avenue, Massapequa, New York 11758, also known as Section 52, Block 159, Lots 43, 97, 362, 439-442 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

Reviewed By
Office of Town Attorney

Ralph P. Healey

15

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

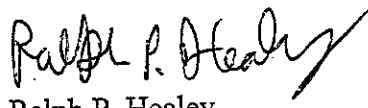
SUBJECT: Property Cleanup Assessment
526 Central Avenue, Massapequa, New York 11758
Section 52, Block 159, Lots 43, 97, 362, 439-442

By the emergency powers granted to the Department of Planning and Development, the Highway Department was directed to board up the house located at 526 Central Avenue, Massapequa, New York 11758, also known as Section 52, Block 159, Lots 43, 97, 362, 439-442 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 26, 2017, advised that the property was secured by a crew from the Highway Department on September 19, 2017. The cost incurred by the Town of Oyster Bay was \$1,712.04.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

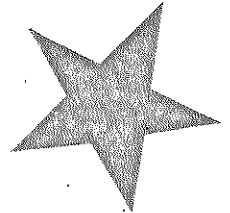
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

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

S:\Atty\DBS\Cleanup MD&Reso\MD 526 Central Ave Bd Up 4.10.18



2017-6328

Need it

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 14, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 526 Central Avenue Massapequa, NY 11758
SBL: 52-159-43

Notice of Violation (No.17495) was issued to the owner of the above-referenced premises 09/12/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section ⁹⁶⁻¹⁵~~135-54~~: I am directing that:

- All open windows be boarded up.

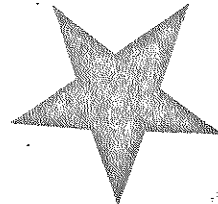
Pursuant to the provisions of Section ⁹⁶⁻²⁰~~135-54~~(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/JS

cc: Joseph Nocella, Town Attorney



THIS INDENTURE, made the 28th day of September, 2001

BETWEEN

party of the first part, and

party of the second part.

WITNESSETH, that the party of the first part, in consideration of \$1100.00 paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated lying and being in the at Massapequa, in the Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the lots numbered 439 to 442 and the southerly part of lot number 443 in Block 10 on a certain map entitled "Map of Property of Queens Land and Title Company at Massapequa, LI, NY Section 1 surveyed by Alvin G. Smith, CE Freeport, NY" and filed in the office of the clerk of the County of Nassau on Sept. 3, 1907 as Map No. 50 Case No. 370 also the northerly part of Lot 197 on a certain map entitled "Amended Map of a Portion of Section 1 Queens Land & Title Co. Massapequa, LI, owned by Ellen Roberts, Surveyed June, 1924 by Smith & Malcolmson, Inc. Civil Engineers, Freeport, LI" and filed in the Office of the clerk of the County of Nassau on May 14, 1925 as Map No. 56 together with lot 161 on the aforesaid map which said lot 161 is also shown as lot 438 in Block 10 on the map of Queens Land & Title Co. Section 1 filed Sept 3, 1907 as map no. 50 case no. 370 which said lots and part of lots are bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly side of Central Avenue with the northerly side of Pennsylvania Avenue;

RUNNING THENCE along the westerly side of Central Avenue north 4 degrees 01 minute east,

100.00 feet;

THENCE south 85 degrees 59 minutes east, 120.00 feet;

THENCE south 4 degrees 01 minute west, 100.00 feet to the northerly side of Pennsylvania Avenue;

THENCE along the northerly side of Pennsylvania Avenue north 85 degrees 59 minutes west, 120.00 feet to the corner, the point or place of beginning.

Being the same premises conveyed to the parties of the first part herein by deed dated October 20, 1954 recorded in Liber 5657 Cp 152, said premises known as 526 Central Avenue, Massapequa, New York

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

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

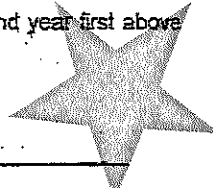
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

IN PRESENCE OF:


PALMER LEE HAMILTON


GLORIA M. HAMILTON



H074
\$1100

Section 52
Block 159
Lot 45
2362
89-442

DBS

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

September 26, 2017

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

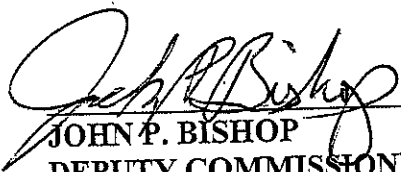
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

**SUBJECT: 526 CENTRAL AVENUE, MASSAPEQUA
BOARD-UP**

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,712.04.

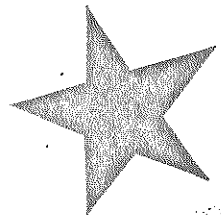
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 DEC 20 A 11:15
RECEIVED
TOWN OF OYSTER BAY
12/20/17



BOARD - UP 526 CENTRAL AVENUE, MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (52-159-43) 526 CENTRAL AVE MASSAPEQUA 11758

Date Sep 19, 2017

Work Order # 40332

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RUBEN FOURNIER	General Maintenance	04:00	\$35.14	00:00	0	\$140.56
JEFFREY VAN NOSTRAND	General Maintenance	04:00	\$43.77	00:00	0	\$175.08
Total Labor						\$315.64

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	04:00	\$316.00
Total Equipment				\$316.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Plywood 4'X8'X1/2"	\$20.65	16	\$330.40
Total Materials			\$1080.40

Grand Total \$1712.04

Description of Work:

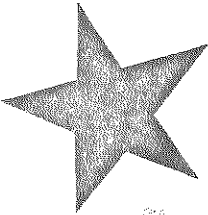
BOARD UP 526 CENTRAL AVENUE MS

Signature:

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Sep 26, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 12, 2017, authorized the Highway Department to clean up the premises located at 9 Joludow Drive, Massapequa, New York 11758, also known as Section 53, Block 149, Lot 33 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 19, 2017, in the total amount of \$1,484.01, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,484.01 may be assessed by the Legislature of the County of Nassau against the parcel known as 9 Joludow Drive, Massapequa, New York 11758, also known as Section 53, Block 149, Lot 33 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

712
Reviewed By
Office of Town Attorney

Ralph P. Healey

16

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

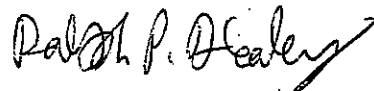
SUBJECT: Property Cleanup Assessment
9 Joludow Drive, Massapequa, New York 11758
Section 53, Block 149, Lot 33

The Department of Planning and Development, by memorandum dated October 12, 2017, directed the Highway Department to clean the premises located at 9 Joludow Drive, Massapequa, New York 11758, also known as Section 53, Block 149, Lot 33 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 2, 2017, advised that the property was cleaned by a crew from the Highway Department on October 19, 2017. The cost incurred by the Town of Oyster Bay was \$1,484.01.

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

Kindly place this matter on the Town Board Action Calendar.

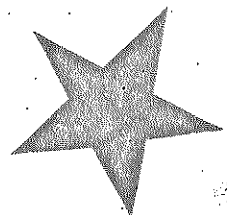
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 9 Joludow Dr 4.10.18.doc



2017-6279

and ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
October 12, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 9 Joludow Drive Massapequa, NY 11758
SBL: 53-149-33

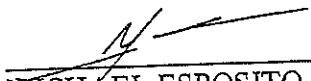
Notice of Violation (No.TL099) was issued to the owner of the above-referenced premises 10/05/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

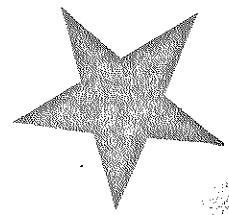
In accordance with the provisions of Section 135.54: I am directing that:

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

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

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU




ME/js

cc: Joseph Nocella, Town Attorney

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

THIS INDENTURE, made the 9 day of August, nineteen hundred and seventy-eight
BETWEEN [REDACTED]

as executor of [REDACTED] the last will and testament of [REDACTED], late of [REDACTED], deceased,
party of the first part, and [REDACTED]

party of the second part.

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of [REDACTED] dollars,
THIRTY TWO THOUSAND (\$32,000.00)

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being [REDACTED] at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lot number 33 in Block 149 on a certain map entitled, "Map of Crown Village, Section number 1, situate at Massapequa, Nassau County, New York, surveyed in April 1952 by Baldwin and Cornelius Co., Civil Engineers and Surveyors, Freeport, New York," and filed in the Office of the Clerk of the County of Nassau on June 12, 1952 as Map No. and New Map No. 5489, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Joludow Drive, distant 481.01 feet southerly from the southerly end of a curve connecting the westerly side of Joludow Drive and the southerly side of Devonshire Road;

running thence SOUTHERLY along the westerly side of Joludow Drive, a distance of 65.00 feet;

thence WESTERLY at right angles to the westerly side of Joludow Drive, a distance of 100.00 feet;

thence NORTHERLY and parallel with the westerly side of Joludow Drive, a distance of 65.00 feet; and

thence EASTERLY again at right angles to the westerly side of Joludow Drive a distance of 100.00 feet to the westerly side of Joludow Drive, at the point or place of BEGINNING.

PREMISES KNOWN AS: 9 Joludow Drive, Massapequa, New York

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

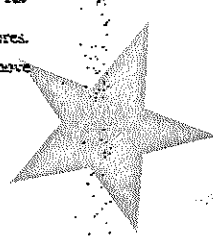
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

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

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

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

IN PRESENCE OF:



STATE OF NEW YORK, COUNTY OF NASSAU

SS:

On the 9 day of August 1978 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

William H. Tschirhart

Notary Public

WILLIAM H. TSCHIRHART
NOTARY PUBLIC, State of New York
No. 20-9387890
Qualified in Nassau County
Commission Expires March 30, 1980

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the

of the corporation described in said which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19, before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Examiner's Seal

FILE No. 102 N 4836

SECTION

BLOCK

LOT

COUNTY OR TOWN

NASSAU

TO

STANDARD FORM OF
NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

American
TITLE
INSURANCE COMPANY

GUARANTEED TITLE DIVISION

A Member of The Continental Insurance Companies

Recorded At Request of American Title Insurance Company
RETURN BY MAIL TO:

J. Richard Crane, Esq.
550 Old Country Road
Hicksville, New York 11801

Zip No.

REMOVE THIS SPACE FOR USE OF RECORDING OFFICE

AUG 11 1978

RECORDED

Dec. 11 3 01 PM '78

WILLIAM H. TSCHIRHART
COUNTY CLERK
NASSAU COUNTY

31303

1125

RECEIVED
\$ 2.50
AUG 11 1978
TRANSFER TAX
NASSAU
COUNTY

Not to be used with insurance Company of New York

CEL

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

NOVEMBER 2, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 9 JOLUDOW DRIVE, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,484.01.

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

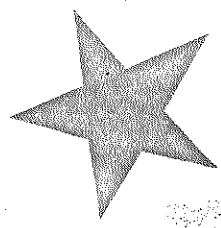

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

766 Atlantic Office
301 Main St
Oyster Bay, NY 11771

2017 NOV - 8 A 11:32



CLEAN - UP 9 JOLUDOW DRIVE, MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-149-33) 9 JOLUDOW DR MASSAPEQUA PARK 11762

Date Oct 19, 2017

Work Order # 41285

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RICHARD JULIANO	General Maintenance	01:00	\$42.34	00:00	0	\$42.34
CHRISTOPHER MOORE	General Maintenance	01:00	\$24.36	00:00	0	\$24.36
JAMES ROMANO	General Maintenance	01:00	\$27.75	00:00	0	\$27.75
DERRICK SCOTT	General Maintenance	01:00	\$39.49	00:00	0	\$39.49
ANTHONY VOLLONO	General Maintenance	01:00	\$50.61	00:00	0	\$50.61
NICOLAS CAMMARANO	General Maintenance	01:00	\$24.46	00:00	0	\$24.46

Total Labor \$209.01

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	\$105.00	01:00	\$105.00
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	01:00	\$79.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:00	\$105.00
TD729	6 WHEELER 2015 LIC AM8735	\$131.00	01:00	\$131.00
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	01:00	\$105.00

Total Equipment \$525.00

Materials

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

Total Materials \$750.00

Grand Total \$1484.01

Description of Work:

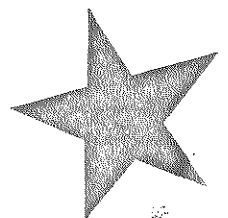
CLEAN UP 9 JOLUDOW DRIVE MS

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 31, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 20, 2017, authorized the Highway Department to clean up the premises located at 15 Stephen Lane, Hicksville, New York 11801, also known as Section 46, Block 563, Lot 7 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 27, 2017, in the total amount of \$2,013.22, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,013.22 may be assessed by the Legislature of the County of Nassau against the parcel known as 15 Stephen Lane, Hicksville, New York 11801, also known as Section 46, Block 563, Lot 7 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

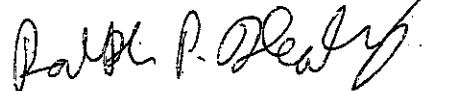
SUBJECT: Property Cleanup Assessment
15 Stephen Lane, Hicksville, New York 11801
Section 46, Block 563, Lot 7

The Department of Planning and Development, by memorandum dated September 20, 2017, directed the Highway Department to clean the premises located at 15 Stephen Lane, Hicksville, New York 11801, also known as Section 46, Block 563, Lot 7 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 5, 2017, advised that the property was cleaned by a crew from the Highway Department on September 27, 2017. The cost incurred by the Town of Oyster Bay was \$2,013.22.

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

Kindly place this matter on the Town Board Action Calendar.

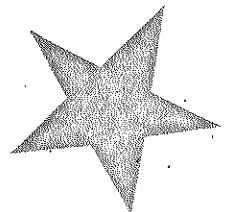
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 15 Stephen Ln 4.10.18.doc



2018-6402
Need for

TOWN OF OYSTER BAY

Inter-Departmental Memo
September 20, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 15 Stephen Lane Hicksville, NY 11801
SBL: 46-563-7

Notice of Violation (No.TL080) was issued to the owner of the above-referenced premises 09/12/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

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

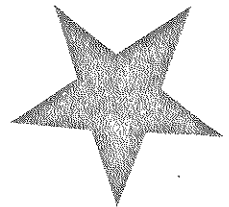
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made the 17th day of July, nineteen hundred and eighty-nine
BETWEEN

[REDACTED], his wife, both residing at [REDACTED]

party of the first part, and

██████████, his wife, as to a 50% interest,
██████████ as to a 50% interest, as tenants in common,
residing at ██████████, New York

party of the second part.

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~the~~ near Bethpage, Town of Oyster Bay, County of Nassau and State of New York, known as and by the Lot No. 7 in Block No. 563 on a certain map entitled, "Map of Parc-View Terrace Estates, located near Bethpage, Nassau County, N.Y., surveyed November, 1952 by William E. DeBruin, Civil Engineer, East Meadow, N.Y." and filed in the Office of the Clerk of the County of Nassau May 15, 1953, case No. 5818.

SEE SCHEDULE "A" ATTACHED

Said premises being known as and by house No. 15 Stephen Lane,
Hicksville, New York.

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

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

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

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

IN PRESENCE OF:

Thomas J. Beebe
DEED 10125 PAGE 213

Alfred J. Gering
Johanna Gering

FEB 2 0 00 AM
 LOVED LEO POST OFFICE
 SECTION. BLOCK 46 563
 JAN 4 1961

Title No. TAC-11979-N (C-8803-4119-N)
AMENDED SCHEDULE "A"

LEGIBILITY
POOR FOR
MICROFILM

ALL that certain plot, piece, or parcel of land, situate lying and being near Bethpage, Town of Oyster Bay, County of Nassau and State of New York, known as and by the Lot No. 7 in block No. 563 on a certain map entitled, "Map of Parc-View Terrace Estates, located near Bethpage, Nassau County, N.Y., surveyed November, 1952 by William E. De Bruin, Civil Engineer, East Meadow, N.Y.," and filed in the Office of the Clerk of the County of Nassau May 15th, 1953, Case No. 5818, being more particularly bounded and described according to said map as follows:

BEGINNING at a point on the westerly side of Stephen Lane distant 75.00 feet southerly from the most southerly end of a curve having a radius of 10 feet and a length of 15.71 feet connecting the westerly side of Stephen Lane with the southerly side of Elliott Drive;

RUNNING THENCE south 11 degrees 28 minutes 20 seconds West, 60.00 feet;

THENCE north 78 degrees 31 minutes 40 seconds West, 110.00 feet;

THENCE north 11 degrees 28 minutes 20 seconds East, 35.00 feet;

THENCE north 61 degrees 40 minutes 00 seconds East, actual, (North 71 degrees 40 minutes 00 seconds East Map), 39.05 feet;

THENCE south 78 degrees 31 minutes 40 seconds East, 80.00 feet to the westerly side of Stephen Lane, the point or place of BEGINNING.

FOR CONVEYANCE ONLY
not for policy

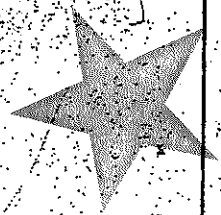
(Being the same premises as described in
deed liber 7393 cp 194

FOR CONVEYANCING ONLY IF
INTENDED TO BE CONVEYED

(Together with all rights, title and interest
of, in and to any streets and roads abutting
the above described premises, to the center
line thereof.

Page 5

DEED 10125 PAGE 214



STATE OF NEW YORK, COUNTY OF NASSAU SS: On the 17th day of JULY 19- 89 before me personally came

[Redacted] wife to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

GARY F. MUSIELLO
NOTARY PUBLIC, State of New York
No. 404130234 - Qual. in Nassau County
Comm. Expires March 30, 1990
April

STATE OF NEW YORK, COUNTY OF SS: On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF SS: On the day of 19 , before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No. ;

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF SS: On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed
With COVENANT AGAINST GRANTOR'S ACTS
TITLE No. 740-11579-1 TRIO

SECTION 46
BLOCK 563
LOT 7
COUNTY OR TOWN of Oyster Bay

RETURN BY MAIL TO:

Ken Klaffky, Esq. c/o
Burton Flax, Esq.
25 Glen Cove Avenue
Glen Cove, New York 11542
Zip No.

RECORDERS OFFICE
NASSAU COUNTY
FEB 1 12 33 PM '89
HAROLD W. McCONNELL
COUNTY CLERK
NASSAU COUNTY
MAR 26 9 30 AM '89
RECORDED
DEED 10125 PAGE 215
413310
MAR 26 1991
REAL ESTATE
TO-NASSAU TAX
COUNTY

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

October 5, 2017

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

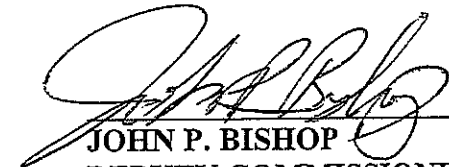
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 15 STEPHEN LANE, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,013.22.

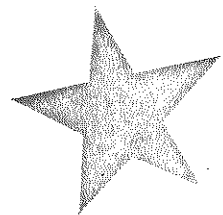
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.



JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet



CLEAN – UP 15 STEPHEN LANE, HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (46-563-7) 15 STEPHEN LN HICKSVILLE 11801

Date Sep 27, 2017

Work Order # 40584

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
KEVIN FREIBERG	General Maintenance	04:00	\$34.59	00:00	0	\$138.36
JOSEPH SANTANGELO	General Maintenance	04:00	\$41.75	00:00	0	\$167.00
OSCAR GUEVARA	General Maintenance	04:00	\$23.27	00:00	0	\$93.08
SEAN MCLAUGHLIN	General Maintenance	01:00	\$23.78	00:00	0	\$23.78
Total Labor						\$422.22

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK406	SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932)	\$105.00	01:00	\$105.00
PU369	PICK UP 2007 FORD F250 WHITE	\$79.00	04:00	\$316.00
TD634	TRUCK DUMP 2008 FORD F350 YW (T175 / T-175) - Power Wagons	\$105.00	04:00	\$420.00
Total Equipment				\$841.00

Materials

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

Grand Total \$2013.22

Description of Work:

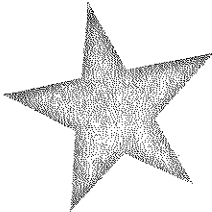
CLEAN UP 15 STEPHEN LANE HV

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 4, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 30, 2017, authorized the Highway Department to clean up the premises located at 38 Violet Avenue, Hicksville, New York 11801, also known as Section 12, Block 291, Lot 15 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 10, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on November 14, 2017, in the total amount of \$2,111.44, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 10, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,111.44 may be assessed by the Legislature of the County of Nassau against the parcel known as 38 Violet Avenue, Hicksville, New York 11801, also known as Section 12, Block 291, Lot 15 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney
Ralph P. Healey

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway
Town Clerk

18

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 10, 2018

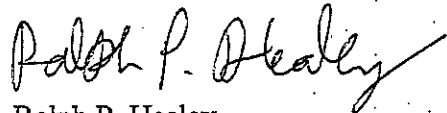
SUBJECT: Property Cleanup Assessment
38 Violet Avenue, Hicksville, New York 11801
Section 12, Block 291, Lot 15.

The Department of Planning and Development, by memorandum dated October 30, 2017, directed the Highway Department to clean the premises located at 38 Violet Avenue, Hicksville, New York 11801, also known as Section 12, Block 291, Lot 15 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 20, 2017, advised that the property was cleaned by a crew from the Highway Department on November 14, 2017. The cost incurred by the Town of Oyster Bay was \$2,111.44.

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

Kindly place this matter on the Town Board Action Calendar.

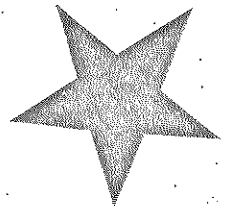
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 38 Violet Ave 4.10.18.doc



2018-6474

DBS

TOWN OF OYSTER BAY

Inter-Departmental Memo
October 30, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

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

Subject: 38 Violet Avenue Hicksville, NY 11801
SBL: 12-291-15

Notice of Violation (No.17938) was issued to the owner of the above-referenced premises 10/19/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass and vegetation be cut.
- The litter and debris on the left side of the front yard be removed.

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

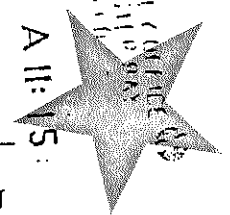
ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney

2017 DEC 20 A 11:15



REFEREE'S DEED

This Deed, made this 25 Day of July, 2017, between [REDACTED]
ESQ., as Referee, having an address at [REDACTED]

in the foreclosure action hereinafter mentioned party of the first part and U.S. BANK TRUST, N.A.
AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST, party of the second part, having an
address of 13801 WIRELESS WAY, OKLAHOMA CITY, OK 73134.

WITNESSETH, that the party of the first part, being the Referee appointed in an action
between U.S. BANK TRUST, N.A. AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST,
Plaintiff and THO NGUYEN, Defendant, et al., foreclosing a mortgage recorded on March 7, 2005,
in Liber 28469 of Mortgages, at Page 404, et seq., and pursuant to a judgment entered on March
1, 2017. And in consideration of the sum of \$500.00 paid by the party of the second part, being the
highest sum bid at the sale under such judgment does hereby grant and convey unto the party of
the second part, its successors and assigns, the premises described in Schedule "A" attached
hereto and made a part hereof.

COUNTY OR TOWN: NASSAU COUNTY
PROPERTY ADDRESS: 38 VIOLET AVENUE
HICKSVILLE (TOWN OF OYSTER BAY), NY 11801
SECTION: 12 BLOCK: 291 LOT: 15

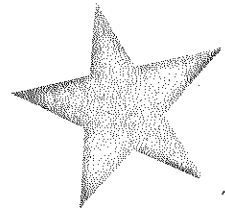
SUBJECT to all unpaid taxes, assessments and water rates which are now a lien on the
premises.

TO HAVE AND TO HOLD the premises described in Schedule "A" and hereby conveyed unto
the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has thereunto set his hand the day
and year first written above.


JANE SIRENDEL, ESQ., As Referee

RECORD AND RETURN TO:
FEIN, SUCH & CRANE LLP
7 CENTURY DRIVE, SUITE 201
PARSIPPANY, NJ 07054
VERNY294



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

November 20, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 38 VIOLET AVENUE, HICKSVILLE
CLEAN-UP

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

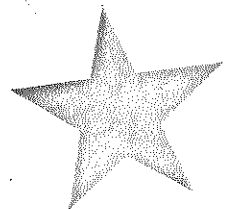
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,111.44.

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


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet



CLEAN - UP 38 VIOLET AVENUE, HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (12-291-15) 38 VIOLET AVE HICKSVILLE 11801

Date Nov 14, 2017

Work Order # 42188

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
DONALD BRUWER	General Maintenance	04:00	\$24.36	00:00	0	\$97.44
MITCHELL SUDRAN	General Maintenance	04:00	\$12.00	00:00	0	\$48.00
DAVID G AGOSTINELLO	General Maintenance	04:00	\$15.00	00:00	0	\$60.00

Total Labor \$205.44

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD593	TRUCK DUMP 2006 FORD F-350 YW (T-300) - Power Wagons	\$105.00	04:00	\$420.00
TD657	PICK-UP TRUCK 2009 FORD F-250 YW	\$79.00	04:00	\$316.00
TR155	TRAILER 2008 CMATE 816CC YW	\$105.00	04:00	\$420.00

Total Equipment \$1156.00

Materials

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

Total Materials \$750.00

Grand Total \$2111.44

Description of Work:

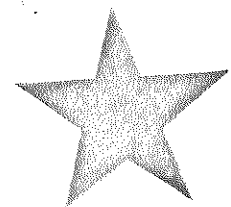
CLEAN UP 38 VIOLET AVENUE HV

Signature: 

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Nov 20, 2017



WHEREAS, by Resolution No. 862-2017, adopted on December 12, 2017, the Town Board authorized and directed PW Grosser Consulting Engineers, P.C. to perform On-Call Engineering Services in connection with Contract No. PWC23-18, for a two (2) year period, from January 1, 2018 through December 31, 2019; and

WHEREAS, PW Grosser Consulting Engineers, P.C., by letter dated March 8, 2018, described the scope of work to be performed, in an amount not to exceed \$23,000.00, in connection with providing On-Call Engineering Services related to the preparation of specifications and bid assistance for the stabilization and/or demolition of "Zombie" houses and other abandoned structures throughout the Town of Oyster Bay; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works and Highways, by memorandum dated April 18, 2018, requested Town Board authorization for PW Grosser Consulting Engineers, P.C. to provide the aforesaid On-Call Engineering Services under Contract No. PWC23-18 relative to the preparation of specifications and bid assistance for the stabilization and/or demolition of "Zombie" houses and other abandoned structures throughout the Town of Oyster Bay, and requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$23,000.00 for this purpose; and

WHEREAS, funds in the amount of \$23,000.00 to satisfy said engineering costs are available in Account No. HWY H 5197 20000 000 1503 008/1503HWYDB-08,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted and approved, and PW Grosser Consulting Engineers, P.C. is hereby authorized to proceed to provide the aforementioned services in connection with Contract No. PWC23-18, On-Call Engineering Services Relative to Environmental Engineering, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$23,000.00, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008/1503HWYDB-08.

-#-

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	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

23

310

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

APRIL 16, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ENVIRONMENTAL ENGINEERING
CONTRACT NO. PWC23-18
ACCOUNT NO.: HWY H 5197 20000 000 1503 008 / 1503HWYDB-08

The consultant, P.W. Grosser Consulting Engineers, P.C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC23-18 by Resolution No. 862-2017 for the subject project.

Attached is a letter dated March 8, 2018 from P.W. Grosser Consulting Engineers, P.C regarding the scope of work to be performed in an amount not to exceed \$23,000.00. Services to be performed include preparation of Requirements Contract for Zombie Homes and other Abandoned Structures within the Town of Oyster Bay.

Attached is an availability of funds in the amount of \$23,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1503 008 / 1503HWYDB-08 .

It is hereby requested that the Town Board authorize, by Resolution, P.W. Grosser Consulting Engineers, P.C under Contract No. PWC23-18, On-Call Engineering Services Relative to Environmental Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


RICHARD W. LENZ, P.E.

COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/JCT/MR/nm

Attachment

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

PWC23-18 PW GROSSER ZOMBIE HOMES





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



Requesting Division/Department

HIGHWAYS

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

Contract Number PWC23-18

Contract Period JANUARY 1, 2018 THRU DECEMBER 31, 2019

Consultant/Contractor P.W. GROSSER CONSULTING ENGINEERS, P.C.

Discipline ON-CALL ENGINEERING SERVICES / ENVIRONMENTAL ENGINEERING

Total Authorization

Resolution No. 862-2017 Date 12/12/2017

Funded To Date \$0.00

Amount Requested \$23,000.00

Account To Be Used HWY H 5797 20000 000 1503 008 / 1503 HWYDB - 08

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 / ENVIRONMENTAL ENGINEERING

PREPERATION OF REQUIRMENTS CONTRACT/ZOMBIE HOMES

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

DPW Approval

Only To Be Executed By The Commissioner

Signature 

Title Deputy Commissioner / Highways

Date 3-27-18

Signature 

Title Commissioner of Public Works

Date 3/26/18

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 23,000.00

Unencumbered Balance 1,027,651.19

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

Yes ☒ No ☐

Signature 

Date 4/9/18



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2018

Contract No. PWC23-18

Contract End 12/31/2019

Commencement Date _____

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

Vendor Name and Address

P.W. GROSSER CONSULTING ENGINEERS, P. C.

630 JOHNSON AVE

BOHEMIA, NY 11716

Requesting Town Department HIGHWAY

Contact JOHN P. BISHOP Phone X - 5129

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

ON-CALL ENGINEERING SERVICES / ENVIRONEMNTAL ENGINEERING

PREPARATION OF REQUIREMENTS CONTRACT / ZOMBIE HOMES

This work order shall not exceed \$ \$23,000.00

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

Requesting Division/Department

Signature

Title Deputy Commissioner

Date

3-27-18

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date

4/16/17

HIGHWAY DEPARTMENT *Lenz*

RECEIVED TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT

MARCH 26, 2018 2:27 A 1:21
COMMISSIONER OF HIGHWAYS

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO : JOHN P. BISHOP, DEPUTY COMMISSIONER
DEPARTMENT OF HIGHWAYS

FROM : JOHN C. TASSONE, DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

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

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC23-18
ON-CALL ENVIRONMENTAL ENGINEERING
P.W. GROSSER CONSULTING, INC.


The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$23,000.00.

Funds are required for the preparation of specifications and bid documents for the zombie houses and other abandoned structures in the Town of Oyster Bay, as per the attached letter from P. W. Grosser Consulting, Inc. dated March 8, 2018.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$23,000.00 and Resolution No. 862-2017 authorizing P. W. Grosser Consulting, Inc. for on-call services.

If you have any questions, please contact John C. Tassone at extension 5722.

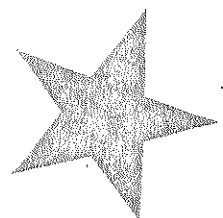

JOHN C. TASSONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


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

RWL/JCT/nm

Attachments

c: Matthew Russo, P. E., Division of Engineering
Kathleen Stefanich, Administration/DPW
PWC23-18 PW GROSSER P&D 2018 ZOMBIE HOMES FUNDS REQUEST 23K HIGHWAYS



P.W. GROSSER CONSULTING



March 8, 2018

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

RE: Proposal for Preparation of Specifications and Bid Documents for the "Zombie" Houses and other abandoned structures in the Town of Oyster Bay
TOB: PWC23-18 On Call Engineering Services Related to Environmental Engineering
PWGC LP#: 18LP115

Commissioner Lenz:

P.W. Grosser Consulting Engineers & Hydrogeologist, P.C. (PWGC) is pleased to present you with this proposal to provide professional engineering services related to the preparation of specifications and bid assistance for the demolition of "Zombie" houses and other abandoned structures throughout Town of Oyster Bay.

PROJECT BACKGROUND

It is PWGC's understanding that the Town of Oyster Bay is seeking to have a single comprehensive contract to temporarily make safe and then demolish "Zombie" houses and other abandoned structures that the Town has determined are health and safety hazards to the community.

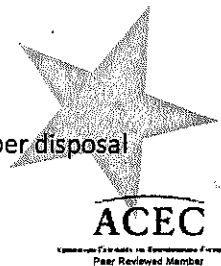
SCOPE OF SERVICES

PWGC will provide the following scope of services for this project:

1. Engineering Services Related to Zombie Homes Program

PWGC shall prepare specifications for competitive bidding to demolish "Zombie" houses and other abandoned structures throughout Town of Oyster Bay and leave the site in accordance with Town of Oyster Bay requirements. The list of specifications will include the following:

- Demolition of existing structures and disposal of debris
- Removal and disposal of debris on property
- General clean-up of the property
- Removal and disposal of oil tanks and residual oil
- Removal and disposal of asbestos and lead material
- Rodent control including necessary notification to the NYDOH
- Temporary fencing around property or structure
- Pump out of various materials (cesspools, in-ground pools, flooded basements) and proper disposal
- Utilities shutdowns



P.W. Grosser Consulting, Inc. • P.W. Grosser Consulting Engineer & Hydrogeologist, PC
630 Johnson Ave., Suite 7 • Bohemia, NY 11716
PH 631.589.6353 • FX 631.589.8705 • www.pwgrosser.com
New York, NY • Syracuse, NY • Seattle, WA • Shelton, CT

- Removal and Disposal of all underground structures including foundation/building slab
- Dust Control
- Board up of house with clear polycarbonate/plywood
- Removal and disposal of above and in ground pools
- Removal and disposal of auxiliary structures such as detached garages and sheds
- Backfill and grading of site

PWGC will submit the specification to the Town of Oyster Bay for review and make necessary revisions.

In addition, PWGC shall prepare a detailed bid sheet with estimated quantities and unit prices when necessary. Once the bids have been advertised, PWGC will attend one (1) pre-bid meeting to answer contractor questions and issue any addenda as required. Additional, addenda will be prepared to answer contractor questions as they arise during the bidding process. PWGC will attend the bid opening, review the bids and prepare a recommendation of award letter. Additional meetings will be billed on a per diem basis, according to our attached terms and conditions and our latest rate sheet.

PWGC proposes to perform the aforementioned work for a lump sum fee of \$23,000.00.

ASSUMPTIONS AND EXCLUSIONS

In order to estimate quantities on the bid sheet, PWGC requests that the Town provide historical information on houses that have been already demolished.

For the purpose of the specifications, PWGC assumes that the site at the completion of the demolition will be left graded with no above ground structures nor any debris onsite. After the demolition is completed, the Town of Oyster Bay will be responsible for site maintenance such as mowing.

It is PWGC's understanding that the Town of Oyster Bay will administer and oversee the Contractor during the construction. If necessary, PWGC can provide construction administration and observations services for an additional fee.

ENGINEERING SERVICES FEE

Services outside the above scope of work will be considered additional services and billed at hourly rates of reimbursement in accordance with the attached rate schedule, or performed for a negotiated fee should they become necessary or are requested.

Services provided by PWGC will be performed as per the enclosed terms and conditions. Should you find this proposal acceptable kindly sign below where indicated and return a copy of the signed agreement to our office. Work will commence upon receipt of this signed contract.

We appreciate the opportunity to propose on these environmental engineering services and look forward to working with you on this endeavor. Should you have any questions or wish to discuss this proposal in

further detail please do not hesitate to contact me at any time.

Very Truly Yours,

P.W. GROSSER CONSULTING



Charles Bartha, PE

Sr. Vice President

Cc: J. Tassone, L. Mitchel

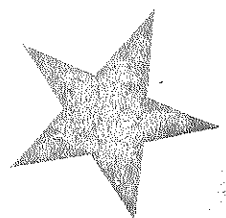
CLIENT	Town of Oyster Bay
PROJECT NAME	Development of Specifications to Demolish Zombie Houses
PWGC LP#	18LP115

I acknowledge that I am an authorized representative of the company that I have full responsibility to execute this proposal, and that I assume personal responsibility for payment of P.W. Grosser Consulting services.

Approved by

Signature Date

Name, Company



CLIENT	Town of Oyster Bay
PROJECT SITE	Development of Specifications to Demolish Zombie Houses
PWGC LP#	18LP115

2018 PWGC RATE SCHEDULE	
Category	Hourly
PRINCIPALS	
Senior Principals	\$175.00
Principals	\$175.00
PROJECT MANAGEMENT	
Senior Project Manager	\$150.00 - \$175.00
Project Manager	\$110.00 - \$165.00
HYDROGEOLOGIST/ENVIRONMENTAL SCIENTIST (HYDRO/ES)	
Senior Hydro/ES	\$85.00 - \$145.00
Project Hydro/ES	\$70.00 - \$95.00
Project Coordinator	\$65.00 - \$90.00
Field Hydro/ES	\$60.00 - \$80.00
ENGINEERING	
Project Engineer/Branch Manager	\$175.00
Senior Engineer	\$115.00 - \$140.00
Project Engineer	\$95.00 - \$140.00
Staff Engineer	\$85.00 - \$105.00
OTHER SERVICES	
IT Services	\$80.00
GIS/CADD Services	\$65.00
Administrative Services	\$65.00

CLIENT	Town of Oyster Bay
PROJECT SITE	Development of Specifications to Demolish Zombie Houses
PWGC LP#	18LP115

TERMS & CONDITIONS

Performance of Services: The Consultant P.W. Grosser Consulting Inc. shall perform the services outlined in the proposal provided with this Agreement. Engineering services will be provided by P.W. Grosser Consulting Engineer & Hydrogeologist, PC. The proposal is effective for 120 days.

Additional Services: For additional services not included above, the Consultant shall be compensated based upon hourly rates of reimbursement in accordance with the attached rate schedule.

Access to Site: Unless otherwise stated, the Consultant will have access to the site for activities necessary for the performance of the services. The Consultant will take reasonable precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage and will not be responsible for such costs.

Retainer/Billing/Payment: The Client agrees to pay the Consultant for all services performed and all costs incurred. Prior to providing services, the Client shall deposit a retainer of \$0.00 with the Consultant. Invoices for the Consultant's services shall be submitted, at the Consultant's option, either upon completion of such services or on a monthly basis. Invoices shall be due and payable upon receipt. If any invoice is not paid within 45 days, the Consultant may, without waiving any claim or right against the Client, and without liability whatsoever to the client, suspend or terminate the performance of services. The retainer shall be credited on the final invoice. Accounts unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% (or the maximum legal rate) on the unpaid balance. In the event any portion of an account remains unpaid 60 days after the billing, the Consultant may institute collection action and the Client shall pay all costs of collection, including reasonable attorney's fees.

If the Client fails to make payments when due or otherwise is in breach of this Agreement, the Consultant may suspend performance of services upon five (5) calendar days' notice to the Client. The Consultant shall have no liability whatsoever to the Client for any costs or damages a result of such suspension caused by any breach of this Agreement by the Client.

Indemnification: The Client shall, to the fullest extent permitted by law, indemnify and hold harmless the Consultant, his or her officers, directors, employees, agents and sub-consultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of the Consultant.

Waiver: In addition, the Client agrees, to the maximum extent permitted by law, to waive any claims against the Consultant arising out of the performance of these services, except for the sole negligence or willful misconduct of the Consultant.

Information for the Sole Use and Benefit of the Client: All opinions and conclusions of the Consultant, whether written or oral, and any plans, specifications or other documents and services provided by the Consultant are for the sole use and benefit of the Client and are not to be provided to any other person or entity without the prior written consent of the Consultant. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of any third party against either the Consultant or the Client.

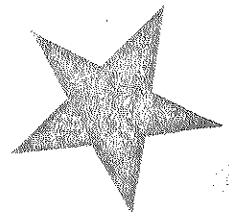
Certifications, Guarantees and Warranties: The Consultant shall not be required to execute any document that would result in the Consultant certifying, guaranteeing, or warranting the existence of any conditions.

Limitation of Liability: In recognition of the relative risks, rewards and benefits of the project to both the Client and the Consultant, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, the Consultant's total liability to the Client for any all injuries, damages, claims, losses, expenses or claim expenses arising out of this Agreement from any cause or causes, shall not exceed \$50,000. Such causes include, but are not limited to, the Consultant's negligence, errors, omissions, strict liability, breach of contract, or breach of warranty.

Ownership of Documents: All documents produced by the Consultant under this Agreement are instruments of the Consultant's professional service and shall remain the property of the Consultant, and may not be used by the Client for any other purpose without the prior written consent of the Consultant.

Dispute Resolution: Any claims or disputes between the Client and the Consultant arising out of the services to be provided by the Consultant or out of this Agreement shall be submitted to non-binding mediation. The Client and the Consultant agree to include a similar mediation agreement with all contractors, sub-consultants, subcontractors, suppliers and fabricators, providing for mediation as the primary method for dispute resolution among all parties.

Termination of Services: This Agreement may be terminated at any time by either party should the other party fail to perform its obligations hereunder. In the event of termination for any reason whatsoever, the Client shall pay the Consultant for all services rendered to the date of termination, and all reimbursable expenses incurred prior to termination and reasonable termination expenses incurred as the result of termination.



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town, relative to Environmental Engineering, resulting in the receipt of nine (9) submissions, and after review and analysis of the submissions based upon the technical merits of the responses has selected D & B Engineers & Architects, P.C., Gannett Fleming Engineers & Architects, P.C., Holzmacher, McLendon & Murrell, P.C., Lockwood, Kessler & Bartlett, Inc. and PW Grosser Consulting Engineers, P.C. to perform On-Call Engineering Services in connection with Contract No. PWC23-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019; and

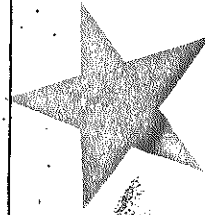
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved and in connection with Contract No. PWC23-18, D & B Engineers & Architects, P.C., Gannett Fleming Engineers & Architects, P.C., Holzmacher, McLendon & Murrell, P.C., Lockwood, Kessler & Bartlett, Inc. and PW Grosser Consulting Engineers, P.C., are hereby authorized and directed, in connection with Contract No. PWC23-18, to provide On-Call Engineering Services relative to Environmental Engineering for a two (2) year contract, from January 1, 2018 through December 31, 2019.

#

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works ✓



Reviewed By
Office of Town Attorney

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated April 23, 2018, requested that the Town Board authorize the Supervisor or his designated appointee to enter into a Workforce Experience Program Agreement between the Town of Oyster Bay ("Town") and the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board ("WDB") whereby the Town would administer a summer internship program with the use of federal Workforce Innovation and Opportunity Act ("WIOA") grant funding provided through the WDB. This summer internship program will enable Town departments to accept college students as summer interns during the summer of 2018; and

WHEREAS, all funds required to implement this summer internship program will be provided through the WIOA, and the program is, therefore, at no additional cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and accepted, and the Supervisor or his designated appointee is hereby authorized to enter into a Workforce Experience Program Agreement between the Town and WDB whereby the Town would administer a summer internship program for the summer of 2018 with the use of WIOA grant funding provided through the WDB and at no additional cost to the Town.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs

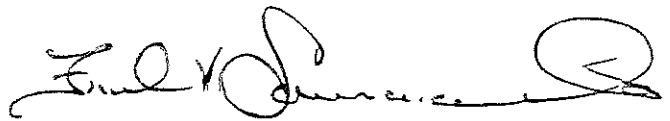
311
TOWN OF OYSTER BAY

11
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS
DATE: APRIL 23, 2018
SUBJECT: WORK EXPERIENCE PROGRAM AGREEMENT

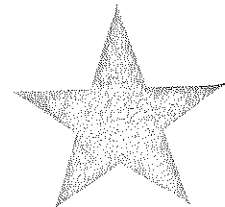
The Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) and the Town of Oyster Bay (Town) are seeking a Work Experience Program Agreement (enclosed) thereby allowing for the Town to administer a Summer Internship Program with use of federal Workforce Innovation and Opportunity Act grant funding provided through the WDB. Through this Summer Internship Program, Town Departments may accept college students as summer interns. All funds required to implement the Summer Internship Program would be provided through the Workforce Innovation and Opportunity Act.

It is therefore respectfully requested that the Town Board authorize the Supervisor or his designee to execute a Workforce Experience Program Agreement with the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board and any other paperwork associated with the Summer Internship Program.



Frank V. Sammartano
Commissioner

cc: Town Attorney w/7 copies
Attachments



Oyster Bay-North Hempstead-Glen Cove Workforce Development Board

977 Hicksville Road
Massapequa, New York 11758
(516) 797-4560

Harold B. Mayer, Chair
Steven Delligatti, Director

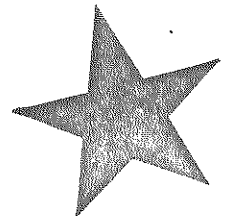
Joseph S. Saladino, Chief Elected Official
Frank V. Samunartano, Commissioner

WORK EXPERIENCE PROGRAM AGREEMENT

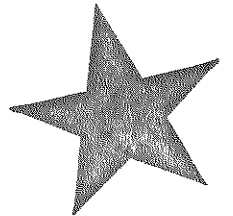
This agreement is entered into by the Oyster Bay North Hempstead Glen Cove Workforce Development Board (WDB) and the TOWN OF OYSTER BAY. (Hereinafter referred to as "TOWN") The TOWN agrees to implement a meaningful work experience program in accordance with the provisions of this Agreement. This Agreement consists of this sheet and such general and special assurances as are included herein. This Agreement shall become effective May 1, 2018 and terminate December 31, 2021.

I THE TOWN'S RESPONSIBILITIES

- A. Provide supervision for participants during the period beginning May 1, 2018 through December 31, 2021. The nature of the jobs shall be in accordance with the job description attached hereto.
- B. Maintain adequate time and attendance records for each participant using Town of Oyster Bay's Bi-weekly Time Sheet, and distribute paychecks to participants.
- C. Cooperate with WDB to assure the work experience of participants is in accordance with the program objectives.
- D. Comply with the federal rules and regulations governing the Workforce Innovation and Opportunity Act (WIOA), and Temporary Assistance Needy Families (TANF) work experience programs.
- E. Provide a substitute supervisor for times when the regular supervisor is absent.
- F. Provide enrollees with necessary work supplies and equipment.
- G. Provide full-time, mature, adult supervision of participants assigned to the worksite, as well as sufficient work activities to occupy participants during work hours.
- H. Provide alternate work for participants who work outdoors when there is inclement weather.



- I. Notify WDB IMMEDIATELY of the occurrence of any accident involving a participant by calling (516) 797-4197.
- J. Not permit participants to operate motor vehicles.
- K. Adhere to clearly defined participants job descriptions including worksite locations, which outline participant functions and responsibilities using WDB Worksite Assignment/Job Description form.
- L. Maintain a manageable ratio of enrollees per worksite supervisor (maximum of eight to one).
- M. Develop a participant orientation, which will include:
 - Overview of agency / worksite, its goals and objectives
 - Introduction to other worksite employees
 - Career guidance and information relating to enrollee's job description and responsibilities
 - Adherence to Town of Oyster Bay Anti-Discrimination, Workplace Violence, Anti-Harassment Policy and Procedures
 - Health and safety information
- N. Not discriminate against any assigned participant because of race, creed, color, national origin, sex, age, political affiliation or beliefs.
- O. Provide and maintain appropriate standards for health and safety in work and training situations.
- P. Provide an orientation for worksite supervisors prior to start of the program.
- Q. Agree to release participants from their job responsibilities in adherence with WIOA law on those days that participants are required to report to area coordinator for exit interview.
- R. Comply with the New York State Department of Labor Division of Labor Standards (Laws Governing Employment of Minors) and the Child Labor Requirements under the Federal Fair Labor standards Act.
- S. Not involve participants in any political activities, in contravention of Chapter 15 of Title V, United States Code.



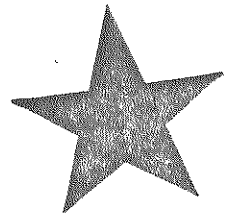
- T. Not employ participants in the construction, operation or maintenance of such part of any facility as is used or will be used for sectarian instruction or as a place of religious worship.

II WDB RESPONSIBILITIES

- A. Pay the salaries/wages of all participants it assigns to the worksite. Every effort will be made to assure that each participant receives his/her check on time.
- B. Maintain all employees' records for earnings and tax records.
- C. Procure and maintain Worker's Compensation with respect to participants placed at the worksite under this Agreement.
- D. Ensure that the TOWN familiarize supervisors with goals and objectives of program, as well as rules and regulations.
- E. Provide the TOWN with program orientation materials, Supervisor Handbook and any other needed materials.
- F. Provide in writing to worksites any additional restrictions regarding sectarian activities as may be promulgated by the U.S. Department of Labor.
- G. Provide copies of this Agreement to be supplied to TOWN.

III GENERAL PROVISIONS

- A. The TOWN shall not ask for or receive financial consideration for providing the services described herein.
- B. Authorized TOWN staff and NYS Department of Labor monitoring and auditing representatives may at all times have access to and the right to visit the worksite to monitor the services being provided by the TOWN under this Agreement.
- C. If, in the opinion of the WDB the TOWN fails to perform under this Agreement, the placement of participants may be terminated by the WDB.
- E. This Agreement shall reflect changes or amendments in federal regulations or program conditions.
- F. Participants will not be paid for absences, unworked hours or recreational activities.



- G. Participants will receive an amount at least equal to the New York State minimum wage per hour, for each hour worked for a maximum of 60 hours per bi-weekly pay period. Participants shall not work more than six hours per day. Those participants working 5 or more hours must receive a minimum of a thirty minute unpaid break. The TOWN will follow other time and attendance policies as described in the orientation material.

SUPERVISOR,
TOWN OF OYSTER BAY

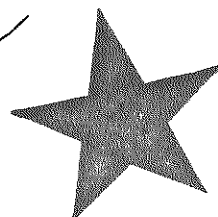
DATE

CHAIRMAN,
OYSTER BAY NORTH HEMPSTEAD GLEN COVE
WORKFORCE DEVELOPMENT BOARD

DATE

Reviewed By
Office of Town Attorney

[Signature]



Oyster Bay-North Hempstead-Glen Cove Workforce Development Board

977 Hicksville Road
Massapequa, New York 11758
(516) 797-4560

Harold B. Mayer, Chair
Steven Delligatti, Director

Joseph S. Saladino, Chief Elected Official
Frank V. Sammartano, Commissioner

WDB Worksite Assignment/Job Description form

NAME OF WORKSITE:

ADDRESS:

TELEPHONE:

WORKSITE SUPERVISOR:

PHASE 1- LEARN

- Worksite specific knowledge
- Study of work flow and organization
- Work instructions
- Department procedures

PHASE 2- ASSIST

- In creation of reports, data and estimates
- Staff assignments
- Staff in varied special assignments
- General office duties

PHASE 3- DEVELOP

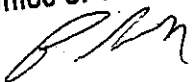
- Understanding of Worksite specific projects
- Understanding of computer programs and systems utilization.

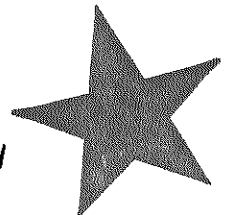
PHASE 4- APPLY

- Knowledge gained to assist in administrative functions
- Worksite specific systems to assist the duties of staff
- Insight to workflow and organizational concerns
- Understanding to prepare charts, reports, correspondence and like assignments as required

Participant Signature

Worksite Supervisor Signature

Reviewed By
Office of Town Attorney




WHEREAS, by Resolution No. 548-82, adopted on June 8, 1982, and Resolution No. 638-82, adopted on July 13, 1982, the Town Board granted a Special Use Permit for a restaurant use in a Neighborhood Business District, with approximately 298 seats at premises located at 4 Old Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block 37, Lot 155 on the Land and Tax Map of Nassau County; and

WHEREAS, Resolution No. 548-82 contained covenants and restrictions, specifically Covenant No. 7 which provides for Town Board approval of any Site Plan for the subject premises and Covenant No. 8 which provides for the occupancy of the restaurant to be limited to 298 persons; and

WHEREAS, by Resolution No. 73-83, adopted on January 25, 1983, the Town Board granted Site Plan Approval of the site plan for Maine Maid Inn located at the subject premises and

WHEREAS, by Resolution No. 482-2012, adopted on May 12, 2012, the Town Board declared the Maine Maid Inn to be a Town Landmark; and

WHEREAS, by Resolution No. 690-2016, adopted on January 24, 2017, the Town Board granted an increased occupancy to accommodate 565 people; and

WHEREAS, by letter dated March 19, 2018, Thomas A. Abbate, Esq., attorney for SS 106 LLC, fee owner, requested that the Town Board grant amended Site Plan Approval for an increased occupancy to 665 people; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 19, 2018, has advised that the Department of Planning and Development has reviewed the following four (4) plans prepared by John C. Moccio, R.A., JCM Architecture, P.C., Stony Point, New York:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
ST1.1	SITE PARKING PLAN	JOHN C. MOCCIO, R.A.	03/13/18
ST1.2	SITE PARKING PLAN	JOHN C. MOCCIO, R.A.	03/13/18
ST1.3	SITE ALIGNMENT PLAN	JOHN C. MOCCIO, R.A.	03/13/18
A1.1	FIRST FLOOR SEATING PLAN	JOHN C. MOCCIO, R.A.	03/13/18

WHEREAS, said Commissioner further reports that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the request of Thomas A. Abbate, Esq., dated March 19, 2018, that the amended Site Plan be approved to allow an increased occupancy to 665 people at the restaurant located at premises 4 Old Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, New York, and designated as Section 12, Block 37, Lot 155 on the Land and Tax Map of Nassau County, subject to the fee owner acquiring the

7/1/18
Reviewed By
Office of Town Attorney
[Signature]

consent of the Town of Oyster Bay Zoning Board of Appeals to amend existing off street parking variance granted by Decision No. 17-90, dated March 17, 2017; and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated April 19, 2018, the four (4) plans described herein are hereby approved.

-#-

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

Supervisor Saladino – 2 –	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Absent
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Nay

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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

DATE: APRIL 19, 2018

**SUBJECT: REQUEST FOR AN AMENDED SITE PLAN APPROVAL
ONE NORTH (F.K.A. MAINE MAID INN)
4 OLD JERICHO TURNPIKE
JERICHO, NEW YORK 11753
SECTION 12, BLOCK 37, LOT 155**

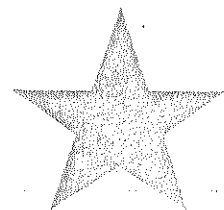
This Department is in receipt of a letter, dated March 19, 2018, from Thomas A. Abbate, Esq., in connection with the above referenced matter.

The Oyster Bay Town Board approved Resolution Numbers 548-82 (on June 8, 1982) and 638-82 (on July 13, 1982) which granted a Special Use Permit for a restaurant use in an "F" (Neighborhood Business) District (now known as "NB") with approximately 298 seats at the subject premises. Additionally, the Town Board adopted Resolution Number 73-83 (on January 25, 1983) which granted Site Plan Approval for the abovementioned Special Use Permit. On May 15, 2012, the Town Board declared the Maine Maid Inn to be a Town Landmark by approving Resolution Number 482-2012. Most recently on January 24, 2017, The Town Board approved Resolution Number 690-2016 granting an increased occupancy to accommodate 565 people.

The amended Site Plans are proposing an outside dining area located on the rear patio which will increase the total occupancy to 665 people. This restaurant has obtained Certificate of Occupancy Number A511233 dated October 12, 2017, for a total occupancy of 565 people.

Four (4) amended plans prepared by John C. Moccio, R.A., JCM Architecture, P.C., Stony Point, New York, have been submitted for amended Site Plan Approval. The plans are as follows:

SHEET NO	TITLE	PREPARED BY	LAST REVISED
ST1.1	SITE PARKING PLAN	JOHN C. MOCCIO, R.A.	03/13/2018
ST1.2	SITE PARKING PLAN	JOHN C. MOCCIO, R.A.	03/13/2018
ST1.3	SITE ALIGNMENT PLAN	JOHN C. MOCCIO, R.A.	03/13/2018
A1.1	FIRST FLOOR SEATING PLAN	JOHN C. MOCCIO, R.A.	03/13/2018



This Department has reviewed the amended Site Plans for the above-captioned property using the standards and requirements of Chapter 246 (Zoning) of the Code of the Town of Oyster Bay. The Department's review finds that the amended Site Plans are in conformance with the guidelines of Chapter 246. It should be noted that a prior Variance, Number 17-90, dated March 17, 2017, was issued by the Zoning Board of Appeals for the reduction of off-street parking spaces. Should the Town Board favorably grant the applicant's request for an increased occupancy and an amended Site Plan Approval, the property owner will be required to amend the existing off-street parking Variance with the Zoning Board of Appeals.

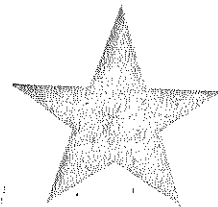
Therefore, I recommend the Town Board approve the amended Site Plans herein enumerated in accordance with Section 246 of the Code of the Town of Oyster Bay and amend the prior Site Plan Approval granted by Town Board Resolution Number 690-2016 for an increased occupancy to 665 people. All other conditions of the prior Town Board approvals for the Special Use Permit to operate a restaurant will remain in full force and effect.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM/SLB

Encls.

cc: Legislative Affairs (7 copies w/ attachments)



Thomas A. Abbate, Esquire

Tina Slane, Legal Assistant

LongIslandZoning.com

By Hand

March 19, 2018

Elizabeth L. Maccarone, Commissioner
Department of Planning & Development
Town of Oyster Bay, Town Hall
74 Audrey Avenue
Oyster Bay, New York 11771

Re: SS 106 LLC – One North
(f/k/a Maine Maid Inn)
4 Old Jericho Turnpike, Jericho, New York
Section 12, Block 37, Lot 155

Dear Commissioner Maccarone;

My client's inclusion of a dining patio at its restaurant has resulted in a determination by the Town of Oyster Bay that our previously-approved public assembly calculation be increased by 100 persons. Thus, instead of the 565 person occupancy reflected in our approved plans, the total number should now be 665 persons.

This determination now requires that our original Town Board approval be amended to reflect the proper calculation. By this letter, please consider this our formal request for just such an amendment and kindly have this matter placed on the Town Board's agenda for formal action.

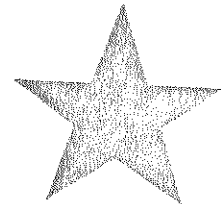
To that end, I enclose herewith fourteen (14) sets of revised plans as prepared by JCM Architecture, P.C. [John C. Moccio, R.A.] and last dated March 13, 2018. Each set consists of the following four (4) pages: (1) Site Parking Plan; (2) Site Parking Plan (with off-street parking data included); (3) Site Alignment Plan, and; (4) First Floor Seating Plan.

Naturally, we will provide any additional documents or information you may request. With many thanks for your courtesy, I remain

Very truly yours,

Thomas A. Abbate

TAA:ts
Enc.



100 Crossways Park West Woodbury, NY 11797 • T: 516.496.0700

Meeting of June 8, 1982

WHEREAS, PHILIP G. MUNSON, CHARLES B. GORDON, and LAKE SUCCESS COUNTRY CLUB, INC. d/b/a MAINE MAID INN, located at Jericho, Town of Oyster Bay, New York, by petition verified December 29, 1981, heretofore petitioned the Town Board of the Town of Oyster Bay for a special use permit to allow the operation of a restaurant with approximately 298 seats in an "F" Business District (Neighborhood Business) in the below described premises; and

WHEREAS, a duly advertised public hearing on said petition was held by the Town Board of the Town of Oyster Bay on April 6, 1982, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, Saltzman, Bogut & Chetkof, attorneys for the petitioner, by John F. Bogut, Esq., of counsel, appeared in support of the application; and

WHEREAS, the Nassau County Planning Commission, by Resolution #2226-82, adopted March 18, 1982, recommends that the Town Board of the Town of Oyster Bay take such action as it deems appropriate; the Commission having no objections or modifications; and

WHEREAS, the Town Board of the Town of Oyster Bay finds from the relevant facts adduced at the hearing and facts within the personal knowledge of the members of the Town Board, that because of the area, location, nature and character of the subject property, the zoning and uses of properties within the general area the subject premises are adequate and suitable for the requested use, that the granting of the application subject to the covenants, restrictions and provisions contained herein, imposed upon said premises, will not adversely affect the present character of the area and will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the application of PHILIP G. MUNSON, CHARLES B. GORDON and LAKE SUCCESS COUNTRY CLUB, INC. d/b/a MAINE MAID INN, for a special use permit to allow the operation of a restaurant with approximately 298 seats on the following described premises, be and the same is hereby GRANTED:

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

BEGINNING at the corner formed by the intersection of the southerly side of Old Jericho Turnpike with the easterly line of Jericho-East Norwich Road (Jericho Turnpike);



RUNNING thence North 65 degrees 31 minutes
East along the southerly side of Old Jericho
Turnpike 134.19 feet;

RUNNING thence south 16 degrees 02 minutes
East 258.48 feet;

RUNNING thence north 89 degrees 24 minutes
40 seconds west 118.43 feet;

RUNNING thence south 2 degrees 40 minutes
20 seconds west 54.22 feet;

RUNNING thence south 9 degrees 29 minutes
20 seconds east 37 feet;

RUNNING thence south 26 degrees 40 minutes
west 16.64 feet;

RUNNING thence north 89 degrees 59 minutes
west 16 feet;

THENCE north 60 degrees 33 minutes 40 seconds
west 47 feet;

THENCE north 65 degrees 31 minutes 40 seconds
west 39.44 feet;

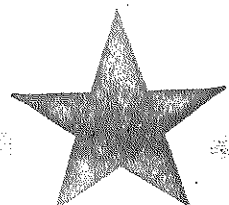
RUNNING thence north 62 degrees 46 minutes
20 seconds west 98.38 feet to the easterly
side of Jericho-East Norwich Road (Jericho
Turnpike);

RUNNING thence along the easterly side of
Jericho-East Norwich Road (Jericho Turnpike)
the following two courses and distances:

- 1) North 24 degrees 50 minutes east 115.84 feet;
- 2) North 29 degrees 25 minutes east 123.40 feet
to the plot or place of BEGINNING.

SAID premises being identified on the Land and
Tax Map of the County of Nassau as Section 12,
Block 37, Lot 155.

The below recited covenants, restrictions and provisions
shall apply for only so long as the subject premises is being
used for the purposes authorized by the special use permit granted
herein and are not intended to be and shall not be applicable or
enforceable in the event that the entire subject property shall be
utilized for those uses which do not require a special use permit
in accordance with the Building Zone Ordinance of the Town of Oy-
ster Bay, Nassau County, New York, as amended and revised, then in
effect. Said special use permit shall not become effective unless
and until a certified copy of this resolution shall be duly filed
in the Office of the Clerk of Nassau County.



1. That all driveways and parking fields shall be maintained in good repair at all times and provided with proper storm water drainage and all areas shall be kept in a neat and clean condition at all times and all structures, fences and equipment shall be maintained in good repair and condition at all times.

2. That all lighting shall be directed only upon the subject premises and no lighting shall penetrate or spill over to adjacent areas.

3. That there shall be installed and properly maintained an automatic sprinkler and an ancillary system to quell grease fires that are satisfactory to and approved by the Commissioner of the Department of Planning and Development.

4. That there shall be provided such additional emergency exits and any and all other equipment as may be recommended by the Office of the Fire Marshal of Nassau County.

5. That there shall be no outdoor storage of foods, equipment, waste or other material of any kind at any time and all waste, debris, garbage or refuse shall be stored in closed containers fenced in on three (3) sides.

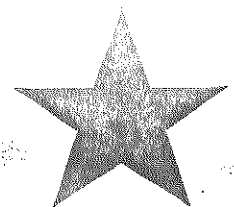
6. That no rotating or illuminating signs shall be erected or utilized on the subject premises.

7. That no Building Permit shall be issued unless and until a site plan has been approved by Town Board Resolution, which site plan shall be drawn to scale and presented in a form acceptable to the Department of Planning and Development and shall depict interior and exterior plans, including brick flooring, the size and location of all illuminated and non-illuminated signs, size and location of exterior lighting, safety equipment, dumpsters, size, type and location of landscaping and layout of parking including depiction of lined parking stalls and any other information or details as may be required by the Department of Planning and Development.

8. That in no event shall the occupancy of the restaurant be more than 215 persons.

9. That there shall be strict compliance with any and all ordinances, laws, regulations or directives of the Town of Oyster Bay, the Nassau County Fire Marshal's Office, the Nassau County Department of Health, and any and all other agencies or departments of the Town of Oyster Bay, Nassau County, the State of New York and the United States of America.

10. That in the event of any violation of any kind of the restrictions, covenants or provisions contained herein or any previously imposed, or any ordinance or regulations and failure of the then owner of the real property, or any first mortgagee, to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate and any first mortgagee of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced and the then owner and/or any first mortgagee is diligently prosecuting the curing of any violation.



11. That covenants and restrictions recited herein may only be changed, modified or terminated by Town Board Resolution.

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

Supervisor Colby	Aye
Councilman Mosca	Aye
Councilman Hogan	Aye
Councilman Diamond	Aye
Councilman Clark	Aye
Councilman Hynes	Aye
Councilman Venditto	Aye

cc: Supervisor
Town Board
Town Attorney
Comptroller (2)
Building Div.
Planning & Development (cert.)

STATE OF NEW YORK, }
COUNTY OF NASSAU, } ss.:
TOWN OF OYSTER BAY }

I, ~~ANDREW BROOKER~~

~~REGISTRAR~~
FANNY L. CORSENTINO

} Deputy Town Clerk of the Town of Oyster Bay, and

custodian of the Records of said Town, DO HEREBY CERTIFY that I have compared the annexed with the original Resolution No. 548-82 adopted by the Town Board on June 8, 1982 approving the application of Philip G. Munson, Charles B. Gordon & Lake Success Country Club, Inc., d/b/a Maine Maid Inn, for a Special Use Permit at Jericho, N. Y.

filed in the Town Clerk's Office

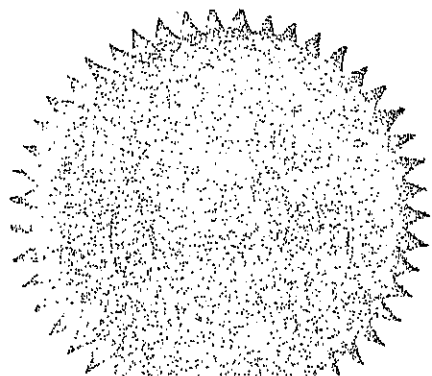
and that the same is a true transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto signed

my name and affixed the seal of said Town

this 14th day of June 1982.

Fanny L. Correntino
Deputy Town Clerk.



RESOLUTION NO. 638-82

Meeting of July 13, 1982

WHEREAS, by Resolution No. 548-82, the Town Board of the Town of Oyster Bay approved the application of PHILIP G. MUNSON, CHARLES B. GORDON and LAKE SUCCESS COUNTRY CLUB, INC., d/b/a MAINE MAID INN, for a Special Use Permit to allow the operation of a restaurant with approximately 293 seats in an "F" Business District (Neighborhood Business) at Jericho, New York; and

WHEREAS, covenant No. 8 specified: "8. That in no event shall the occupancy of the restaurant be more than 215 persons."; and

WHEREAS, the Department of Planning and Development, by memorandum dated June 30, 1982, after conducting a planning review of the above premises, recommends that covenant No. 8 be deleted in its entirety as the site plan submitted with the application showed a total dining area of 3649 square feet with bar area of 331 square feet, which translates into a maximum permitted occupancy of 293 persons under the Building Zone Ordinance and the Public Assembly Law, and therefore recommends that covenant No. 8 in Resolution No. 548-82, be corrected to reflect an occupancy of 293 persons,

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 548-82 is hereby amended and corrected to read as follows:

"8. That in no event shall the occupancy of the restaurant be more than 293 persons."

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

Supervisor Colby	Aye
Councilman Mosca	Aye
Councilman Hogan	Aye
Councilman Diamond	Aye
Councilman Clark	Aye
Councilman Hynes	Absent
Councilman Venditto	Aye

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

I, ~~THOMAS J. GORDON~~

~~THOMAS J. GORDON~~
THOMAS J. GORDON

Deputy Town Clerk of the Town of Oyster Bay, and

clerk of the Records of said Town, DO HEREBY CERTIFY that I have compared the original with the original Resolution No. 638-82 adopted by the Town Board on July 13, 1982 amending covenant No. 8 in Resolution No. 548-82 to reflect the occupancy of 293 persons as to Philip G. Munson, Charles B. Gordon & Lake Success Country Club, Inc., d/b/a Maine Maid Inn at Jericho, New York. (Special Use Permit)

I have thereunto signed the transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto signed

my name and affixed the seal of said Town

this 13th day of July 1982



S.B.L.

Boston & SBL

1-150

1983 FEB - 1 PM 11:28
BUILDING & ZONING DEPT.
TOWN OF OYSTER BAY, N.Y.

RECEIVED

RECEIVED

1983 FEB - 1 A 9:11

PLANNING & DEVELOPMENT
TOWN OF OYSTER BAY, N.Y.

RESOLUTION NO. 73-83

Meeting of January 25, 1983

WHEREAS, pursuant to Resolution No. 548-82, the petition of PHILIP MUNSON, CHARLES B. GORDON and LAKE SUCCESS COUNTRY CLUB, INC., d/b/a MAINE MAID INN, for special permission to allow the operation of a restaurant with approximately 298 seats, was duly granted on June 8, 1982, conditional upon approval of a site plan by the Town Board prior to the issuance of a building permit; and

WHEREAS, in compliance with said condition, the petitioners submitted two (2) site plans for approval thereof, one entitled "Proposed Site Plan, Maine Maid Inn, Jericho, New York", prepared, signed and sealed by Arthur J. Pettorino, Architect, P.C., Job No. 258-B, dated 12/11/81 and last revised 11/5/82, said site plan depicts an existing restaurant with various additions located on Old Jericho Turnpike, Jericho, New York; also depicted on the site plan is means of ingress and egress, parking, lighting, signs and existing proposed landscaping; the other site plan is entitled "Seating Arrangement Plan, Maine Maid Inn, Jericho, N.Y.", prepared, signed and sealed by Arthur J. Pettorino, Architect, P.C., Job No. 276, dated 11/5/82 and last revised 11/5/82; this plan depicts the interior layouts of the proposed first and second floors following alterations; and

WHEREAS, said site plans were duly reviewed by the Department of Planning and Development, and approved by the Superintendent of Planning on December 7, 1982; and

WHEREAS, Frederick P. Ippolito, Commissioner of Planning and Development, in his memorandum of December 7, 1982, recommends the approval of said site plans advising that development of the subject premises in accordance with the site plans as submitted would, in his opinion, be compatible with the surrounding area; and

WHEREAS, Frederick P. Ippolito, Commissioner of Planning and Development, in same memorandum, reports that the off-street parking depicted on the site plan submitted falls short of that required by the Building Zone Ordinance, and therefore, requires a variance from the Zoning Board of Appeals to reduce said off-street parking and size of stalls provided; also that drainage in the parking areas has not been depicted but this aspect can be taken care of by the Building Division with the issuance of building permit,

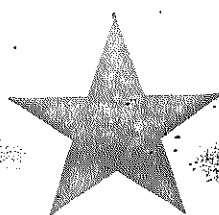
NOW, THEREFORE, BE IT RESOLVED, That the site plans submitted by the petitioners, PHILIP MUNSON, CHARLES B. GORDON and LAKE SUCCESS COUNTRY CLUB, INC., d/b/a MAINE MAID INN, described as "Proposed Site Plan Maine Maid Inn, Jericho, New York" and "Seating Arrangement Plan, Maine Maid Inn, Jericho, N.Y." last revised to 11/5/82, be and the same are hereby approved.

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

Supervisor Colby	Aye
Councilman Mosca	Aye
Councilman Hogan	Aye
Councilman Diamond	Aye
Councilman Clark	Aye
Councilman Hynes	Aye
Councilman Venditto	Aye

cc: Supervisor
Town Board
Town Attorney
Comptroller(2)
Building Div.
Plan. & Dev.

SEC. 12
BLK. 37
LOT 155



RESOLUTION NO. 482-2012

Meeting of May 15, 2012

WHEREAS, the Town of Oyster Bay Landmarks Preservation Commission, pursuant to the Landmarks Preservation Ordinance of the Town of Oyster Bay, after due deliberation of the architectural and historical significance of a structure and site, by Resolution No. 1-2011, adopted on August 24, 2011, recommended the application for the building known as The Maine Maid Inn, located on Old Jericho Turnpike, Jericho, to be listed as a Town Landmark, subject to Town Board approval, said premises are known as Section 12, Block 37 and Lot 155 on the Nassau County Land and Tax Map; and

WHEREAS, a duly advertised public hearing on said application was held before the Town Board of the Town of Oyster Bay, on November 15, 2011, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board recognizes that a prior application for designating The Maine Maid Inn as a landmark was denied in 1980, but notes that the historic facts and present circumstances surrounding the present application for landmark designation are substantially different than those which existed in 1980. Over the past 31 years, research has evolved which now authoritatively demonstrates the role of the Hicks Family, owners of the subject premises in the 1800s, in the abolition movement and their unique role in facilitating the Underground Railroad to provide safe passage for fugitive slaves. New research revealed the notable "hidden attic room" which provided safe haven for runaway slaves being pursued, and established the Hicks Family as leaders in the Quaker movement and the development of the New York City Public Schools. The Board notes that the Colonial-Adams style architecture of the building contains retained details and extant materials qualifying the building as an important architectural and aesthetic resource. Additionally, at the time of the prior application, the then owners consulted and corroborated with the members of the Landmark Commission and conformed their actions with respect to the subject premises to the spirit of the Landmark Ordinance, whereas currently it appears that no consideration is being given to the historic and architectural significance of the premises; and

WHEREAS, items falling under the New York State Environmental Quality Review Act Type II Actions List, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5(c)), Type II Actions List, Item #32, relative to "designation of local landmarks or their inclusion within historic districts" are deemed as not having a significant effect on the environment, and therefore do not require completion of further environmental review,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board does hereby find that the aforementioned application does not have a significant effect on the environment, and therefore does not require completion of further environmental review; and be it further

RESOLVED, That this Board, after due deliberation, has concluded that the aforementioned site and structure possess historic value, by reason of the uniqueness of



architectural structure, style and historic value in the Town, and pursuant to the Landmarks Preservation Ordinance, hereby designates as a Town Landmark the aforementioned structure and site commonly known as The Maine Maid Inn, Old Jericho Turnpike, Jericho, said premises known as Section 12, Block 37 and Lot 155 on the Nassau County Land and Tax Map.

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

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

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



Town of Oyster Bay
Landmarks Preservation Commission
Special Meeting of May 13, 2015

APPROVED AS TO FORM

WHEREAS, an application has been made to the Landmarks Preservation Commission of the Town of Oyster Bay by Angelo F. Corva, RA, for alterations and addition to The Maine Maid Inn, Jericho, NY, which is further described on the Nassau County Land and Tax Map as Section 12, Block 37 and Lot 155, (hereinafter referred to as the subject premises); and

WHEREAS, on August 24, 2011, the Landmarks Preservation Commission of the Town of Oyster Bay by Resolution No. 1-2011 recommended the designation as a landmark the building know as The Maine Maid Inn, and

WHEREAS, subsequent to said recommendation for the designation, the Town Board by Resolution No. 482-2012, dated May 15, 2012, designated the subject structure a Town Landmark, and

WHEREAS, the application was received and reviewed by the Landmarks Preservation Commission in accordance with Chapter 143 of the Code of the Town of Oyster Bay, as amended, and

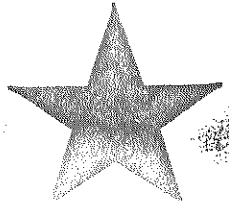
WHEREAS, the Landmarks Preservation Commission has reviewed all the information submitted and entertained comments from Angelo F. Corva, RA, during the Landmark Preservation Meetings held on April 30th and May 13th, 2015, in the Hearing Room, Town Hall East, Oyster Bay, New York; and

WHEREAS, after due deliberation, the Landmarks Preservation Commission finds the architectural style and site location for the proposed building addition and reconstruction of the original structure will be compatible with the existing landmark site; and

NOW, THEREFORE BE IT RESOLVED that the plans submitted have been prepared by Angelo F. Corva, RA, and are identified as follows:

<u>SHEET</u>	<u>TITLE</u>	<u>DATE</u>
A2.1	EAST AND NORTH ELEVATIONS	5/07/15
A2.2	WEST AND SOUTH ELEVATIONS	5/07/15

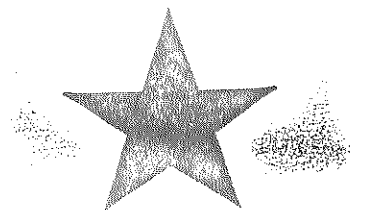
which are attached hereto and made part hereof are hereby APPROVED.



NOW, THEREFORE BE IT RESOLVED that said application for alterations and addition to The Maine Maid Inn is hereby recommended for approval by the Landmarks Preservation Commission; and

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

Member Collins	Nay
Member Strom	Aye
Member Zike	Aye
Member Spinelli	Aye
Member DiLeo	Aye
Member Chabina	Aye



Meeting of January 24, 2017

Resolution No. 690-2016

WHEREAS, by Resolution No. 548-82, adopted on June 8, 1982, and Resolution No. 638-82, adopted on July 13, 1982, the Town Board granted a Special Use Permit for a restaurant use in a Neighborhood Business District, with approximately 298 seats at premises located at 4 Old Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block 37, Lot 155 on the Land and Tax Map of Nassau County; and

WHEREAS, Resolution No. 548-82 contained covenants and restrictions, specifically Covenant No. 7 which provides for Town Board approval of any Site Plan for the subject premises and Covenant No. 8 which provides for the occupancy of the restaurant to be limited to 298 persons; and

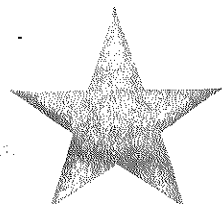
WHEREAS, by Resolution No. 73-83, adopted on January 25, 1983, the Town Board granted Site Plan Approval of the site plan for Maine Maid Inn located at the subject premises and

WHEREAS, on February 25, 2015, Frederick P. Ippolito, as Commissioner of the Department of Planning and Development, granted a Building Permit, No. R15000565, for the renovation of the Maine Maid Inn; and

WHEREAS, by letter dated November 23, 2016, Angelo Francis Corva, R.A., requested that the Town Board modify the existing covenants and restrictions to allow for an increased occupancy of 565 persons, and that the Town Board approve the amended Site Plan as submitted; and

WHEREAS, Timothy R. Zike, Acting Commissioner of the Department of Planning and Development, by memorandum dated December 2, 2016, has advised that the Department of Planning and Development has reviewed the following ten (10) plans prepared by Angelo F. Corva, R.A., Angelo Francis Corva and Associates, Architects, West Hempstead, New York, and the two (2) plans prepared by Robert S. Retnauer, L.A., RDA Landscape Architecture, St. James, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
ST1.1	SITE DEMOLITION PLAN	Angelo Corva, R.A.	11/15/16
ST1.2	SITE PARKING PLAN	Angelo Corva, R.A.	11/29/16
ST1.3	SITE ALIGNMENT PLAN	Angelo Corva, R.A.	11/29/16
ST1.4	SITE DRAINAGE PLAN	Angelo Corva, R.A.	11/15/16
ST1.5	SITE RETAINING WALL ELEVATION & SECTIONS	Angelo Corva, R.A.	11/15/16
ST1.6	SITE EROSION CONTROL PLAN	Angelo Corva, R.A.	11/15/16
ST1.7	SITE LIGHTING PLAN	Angelo Corva, R.A.	11/15/16
L-1	LANDSCAPE PLAN	Robert S. Retnauer, P.E.	11/10/16
L-2	LANDSCAPE DETAILS	Robert S. Retnauer, P.E.	11/10/16
A1.8	PUBLIC ASSEMBLY, FIRST AND SECOND FLOOR	Angelo Corva, R.A.	11/29/16
A2.1	EAST AND NORTH ELEVATIONS	Angelo Corva, R.A.	05/07/15
A2.2	WEST AND SOUTH ELEVATIONS	Angelo Corva, R.A.	05/07/15



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, said Acting Commissioner further reports that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the request of Angelo Francis Corva, R.A., dated November 23, 2016, that the covenants and restrictions imposed by Resolution No. 548-82 be amended to reflect approval of an increased occupancy of 565 persons at the restaurant located at premises 4 Old Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, New York, and designated as Section 12, Block 37, Lot 155 on the Land and Tax Map of Nassau County, be approved and be it further

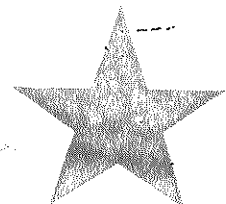
RESOLVED, That in accordance with the memorandum of Timothy R. Zike, Acting Commissioner of the Department of Planning and Development, dated December 2, 2016, the twelve (12) plans described herein are hereby approved.

-#-

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

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

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



Zoning Board of Appeals

TOWN HALL, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771-1592 - TELEPHONE: (516) 624-6132 - FAX: (516) 624-6149

ARLENE VAN LOAN, *Chairwoman* - SUSAN CLONINGER - LOIS SCHMITT - LEWIS J. YEVOLI
RITA BYRNE - KATHLEEN MULLIGAN

NOTICE OF DECISION

NOTIFY: SS 106 LLC
4 Old Jericho Tpke.
Jericho, NY 11753

Thomas A. Abbate, P.C.
100 Crossways Park West, Suite 101
Woodbury, NY 11797

DECISION NO.: 17-90

DATE OF DECISION: 3/9/17

BLDG. APP. NO.: 15010429

BLDG. PERMIT NO.: R15000565

ADVERTISED AS:

APPEAL NO. 17-90

JERICHO

SS 106 LLC: (A) Variance for the reduction of off-street parking spaces. Reduction of spaces to 52 when 188 spaces are required. (B) Amend Specific Plan as presented for Appeal No. 83-223A and granted by Decision of the Zoning Board of Appeals, dated June 16, 1983.

SE/ cor. of Old Jericho Tpke. & Jericho-East Norwich Rd., a/k/a 4 Old Jericho Tpke., Jericho, NY
SEC. 12 BLK. 37 LOT 155 ZONE NB

DECISION (FULL RECORD HAS BEEN FILED IN THE OFFICE OF THE ZONING BOARD OF APPEALS):

GRANTED: (A) Reduction of Off-Street Parking Spaces
Parking Spaces – 52

(B) Amend Specific Plan for Appeal No. 83-223A

SUBJECT TO: (1) SPECIFIC PARKING PLAN by Angelo F. Corva, Registered Architect, Angelo Francis Corva & Associates, Architects, last revised 11/29/16 (12 sheets) as submitted by the applicant for the subject appeal, and as so marked and recorded by the Zoning Board of Appeals.

(2) The TERMS AND CONDITIONS stated on the reverse side of this Notice.

ENVIRONMENTAL REVIEW: The subject appeal has been classified as a TYPE II ACTION, having no significant impact on the environment, pursuant to the New York State Environmental Quality Review Act.

VOTING: MOTION OF: Arlene Van Loan, *Chairwoman*
VOTING AYE: Susan Cloninger; Kathleen Mulligan
RECUSED: Lewis J. Yevoli
ABSENT: Rita Byrne

SECONDED BY: Lois Schmitt

CERTIFICATION:

THIS NOTICE IS NOT VALID
UNLESS SIGNED AS INDICATED

Timothy R. Zike

TIMOTHY R. ZIKE, DEPUTY COMMISSIONER OF PLANNING AND DEVELOPMENT

IMPORTANT - PLEASE READ REVERSE SIDE



Certificate of Occupancy

Town of Oyster Bay Department of Planning and Development
Division of Building, 74 Audrey Ave, Oyster Bay, NY 11771

No. A511233

10/12/2017

Property Owner Information					
SS106 LLC, 401D JERICO TURNPIKE JERICO, NY 11753					
Property Information:		School District		Section Block Lot(s)	Zone
		Jericho		12-37-155	NB
Located on	Side of	Feet		Of	Post Office
N	JERICO-EAST NORWICH ROAD	0.00	W	OLD JERICO TURNPIKE	JERICO
Address of Installation:		4 OLD JERICO TPKE JERICO, NY 11753			

Appl. No.	Permit No.	Permit Date	Receipt No.	ZBA No.	ZBA Date	Town Board No.	Date	CA No.	Elec No.
15010429	R15000565	02/25/2015	01000435395	17-90	03/17/2017			G517288 G517191	16-1039217

Work Completed

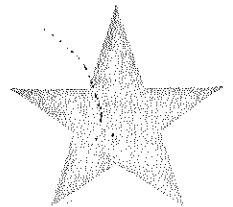
R15000565-REMOVAL and RECONSTRUCTION of a 78' x 148' (2 1/2 Story) existing building, part basement and exterior decks, patio, ramp and curbs.

A 119.17' x 148.1' 2 story (Fire Sprinklered) pre-fab steel truss/metal/wood shingles addition to accommodate use for "Maine Maid Inn" (17,731 sq.ft.) ('A-2'/1st Fl: 13,432 sq.ft.; 'S-2'/Basement: 3,034 sq.ft.; 'B'/2nd Fl: 995 sq. ft.; 'S-2'/Wine Loft: 270 sq.ft.) with two (2) concrete, rear patios (1-Covered/ Raised/1,850 sq. ft.) with steps to 1-2,706 sq. ft. on grade, a 16.75' x 17.83' front portico and one (1) spiral metal stair to wine loft.

As per Town Board Resolution Number 690-16, Landmark Decision Number 1-2015, ZBA Decision Number 17-90

This certifies that the above construction conforms with the approved plans and codes of the Town of Oyster Bay and the New York State Fire Prevention and Building Code.

		Initials 13
Commissioner, Department of Planning and Development		



WHEREAS, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board of the Town of Oyster Bay, by Resolution No. 166-2018, adopted on March 13, 2018, directed the Town Clerk to advertise notice of the application of GEORGE POLL, to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring at 1458 Ridge Road, Laurel Hollow, New York 11791, known and designated as Section 26, Block C, Lot 258, on the Nassau County Land and Tax Map, in compliance with Section 241-33; and

WHEREAS, pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the captioned site plan application; and

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated January 31, 2018, has advised that the Division has reviewed the relevant environmental factors affected by the uses proposed in the subject application, and has determined that said application warrants a Negative Declaration, thus having no significant impact on the environment, in accordance with the Environmental Conservation Law of the State of New York, and the applicable regulations thereof; and

WHEREAS, more than 28 days have elapsed since said Public Notice was given; and

WHEREAS, Carol Ann Strafford, Director of Legislative Affairs, by memorandum dated April 20, 2018, has requested a calendar date of May 8, 2018, for Town Board action, in connection with the aforementioned application,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby determine that the aforementioned dock application will not have a significant impact on the environment, that the proposed action in said application constitutes a Negative Declaration in accordance with the New York State Environmental Conservation Law and the applicable regulations thereof, and that the Town Board hereby adopts the Town of Oyster Bay Environmental Quality Review Division Report, dated January 31, 2018; and be it further

RESOLVED, That the application of GEORGE POLL, to erect, maintain, alter or improve a dock, float, pier, bulkhead or other mooring, at 1458 Ridge Road, Laurel Hollow, New York 11791, known and designated as Section 26, Block C, Lot 258 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Environmental Resources

5/15
Reviewed By
Office of Town Attorney

14

313

TOWN OF OYSTER

INTER-DEPARTMENTAL MEMO

DATE: April 20, 2018

TO: MEMORANDUM DOCKET

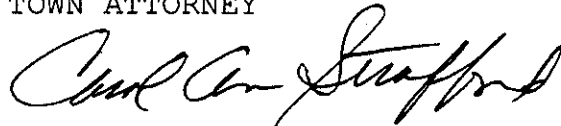
FROM: CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS

THRU: JOSEPH NOCELLA, TOWN ATTORNEY

SUBJECT: APPLICATION OF GEORGE POLL TO ERECT, MAINTAIN,
IMPROVE, AND/OR REPAIR A DOCK, FLOAT, BULKHEAD OR
OTHER MOORING,
1458 RIDGE ROAD, LAUREL HOLLOW, NY
FILE # D-1-2018
SEC. 26 BLK C LOT 258

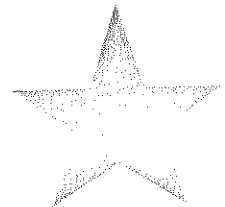
I hereby request that the Town Board set a calendar date to render a decision on the above referenced application for May 8, 2018 in compliance with the 30 day notification period to Town Board.

JOSEPH NOCELLA
TOWN ATTORNEY



CAROL ANN STRAFFORD
DIRECTOR-LEGISLATIVE AFFAIRS

CAS:dr
Cc: TA +7



WHEREAS, the Town of Oyster Bay intends to commence legal proceedings in the Supreme Court of the State of New York, County of Nassau, entitled *Town of Oyster Bay v. All American Recycling of Long Island, LLC.*, wherein the Town will seek, among other things, a declaratory judgment and injunctive relief; and

WHEREAS, Joseph Nocella, Town Attorney, and Samantha A. Goetz, Assistant Town Attorney, by memorandum dated April 20, 2018, recommend that the Office of the Town Attorney be authorized and permitted to commence the aforesaid legal proceedings,

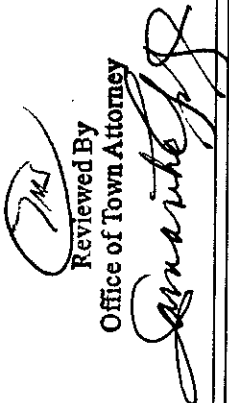
NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth is accepted and approved, the Office of the Town Attorney is hereby authorized and permitted to commence the aforesaid legal proceedings.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney


15

Town of Oyster Bay Inter-Departmental Memo

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : April 20, 2018
SUBJECT : Authorization to Commence Legal Proceedings
Town of Oyster Bay v. All American Recycling of Long Island, LLC.

This Office has prepared litigation papers and intends to commence legal proceedings in the Supreme Court of the State of New York, County of Nassau against All American Recycling of Long Island, LLC. In the anticipated legal proceedings, the Town will seek, *inter alia*, a declaratory judgment and injunctive relief.

It is recommended and requested that the Town Board authorize this Office to commence such proceedings forthwith in order to seek the aforementioned relief.

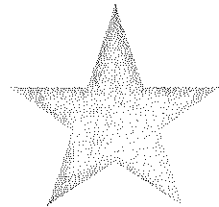
A proposed resolution for consideration by the Town Board is attached hereto.

JOSEPH NOCELLA
TOWN ATTORNEY



Samantha A. Goetz
Assistant Town Attorney

SAG:sag
Attachment
2018-6551
cc: Town Attorney (w/7copies)



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated June 6, 2017, authorized the Highway Department to clean up the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on June 15, 2017, in the total amount of \$1,018.95, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,018.95 may be assessed by the Legislature of the County of Nassau against the parcel known as 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

17

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: April 20, 2018
SUBJECT: Property Cleanup Assessment
50 Elizabeth Street, Massapequa, New York 11758
Section 53, Block 43, Lots 1, 3, 5 and 7

The Department of Planning and Development, by memorandum dated June 6, 2017, directed the Highway Department to clean the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated June 20, 2017, advised that the property was cleaned by a crew from the Highway Department on June 15, 2017. The cost incurred by the Town of Oyster Bay was \$1,018.95.

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

Kindly place this matter on the Town Board Action Calendar.

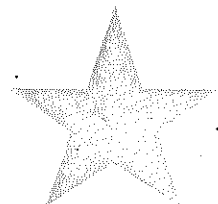
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 50 Elizabeth St 4.24.18.doc



2018-6369
Need it

TOWN OF OYSTER BAY

Inter-Departmental Memo
June 6, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 50 Elizabeth Street Massapequa, NY 11758
SBL: 53-43-1

Notice of Violation (No.17219) was issued to the owner of the above-referenced premises 05/23/17 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass be cut.
- The bushes be trimmed.
- The litter and debris be removed.
- The basement window and side window be boarded up.

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

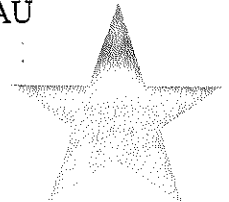
ELIZABETH L. MACCARONE
COMMISSIONER

BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



1448 v

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

THIS INDENTURE, made the 11th day of May, 2005

BETWEEN

RAYMOND A. GRAHAM and ANNE S. GRAHAM, residing at 362 UHLENDALE AVE,
UHLDALE, NY 10553

party of the first part, and

DAVID WALKER, residing at 50 Elizabeth Street, Massapequa, NY

party of the second part,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Nassau, more particularly described as follows:

SEE ANNEXED DESCRIPTION

Said premises known as 50 Elizabeth Street, Massapequa, NY

Being and intended to be the same premises as described in Deed recorded in Liber 11896 page 126.

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

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

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

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

IN PRESENCE OF:

RAYMOND A. GRAHAM

ANNE S. GRAHAM



RC

See 53
Dec 43
67 13 50 9

ANNE S. GRAHAM by [Signature] AIF

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

June 20, 2017

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

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

SUBJECT: 50 ELIZABETH STREET, MASSAPEQUA
CLEAN-UP/BOARD -UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,018.95.

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

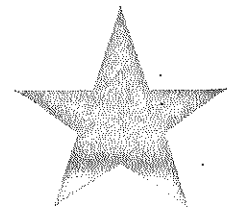

JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 DEC 15 A 9:54
TOWN OF OYSTER BAY
COMMUNITY DEVELOPMENT
DEPARTMENT

CLEAN-UP 50 ELIZABETH STREET, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-43-1) 50 ELIZABETH ST MASSAPEQUA 11758

Date Jun 15, 2017

Work Order # 37451

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANGELO ABBONDANDOLO	General Maintenance	01:30	\$44.28	00:00	0	\$66.42
RUBEN FOURNIER	General Maintenance	01:00	\$35.14	00:00	0	\$35.14
GARY LEWIS, II	General Maintenance	01:30	\$32.87	00:00	0	\$49.30
JOSEPH SANTANGELO	General Maintenance	01:30	\$41.75	00:00	0	\$62.63
JEFFREY VAN NOSTRAND	General Maintenance	01:00	\$43.77	00:00	0	\$43.77
VINCENT PADAVANO	General Maintenance	01:30	\$47.36	00:00	0	\$71.04
Total Labor						\$328.30

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK406	SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932)	\$105.00	01:30	\$157.50
TD648	PICK-UP TRUCK 2009 FORD F-250 YW (T-010 / 010)	\$79.00	01:30	\$118.50
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:30	\$157.50
TR202	TRAILER 2015 FELLI FT6T BL	\$105.00	01:30	\$157.50
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$670.00

Materials

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

Grand Total \$1018.95

Description of Work:

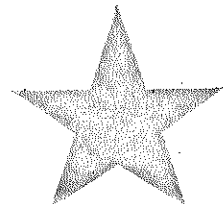
CLEAN UP 50 ELIZABETH STREET MASSAPEQUA

Signature: _____

Name: Douglas Robalino

Title: Storeyard Supervisor

Date: Jun 19, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated March 6, 2017, authorized the Highway Department to clean up the premises located at 153 North Maple Street, Massapequa, New York 11758, also known as Section 48, Block 30, Lots 44, 45 and 46 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on April 21, 2017, in the total amount of \$926.78, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$926.78 may be assessed by the Legislature of the County of Nassau against the parcel known as 153 North Maple Street, Massapequa, New York 11758, also known as Section 48, Block 45, Lots 44, 45 and 46 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

18

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 20, 2018

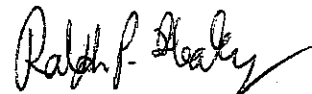
SUBJECT: Property Cleanup Assessment
153 North Maple Street, Massapequa, New York 11758
Section 48, Block 30, Lots 44, 45 and 46

The Department of Planning and Development, by memorandum dated March 6, 2017, directed the Highway Department to clean the premises located at 153 North Maple Street, Massapequa, New York 11758, also known as Section 48, Block 30, Lots 44, 45 and 46 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 3, 2017, advised that the property was cleaned by a crew from the Highway Department on April 21, 2017. The cost incurred by the Town of Oyster Bay was \$926.78.

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

Kindly place this matter on the Town Board Action Calendar.

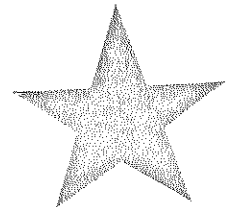
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 153 N Maple St 4.24.18.doc



✓ 2017-6074
Wed 2/5

TOWN OF OYSTER BAY

Inter-Departmental Memo
March 6, 2017

To: JOHN BISHOP: ACTING COMMISSIONER/HIGHWAY DEPT.

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

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

Subject: 153 N. Maple Street Massapequa, NY 11758
SBL: 48-30-44

Notice of Violation (No.16722) was issued to the owner of the above-referenced premises 02/23/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

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

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

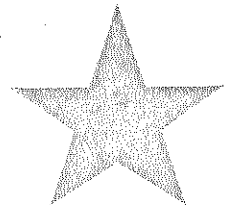
ELIZABETH L. MACCARONE
COMMISSIONER

BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME/js
cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made this 28 day of August, in the year 2001

BETWEEN

Anna Aquaviva, 88 North Maple St., N. Massapequa, N.Y. and
Joseph Napolitano, 15 Yardley Drive, Dix Hills, N.Y.

as co-executors of the Estate of Anna Napolitano, under the last will and testament of Anna Napolitano
late of
153 North Maple Street, North Massapequa, N.Y., Nassau County deceased,
party of the first part, and

John E. Rennhack and Jean P. Rennhack, his wife, 28 Third Ave., Garden City Park, N.Y.

party of the second part,

WITNESSETH, that the party of the first part by virtue of power and authority given in and by said last will and
testament and in consideration of Two Hundred eighty thousand (280,000.00)

dollars,

paid by the party of the second part, does hereby grant

and

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, known and
designated as Lots No. 44, 45 and 46 in Block 30 on a certain map entitled "Map of Massapequa Centre,
State Parkway Section No. 2, situated at Massapequa, N.Y., surveyed July 1927, Baldwin & Cornelius Co.,
Inc. Civil Engineers, Freeport, N.Y." and filed in the Office of the Clerk of the County of Nassau September
12, 1927 as Map No. 638, New No. 750.

Being and intended to be the same premises described in the deed to the parties of the first part herein by
deed from Edward J. Dondero and Marie Dondero, dated December 8, 1976 and recorded December 9, 1976
in Liber 9006 page 539.

Said premises being also known as 153 North Maple St., N. Massapequa, N.Y.
Section 48, Block 30, Lot 44 and 46

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads
abutting the above described premises to the center line thereof; TOGETHER with the appurtenances and
also all the estate which the said decedent had at the time of decedent's death in said premises, and also the
estate therein, which the party of the first part has or has power to convey or dispose of, whether individually,
or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of
the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

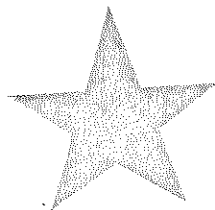
The word "party" shall be construed as if to read "parties" whenever the sense of this indenture so requires

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

IN PRESENCE OF

Anna Aquaviva

Joseph Napolitano



TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of Nassau

ss.:

State of New York, County of Nassau

ss.:

On the 28 day of August in the year 2001 before me, the undersigned, personally appeared Anna Aquaviva personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

On the 28 day of August in the year 2001 before me, the undersigned, personally appeared Joseph Napolitano personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking the acknowledgment)
Notary Public - State of New York
No. 01CA4907411

(signature and office of individual taking the acknowledgment)
Notary Public - State of New York
No. 01CA4907411

Qualified in Nassau County
My Commission Expires September 28, 2001

Qualified in Nassau County
My Commission Expires September 28, 2001

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

On the personally appeared

In the year

**LEGIBILITY POOR
FOR MICROFILM**

before me, the undersigned,

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

in
(insert the City or other political subdivision)

(and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

EXECUTOR'S DEED

Title No. Top 2
28464

Anna Aquaviva and Joseph Napolitano as
Co-executors of the Estate of Anna Napolitano

TO

John E. Rennhack and Jean P. Rennhack

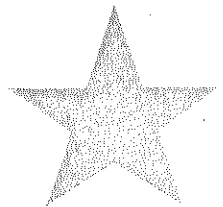
SECTION 48

BLOCK 30
LOT 44 and 46
COUNTY OR TOWN Nassau
STREET ADDRESS 153 N. Maple St.
N. Massapequa, N.Y. 11758

RETURN BY MAIL TO:

Mason & Tini, Esqs
114 Old Country Rd.
Mineola, New York 11501
Attn: Thomas J. Mason, Esq.

(Reserve this space for recording office)



CCB
AZ

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

May 3, 2017

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

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

SUBJECT: 153 MAPLE STREET, MASSAPEQUA
CLEAN UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$926.78.

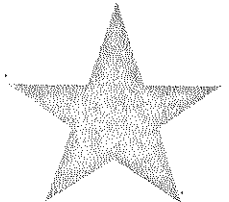
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 JUN 30 A 11:40
TOWN OF OYSTER BAY
DEPARTMENT OF PLANNING & DEVELOPMENT



CLEAN-UP 153 MAPLE STREET, MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-30-44) 153 MAPLE ST MASSAPEQUA 11758

Date Apr 21, 2017

Work Order # 34994

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
CHRISTOPHER MOORE	General Maintenance	02:00	\$24.36	00:00	0	\$48.72
JOSE NUNEZ	General Maintenance	02:00	\$38.36	00:00	0	\$76.72
JOHN PIETROSANTE	General Maintenance	02:00	\$44.49	00:00	0	\$88.98
MARK SCHLOSSER	General Maintenance	02:00	\$41.18	00:00	0	\$82.36
Total Labor						\$296.78

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	\$131.00	02:00	\$262.00
TD633	PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	\$79.00	02:00	\$158.00
TD682	TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	02:00	\$210.00
Total Equipment				\$630.00

Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$926.78

Description of Work:

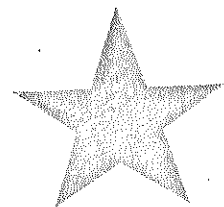
CLEAN UP 153 N. MAPLE STREET MS TO DOUG

Signature: 

Name: Douglas Robalino

Title: Storeyard Supervisor

Date: May 2, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated June 28, 2017, authorized the Highway Department to clean up the premises located at 20 Quail Run, Massapequa, New York 11758, also known as Section 53, Block 16, Lots 22, 23, and 24 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 7, 2017, in the total amount of \$258.66, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$258.66 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Quail Run, Massapequa, New York 11758, also known as Section 53, Block 16, Lots 22, 23 and 24 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney

Ralph P. Healey

191

Town of Oyster Bay Inter-Departmental Memo

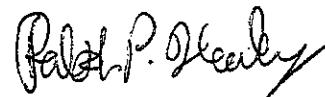
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: April 20, 2018
SUBJECT: Property Cleanup Assessment
20 Quail Run, Massapequa, New York 11758
Section 53, Block 16, Lots 22, 23 and 24

The Department of Planning and Development, by memorandum dated June 28, 2017, directed the Highway Department to clean the premises located at 20 Quail Run, Massapequa, New York 11758, also known as Section 53, Block 16, Lots 22, 23 and 24 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 12, 2017, advised that the property was cleaned by a crew from the Highway Department on July 7, 2017. The cost incurred by the Town of Oyster Bay was \$258.66.

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

Kindly place this matter on the Town Board Action Calendar.

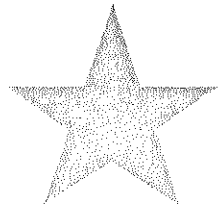
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 20 Quail Run 4.24.18.doc



2018-6355
Need ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
June 28, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 20 Quail Run Massapequa, NY 11758
SBL: 53-16-22


Notice of Violation (No.17112) was issued to the owner of the above-referenced premises 06/20/17 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

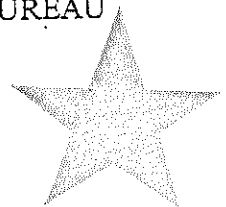
- The grass be cut.

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

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME/j
cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made the 5th day of February in the year 2013

BETWEEN

Frances Terzo, individually and as surviving spouse of Pietro Terzo, deceased, residing at 20 Quail Run, Massapequa, NY 11758

party of the first part, and Frances Terzo, residing at 20 Quail Run, Massapequa, NY 11758;

party of the second part;

WITNESSETH, that the party of the first part, in consideration of \$0 paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

BEGINNING at a point on the northerly side of Adams Street, distant 100 feet westerly from the corner formed by the intersection of the northerly side of Adams Street with the westerly side of Dover Street;

RUNNING THENCE North 78 degrees 29 minutes West along the said northerly side of Adams Street, 60 feet;

THENCE North 11 degrees 21 minutes East, 100 feet;

THENCE South 78 degrees 39 minutes East, 60 feet;

THENCE South 11 degrees 21 minutes West, 100 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY:

Said premises known as: 20 Quail Run, Massapequa, NY 11758 Section 53 Block 16 Lot 22, 23, 24

*town of Oyster Bay and
County of Nassau
which property is improved by a one family dwelling.*

Being and intended to be the same premises conveyed to the Grantor herein by virtue of a deed dated 06/23/1978 and recorded 06/28/1978 in Liber 9118 Page 535

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

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

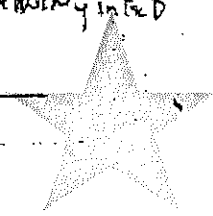
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:



Frances Terzo by Mary Terzo her attorney in fact
 Frances Terzo by Mary Terzo her attorney in fact



CEB JPB

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

July 12, 2017

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

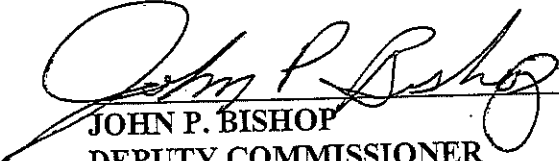
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 20 QUAIL RUN, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$258.66.

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


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

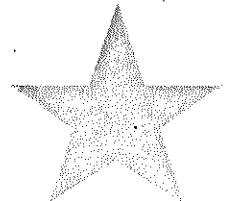
JPB/kjb

Enc. T & M sheet

2017 DEC 21 A 9:33

TOWN ATTACHED & OFFICE
TOWN OF OYSTER BAY
677-5804

CLEAN-UP 20 QUAIL RUN, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-16-22) 20 QUAIL RUN MASSAPEQUA 11758

Date Jul 7, 2017

Work Order # 38209

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ROBERT SEE	General Maintenance	00:30	\$25.30	00:00	0	\$12.65
THOMAS PARKS	General Maintenance	00:30	\$27.89	00:00	0	\$13.95
SCOTT DADE	General Maintenance	00:30	\$47.36	00:00	0	\$23.68
MICHAEL CALAMIA	General Maintenance	00:30	\$25.05	00:00	0	\$12.53
VINCENT CAGGIANO JR.	General Maintenance	00:30	\$23.69	00:00	0	\$11.85
Total Labor						\$74.66

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$0.00	00:30	\$0.00
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$79.00	01:00	\$79.00
TD593	TRUCK DUMP 2006 FORD F-350 YW (T-300) - Power Wagons	\$105.00	00:30	\$52.50
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	00:30	\$52.50
Total Equipment				\$184.00

Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$258.66

Description of Work:

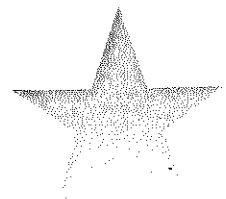
CLEAN UP 20 QUAIL RUN MASSAPEQUA

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jul 12, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 20, 2017, authorized the Highway Department to clean up the premises located at 99 South Merrick Road, Massapequa, New York 11758, also known as Section 66, Block 5, Lots 26 to 30 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 15, 2017, in the total amount of \$2,247.74, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,247.74 may be assessed by the Legislature of the County of Nassau against the parcel known as 99 South Merrick Road, Massapequa, New York 11758, also known as Section 66, Block 5, Lots 26 to 30 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

20

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 20, 2018

SUBJECT: Property Cleanup Assessment
99 South Merrick Road, Massapequa, New York 11758
Section 66, Block 5, Lots 26 to 30

The Department of Planning and Development, by memorandum dated July 20, 2017, directed the Highway Department to clean the premises located at 99 South Merrick Road, Massapequa, New York 11758, also known as Section 66, Block 5, Lots 26 to 30 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 21, 2017, advised that the property was cleaned by a crew from the Highway Department on August 15, 2017. The cost incurred by the Town of Oyster Bay was \$2,247.74.

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

Kindly place this matter on the Town Board Action Calendar.

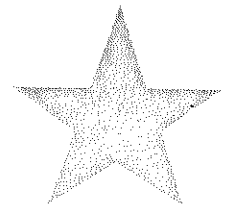
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 99 S Merrick Rd 4.24.18.doc



2018-6465
Need ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
July 20, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 99 S. Merrick Road Massapequa, NY 11758
SBL: 66-5-26

Notice of Violation (No.PG004) was issued to the owner of the above-referenced premises 06/26/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

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

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

ELIZABETH L. MACCARONE
COMMISSIONER
BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR
(INDIVIDUAL)**

STATUTORY FORM C

THIS IS A LEGALLY BINDING INSTRUMENT. IF NOT FULLY UNDERSTOOD, WE
RECOMMEND ALL PARTIES TO THE INSTRUMENT CONSULT AN ATTORNEY BEFORE
SIGNING.

THIS INDENTURE, made the November 17, 2005, between Yumin YAO of Suite 1802, Unit 7,
Building 1, Shingzhang Village, Haidian District, Beijing, China 100089; Yushun LU of Suite 70712,
North Building 7, 10 Chedaogou, Haidian District, Beijing, China 100089; and, Mingxing ZHANG of
Suite 307, Unit 1, North Building 3, 10 Chedaogou, Haidian District, Beijing, China 100089, party of the
first part,

and Weiyan CHAI, of 99 South Merrick Road, Massapequa, New York 11758, party of the
second part:

WITNESSETH, that the party of the first part, in consideration of one dollar and other good and
valuable consideration, lawful money of the United States, paid by the party of the second part, does
hereby grant and release unto the party of the second part, and the heirs or successors and assigns forever:

ALL that certain plot, piece or parcel of land, situate, lying and being at Massapequa, in the Town
of Oyster Bay, County of Nassau and State of New York, known and designated as and by the lot nos. 26,
27, 28, 29 and 30 in Block 205 on a certain map entitled, "Revised Map of Nassau Shores, Section 3,
situated in Nassau County, Long Island, New York, for the sale by Harmon National Real Estates
Corporation; Chester R. Nichols, April 1, 1930", and filed in the Office of the Clerk of the County of
Nassau on April 13, 1930, as Map No. 704, Case No. 824, said lots when taken together being more
particularly bounded and described as follows:

BEGINNING at a point on the Northerly side of South Merrick Road 100 feet Easterly from the
intersection of the Northerly side of South Merrick Road and the Easterly side of East Shore Drive;
RUNNING THENCE Northerly at right angles to the Northerly side of South Merrick Road, 100
feet;

THENCE Easterly at right angles to the last mentioned course 100 feet;

THENCE Southerly at right angles to the last mentioned course 100 feet to the Northerly side of
South Merrick Road;

THENCE Westerly along the Northerly side of South Merrick Road 100 feet to the point or place
of BEGINNING.

Being and hereby intending to convey the same premises as conveyed to the parties of the first
part by Deed dated May 17, 1993, and recorded in the Nassau County Clerks Office on August 4, 1993, in
Liber 18332 at page 715;

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

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in
and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, their
heirs, successors and assigns forever. And the party of the first part covenants that he has not done or
suffered anything whereby the said premises have been encumbered in any way whatever.

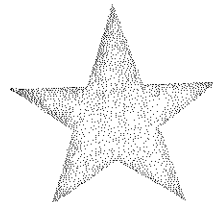
IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day
and year first above written.

Section
66
Block
5
Lots
26 to
30

Yumin YAO Nov. 17, 2005
Yumin YAO, Grantor

Yushun LU 11/17/05
Yushun LU, Grantor

Mingxing ZHANG 11/17/05
Mingxing ZHANG, Grantor



Acknowledgment by a Person Outside New York State (RPL § 309-b)

COUNTRY OF CHINA

People's Republic of China

) Municipality of Beijing

) ss-Embassy of the United } SS:

) States of America }

COUNTY OF _____

On the 17 day of Nov. in the year 2007, before me, the undersigned, personally appeared Yumin YAO personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Jemma W. Bishop

Consular Associate

Jemma W. Bishop

(signature and office of individual taking acknowledgment)

Acknowledgment by a Person Outside New York State (RPL § 309-b)

COUNTRY OF CHINA

People's Republic of China

) Municipality of Beijing

) ss-Embassy of the United } SS:

) States of America }

COUNTY OF _____

On the 17 day of Nov. in the year 2007, before me, the undersigned, personally appeared Yushan LU personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

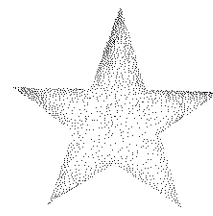
Jemma W. Bishop

Consular Associate

Jemma W. Bishop

(signature and office of individual taking acknowledgment)

Acknowledgment by a Person Outside New York State (RPL § 309-b)



Town of Oyster Bay
Inter- Departmental Memo

August 21, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 99 SOUTH MERRICK ROAD, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **\$2,247.74**.

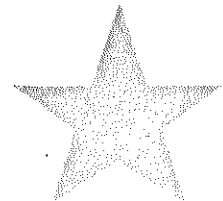
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

DOMESTIC OFFICE
DOMESTIC BRANCH
HOLLOTT
1 2017 DEC 14 A 9:32



CLEAN - UP 99 SOUTH MERRICK ROAD, MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (66-5-26) 99 SOUTH MERRICK RD MASSAPEQUA 11758

Date Aug 15, 2017

Work Order # 38597

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	02:00	\$28.94	00:00	0	\$57.88
JOHN GUARINO	General Maintenance	02:00	\$44.41	00:00	0	\$88.82
MICHAEL MARTIN	General Maintenance	02:00	\$24.36	00:00	0	\$48.72
JOHN PIETROSANTE	General Maintenance	02:00	\$44.49	00:00	0	\$88.98
MARK SCHLOSSER	General Maintenance	02:00	\$41.18	00:00	0	\$82.36
DERRICK SCOTT	General Maintenance	02:00	\$39.49	00:00	0	\$78.98
Total Labor						\$445.74

Tools/Vehicle

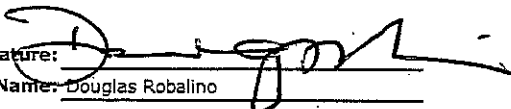
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU369	PICK UP 2007 FORD F250 WHITE	\$79.00	02:00	\$158.00
TD633	PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	\$79.00	02:00	\$158.00
TD682	TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	02:00	\$210.00
TD728	POWER WAGON 2015 T-245	\$105.00	02:00	\$210.00
TQ092	TRACTOR 2001 NEHO TN65 BLUE	\$158.00	02:00	\$316.00
Total Equipment				\$1052.00

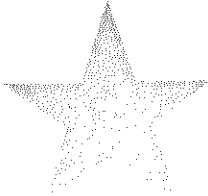
Materials

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

Grand Total \$2247.74

Description of Work:
CLEAN UP 99 S. MERRICK ROAD MS

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Aug 18, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 10, 2017, authorized the Highway Department to clean up the premises located at 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 16, 2017, in the total amount of \$255.05, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$255.05 may be assessed by the Legislature of the County of Nassau against the parcel known as 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney

Ralph P. Healey

21

Town of Oyster Bay

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 20, 2018

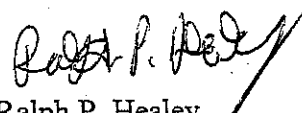
SUBJECT: Property Cleanup Assessment
14 Gainsboro Lane, Syosset, New York 11791
Section 12, Block 400, Lot 6

The Department of Planning and Development, by memorandum dated May 10, 2017, directed the Highway Department to clean the premises located at 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 19, 2017, advised that the property was cleaned by a crew from the Highway Department on May 16, 2017. The cost incurred by the Town of Oyster Bay was \$255.05.

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

Kindly place this matter on the Town Board Action Calendar.

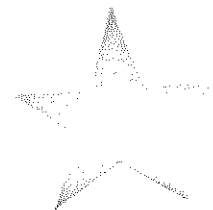
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 14 Gainsboro Ln 4.24.18.doc



2018-6344
Nocella

TOWN OF OYSTER BAY

Inter-Departmental Memo
May 10, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

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

Subject: 14 Gainsboro Lane Syosset, NY 11791
SBL: 12-400-6

Notice of Violation (No.16889) was issued to the owner of the above-referenced premises 04/28/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

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

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

ELIZABETH L. MACCARONE
COMMISSIONER

BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney

4

Vol. 11791

THIS INDENTURE, made on

Sept. 7th 2011

BETWEEN

Dennis J. Ahn and Duk hee Jang

14 Gainsboro Lane
Syosset NY 11791

Sec. 0012

Block: 00400

Lot: 006

Town: Oyster Bay

party of the first part, and

Duk hee Jang

14 Gainsboro Lane Syosset NY 11791

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

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

~~One Hundred (\$100.00)~~ No Consideration dollars,

lawful money of the United States,

~~\$100.00~~ No Consideration paid

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

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

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

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

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

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

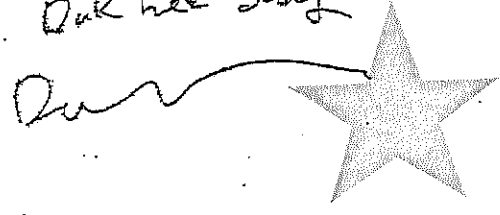
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

Ahn, Dennis, Jitron

Duk hee Jang

Notary Public
for the State of New York
My Comm. Expires 12/31/12



personally appeared Dennis Jiheon Ahn
and Dukhee Jang

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

Notary Public, State of New York
No. 04575236226

Qualified in Nassau County
Commission Expires 2/22/20

Andrea L. Blum
Office of individual taking acknowledgment

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (N.Y. SPS-6)

State of _____ County of _____ ss.: _____

On _____ before me, the undersigned,
personally appeared _____

personally known to me or proved to me on the basis of satisfac-
tory evidence to be the individual(s) whose name(s) is (are)
subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their capacity(ies),
and that by his/her/their signature(s) on the instrument, the indi-
vidual(s), or the person upon behalf of which the individual(s)
acted, executed the instrument, and that such individual made
such appearance before the undersigned in _____

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

(signature and office of individual taking acknowledgment)

Guillermo Breda

TITLE NO. _____

On _____
personally appeared _____

before me, the undersigned,

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

LEGIBILITY POOR

that he/she/they know(s) _____

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

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

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

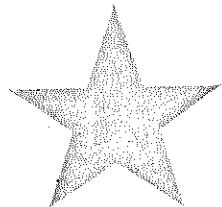
(signature and office of individual taking acknowledgment)

SECTION 0012

BLOCK 00400

LOT 006

COUNTY OR TOWN Oyster Bay



DKS

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

May 19, 2017

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

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

SUBJECT: 14 GAINSBORO LANE, SYOSSET
CLEAN UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$255.05.

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

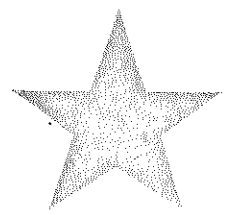

JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

1 2017 DEC 20 A 9 47
TOWN OF OYSTER BAY
COMMUNITY DEVELOPMENT
677-5804

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





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

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

Date May 16, 2017

Work Order # 36768

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GREGORY MARCHESE	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
VINCENT CAGGIANO JR.	General Maintenance	01:00	\$23.69	00:00	0	\$23.69
Total Labor						\$71.05

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU414	PICK UP 2011 FORD F250 YELLO (12 / 012)	\$79.00	01:00	\$79.00
TD593	TRUCK DUMP 2006 FORD F-350 YW (T-300) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$184.00

Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$255.05

Description of Work:

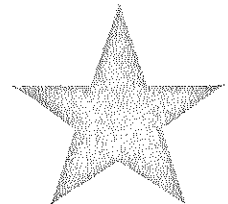
CLEAN UP 14 GAINSBORO LANE SY TO DOUG

Signature: _____

Name: Douglas Robulano

Title: Storeyard Supervisor

Date: May 19, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 11, 2017, authorized the Highway Department to clean up the premises located at 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8 to 10 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 16, 2017, in the total amount of \$457.71, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$457.71 may be assessed by the Legislature of the County of Nassau against the parcel known as 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8 to 10 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

22

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 20, 2018

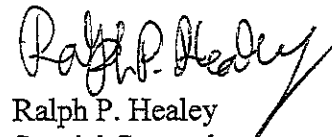
SUBJECT: Property Cleanup Assessment
47 Chestnut Street, Hicksville, New York 11801
Section 12, Block 253, Lots 8 to 10

The Department of Planning and Development, by memorandum dated May 11, 2017, directed the Highway Department to clean the premises located at 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8 to 10 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 19, 2017, advised that the property was cleaned by a crew from the Highway Department on May 16, 2017. The cost incurred by the Town of Oyster Bay was \$457.71.

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

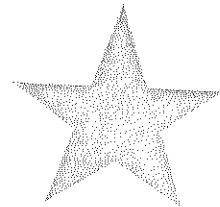
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 47 Chestnut St. 4.24.18.doc



2018-6409
Need ltr

TOWN OF OYSTER BAY

**Inter-Departmental Memo
May 11, 2017**

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

Notice of Violation (No.16891) was issued to the owner of the above-referenced premises 05/01/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

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

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

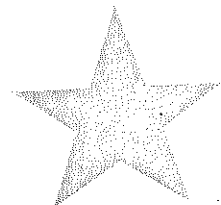
ELIZABETH L. MACCARONE
COMMISSIONER

BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



FM19785

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

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

BETWEEN

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

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

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

party of the second part,

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

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

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

SEE SCHEDULE A ATTACHED HERETO
AND MADE A PART HEREOF.

Section

12

Block

253

Lot(s)

8,9410

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

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

IN PRESENCE OF:

Douglas Bedell EXECUTOR OF THE ESTATE
OF KENNETH ALLEN BEDELL

DOUGLAS BEDELL, Executor of the Estate
of Kenneth Allen Bedell

JES

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

May 19, 2017

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

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

SUBJECT: 47 CHESTNUT STREET, HICKSVILLE
CLEAN UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$457.71.

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

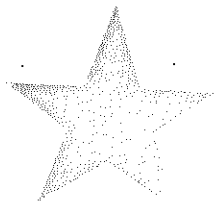
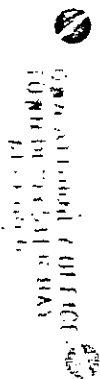

JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

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

2018 JAN 22 A 3:35





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

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

Date May 16, 2017

Work Order # 36803

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
BRYAN HIGGINS	General Maintenance	00:30	\$35.26	00:00	0	\$17.63
GREGORY MARCHESE	General Maintenance	01:30	\$47.36	00:00	0	\$71.04
VINCENT CAGGIANO JR.	General Maintenance	01:30	\$23.69	00:00	0	\$35.54
Total Labor						\$124.21

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU414	PICK UP 2011 FORD F250 YELLO (12 / 012)	\$79.00	01:30	\$118.50
SW186	SWEeper 2013 ISUZU NRR YELLO (S-101)	\$115.00	00:30	\$57.50
TD593	TRUCK DUMP 2006 FORD F-350 YW (T-300) - Power Wagons	\$105.00	01:30	\$157.50
Total Equipment				\$333.50

Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$457.71

Description of Work:

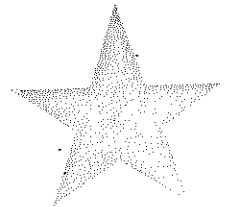
CLEAN UP 47 CHESTNUT STREET HV TO DOUG

Signature:

Name: Douglas Robulano

Title: Storeyard Supervisor

Date: May 19, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 22, 2017, authorized the Highway Department to clean up the premises located at 43 West Avenue, Hicksville, New York 11801, also known as Section 45, Block 44, Lots 72 and 172 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on June 16, 2017, in the total amount of \$3,205.35, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$3,205.35 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 West Avenue, Hicksville, New York 11801, also known as Section 45, Block 44, Lots 72 and 172 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

13

Town of Oyster Bay

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 20, 2018

SUBJECT: Property Cleanup Assessment
43 West Avenue, Hicksville, New York 11801
Section 45, Block 44, Lots 72 and 172

The Department of Planning and Development, by memorandum dated May 22, 2017, directed the Highway Department to clean the premises located at 43 West Avenue, Hicksville, New York 11801, also known as Section 45, Block 44, Lots 72 and 172 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated June 20, 2017, advised that the property was cleaned by a crew from the Highway Department on June 16, 2017. The cost incurred by the Town of Oyster Bay was \$3,205.35.

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

Kindly place this matter on the Town Board Action Calendar.

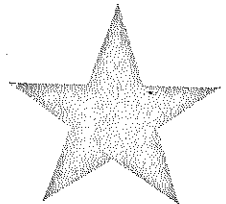
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 43 West Ave 4.24.18.doc



✓ 2017-6075
Need Att

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 22, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 43 West Avenue Hicksville, NY 11801
SBL: 45-44-72 + 172

Notice of Violation (No.16981) was issued to the owner of the above-referenced premises 05/10/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass be cut.
- The bushes be trimmed.
- The litter and debris be removed.
- The graffiti on the side of the dwelling by the driveway be removed.

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

ELIZABETH L. MACCARONE
COMMISSIONER

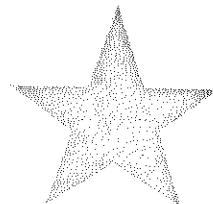
BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



THIS INSTRUMENT, made on the 2nd day of August, nineteen hundred and seventy-six, between MICHAEL H. PASULLO and CAMILLA PASULLO, his wife, both residing at 43 West Avenue, Hicksville, New York,

and DAVID KLEIN and JEANETTE KLEIN, his wife, both residing at 1 Owl Road, West Hempstead, New York,

of the second part,

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

All that certain plot, place or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Hicksville, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by Lots Nos. 72 and 72A on a certain map entitled, "Map of Property belonging to Philippine Cross at Hicksville, Nassau County, Long Island," survey Dec. 1910 by H. E. Hawkhurst, C.E., which said map was filed in the Office of the Clerk of the County of Nassau on January 11, 1911, No. 86, which said lots are bounded and described as follows:

BEGINNING at a point on the westerly side of West Avenue, distant 100 feet northerly from the corner formed by the intersection of the westerly side of West Avenue and the northerly side of Genesee Street (Villar St.); running thence westerly at right angles to the westerly side of West Avenue, 228.30 feet; running thence northerly and parallel with the westerly side of West Avenue, 86 feet; running thence easterly at right angles to the westerly side of West Avenue, 228.30 feet to the westerly side of West Avenue; running thence southerly along the westerly side of West Avenue, 86 feet to the point or place of BEGINNING.

SAID PREMISES being known as #43 West Avenue, Hicksville, New York.

BEING AND INCLUDED to be the same premises conveyed to the party of the first part by deed dated October 6, 1945 and recorded in Liber 2349 of deeds at page 376.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any street and roads showing the above described premises to the center line thereof; TOGETHER with the appurtenances and all the covenants and rights of the party of the first part in and to the premises; TO HAVE AND TO HOLD the premises hereto granted unto the party of the second part, the heirs, assigns and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as shown on the map, and the party of the first part, in compliance with Section 13 of the Real Property Law, or statute that the party of the first part will receive no consideration for this conveyance and will hold the same to receive such consideration as a trust fund to be applied for the purpose of paying the cost of the appurtenances and will apply the same first to the payment of the taxes of the appurtenances before using any part of the fund so received for any other purpose.

Not word "party" shall be construed as if word "person" whenever the sense of this instrument so requires. IN WITNESS WHEREOF, a party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]

[Signature]
Michael H. Pasullo

[Signature]
Camilla Pasullo

Noted for recording
Section 11
Lot 72 & 72A



STATE OF NEW YORK, COUNTY OF NASSAU
On the 2nd day of August 1976, before me personally came
MICHAEL E. TASULLO and
CAMILIA TASULLO
to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

[Signature]

Notary Public in and for the State of New York, since 1977

On the day of 1976, before me personally came
to me known, who being by me duly sworn, did depose and say that he resides at No.

that is to the

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such instrument; that it was so signed by order of the board of directors of said corporation; and that he signed the same therein by the order.

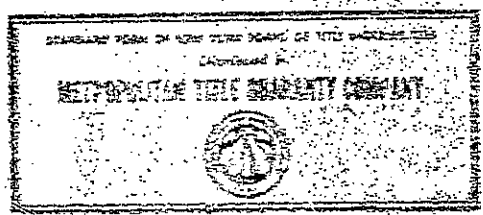
STATE OF NEW YORK, COUNTY OF NASSAU
On the day of 1976, before me personally came
to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

STATE OF NEW YORK, COUNTY OF NASSAU
On the day of 1976, before me personally came
the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who being by me duly sworn, did depose and say that he resides at No.
that is known

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed in name as witness thereto.

Register and Sale Book
Metropolitan Title Guaranty Company
TOLL NO. 76-N-61579

MICHAEL E. TASULLO and
CAMILIA TASULLO, his wife
DAVID KLEIN and
JEANETTE KLEIN, his wife



SECTION 45
BLOCK 44
LOT 8 72 & 172
VILLAGE TOWN of Oyster Bay
County of Nassau

Recorded in favor of
Metropolitan Title Guaranty Company
RETURN BY MAIL TO:

STUART F. BARROW, ESQ.
90 Jerusalem Avenue
Ricksville, New York 11801

RECORDED
AUG 5 1976
NASSAU COUNTY
NASSAU COUNTY
AUG 5 1976
NASSAU COUNTY
RECEIVED
1976
REAL ESTATE
AUG 5 1976
NASSAU COUNTY
NASSAU COUNTY



DBS

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

June 20, 2017

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

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

SUBJECT: 43 WEST AVENUE, HICKSVILLE
CLEAN-UP/BOARD -UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$3,205.35.

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



JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

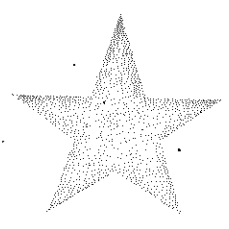
JPB/kjb

Enc. T & M sheet

CLEAN-UP 43 WEST AVENUE, HICKSVILLE TO P & D

RECEIVED
TOWN OF OYSTER BAY
JUN 21 2017

2017 JUN 29 P 1:44





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (45-44-72) 43 WEST AVE HICKSVILLE 11801

Date Jun 16, 2017

Work Order # 37170

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SALVATORE DILEO, JR.	General Maintenance	02:00	\$35.90	00:00	0	\$71.80
MICHAEL GIORDANO	General Maintenance	00:00	\$29.35	02:00	1.5	\$88.05
ANTHONY MARASUILO	General Maintenance	02:00	\$36.45	00:00	0	\$72.90
JEFFREY CARTER	General Maintenance	00:00	\$38.84	02:00	1.5	\$116.52
RUBEN FOURNIER	General Maintenance	02:00	\$35.14	00:00	0	\$70.28
KEVIN FREIBERG	General Maintenance	00:00	\$34.59	01:00	1.5	\$51.89
TYRONE JACKSON	General Maintenance	02:00	\$35.74	00:00	0	\$71.48
GARY LEWIS, II	General Maintenance	00:00	\$32.87	01:00	1.5	\$49.30
TIMOTHY OLSON	General Maintenance	00:00	\$38.84	02:00	1.5	\$116.52
JOSEPH SANTANGELO	General Maintenance	01:00	\$41.75	00:00	0	\$41.75
JOSEPH SANTANGELO	General Maintenance	00:00	\$41.75	01:00	1.5	\$62.63
DORIAN COVEN	General Maintenance	00:00	\$25.76	02:00	1.5	\$77.28
JOSEPH PISZCZATOWSKI	General Maintenance	00:00	\$48.74	01:00	1.5	\$73.11
JEFFREY VAN NOSTRAND	General Maintenance	02:00	\$43.77	00:00	0	\$87.54
GARY GAGLIARDI, JR.	General Maintenance	02:00	\$24.60	00:00	0	\$49.20
RAYMOND SWIERKOWSKI	General Maintenance	00:00	\$26.65	02:00	1.5	\$79.95
Total Labor						\$1180.20

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK406	SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932)	\$105.00	04:00	\$420.00
PU443	PICK UP 2012 FORD F-250 YW (25 / 025)	\$79.00	02:00	\$158.00
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	02:00	\$158.00
TD574	TRUCK DUMP 2005 INTL 7300 YW (T-233)- 6 Wheeler	\$131.00	02:00	\$262.00
TD655	PICK-UP TRUCK 2009 FORD F-250 YW (16 / 016)	\$79.00	02:00	\$158.00
TD670	TRUCK DUMP 2009 FORD F-350 YW (T-235) - Power Wagons	\$105.00	02:00	\$210.00
TD693	TRUCK DUMP 2010 FORD F-350 YW (T-255) - Power Wagons	\$105.00	02:00	\$210.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	02:00	\$210.00
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	02:00	\$158.00
Total Equipment				\$1944.00

Materials

Material	Cost Per Unit	Units	Line Cost
Lumber 2"x4"x8'	\$3.20	6	\$19.20
Plywood 4'X8'X1/2"	\$20.65	3	\$61.95
Total Materials			\$81.15

Grand Total \$3205.35

Description of Work:

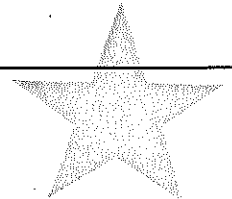
CLEAN UP 43 WEST AVENUE HV

Signature: _____

Name: Douglas Robulano

Title: Storeyard Supervisor

Date: Jun 20, 2017



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 4, 2017, authorized the Highway Department to clean up the premises located at 7 Pickwick Drive South, Hicksville, New York 11801, also known as Section 12, Block 174, Lot 416 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated April 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 11, 2017, in the total amount of \$1,311.98, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated April 20, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,311.98 may be assessed by the Legislature of the County of Nassau against the parcel known as 7 Pickwick Drive South, Hicksville, New York 11801, also known as Section 12, Block 174, Lot 416 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

24

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 20, 2018

SUBJECT: Property Cleanup Assessment
7 Pickwick Drive South, Hicksville, New York 11801
Section 12, Block 174, Lot 416

The Department of Planning and Development, by memorandum dated October 4, 2017, directed the Highway Department to clean the premises located at 7 Pickwick Drive South, Hicksville, New York 11801, also known as Section 12, Block 174, Lot 416 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 16, 2017, advised that the property was cleaned by a crew from the Highway Department on October 11, 2017. The cost incurred by the Town of Oyster Bay was \$1,311.98.

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

Kindly place this matter on the Town Board Action Calendar.

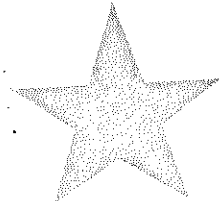
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 7 Pickwick Dr S 4.24.18.doc



Kent
Jeter

HIGHWAY DEPARTMENT

TOWN OF OYSTER BAY

Inter-Departmental Memo

October 4, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 7 Pickwick Dr. S Hicksville, NY 11801
SBL: 12-174-416

Notice of Violation (No.16914) was issued to the owner of the above-referenced premises 09/25/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass and vegetation be cut.

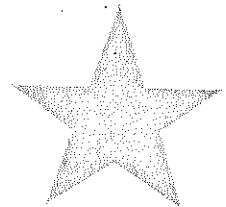
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



BARGAIN AND SALE DEED

WITNESSETH, THAT Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto Grantee and the heirs, executors, administrators, legal representatives, successors and assigns of Grantee forever.

ALL that certain plot, piece of parcel of land, with the buildings and improvements thereon erected, situate, lying and being in, the County of NASSAU and the State of New York, being more particularly Described in Schedule A attached hereto and made a part hereof,

TOGETHER with the appurtenances and all the estate and rights of Grantor in and to said premises,

Grantor is the owner of said premises. Said premises is not located in an agricultural district. Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein. Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF Grantor has duly executed this deed as of the date first above written.

Linda Adamec

On the 31 day of September, 2006 before me, the undersigned, a Notary Public in and for said State, personally appeared Robert Adamec and Linda Adamec, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s), Whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the person upon behalf of which the individual(s), acted, executed the instrument.

Signature and Office of individual taking acknowledgment

MICHELE R. GOETZ
NOTARY PUBLIC STATE OF NEW YORK
NO. 4944210 GUAL SUFFOLK COUNTY



BARGAIN AND SALE DEED

dated ~~August 31~~ ^{August 31} September __, 2006

From

Robert Adamec and Linda Adamec

Grantor

To

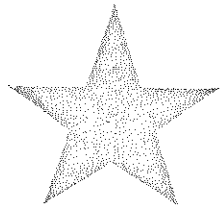
Bina Mustafa

Grantee

Please record and return to:

Sandra Busell
Attorney At Law
Busell & Stier, PLLC
98 Cutter Mill Road, Ste. 395N
Great Neck, NY 11021

RECORDED IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NASSAU, ON SEPTEMBER 11, 2006.



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

October 16, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 7 PICKWICK DRIVE S., HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,311.98.

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



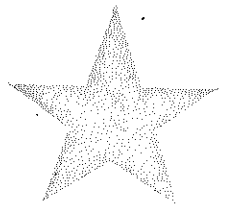
JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 7 PICKWICK DRIVE S., HICKSVILLE TO P & D

2017 DEC -14 P 3:56
TOWN ATTORNEY'S OFFICE
60600 677-5804
1111111111





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (12-174-416) 7 PICKWICK DR S HICKSVILLE 11801

Date Oct 11, 2017

Work Order # 41028

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JEFFREY CARTER	General Maintenance	01:00	\$38.84	00:00	0	\$38.84
BRYAN HIGGINS	General Maintenance	01:00	\$35.26	00:00	0	\$35.26
GARY LEWIS, II	General Maintenance	01:00	\$32.87	00:00	0	\$32.87
CHRISTOPHER MADDEN	General Maintenance	01:00	\$24.36	00:00	0	\$24.36
RAYMOND SWIERKOWSKI	General Maintenance	01:00	\$26.65	00:00	0	\$26.65
Total Labor						\$157.98

Tools/Vehicle

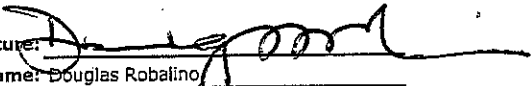
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK406	SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932)	\$105.00	01:00	\$105.00
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	01:00	\$79.00
SW174	SWEEPER 2010 SCHWZ M6000 YW (S-141)	\$115.00	01:00	\$115.00
TD635	TRUCK DUMP 2008 FORD F350 YW (T275 / T-275) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$404.00

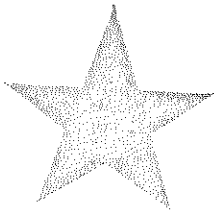
Materials

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

Grand Total \$1311.98

Description of Work:
7 PICKWICK DRIVE S. HICKSVILLE

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Oct 16, 2017



WHEREAS, Michelle Hollander, STEM & Logistics Director, The Waterfront Center, 1 West End Avenue, Oyster Bay, 11771, by letter dated April 11, 2018, requested a roll-off container to be placed on the southeast corner of Beekman Beach on Friday, June 1, 2018 and collected on Monday, June 4, 2018, for their Bay Day event on Sunday, June 3, 2018; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works and Highway, by memorandum dated April 23, 2018, has advised that he has no objection to providing a roll-off container for Bay Day on Sunday, June 3, 2018, at the southeast corner of Beekman Beach, which container can be dropped off on Friday, June 1, 2018 and collected on Monday, June 4, 2018, because it is not required for use by the Departments of Public Works and/or Highway at those times and the roll-off container can be provided, without charge, as the event is not a fundraising event or profit-making event as defined in the Code of the Town of Oyster Bay, Chapter 201 "Solid Waste", Section 17; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Departments of Public Works and Highway are hereby authorized to provide a roll-off container to The Waterfront Center for Bay Day from Friday, June 1, 2018 through Monday, June 4, 2018, without charge, as the event is not a fundraising event or profit-making event as defined in the Code of the Town of Oyster Bay, Chapter 201 "Solid Waste", Section 17, for Bay Day on Sunday, June 4, 2017, and subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of the Highway Department, or his duly authorized designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforescribed activities; and
3. The said organization shall file a Certificate of Insurance and Hold Harmless Agreement with the Office of the Town Clerk, indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate, and naming the Town as an additional insured, in connection with the aforescribed activity.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

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

April 23, 2018

TO: Memorandum Docket

FROM: Richard W. Lenz, P.E., Commissioner of Department of Public Works/Highway

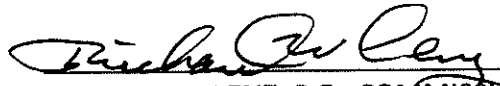
SUBJECT: Request: ONE ROLL OFF CONTAINER
The Waterfront Center
1 West End Avenue, Oyster Bay, New York 11771

Attached please find a copy of a letter received in this office from Michelle Hollander, STEM & Logistics Director, requesting one roll off container for their Bay Day event. The container will be placed at Beekman Beach on the southeast corner on Friday, June 1, 2018 and will be collected on Monday, June 4, 2018.

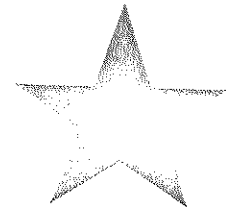
An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay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

It is our opinion that Bay Day does not constitute a fundraising event, or profit-making event. Therefore, we hereby request the Honorable Town Board to approve the use of Town equipment without a charge.

Attached please find their certificate of insurance, endorsement and Hold Harmless Agreement for the use of Town of Oyster Bay equipment by The Waterfront Center from Friday, June 1, 2018 through Monday, June 4, 2018.


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

RWL:cw
Attachments
cc: Joseph Nocella, Town Attorney (7 copies)
Steven Ballas, Comptroller





DP

Officers:

Michael Drennan
Co-President
Ian Gumprecht
Co-President
Howard Szarfarc
Treasurer
Pam Martocci
Secretary

Town of Oyster Bay
Commissioner of Public Works
150 Miller Place
Syosset, NY 11791

April 11, 2018

Trustees:

Jay Benjamin
Tim Dooley
Jamie Deming
George Ellis
Art Johnson
Hunt Lawrence
Janine Lizza
Edie Meyer
Willets Meyer
Jennifer Scheblein
Alex Smith

Dear Commissioner Richard Lenz,

The WaterFront Center in Oyster Bay is holding our annual Bay Day event being held on Sunday, June 3rd at Beekman Beach. We would like to request a roll-off container (dumpster) for the dates of June 1st – June 4th. Our endorsement form is attached.

Executive Director:

David Waldo

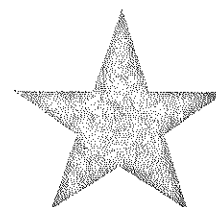
Thank you for your time,

Michelle Hollander

Advisory Board:

Diane McGaw
Jim Weinman
Dave Relyea
Mary Alice Kolodner
John McGrane
Gene Kaplan, PhD
Clint Smith
Woody Glenn
Jacob Daniel

Michelle Hollander
STEM & Logistics Director
P: 516.922.7245 ext. 26
F: 516.922.2901
The WaterFront Center
www.TheWaterFrontCenter.org



(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)

PLEASE TYPE OR PRINT CLEARLY

Name of Organization: The Waterfront Center

Billing Address: 1 West End Avenue
Oyster Bay, NY 11771

Phone Number (Days): (516) 922-7245

Number of Container(s) Requested: 1

Address Where Container(s) Would Be Placed: 1 West end ave. " → Beekman
Beach Parking lot

Dates Container(s) Needed: From Fri. 6/1/18 To Mon. 6/4/18

Describe The Event For Which Container(s) Is/Are Requested: Bay Day - free
festival

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? This is a non-profit event!

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

Signature: Michelle Hukale Date: 04/03/18

Title: STEM & Logistics Director

Signature : _____ Date Received: _____

Signature: _____ Date Picked Up: _____

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:

Approved By Resolution No.: ✓ \$250 Charge Applies: YES _____ NO ✓

To Be Completed By Scale House:

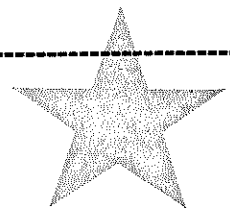
Disposal Authorization Ticket No.: _____

Load Ticket No.: _____

Date: _____

Signature: _____

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



REVIEWED BY
10/2

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

This Agreement is made this 3rd day of April 2018, by The Waterfront Center
(Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or
equipment located at and/or described as dumpster (roll-off containers
for event)

For the event described as Bay Day
The property/equipment is need from Friday, 6/1/18 to Mon. 6/4/18
The event for which the property and/or equipment is requested () is () is not a not a profit making
event.

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

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

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

Name of Organization:

The Waterfront Center

Address of Organization:

1 West End Avenue
Oyster Bay, NY 11771

By: Michelle Hollandar (Michelle
Authorized Representative Hollandar)

Title: Term & Logistics Director

Telephone Number: (516) 922-7245

Reviewed By
Office of Town Attorney

DM



Client#: 8092

WATERCEN

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/22/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Starkweather & Shepley (WE) Insurance, Inc. PO Box 549 Providence, RI 02901-0549	CONTACT NAME: Linda J. Wagner PHONE (A/C, No, Ext): 401 596-2212 FAX (A/C, No): 401-431-9661 E-MAIL: lwagner@starshep.com ADDRESS: lwagner@starshep.com
INSURED The Waterfront Center 1 West End Avenue Oyster Bay, NY 11771	INSURER(S) AFFORDING COVERAGE INSURER A: Travelers INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		ZOL14R4191A18ND	01/07/2018	01/07/2019	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
P & I						

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is included as Additional Insured ATIMA per Written Contract for the time period of May 21-June 5, 2018

CERTIFICATE HOLDER

CANCELLATION

Town Of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Linda J. Wagner

Reviewed By
Office of Town Attorney

ACORD 25 (2014/01) 1 of 1
#S1110581/M1083709

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LJW

**BLANKET ADDITIONAL INSURED ENDORSEMENT -
INCLUDING COMPLETED OPERATIONS (BROAD FORM)**

In consideration of an additional premium of \$INCLUDED and subject to all terms, conditions and exclusions contained in this policy, and further subject to the conditions of this endorsement, it is agreed that:

1. Clause 11 - Persons Insured of Section I: General Conditions is amended to include as an additional insured, with waiver of subrogation if required, any person or organization whom the Named Insured is required to add as an additional insured on this policy under:
 - (1) A written contract; or
 - (2) An oral agreement or contract where a Certificate of Insurance has been issued showing that person or organization as an additional insured; but the oral agreement or written contract must be:
 - (a) An "Insured contract";
 - (b) Currently in effect or becoming effective during the term of this policy; and
 - (c) Executed or agreed to prior to an "occurrence" or offense that gives rise to a "claim" or "suit".

Such person or organization is an additional insured only with respect to liability arising out of work performed for said additional insured by or on behalf of the Named Insured. When required by a written contract or agreement between the Named Insured and the additional insured, shown on a Certificate of Insurance provided to this Company, coverage afforded by this policy shall be primary and non-contributory.

2. Where a contract or agreement for the lease or rental of premises obligates the Named Insured to add the manager or lessor of such premises as an additional insured, such manager or lessor is an additional insured only with respect to their liability arising out of the maintenance, operation or use by the Named Insured of that leased premises.

This insurance does not apply to:

- (a) Any "occurrence" which takes place after the Named Insured has ceased to lease or rent the premises;
 - (b) Structural alterations, new construction or demolition operations performed by or on behalf of such additional insured;
3. Where a contract or agreement for the lease or rental of equipment obligates the Named Insured to add the lessor of such equipment as an additional insured, such lessor is an additional insured only with respect to its liability arising out of the maintenance, operation or use by the Named Insured of that leased equipment.

This insurance does not apply to:

Reviewed By
Office of Town Attorney

Name of Insured	Policy Number
The Waterfront Center	ZOL14R4191A18ND

Effective Date	01/07/2018
Processing Date	01/24/2018

OMOL0138 Ed. 07-13

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Page 1 of 2

- (a) Any "occurrence" which takes place after the equipment lease expires;
4. When an additional insured is a partner or member of a partnership, joint venture, or limited liability company, this policy will only respond for liabilities insured hereunder for an amount not exceeding the additional insured's participation in such partnership, joint venture or limited liability company.
5. The inclusion of an additional insured under this insurance does not:
- (1) Increase the Limits of Insurance set forth under Clause 7, Limits of Insurance, of Section I: General Conditions;
 - (2) Obligate the Company to send notice of cancellation or change of coverage to an additional insured;
 - (3) Apply to an "insured contract" entered into by the additional insured.
6. Insurance afforded to an additional insured under this policy shall not exceed the coverage and/or limits required by the contract or agreement between the Named Insured and additional insured.



Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, conditions, provisions, agreements or limitations of the above mentioned policy, other than as above stated.

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Departments of Public Works and Highways, by memorandum dated April 17, 2018, has advised that the Department of Highways is in receipt of a request from Aecom Technical Services, Inc., on behalf of Resource Environmental, LLC, to enter into a test well agreement in order to access the Town's right of way at two (2) locations along Palo Alto Drive, Plainview, New York, to install two (2) permanent test wells at the locations herein described, as part of an investigation at the direction of the New York State Department of Environmental Conservation (NYSDEC) with regard to groundwater contamination which originated from two gasoline stations at the intersection of Old Country Road and Plainview Road in Plainview,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Supervisor, or his designee, is hereby authorized to enter into test well agreements with Resource Environmental, LLC, permitting drilling and the installation of two (2) permanent test wells on Palo Alto Drive, Plainview, New York, following submission and approval by the Office of the Town Attorney of all necessary certificates of insurance for the aforementioned test well installations.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

30

TOWN OF OYSTER BAY

324

Inter-Departmental Memo

April 17, 2018

TO: MEMORANDUM DOCKET
FROM: RICHARD LENZ, P.E., COMMISSIONER DPW
SUBJECT: ACCESS TO TOWN OF OYSTER BAY RIGHT-OF-WAY FOR INSTALLATION OF MONITORING WELLS

APPLICANT: AECOM TECHNICAL SERVICES, Inc.
(on behalf of Resource Environmental, LLC)
4700 LA Highway 22, #520
Mandeville, LA 70471

SITE LOCATION: Right-of-way at two locations along Palo Alto Drive in Plainview, New York

The Department of Highways is in receipt of a request from the above-named applicant for permission to install two (2) permanent test wells in Town of Oyster Bay roadway easements on Palo Alto drive in Plainview, New York. The proposed test wells are being installed as part of an investigation being conducted under the oversight of the New York State Department of Environmental Conservation (NYSDEC) with regard to groundwater contamination from two gas stations at the intersection of Old Country Road and Plainview Road in Plainview. The new test wells will provide data to help in defining groundwater levels and groundwater quality over time.

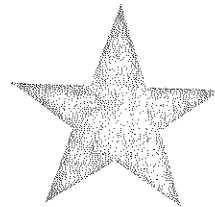
At this time, this Department of Highways has completed its review, including site inspection, and all fees have been paid.

On the basis of the foregoing, it is requested that this item be on the agenda for the Town Board meeting of May 8, 2018 for a resolution to approve access to Town of Oyster Bay rights-of way along Palo Alto Drive in Plainview for the purpose of installing permanent test wells in connection with the NYSDEC investigation.


RICHARD LENZ, P.E.
COMMISSIONER DPW

RL/taw
Attachment

C: Town Attorney (7)
Richard Lenz, P.E., Commissioner DPW
John P. Bishop, Deputy Commissioner Highway
Terry A. Wulforst, Permit Bureau



Terry / Sal

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 30, 2018

HIGHWAY DEPARTMENT

TO : JOHN BISHOP, DEPUTY COMMISSIONER
DEPARTMENT OF HIGHWAYS

FROM : MATTHEW RUSSO, P.E., DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS


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

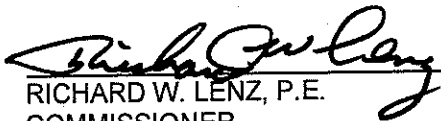
SUBJECT: INSTALLATION OF MONITORING WELLS ON PALO ALTO DRIVE, PLAINVIEW

The office of Lockwood, Kessler & Bartlett, Inc. (LKB), under contract with the Department of Public Works, has reviewed the test well application submitted by AECOM on behalf of Resource Environmental, LLC. The proposed installation is at the direction of the New York State Department of Environmental Conservation (NYSDEC) to study potential groundwater contamination from two gas stations at the intersection of Old Country Road and Plainview Road.

Based upon the information provided by AECOM and through subsequent discussion with LKB, the proposed installation follows typical design standards, and necessary public outreach has been performed by the applicant. The Division of Engineering concurs with the findings of LKB, and has no objections to the issuance of this permit.

Enclosed please find a summary letter from LKB, dated January 23, 2018, and the original right of way permit application, test well agreements, checks and insurance documentation. Please note that the insurance certificate has expired, and a renewal should be obtained prior to the start of work.


MATTHEW RUSSO, P.E.
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS


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

RWL/MR/ik

Attachment

C: John Tassone, Division of Engineering

HIGHWAY WELL PERMIT REVIEW - PLAINEDGE DRIVE, BETHPAGE





Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

January 23, 2018
LKB Project No. 2017-0101

Matthew Russo, PE
Town of Oyster Bay Department of Public Works
Division of Engineering
150 Miller Place
Syosset, New York 11791

Re: AECOM Application to Install Two Monitoring Wells on Palo Alto Drive, Plainview, NY

Matt,

Per the Town's request, LKB has reviewed AECOM's application to install Monitoring Wells WN-17 (100-150) and WN-17 (165-205) on Palo Alto Drive in Plainview. The wells are being installed on behalf of Resource Environmental, LLC (RELLC), at the request of the NYSDEC. They will be used to monitor groundwater quality downgradient of two gas stations located at the intersection of Old Country Road and Plainview Road.

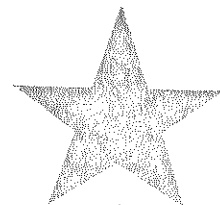
It is our professional judgement that this application meets the Town's requirements and we recommend that it be approved. The specific results of our review are summarized below:

Public Notice: A Neighborhood Notice was issued and is acceptable. It provided a work description, location, schedule and contact information, and was hand-delivered to the homes in the area. Copies of the Neighborhood Notice and Drilling Notification Log are provided in Attachment 1.

Location: The proposed location is acceptable. The wells will be installed in the grass strip between the curb and sidewalk, on the dead-end (gated) section of Palo Alto Drive. The adjacent house fronts on the intersecting Wilshire Lane and has no doors or first-floor windows facing its Palo Alto Drive side yard. The living quarters of the houses across the street are not situated directly across from the well locations. Photographic Documentation of the well locations is provided in Attachment 2.

Construction: The proposed well construction is acceptable. Each well will consist of three to four 1-inch-diameter well points installed at varying depths within a 6-inch-diameter borehole. The wellheads will be the flush-mount variety that do not extend above grade. Copies of the Monitoring Well Construction Diagrams are provided in Attachment 3.

AN EQUAL OPPORTUNITY EMPLOYER



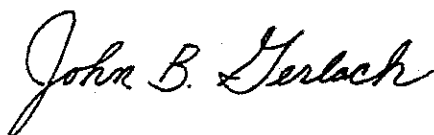
Insurance: The Certificate of Liability Insurance was provided, but it expired on April 1, 2017. Therefore, AECOM will just need to submit a current one to the Town prior to the start of work. A copy of the expired certificate is provided in Attachment 4.

Utility Mark-Out: The proposed well locations appear to be acceptable with respect to utility protection. There are no above-grade utilities in the vicinity. All utilities are below-grade. Based on information provided by AECOM, none are located in the proposed work area, but this will be confirmed prior to the start of drilling. An e-mail from AECOM documenting the status of the utility mark-out is provided in Attachment 5.

Thank you for this opportunity to be of service to the Town. Please let me know if we can be of further assistance.

Sincerely,

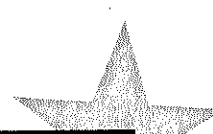
LOCKWOOD, KESSLER & BARTLETT, INC.



John Gerlach, NYPG, CGWP
Director of Environmental Sciences

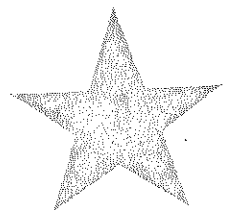
C.c., Megan Dascoli, CHMM, STS, AECOM
Chris Engelhardt, PE, NYSDEC
Paul Lappano, PE, BCEE, LEED AP, LKB
LKB Project File

Attachments (5)



Lockwood, Kessler & Bartlett, Inc.
One Aerial Way, Syosset, NY 11791
Phone: 516.938.0600 Fax: 516.931.6344

ATTACHMENT 1
Neighborhood Notice and Drilling Notification Log





NEIGHBORHOOD NOTICE

Dear Resident:

Resource Environmental L.L.C., an environmental management company, has been directed by the New York State Department of Environmental Conservation (NYSDEC) to perform drilling and well installation activities in the dead end area of Palo Alto Drive, near 23 Wilshire Lane. Therefore, RELLC is currently applying to the Town of Oyster Bay for permission to install this well. This drilling activity will be performed by AECOM, under the direction of the NYSDEC. This work is part of an ongoing effort to monitor groundwater potentially impacted by historic leaks at two gas stations at the corner of Old Country Road and Plainview Road. It's important to note that there are no human health impacts related to the potentially impacted aquifer. We are evaluating groundwater conditions located at 100-200 feet below the ground surface. There is no health concern at or near the surface of any residential property in the area.

Drilling activities will consist of two monitoring wells being drilled in the grassy strip between the sidewalk and the curb line on Palo Alto Drive, near the dead end (please see the map on reverse side of this neighborhood notice). Well installation activities are anticipated to take five to eight days. An application for Test Well Installation is being submitted to the Town of Oyster Bay. Once this has been approved, you will be notified with the start date of the drilling and well installation. **All of our work will be conducted between Monday-Friday, 8 a.m. and 5 p.m. and is being scheduled to minimize traffic issues and inconvenience to residents and disruption of the neighborhood. We appreciate your patience and understanding in this important undertaking.**

Due to the nature of the heavy equipment needed to drill the wells, it may be noisy at times in the immediate area of the drilling site. In addition, street parking in the dead end will be restricted during drilling operations. Traffic control will be conducted as needed and the work area will be secured. Any damage to the grass or sidewalk caused by the well installation will be repaired in a timely fashion once work is completed. We apologize for the inconvenience. If there are any special concerns or issues that you are aware of, please let us know.

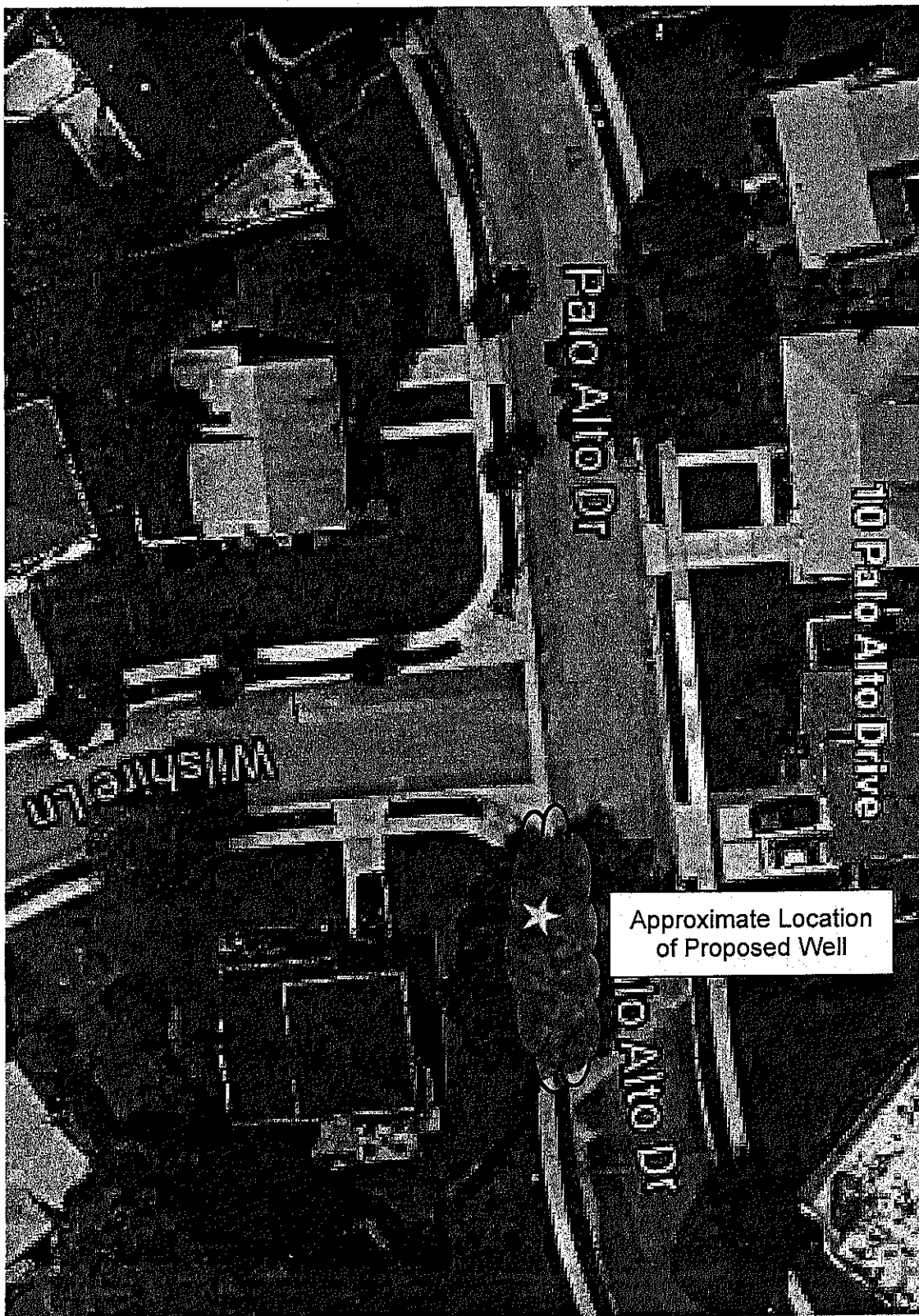
Who Can I Call with Questions?

For questions or issues regarding drilling and the groundwater investigation, please contact Megan Dascoli, AECOM, at 908-623-0145 (cell) or 212-377-8724 (office).

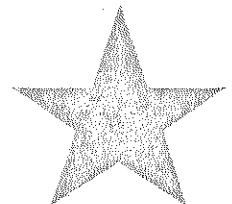
You may also contact Greg Vogelpohl, Resource Environmental LLC, at 805-286-4076. For more information concerning Resource Environmental LLC, check the company's website (www.rellc.net).

For questions regarding groundwater regulatory issues, you may contact the New York State Department of Environmental Conservation case manager Chris Engelhardt at 631-444-0336.

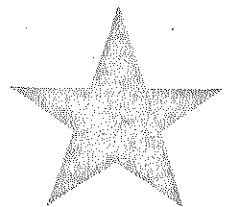




Date	Address	Hand Delivered Flyer to Door or Resident
10/31/2017	20 Wilshire Lane	X
10/31/2017	22 Wilshire Lane	X
10/31/2017	23 Wilshire Lane	X
10/31/2017	1 Palo Alto Drive	X
10/31/2017	2 Palo Alto Drive	X
No house	3 Palo Alto Drive	Address doesn't exist
10/31/2017	4 Palo Alto Drive	X
10/31/2017	5 Palo Alto Drive	X
10/31/2017	6 Palo Alto Drive	X
No house	7 Palo Alto Drive	Address doesn't exist
10/31/2017	8 Palo Alto Drive	X
10/31/2017	9 Palo Alto Drive	X
10/31/2017	10 Palo Alto Drive	X
10/31/2017	12 Palo Alto Drive	X
10/31/2017	97 Palo Alto Drive (condo)	X
10/31/2017	98 Palo Alto Drive (condo)	X
10/31/2017	99 Palo Alto Drive (condo)	X
10/31/2017	100 Palo Alto Drive (condo)	X
10/31/2017	85 Palo Alto Drive (condo)	X
10/31/2017	86 Palo Alto Drive (condo)	x



ATTACHMENT 2
Photographic Documentation





125 Broad St, 16th Fl
New York, NY 10004
Phone: 212-377-8400

PHOTOGRAPHIC DOCUMENTATION

CLIENT NAME:

RELLC

PROJECT NAME:

Plainview, New Well Installation

AECOM PROJECT:

60531180.02002

Photo No.

1

Date:

11/3/17

Description:

The yellow star indicates the preferred location for the new well on the southeast side of Palo Alto Drive.

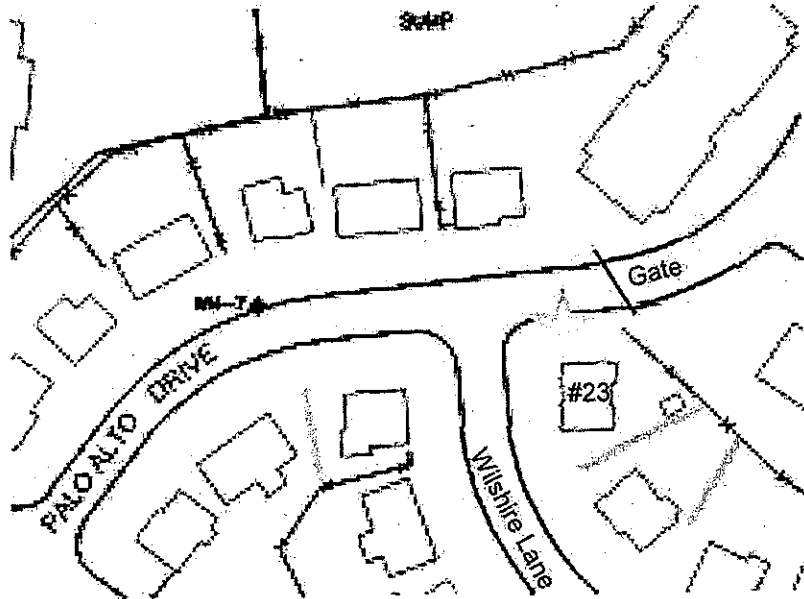


Photo No.

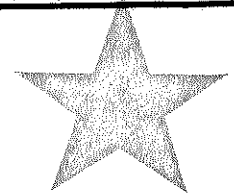
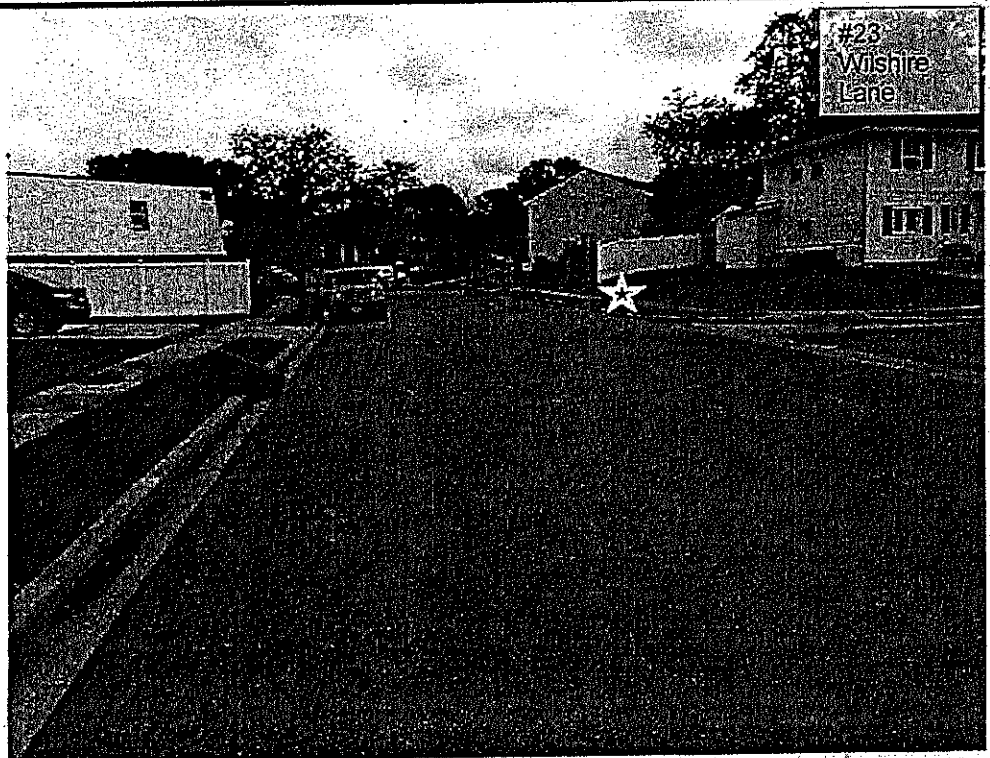
2

Date:

10/11/17

Description:

Looking east on Palo Alto Drive. Preferred location is on the south side of Palo Alto.



AECOM 125 Broad St, 16 th Fl New York, NY 10004 Phone: 212-377-8400		PHOTOGRAPHIC DOCUMENTATION
CLIENT NAME: RELLC	PROJECT NAME: Plainview, New Well Installation	AECOM PROJECT: 60531180.02002



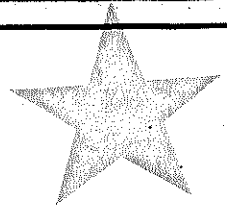
Photo No. 3	Date:	
Description: Looking east on Palo Alto Drive. Preferred location is on the south side of Palo Alto. There is a gate across the road before the condos that makes this area a dead end.		

Photo No. 4	Date: 10/11/17	
Description: Looking south at side of #23 Wilshire Lane. Megan D spoke to the home owner who didn't have a problem with this location.		





125 Broad St, 16th Fl
New York, NY 10004
Phone: 212-377-8400

PHOTOGRAPHIC DOCUMENTATION

CLIENT NAME:

RELLC

PROJECT NAME:

Plainview, New Well Installation

AECOM PROJECT:

60531180.02002

Photo No.
5

Date:
10/11/17

Description:

Looking west on Palo Alto Drive. Star indicates approximate location of preferred location.



Photo No.
6

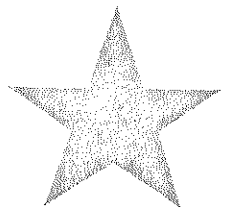
Date:
10/11/17

Description:

Looking northeast toward the preferred location.



ATTACHMENT 3
Monitoring Well Construction Diagrams



MONITORING WELL
CONSTRUCTION DIAGRAM

Site Name:
RELLC Plainview

WN-17(100-150)

Proposed Well Location:
Palo Alto Drive, Plainview, NY

AECOM Project number 60562002.02002		Elevation datum	
Drilling company Delta Well & Pump	Driller To Be Determined	Surveyor AECOM	Ground elevation (approximate) 155 ft amsl
Date and time of completion To Be Determined		Latitude (approximate) 40.774281	
Inspector AECOM		Longitude (approximate) -73.463190	Top of riser pipe elevation (approximate) 154.5 ft amsl

A = Top of Steel Cover
B = Ground Surface
C = Top of Riser
D = Top of Bentonite Seal
E = Top of Sand Pack
F = Screened Intervals
G = Bottom of Borehole

K E Y	ELEVATIONS (ft above Mean Sea Level)	DEPTHS (ft below ground, not to scale)
A	155	0
B	155	0
C	154.5	0.5
D	59	96
E	57	98
F	55 - 50	100 - 105
F	40 - 35	115 - 120
F	25 - 20	130 - 135
F	10 - 5	145 - 150
G	5	150

2'x2' CONCRETE PAD

STEEL COVER AND LOCK

LOCKING WELL CAP

GROUND SURFACE

RISER PIPE:
1-inch Schedule 40 PVC

ANNULUS GROUTED WITH:
Bentonite/Cement Mixture

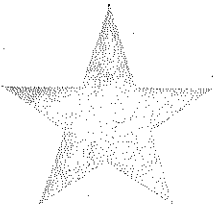
BENTONITE SEAL:
Hydrated Bentonite Chips

SAND/GRAVEL PACK:
Natural Collapse

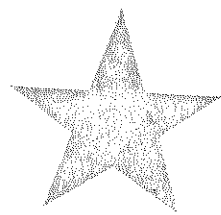
SCREEN:
1-inch Schedule 40 PVC, 0.020 slot

DIAMETER OF
BOREHOLE: 6 inches

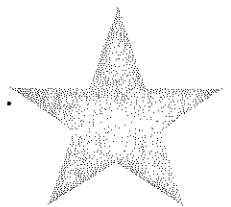
REMARKS



MONITORING WELL CONSTRUCTION DIAGRAM																																	
Site Name: RELLC Plainview		WN-17(160-205)																															
Proposed Well Location: Palo Alto Drive, Plainview, NY																																	
AECOM Project number 60562002.02002		Elevation datum																															
Drilling company Delta Well & Pump	Driller To Be Determined	Surveyor AECOM	Ground elevation (approximate) 155 ft amsl																														
Date and time of completion To Be Determined		Latitude (approximate) 40.774281																															
Inspector AECOM		Longitude (approximate) -73.463190	Top of riser pipe elevation (approximate) 154.5 ft amsl																														
A = Top of Steel Cover B = Ground Surface C = Top of Riser D = Top of Bentonite Seal E = Top of Sand Pack F = Screened Intervals G = Bottom of Borehole	<table><thead><tr><th>K E Y</th><th>ELEVATIONS (ft above Mean Sea Level)</th><th>DEPTHS (ft below ground, not to scale)</th></tr></thead><tbody><tr><td>A</td><td>155</td><td>0</td></tr><tr><td>B</td><td>155</td><td>0</td></tr><tr><td>C</td><td>154.5</td><td>0.5</td></tr><tr><td>D</td><td>-1</td><td>156</td></tr><tr><td>E</td><td>-3</td><td>158</td></tr><tr><td>F</td><td>-5 to -10</td><td>160 - 165</td></tr><tr><td>F</td><td>-30 to -35</td><td>185 - 190</td></tr><tr><td>F</td><td>-45 to -50</td><td>200 - 205</td></tr><tr><td>G</td><td>-50</td><td>205</td></tr></tbody></table>	K E Y	ELEVATIONS (ft above Mean Sea Level)	DEPTHS (ft below ground, not to scale)	A	155	0	B	155	0	C	154.5	0.5	D	-1	156	E	-3	158	F	-5 to -10	160 - 165	F	-30 to -35	185 - 190	F	-45 to -50	200 - 205	G	-50	205	<p>2x2' CONCRETE PAD</p> <p>STEEL COVER AND LOCK</p> <p>LOCKING WELL CAP</p> <p>GROUND SURFACE</p> <p>RISER PIPE: 1-inch Schedule 40 PVC</p> <p>ANNULUS GROUTED WITH: Bentonite/Cement Mixture</p> <p>BENTONITE SEAL: Hydrated Bentonite Chips</p> <p>SAND/GRAVEL PACK: Natural Collapse</p> <p>SCREEN: 1-inch Schedule 40 PVC, 0.020 slot</p> <p>DIAMETER OF BOREHOLE: 6 inches</p>	
K E Y	ELEVATIONS (ft above Mean Sea Level)	DEPTHS (ft below ground, not to scale)																															
A	155	0																															
B	155	0																															
C	154.5	0.5																															
D	-1	156																															
E	-3	158																															
F	-5 to -10	160 - 165																															
F	-30 to -35	185 - 190																															
F	-45 to -50	200 - 205																															
G	-50	205																															
REMARKS																																	



ATTACHMENT 4
Certificate of Liability Insurance





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/27/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh Risk & Insurance Services CA License #0437153 633 W. Fifth Street, Suite 1200 Los Angeles, CA 90071 Attn: LosAngeles.CertRequest@Marsh.Com CN101348564-STND-GAUPC-18-19	CONTACT NAME: PHONE (A/C No. Ext.): FAX (A/C No.): E-MAIL: ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: ACE American Insurance Company INSURER B: N/A INSURER C: SEE ACORD 101 INSURER D: INSURER E: INSURER F:	042018	NAIC # 22867 N/A
--	--	--------	------------------------

INSURED AECOM AECOM Technical Services Inc. 1600 Perimeter Park Drive Suite 400 Morrisville, NC 27569	CERTIFICATE NUMBER: LOS-002387158-04	REVISION NUMBER:
--	---	------------------

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A		HDO GY1083689	04/01/2018	04/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$ PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Business/All Risk Property/ Valuable Papers		SEE ACORD 101	04/01/2018	04/01/2019	Limit \$500,000 Deductible: \$100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Re: Project No: 60562002, Reference No: Plainview, NY (NY01) - Install two monitoring wells on Palo Alto Drive, Plainview, NY.

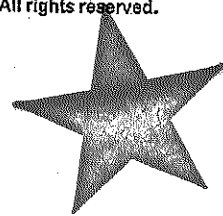
Town of Oyster Bay is named as additional insured for GL coverage, but only as respects work performed by or on behalf of the named insured and where required by written contract.

CERTIFICATE HOLDER Resource Environmental, LLC (RELLC) Attn: Mr. John Englehardt/ President 4700 LA Hwy 22, #520 Mandeville, LA 70471	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE of Marsh Risk & Insurance Services James L. Vogel
---	---

ACORD 25 (2016/03)

Reviewed By
Office of Town Attorney
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AGENCY CUSTOMER ID: CN101348564

LOC #: Los Angeles



ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY Marsh Risk & Insurance Services		NAMED INSURED AECOM AECOM Technical Services Inc. 1800 Perimeter Park Drive Suite 400 Morrisville, NC 27569
POLICY NUMBER		
CARRIER	NAIC CODE	
EFFECTIVE DATE:		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

Property cont.

Property: Primary \$50M

ACE American Insurance Company # GPA D42220425 011 (20% or \$10M p/o \$50M Primary)

XL Insurance America, Inc. # US00070425PR18A (20% or \$10M p/o \$50M Primary)

Lloyd's of London #BOWPN1800111 (50% or \$5M p/o \$10M Primary)

Lloyd's of London #BOWPN1800114 (50% or \$24M p/o \$48M x/s \$10M Primary)

Terrorism: \$100M

Lloyd's of London Syndicate 33 (Hiscox) #UTS2538512.18 (\$100M Terrorism)

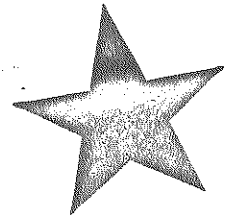
Other deductibles may apply per policy terms and conditions.

ACORD 101 (2008/01)

Reviewed By
Office of Town Attorney

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POLICY NUMBER: HDO G71093669

Endorsement Number: 450

COMMERCIAL GENERAL LIABILITY
CG 20 26 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

Town Of Oyster Bay
150 Mill Place
Syosset, NY 11791

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

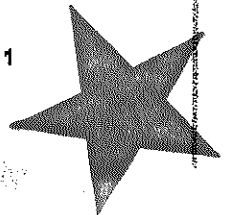
This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

CG 20 26 04 13

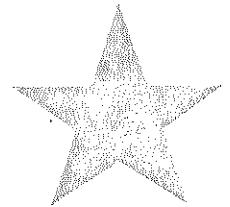
© Insurance Services Office, Inc., 2012

Reviewed By
Office of Town Attorney

Page 1 of 1



ATTACHMENT 5
AECOM E-Mail Regarding Status of Utility Mark-Out





TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT
150 Miller Place
Syosset, New York 11791-5699
(516) 677-5884 Fax: (516) 677-5928
www.oysterbaytown.com

AGREEMENT FOR PERMANENT TEST WELL

THIS AGREEMENT MADE the _____ day of _____, 20____,
between the Town of Oyster Bay, a municipal corporation, having its principal place of
business at Town Hall, Audrey Avenue, Oyster Bay, New York, 11771 (hereinafter
referred to as the TOWN), and Resource Environmental LLC having its principal place of
business at _____ (hereinafter referred to as RELLC).

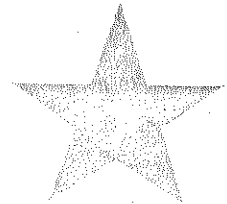
WITNESSETH

WHEREAS, RELLC has requested Town permission to install
permanent test wells within the TOWN's right-of-way on Palo Alto Dr. in
Plainview, New York; and

WHEREAS, the Town has passed Resolution No. _____, permitting the Town
Supervisor to enter into and sign and execute an agreement between the Town and
RELLC,

NOW, THEREFORE, it is mutually agreed as follows:

- 1) RELLC, prior to placing its permanent test wells- which for this
agreement will mean wells that remain in the Town's right-of-way for more than a
day- will file with the Highway Department, a certificate of insurance in the amount
of one (1) million dollars personal and \$500,000 property damage for this agreement.
RELLC will also see that the Town is named as additional insured and
that the Town receives a site plan indicating the location of all permanent test wells.
- 2) RELLC will deposit with the Town (\$1,500 per well) for two (2)
permanent test well it plans to install in the Town's right-of-way. (Deposit money
will be returned when the permanent test well or wells have been removed to the
satisfaction of the Town)
- 3) RELLC agrees to indemnify and hold harmless the Town, its officers
and employees, from any and all claims, suits, losses, damages, or injury to person or
property of whatsoever kind of nature, whether direct or indirect, arising out of the
performance of this agreement or the carelessness, negligence of improper conduct of
RELLC and/or its subcontractors, agents or employees.



- 4) RELLC will bear all costs for installation and maintenance and removal of its permanent test wells. RELLC will also see that the installation and removal of its permanent test wells meet New York State Department of Environmental Control guidelines.
- 5) RELLC will provide the Town with copies of all logs, sample results and/or records obtained from installing its permanent test wells.
- 6) This agreement will be for an indefinite period. The Commissioner of the Department of Highways, however, Upon thirty (30) days notice, may revoke this permission for RELLC to install or maintain its permanent test wells. If after being notified, RELLC does not remove the permanent test wells, the Town will remove the permanent test wells and submit the cost to RELLC and/or its surety company for reimbursement

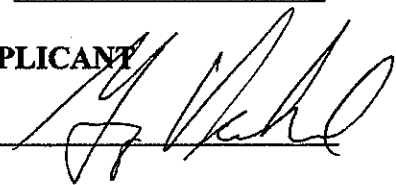
IN THE WITNESS WHEREOF, the parties hereto set their hands and seal this
_____ of _____, 20__.

TOWN OF OYSTER BAY

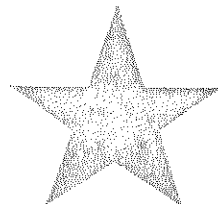
BY: _____

APPLICANT

BY _____



See Attached Certificate



CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

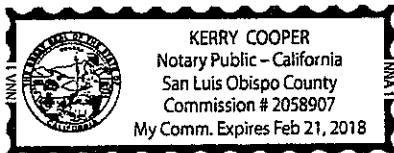
- ☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____
 _____ Signature of Document Signer No. 1 _____ Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Luis Obispo



Place Notary Seal and/or Stamp Above

Subscribed and sworn to (or affirmed) before me

on this 3 day of August, 2017
 by _____ Date _____ Month _____ Year _____

(1) GREG Vogelpohl

(and 2 _____),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____
 Signature of Notary Public

OPTIONAL

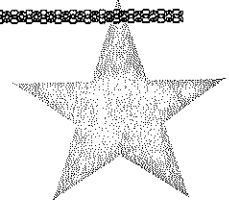
Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Agreement for Permanent Test Well

Document Date: 08/03/2017 Number of Pages: 2

Signer(s) Other Than Named Above: _____



STATE OF NEW YORK)

) SS:

COUNTY OF NASSAU)

On this _____ day of _____, 20____, before me personally came
_____, _____, to me known, who, being by me duly sworn,
did depose and say that he resides at _____

NOTARY PUBLIC

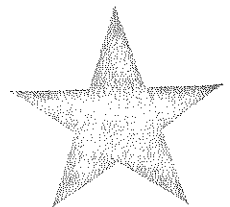
STATE OF NEW YORK)

) SS:

COUNTY OF NASSAU)

On this _____ day of _____ 20____, before me personally came
_____ to me know, who, being by me duly sworn, did depose and say that
he resides at _____;

that he is the _____ of RELLC and has the authority to sign on behalf of said corporation; that the seal affixed to said instrument by order of the Board of Directors of said corporation is said corporate seal and that he signed his name thereto by like order.



Meeting of May 8, 2018

Resolution No. 325-2018

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated April 24, 2018, has stated that he will file the 2017 Annual Financial Report of the Town of Oyster Bay with the New York State Comptroller, on or before May 1, 2018, and will file a copy thereof in the Office of the Town Clerk; and

WHEREAS, Steven C. Ballas, Town Comptroller, by memorandum dated April 24, 2018, has recommended Town Board authorization for the Town Clerk to publish a legal notice stating that a copy of the 2017 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 abovementioned recommendation 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 2017 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
Councilman Muscarella	Aye
Councilman Macagnone	Absent
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

325
Inter-Departmental Memo

APRIL 24, 2018

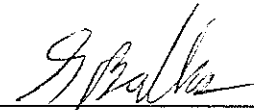
To: MEMORANDUM DOCKET

From: STEVEN C. BALLAS, COMPTROLLER

Subject: PREPARATION AND FILING OF THE 2017 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, will file with the New York State Comptroller, the 2017 Annual Financial Report of the Town of Oyster Bay, on or before May 1, 2018, and will file a copy thereof with the Town Clerk.

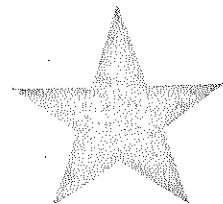
Further, in accordance with Section 29, subdivision 10-a of the Town Law, I will file with the Town Clerk, on or before May 1, 2018, the 2017 Annual Financial Report of the Town of Oyster Bay. In accordance with said law, I will recommend the Town Board at its meeting of May 8, 2018, by resolution, authorize the Town Clerk to publish a legal notice stating that a copy of the 2017 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:mr

cc: Town Attorney (7)
IAD (AFR File)
Reading File



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Comptroller of the Town of Oyster Bay has submitted to the Town Clerk of the Town of Oyster Bay the 2017 Annual Financial Report of the Town of Oyster Bay, and that a copy of such report is on file in the Office of the Town Clerk, and will be available as a public record for inspection by all interested persons. TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor, JAMES ALTADONNA JR., Town Clerk.

Dated: May , 2018, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

Elizabeth A. Faughnan

WHEREAS, Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., by Resolution No. 297-2017, adopted on May 23, 2017, was retained as special counsel to represent the Town of Oyster Bay and protect its interest in connection with telecommunication matters; and

WHEREAS, Joseph Nocella, Town Attorney, and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated April 19, 2018, have requested an additional sum of \$35,000.00 is necessary for outstanding and future legal fees, costs and disbursements; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the authorization of an additional sum of 35,000.00 for outstanding and future legal fees, costs and disbursements to Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., as outside counsel, which sum is to be paid at the predetermined rate; and be it further

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

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

7/11/18
Reviewed By
Office of Town Attorney
[Signature]

32

Town of Oyster Bay Inter-Departmental Memo


TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : April 19, 2018
SUBJECT: Outside Counsel to the Town of Oyster Bay
Berkman, Henoch, Peterson, Peddy & Fenchel, P.C.

By Resolution No. 297-2017, adopted on May 23, 2017, the law firm of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., was retained to represent and provide legal services to the Town of Oyster Bay in connection with the pending litigation regarding telecommunications.

Legal costs have now exceeded the previously authorized sum, and an additional sum of \$35,000.00 is necessary.

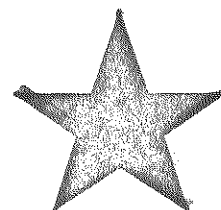
It is recommended that the Town Board authorize the additional legal fees for the period of January 1, 2018 through April 15, 2018 for Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., with funds available in Account No. OTA A 1420 44110 000 0000.

JOSEPH NOCELLA
TOWN ATTORNEY


Dennis P. Sheehan
Deputy Town Attorney

DPS:dps
Attachment
2017-6016

cc: Town Attorney (with 7 copies)



WHEREAS, Resolution No. 855-2017, adopted on December 12, 2017, authorized Holzmacher, McLendon & Murrell, P.C., to provide Engineering Services to the Town of Oyster Bay under Contract No. PWC12-18, On-Call Engineering Services Relative to Environmental Science at the former Syosset Landfill, Syosset, New York; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated April 24, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$5,000.00, under Contract No. PWC12-18, for Engineering Services for Environmental Science, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008/1503 HWYDB-19,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$5,000.00, and to pay Holzmacher, McLendon, & Murrell, P.C., for services rendered under Contract No. PWC12-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008/1503 HWYDB-19, for Contract No. PWC12-18.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

Reviewed By
Office of Town Attorney

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 24, 2018

TO: MEMORANDUM DOCKET

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


SUBJECT: ON-CALL ENGINEERING SERVICES
RELATIVE TO ENVIRONMENTAL SCIENCE
CONTRACT NO. PWC 12-18
ACCOUNT NO.: HWY H 5197 20000 000 1503 008/ 1503 HWYDB - 19

The consultant, Holzmacher, McLendon & Murrell, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC12-18 by Resolution No. 855-2017 for the subject project.

At the request of the Department of Public Works, attached is a letter dated April 17, 2018 from Holzmacher, McLendon & Murrell P.C. regarding the scope of work to be performed in an amount not to exceed \$5,000.00. Services to be performed include a radiological survey at the former Syosset Landfill.

Attached is an availability of funds in the amount of \$5,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1503 008/1503 HWYDB -19.

It is hereby requested that the Town Board authorize, by Resolution, Holzmacher, McLendon & Murrell, P.C. under Contract No. PWC12-18, On-Call Engineering Services Relative to Environmental Science and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

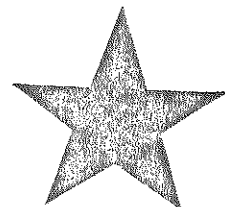

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/JCT/MR/DJH/ik

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steve C. Ballas, Comptroller
John Bishop, Deputy Commissioner/Highways
Kathy Stefanich, Administrative Division/DPW

PWC12-18 H2M DOCKET RADIOLOGICAL SURVEY SYOSSET LANDFILL





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



Requesting Division/Department _____

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

Contract Number PWC 12-18

Contract Period January 1, 2018 through December 31, 2019

Consultant/Contractor Holzmacher, McLendon & Murrell, P.C.

Discipline Environmental Science

Total Authorization \$ 5,000.00

Resolution No. 855-2017 Date 12/17/2017

Funded To Date \$ 0.00

Amount Requested \$5,000.00

Account To Be Used HWY 14 5197 20000 000 1503 008 / 1503 HWY DB -19

If Capital Account, State The Related Contract Number: _____

Description Of Work

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

Funds are required for a Radiological Survey at the former Syosset Landfill

Located at the TBB Hwy Yard 100-150 Miller Pl. Syosset

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ _____

Requesting Division/Department

Signature [Signature]

Title DEPUTY COMMISSIONER
Department of Highways

Date 4-20-18

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 4/23/18

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested \$ 5,000.00

Unencumbered Balance 50,234.06

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

Yes ☒ No ☐

Signature [Signature]

Date 4/23/18



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2018

Contract No. PWC 12-18

Contract End 12/31/2019

Commencement Date _____

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

Vendor Name and Address

Holzmacher, McLendon & Murrell, P.C. Architects & Engineers

538 Broad Hollow Road

Melville, NY 11747

Requesting Town Department _____

Public Works

Contact Daniel J. Haas

Phone 677-5883

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

Funds are required for a Radiological Survey at the former Syosset Landfill

Located at the TOB Hwy Yard 100-150 Miller Pl. Syosset.

This work order shall not exceed \$ \$5,000.00

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

Requesting Division/Department

Signature _____

Title _____

Date _____

DEPUTY COMMISSIONER
Department of Highways

4-20-18

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date _____

4/23/18



architects + engineers

538 Broad Hollow Road, 4th Floor East tel 631.756.8000
Melville, NY 11747 fax 631.694.4122

April 17, 2018

Mr. Richard Lenz, PE
Commissioner, Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

**Re: Proposal for Professional Services
 Radiological Survey at Former Syosset Landfill
 150 Miller Place
 Syosset, New York 11791
 H2M Proposal #: LP18-0493**

Dear Mr. Lenz;

Pursuant to your request, H2M architects + engineers (H2M) is pleased to submit herein our proposal for professional services associated with a preliminary radiological survey at the former Syosset Landfill on Miller Place in Syosset New York.

It is H2M's understanding that the radiological survey has been requested to evaluate the potential for the presence of radiological contamination at or around the former landfill. The purpose of the radiological survey is to assess and identify any detectable radiological sources above background levels along the perimeter of the former landfill and in accessible areas inside the site boundary.

Background

The Syosset Landfill was operated from about 1933 to 1975 and comprises approximately 38 acres. During most of the active life of the facility there were no restrictions on wastes brought to and deposited in the landfill. Based on the various investigations and the Record of Decision, a considerable range of contaminants may have been placed at the former landfill including heavy metals, non-metals, chlorinated solvents, various organic compounds, and other constituent chemicals. The site was placed on the Superfund National Priorities List (NPL) in September 1983. Following site remediation and capping in the late 90's, the EPA removed the site from the Superfund Program National Priorities List in April 2005. The EPA completed its most recent five-year review at the site in February 2017.

Scope of Work

In consideration of the site's extended history, we propose that the scope of our initial services encompass the following tasks:

1. H2M will perform a preliminary radiological assessment of the former landfill using a calibrated handheld device capable of detecting surficial radiological emission sources, i.e. alpha, beta, and gamma emissions. The assessment will be performed manually along the perimeter of the site (approximately 1 mile) and across the site using a pre-designated grid pattern where access is possible.
2. All instrumentation will be properly calibrated, and we will conduct appropriate background scans to ensure that site detections are associated only with the former landfill and cannot be considered as NORM (naturally occurring radioactive materials) or other potential off-site sources.
3. The results will be plotted and tabulated to make a determination as to whether the results indicate above-background levels of radioactivity that are a concern.

www.h2m.com

Mr. Richard Lenz, P.E.
Town of Oyster Bay
Proposal for Radiological Survey at Syosset Landfill
150 Miller Place, Syosset, New York 11791
H2M Proposal: LP18-0493
April 17, 2018
Page 2

4. Depending on the survey results, H2M may recommend additional assessment strategies to assist you.

Please note that the scope of the proposed preliminary survey is insufficient to make a determination as to whether any radioactive material exists within the former landfill. For example, the site is known to have been capped in 1997 as part of the EPA-selected remedial activities. The cap consists of dense layers of deposited materials which will inhibit the detection of alpha and beta particles. H2M is unable to guarantee that *any and all* fugitive radiation would be detected in the course of this proposed work.

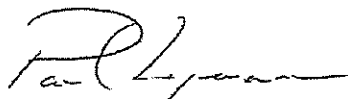
Cost Proposal

H2M proposes to perform the tasks as described herein on a labor plus expense basis with an estimated fee of \$5,000.00 but will only invoice for actual effort incurred. H2M will invoice this project on a monthly basis. H2M can initiate work on this project within one week following authorization to proceed. All services will be performed in accordance with our contract with the Town. We have assumed that the site visit can be completed by two technicians in a single day. The letter report with our findings would be submitted within one week of the site visit.

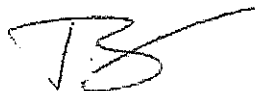
If this proposal meets with your approval, please return a signed copy of this proposal letter or an authorization to proceed. If you should have any questions, please contact the undersigned at (631) 756-8000, Extension 1483.

Very truly yours,

H2M architects + engineers



Paul R. Lageraen, P.E., P.G.
Vice President | Environmental



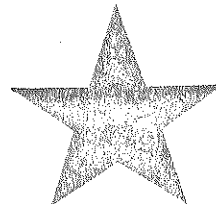
Thomas King, CIH
Project Engineer

Agreed and Accepted by:

Name

Signature

Date



Meeting of December 12, 2017

Resolution No. 855-2017

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated November 27, 2017 and December 4, 2017, advised that on October 18, 2017, the Department of Public Works issued a Request for Proposals for On-Call Engineering Services relative to Environmental Science, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC12-18; and

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

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

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with Cashin Associates, P.C.; D&B Engineering & Architects, P.C.; Holzmacher, McLendon & Murrell, P.C.; and RTP Environmental Associates, Inc., to provide On-Call Engineering Services relative to Environmental Service, in accordance with the specifications contained in Contract No. PWC12-18, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019.

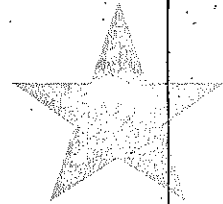
NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC12-18 with Cashin Associates, P.C.; D&B Engineering & Architects, P.C.; Holzmacher, McLendon & Murrell, P.C.; and RTP Environmental Associates, Inc., in accordance with the provisions thereunder, for a two (2) year term, commencing on January 1, 2018 through and including December 31, 2019.

#

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 19, 2018

TO : JOHN P. BISHOP, DEPUTY COMMISSIONER
DEPARTMENT OF HIGHWAY

FROM : JOHN C. TASSONE, DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

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

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC 12-18
ON-CALL ENVIRONMENTAL SCIENCE
HOLZMACHER, MCLENDON & MURRELL, P.C.


The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$5,000.00.

Funds are required for a radiological survey at the former Syosset Landfill at 150 Miller Place, Syosset, NY, as per the attached letter from Holzmacher, McLendon & Murrell, P.C. dated April 17, 2018.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$5,000.00 and Resolution No. 855-2017 authorizing Holzmacher, McLendon & Murrell, P.C. for on-call services.

If you have any questions, please contact Daniel Haas, at extension 5883.

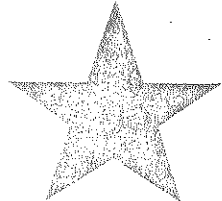

JOHN C. TASSONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


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


RWL/JCT/MR/DJH/ik

Attachments

C: Matthew Russo, P. E., Division of Engineering
Kathleen Stefanich, Administration/DPW
PWC 12-18 H2M RADIOLOGICAL SURVEY SYOSSET LANDFILL



WHEREAS, by Resolution 181-2018, adopted on March 27, 2018, the Town Board authorized the Department of Parks to conduct the Adult Co-Ed Beach Volleyball League at various Town of Oyster Bay facilities; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 26, 2018, requested Town Board authorization to amend Resolution 181-2018 to authorize the adjustment of the Adult Co-Ed Beach Volleyball League team entry fee, as well as to change the per team insurance requirements; and

WHEREAS, Commissioner Pinto requested that Resolution 181-2018 be amended to reduce the per team entry fee from six hundred dollars (\$600.00) per team to five hundred dollars (\$500.00) per team, which fee will continue to be used to purchase championship prizes and supplies, such as volleyballs, nets, poles, etc.; and

WHEREAS, Commissioner Pinto requested that Resolution 181-2018 be further amended to delete the insurance procurement requirement and to substitute the requirement that all players on all teams execute a personal injury waiver and agree in writing to hold harmless the Town in the event of any injury suffered during the course of any league activity on Town property,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned requests are hereby accepted and approved, and Resolution 181-2018, adopted on March 27, 2018 is amended as aforesaid, and the Department of Parks, is hereby authorized to conduct the hereinabove described Adult Co-Ed Beach Volleyball League for the fee as amended, with funds to be deposited into account titled "Parks Special Events-Beach Volleyball", Account No. TWN TA 0000 00085 477 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

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Town of Oyster Bay

Inter-Departmental Memo

To: Memorandum Docket

From: Joseph G. Pinto, Commissioner
Department of Parks

Date: April 26, 2018

Subject: Amendment of Resolution 181-2018 Town of Oyster Bay Adult Co-Ed
Beach Volleyball League

The Department of Parks, Division of Recreation, respectfully requests Town Board to amend Resolution 181-2018 and to authorize a price adjustment and changes in the insurance process for the Town of Oyster Bay Adult Co-Ed Beach Volleyball League. In Resolution 181-2018 in order to participate in the league, there was an entry fee of six hundred dollars (\$600.00) per team however we would like to lower the cost to five hundred dollars (\$500.00) per team. The entry fee will still provide the funds to purchase championship prizes and supplies such as volleyballs, nets, poles, etc.. The entry fee shall remain in effect until revised or amended by the Town Board after recommendation by the Commissioner of the Department of Parks.

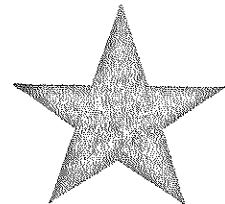
In Resolution 181-2018 it was requested that in order for teams to participate in the Town of Oyster Bay Adult Co-Ed Beach Volleyball League they must provide their own insurance which was general liability insurance, in the amount of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) general aggregate and an endorsement naming the Town as an additional insured, as well as provide a roster of players. We are now requesting that teams will no longer have to provide insurance, instead will be asked to sign a hold harmless form, as recommended by the Town Attorney. A roster of players upon registration is still a requirement.

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

Funds collected will be deposited into account titled "Parks Special Events-Beach Volleyball" TWN-TA-0000-00085-477-0000


Joseph G. Pinto
Commissioner

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



7/15/18
Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memoranda dated April 20, 2018 and April 30, 2018, advised that a request for proposals was issued which sought to procure Consultant Services for Technical Assistance with Engineering and Architectural Services in connection with assisting the Department of Planning and Development in evaluating the structural assessment of abandoned and damaged buildings; and

WHEREAS, following a review of the responses in accordance with the Town's Procurement Policy, Commissioner Maccarone requested and recommended that the Town Board authorize Cashin, Spinelli & Ferretti, LLC ("Consultant"), 801 Motor Parkway, Hauppauge, New York 11788 to provide consulting services, commencing on May 9, 2018 through and including December 31, 2018, with an option for two (2), one (1) year extensions; and

WHEREAS, the evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town's procurement policy; and

WHEREAS, services are to be provided by the Consultant as needed in a total amount not to exceed \$15,000.00 annually. Funds for said payment are available from Account No. PAD B 3620 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is hereby authorized to execute an agreement with Cashin, Spinelli & Ferretti, LLC, for consulting services for the period commencing May 9, 2018 through and including December 31, 2018, with an option for two (2), one (1) year extensions, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. PAD B 3620 44800 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

Inter-Departmental Memo

APRIL 20, 2018

TO: MEMORANDUM DOCKET

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

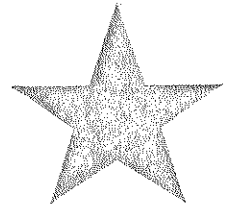
SUBJECT: AWARD OF CONTRACT FOR
TECHNICAL ASSISTANCE WITH ENGINEERING AND ARCHITECTURAL
SERVICES FOR THE TOWN OF OYSTER BAY'S
DEPARTMENT OF PLANNING AND DEVELOPMENT

Additional information will be provided in a Supplemental Docket Memorandum to the Docket Committee at the next docket meeting. I, therefore, recommend and request that a space be reserved at the next Town Board meeting on May 8, 2018.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM /dm

cc: Legislative Affairs (w/ 7 copies)



AGREEMENT FOR PROFESSIONAL SERVICES
by and between
CASHIN SPINELLI & FERRETTI, LLC
and
THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK

This is an Agreement for Cashin Spinelli & Ferretti, LLC to provide technical assistance with engineering and architectural services for the Town of Oyster Bay's Department of Planning and Development.

Scope of Services:

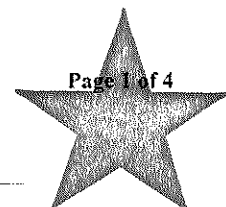
Technical assistance in regards to performing structural assessments of abandoned buildings and damaged buildings within the Town of Oyster Bay will be provided by Cashin Spinelli & Ferretti, LLC directly to the Commissioner and/or Deputy Commissioner of the Department of Planning and Development.

Specifically, Cashin Spinelli & Ferretti, LLC will provide the services as described in our proposal dated April, 2018. The following list of tasks will be provided on an as-needed basis, with specific tasks to be assigned directly by the Commissioner or her designee:

1. Provide technical assistance directly to the Commissioner and/or Deputy Commissioner of the Department, and undertake all technical support tasks for this assignment.
2. Perform visual and detailed inspections, with representatives of the Department, of abandoned buildings and damaged buildings within the Town of Oyster Bay and provide comprehensive comments and reports as it pertains to the structural integrity of the subject buildings.
3. Research Nassau County property records and review building and property records maintained by the Department and integrate the information with the above mentioned reports.
4. Interact with other Town Departments and other municipal agencies involved in abandoned buildings and damaged buildings within the Town of Oyster Bay.
5. Provide expert testimony on behalf of the Department at hearings, court proceedings and other public meetings, as needed, regarding specific reports drafted and submitted on behalf of the Department pertaining to the structural adequacy of abandoned buildings and damaged buildings within the Town of Oyster Bay.

Qualifications:

Cashin Spinelli & Ferretti, LLC has the expertise necessary to complete these tasks as needed. The team of our partners and staff have extensive project experience and specific expertise with the tasks which will be required to meet the demands of the Department. Bruce Strum, AIA will be the overall project manager and contact for the



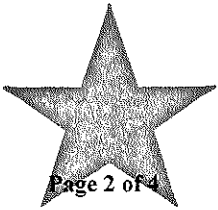
Town and will work with partners and staff assigned to the project to assist in review and reporting to the Town.

Compensation:

The consulting fees charged by Cashin Spinelli & Ferretti, LLC will be based upon time expended in completing services with a maximum hourly rate of \$175.00. The hourly burdened billing rate for Cashin Spinelli & Ferretti, LLC are included below:

Cashin Spinelli & Ferretti, LLC Wage Rate Schedule - Town of Oyster Bay

Cashin Spinelli & Ferretti, LLC	
Title	Burdened Billing Rate
Michael W. Spinelli, JD, AIA	\$175.00
Stephen P. Ferretti	\$175.00
Bruce J. Strum, AIA	\$160.00
Michael S. Anderson, P.E.	\$160.00
Joseph A. Lavalle, AIA, MCP	\$160.00
James A. Thompson III, P.E.	\$160.00
Brian R. Duggan, JD, PG	\$160.00
Joseph A. Healy, Mech. Engr	\$145.00
Daniel Fusco, Field Inspector	\$125.00



Authorization:

In accordance with the foregoing, it is therefore mutually agreed that Cashin Spinelli & Ferretti, LLC is authorized to provide professional consulting services to the Town of Oyster Bay, Department of Planning and Development and to be paid for such services in accordance with the fee schedule herein set forth. This agreement has been authorized by the Town Board of the Town of Oyster Bay pursuant to Resolution No. _____, adopted on _____.

For Cashin Spinelli & Ferretti, LLC

Stephen P. Ferretti, Partner

Date

For the Town of Oyster Bay, Oyster Bay, New York

Joseph Saladino, Supervisor

Date

Town of Oyster Bay's Acknowledgement:

STATE OF NEW YORK)

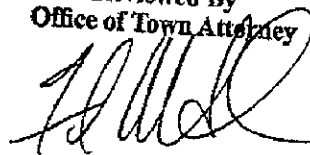
) ss.:

COUNTY OF NASSAU)

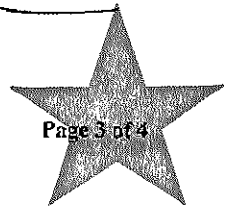
On the ____ day of _____ in the year 2018 before me personally came _____ to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the Town of _____; that he or she is Supervisor of the TOWN OF OYSTER BAY, the municipal corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto pursuant to law.

NOTARY PUBLIC

Reviewed By
Office of Town Attorney



Page 3 of 4



WHEREAS, by Resolution No. 865-2017, adopted on December 12, 2017, the Town Board authorized and directed Lockwood, Kessler & Bartlett, Inc. to perform On-Call Environmental Engineering Services in connection with Contract No. PWC29-18, for a two (2) year period, from January 1, 2018 through December 31, 2019; and

WHEREAS, Lockwood, Kessler & Bartlett, Inc., by letter dated April 24, 2018, described the scope of work to be performed under Contract No. PWC29-18, in an amount not to exceed \$27,000.00, in connection with providing On-Call Engineering Services related to the oversight of the Old Bethpage Landfill remediation program and associated NYSCEC reporting; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works and Highways, by memoranda dated April 23, 2018 and May 1, 2018, requested Town Board authorization for Lockwood, Kessler & Bartlett, Inc. to provide the aforesaid On-Call Engineering Services under Contract No. PWC29-18 related to the oversight of the Old Bethpage Landfill remediation program and associated NYSCEC reporting, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$27,000.00 for this purpose; and

WHEREAS, funds in the amount of \$27,000.00 to satisfy said engineering costs are available in Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted and approved, and Lockwood, Kessler & Bartlett, Inc. is hereby authorized to proceed to provide the aforementioned services in connection with Contract No. PWC29-18, On-Call Engineering Services Relative to Environmental Engineering, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$27,000.00, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Environmental Resources

Reviewed By
Office of Town Attorney

21

320

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 1, 2018

TO : MEMORANDUM DOCKET

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


SUBJECT : SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 27
DOCKET OF APRIL 24, 2018
ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC29-18
OVERSIGHT OF OLD BETHPAGE LANDFILL MONITORING PROGRAMS
ACCOUNT NO.: DER SR05 8160 44800 000 0000

In furtherance to Item No. 27 of the docket of April 24, 2018, The consultant, Lockwood, Kessler & Bartlett, inc., has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC29-18 by Resolution No. 865-2017 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated April 24, 2018 from Lockwood, Kessler & Bartlett, Inc. regarding the scope of work to be performed in an amount not to exceed \$27,000.00. Services to be provided include oversight of air and groundwater monitoring programs and necessary reports to the New York State Department of Environmental Conservation.

Attached is an availability of funds in the amount of \$27,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

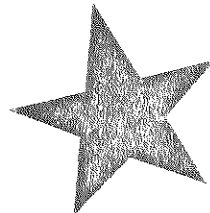
It is hereby requested that the Town Board authorize, by Resolution, Lockwood, Kessler & Bartlett, Inc. under Contract No. PWC29-18, On-Call Technical Assistance Relative to Oversight of Old Bethpage Landfill Monitoring Programs and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


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

RWL/JCT/MR/lk

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Neil Bergin, Commissioner/Environmental Resources
Kathy Stefanich, Administrative Division/DPW
PWC29-18 LKB DOCKET 2018 FUNDS SUPP





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



Requesting Division/Department

ENVIRONMENTAL RESOURCES

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

Contract Number PWC29-18

Contract Period 1/1/2018 - 12/31/2019

Consultant/Contractor LOCKWOOD, KESSLER & BARTLETT, INC.

Discipline OVERSIGHT OF OLD BETHPAGE LANDFILL MONITORING PROGRAMS

Total Authorization \$27,000.00

Resolution No. 865-2017 Date 12/12/2017

Funded To Date \$0.00

Amount Requested \$27,000.00

Account To Be Used DER 3205 8160 44800 000 0000

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

Description Of Work

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

OVERSIGHT OF REMEDIATION PROGRAM AND NYSDEC REPORTING

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title DER. COMMISSIONER - DER

Title Commissioner of Public Works

Date 4/30/2018

Date 4/30/18

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 27,000.00

Unencumbered Balance 194,681.12

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

Yes ☒ No ☐

Signature [Signature]

Date 5/1/18



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2018

Contract No. PWC 29-18

Contract End 12/31/2019

Commencement Date JANUARY 1, 2018

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

Vendor Name and Address

LOCKWOOD, KESSLER & BARTLETT, INC.

1 AERIAL WAY

SYOSSET, NEW YORK 11791

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, PE Phone 516-677-5719

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

OVERSIGHT OF REMEDIAL PROGRAMS AND NYSDEC REPORTING

This work order shall not exceed \$ 27,000.00

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

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

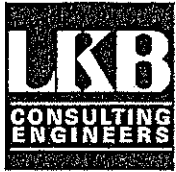
Signature [Signature]

Title DER. COMMISSIONER - DER

Commissioner of Public Works

Date 4.30.2018

Date 4/30/18



ENGINEERING
EACH LIFE
SINCE 1948

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
· 516.938.0600 www.lkbinc.com

April 24, 2018
LKB # 2017-0130

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

Attn: Matthew Russo, PE, Engineering Division

Re: TOB Contract No. PWC 29-18, Oversight of the Environmental Monitoring Programs for the Former Old Bethpage Landfill

Dear Commissioner Lenz,

Lockwood Kessler and Bartlett, Inc. (LKB) was authorized under Town Board Resolution 865-2017, dated December 12, 2017, to provide oversight of the environmental monitoring programs for the two-year period from January 1, 2018 through December 31, 2019. As instructed by the Town at a meeting on March 14, 2018, LKB will provide services under this contract for the following two tasks:

Task 1 – Oversight of the Groundwater and Air Consultants: Services under this task will entail 1) reviewing the two semi-annual reports prepared by D&B related to post-termination groundwater monitoring for Recovery Wells RW-1 and RW-2, and 2) reviewing the annual report prepared by RTP related to perimeter LFG collection system exhaust testing, ambient-air quality, soil-gas quality and soil-gas pressure monitoring, the landfill zero gas migration survey, and site buildings methane monitoring.

Task 2 – Preparation of a Periodic Review Report (PRR): Services under this task will entail preparing a NYSDEC Part 375 PRR, if requested to do so by the Town.

LKB estimates the fee to provide the services specific to the two above-referenced tasks in 2018 to be \$27,000. Therefore, we respectfully request that \$27,000 be appropriated for Contract No. PWC 29-18.

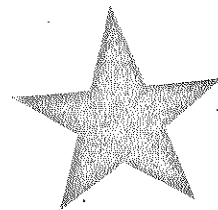
We appreciate the opportunity to continue to serve the Town on this project. Should you have any questions regarding this letter please contact our office.

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

A handwritten signature in dark ink, appearing to read 'Paul Lappano', with a stylized flourish at the end.

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

CC J. Tassone



AN EQUAL OPPORTUNITY EMPLOYER

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town relative to Oversight of Environmental Monitoring Programs for the Old Bethpage Landfill, resulting in the receipt of three (3) submissions, and after review and analysis of the submissions based upon the technical merits of the responses has selected Lockwood, Kessler & Bartlett, Inc., to perform On-Call Engineering Services in connection with Contract No. PWC29-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019; and

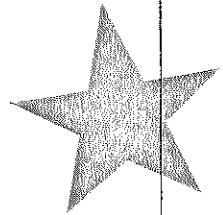
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved and in connection with Contract No. PWC29-18, Lockwood, Kessler & Bartlett, Inc., is hereby authorized and directed to provide On-Call Engineering Services to the Town, relative to relative to Oversight of Environmental Monitoring Programs for the Old Bethpage Landfill, in connection with Contract No. PWC29-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019.

#

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works



27

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

APRIL 23, 2018


TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO
OVERSIGHT OF ENVIRONMENTAL MONITORING PROGRAMS FOR
OLD BETHPAGE LANDFILL
CONTRACT NO. PWC29-18
SUPPLEMENTAL MEMO TO FOLLOW

The Division of Engineering is compiling the necessary paperwork for an on-call consultant service request authorization for Oversight of Environmental Monitoring for the Old Bethpage Landfill. Additional information will be provided by supplemental docket memo.

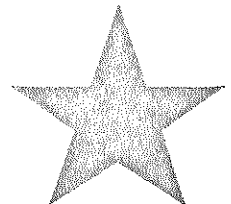
It is hereby requested that a space be reserved at the Town Board meeting of May 8, 2018 for the Town Board to act on a request for authorization under Contract No. PWC29-18.


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

RWL/JCT/MR/IK

c: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Neil Bergin, Commissioner/Environmental Resources
Daniel Pearl, Deputy Commissioner/Environmental Resources
Kathy Stefanich, Administrative Division/DPW

PWC29-18 LKB DOCKET 2018 FUNDS RESERVE



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

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated April 23, 2018 and May 1, 2018 has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$25,000.00, under Contract No. PWC31-18, for Engineering Services for the Repairs and Operations at the Old Bethpage Solid Waste Disposal Complex, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$25,000.00, and to pay Lockwood, Kessler & Bartlett, Inc., for services rendered under Contract No. PWC31-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000, for Contract No. PWC31-18.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Environmental Resources

Reviewed By
Office of Town Attorney
[Signature]

22

331

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 1, 2018

TO : MEMORANDUM DOCKET

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


SUBJECT : SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 28
DOCKET OF APRIL 24, 2018
ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC31-18
OPERATION AND DEVELOPMENT OF THE OLD BETHPAGE SOLID
WASTE DISPOSAL COMPLEX
ACCOUNT NO.: DER SR05 8160 44800 000 0000

In furtherance to Item No. 28 of the docket of April 24, 2018, The consultant, Lockwood, Kessler & Bartlett, Inc., has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC31-18 by Resolution No. 867-2017 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated April 24, 2018 from Lockwood, Kessler & Bartlett, Inc. regarding the scope of work to be performed in an amount not to exceed \$25,000.00. Services to be provided include assistance with repairs and operations activities at the Old Bethpage Solid Waste Disposal Complex.

Attached is an availability of funds in the amount of \$25,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

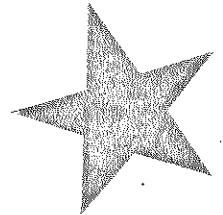
It is hereby requested that the Town Board authorize, by Resolution, Lockwood, Kessler & Bartlett, Inc. under Contract No. PWC31-18, On-Call Technical Assistance Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex and requests that the Comptroller be directed to issue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


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

RWL/JCT/MR/lk

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Neil Bergin, Commissioner/Environmental Resources
Kathy Stefanich, Administrative Division/DPW
PWC31-18 LKB DOCKET 2018 FUNDS SUPP





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



Requesting Division/Department

ENVIRONMENTAL RESOURCES

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

Contract Number PWC31-18

Contract Period 1/1/2018 - 12/31/2019

Consultant/Contractor LOCKWOOD, KESSLER & BARTLETT, INC.

Discipline OPERATION AND DEVELOPMENT OF O.B.S.W.D.C.

Total Authorization \$25,000.00

Resolution No. 867-2017 Date 12/12/2017

Funded To Date \$0.00

Amount Requested \$25,000.00

Account To Be Used DER 5205 8160 44800 000 0000

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

Description Of Work

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

SERVICES FOR LANDFILL OPERATION AND REPAIRS

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title DEPUTY COMMISSIONER - DER

Title Commissioner of Public Works

Date 4-30-2018

Date 4-30-18

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 25,000.00

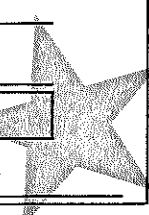
Unencumbered Balance 194,681.12

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

Yes ☒ No ☐

Signature [Signature]

Date 5/1/18





TOWN OF OYSTER BAY



WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2018

Contract No. PWC 31-18

Contract End 12/31/2019

Commencement Date JANUARY 1, 2018

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

Vendor Name and Address

LOCKWOOD, KESSLER & BARTLETT, INC.

1 AERIAL WAY

SYOSSET, NEW YORK 11791

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, PE Phone 516-677-5719

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

SERVICES FOR LANDFILL OPERATION AND REPAIRS

This work order shall not exceed \$ 25,000.00

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

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

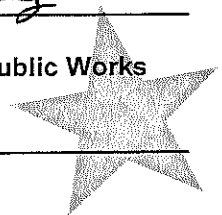
Signature [Signature]

Title DEP. Commissioner

Commissioner of Public Works

Date 4.30.2018

Date 4/30/18





ENGINEERING
EXCELLENCE
SINCE 1959

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

April 24, 2018
LKB # 2017-0126

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

Attn: Matt Russo, PE, Engineering Division

Re: Contract No. PWC 31-18, On-Call Technical Assistance with the Development and Operation of the
Town's Old Bethpage Solid Waste Disposal Complex (OBSWDC)

Dear Commissioner Lenz,

Lockwood Kessler and Bartlett, Inc. (LKB) was authorized under Town Board Resolution 867-2017, dated December 12, 2017, to provide services for the Operation and Development of the OBSWDC for the two-year period from January 1, 2018 through December 31, 2019. At the meeting on March 14, 2018, the Town informed LKB that services under Contract No. PWC 31-18 in 2018 may include the following work items:

- ♦ Monitoring, reporting and permitting related to the leachate treatment facility Industrial Discharge Permit.
- ♦ Providing Engineering services for the replacement of a discharge valve and emptying acid rinse tanks at the Groundwater Treatment Facility

LKB requests a budgetary fee to provide engineering services related to the above-referenced work items in 2018 to be \$25,000. Therefore, LKB respectfully requests that \$25,000 be appropriated for Contract No. PWC 31-18.

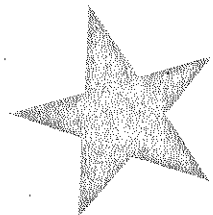
We appreciate the opportunity to serve the Town on this project. Should you have any questions regarding this letter please contact our office.

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

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

CC J Tassone

AN EQUAL OPPORTUNITY EMPLOYER



Reviewed By
Office of Town Attorney

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

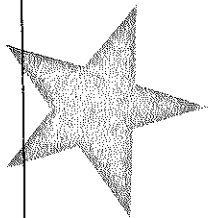
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved and in connection with Contract No. PWC31-18, Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., are hereby authorized and directed to provide On-Call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

#

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works



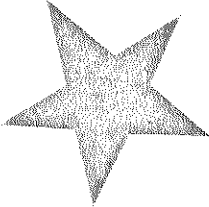
2018 Solid Waste Operating Budget

April 25, 2018

Approved Budget: \$365,000.00

Contract No.	Project/Task	Consultant	AUTHORIZATION	FUTURE	NOTES
PWC27-18	OBL Groundwater Monitoring	Dvirka and Bartilucci		\$36,000.00	REFERRED BACK FROM TB DOCKET
PWC28-18	OBL Air Emissions Monitoring	RTP Environmental		\$70,000.00	
PWC29-18	Groundwater Treatment Facility Oversight	Lockwood, Kessler & Bartlett	\$27,000.00		
PWC30-18	OBL Laboratory Analysis Budget to be determined based upon need	Pace Analytical		\$60,000.00	
		TOTAL Monitoring Costs:	\$27,000.00		
PWC31-18	Operation and Development of OBSWDC Facility Oversight	Lockwood, Kessler & Bartlett			
	SWTF	Cashin Associates	\$25,000.00		
	SWTF	Dvirka and Bartilucci	\$11,000.00		
	SWTF	Lockwood, Kessler & Bartlett	\$20,000.00		
PWC07-18	MSW & Single Stream Recycling Routing Phase 1 Phase 2 Phase 3	LIRo Engineers LIRo Engineers LIRo Engineers	\$17,318.88		
				\$70,000.00	TABLED AT 4/25 TB MEETING
				\$75,000.00	TABLED AT 4/26 TB MEETING
TB189-503	Clarendon Agreement Oversight 2016-2017 reimbursement services	Lockwood, Kessler & Bartlett		\$20,000.00	
		Total OBSWDC Services:	\$196,318.88		
		TOTAL OPERATING:	\$222,318.88		
		BALANCE :	\$142,681.12	\$321,000.00	

Difference: -\$178,318.88



28

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

APRIL 23, 2018


TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO
OPERATION AND DEVELOPMENT OF THE OLD BETHPAGE
SOLID WASTE DISPOSAL COMPLEX
CONTRACT NO. PWC31-18
SUPPLEMENTAL MEMO TO FOLLOW

The Division of Engineering is compiling the necessary paperwork for an on-call consultant service request authorization for Operation And Development of the O.B.S.W.D.C. Additional information will be provided by supplemental docket memo.

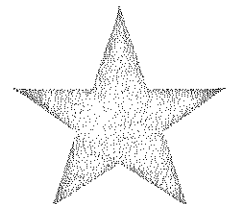
It is hereby requested that a space be reserved at the Town Board meeting of May 8, 2018 for the Town Board to act on a request for authorization under Contract No. PWC31-18.


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

RWL/JCT/MR/ik

c: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Neil Bergin, Commissioner/Environmental Resources
Daniel Pearl, Deputy Commissioner/Environmental Resources
Kathy Stefanich, Administrative Division/DPW

PWC31-18 LKB DOCKET 2018 FUNDS RESERVE



Reviewed By
Office of Town Attorney

WHEREAS, Erin Jackman, of The Brooke Jackman Foundation, by letter dated March 13, 2018, requested the use of thirty (30) traffic cones and thirty (30) barricades for the Foundation's Thirteenth Annual Brooke Jackman Race for Literacy at the Theodore Roosevelt Elementary School, Oyster Bay, New York, on May 19, 2018, with delivery of said equipment on May 18, 2018 and pickup of same on May 21, 2018; and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Highways, by memorandum dated April 25, 2018, advised that the abovementioned equipment will not be required for use by the Town at that time, and the Department of Highways has no objection to providing the abovementioned equipment; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Highways is hereby directed and authorized to provide thirty (30) traffic cones and thirty (30) barricades to The Brooke Jackman Foundation for its Thirteenth Annual Brooke Jackman Race for Literacy at the Theodore Roosevelt Elementary School, Oyster Bay, New York on May 19, 2018, with delivery of said equipment on May 18, 2018 and pickup of same on May 21, 2018, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of Highways or his duly authorized designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforementioned activity; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating that said organization maintain general liability insurance, in the amount of \$1,000,000 with a general aggregate of \$2,000,000, and naming the Town as an additional insured, in connection with the aforementioned activity.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway
Public Safety

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TOWN OF OYSTER BAY

Inter-Departmental Memo

April 25, 2018

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 13th ANNUAL BROOKE JACKMAN RACE FOR LITERACY
MAY 19, 2018

Enclosed please find the copy of the letter from Erin Jackman, of the Brooke Jackman Foundation, requesting our assistance for their 13th Annual Brooke Jackman Race for Literacy event on Saturday, May 19, 2018.

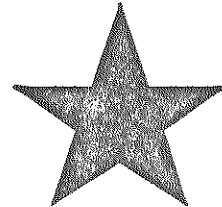
The Highway Department has no objection to the organization utilizing thirty (30) cones, and thirty (30) barricades for their event at Theodore Roosevelt Elementary School in Oyster Bay.

Also attached are the Certificate of Insurance, Endorsement and a Hold Harmless Agreement to cover this event. Therefore, Town Board approval is requested.


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw
Attachments

c: Town Attorney (7) copies
Richard Lenz, P.E., Commissioner DPW/Highway
Doug Robalino, General Foreman 002
Public Safety Division



The Brooke Jackman Foundation



*"Children are the world's most valuable resource
And its best hope for the future." – John Fitzgerald Kennedy*

March 13, 2018

Mr. John Bishop
Deputy Commissioner
Town of Oyster Bay
Highway Department
150 Miller Place
Syosset, NY 11791

Dear Mr. Bishop,

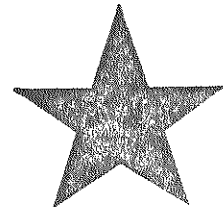
I am writing to you on behalf of The Brooke Jackman Foundation. We are requesting the use of ~~30~~ cones and 30 barricades for our 13th Annual Brooke Jackman Race for Literacy at The Theodore Roosevelt Elementary School in Oyster Bay.

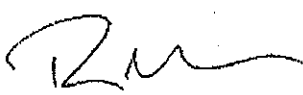
The race will be held on Saturday, May 19, 2018. And if possible we'd love to have them delivered to the school on Friday the 18th and picked up from there on Monday, the 21st. The Janitor will know to expect them.

The race is held each year in memory of my sister Brooke who was a lifelong Oyster Bay resident. She was killed at age 23 in The World Trade Center Attacks on 9/11. All proceeds raised go to the BJB Libraries, books and literacy programs for the nearly 10,000 children in need we serve each year.

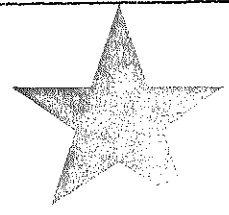
Please let me know if you need any other information from me. We truly appreciate your support of our annual Brooke Jackman Race for Literacy each year.

Sincerely,
Erin Jackman



CERTIFICATE OF INSURANCE		PRINT DATE: 3/15/2018			
		CERTIFICATE NUMBER: 20180314508116			
AGENCY:					
Integro USA Inc. d/b/a Integro Insurance Brokers 2727 Paces Ferry Road, Building Two, Suite 1500 Atlanta, GA 30339 678-324-3300 (Phone), 678-324-3303 (Fax)		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.			
NAMED INSURED:		INSURERS AFFORDING COVERAGE:			
USA Track & Field, Inc. The Brooke Jackman Foundation 130 East Washington Street, Suite 800 Indianapolis IN 46204		INSURER A: Philadelphia Indemnity Ins. Co. NAIC #: 18058 INSURER B: Philadelphia Indemnity Ins. Co. NAIC #: 18058			
EVENT INFORMATION:					
The Brooke Jackman 5K Race for Literacy (5/19/2018 - 5/20/2018)					
POLICY/COVERAGE INFORMATION:					
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	X Occurrence	PHPK1721333	11/1/2017 12:01 AM	11/1/2018 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$3,000,000
	X Participant Legal Liability				EACH OCCURRENCE \$1,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$3,000,000
B	UMBRELLA/EXCESS LIABILITY				
	X Occurrence	PHUB602873	11/1/2017 12:01 AM	11/1/2018 12:01 AM	EACH OCCURRENCE \$10,000,000
					AGGREGATE (Applies Per Event) \$10,000,000
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:					
Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.					
The certificate holder is an additional insured per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002)					
The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 00 01)					
The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).					
Excess policy follows form of underlying General Liability.					
CERTIFICATE HOLDER:			NOTICE OF CANCELLATION:		
Town of Oyster Bay 54 Audrey Avenue Oyster Bay NY 11771			Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.		
			AUTHORIZED REPRESENTATIVE:		
					

Reviewed By
Office of Town Attorney

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
Town of Oyster Bay 150 Miller Place Syosset NY 11791
but only with respect to competitions sanctioned or approved by USATF and practices properly registered with USATF and to activities that are common to USATF Clubs.
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

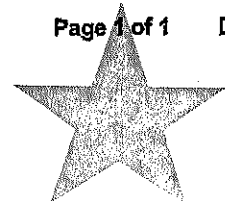
- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.

CG 20 26 07 04

Reviewed By
Office of Town Attorney

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Page 1 of 1 ☐



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

This Agreement is made this 6th day of April, 2018, by The Brooke Jackman Foundation (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as The Brooke Jackman Race Track in Oyster Bay 30 cones 30 barricades

For the event described as The Brooke Jackman Race for Literacy. The property/equipment is used from Friday May 18, 2018 to Mon. 5/21/18. The event for which the property and/or equipment is requested is ☒ is not a not a profit making event.

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

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

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

Name of Organization:

The Brooke Jackman Foundation

Address of Organization:

1302 Loyal Court
North Hills, NY 11040

By: E. Jack

Authorized Representative

Title: Executive Director

Telephone Number: 917-930-1243

Reviewed By
Office of Town Attorney

[Signature]



DATE: 3/22/18

TO: HIGHWAY OPERATIONS

SUBJECT: 13th Annual Brooke Jackman Race for Literacy

PLEASE DELIVER TO:

Roosevelt Elementary School
150 W. Main Street
Oyster Bay

CONTACT: Bill-Janitor
516-624-6571

DATE OF EVENT: May 19, 2017

SNOW FENCE:

BARRICADES: 30

CONES: 30

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 5/18/18

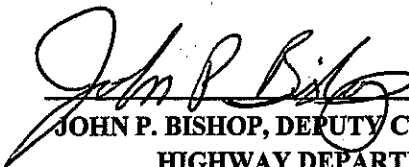
PICKUP ON: 5/21/18

SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

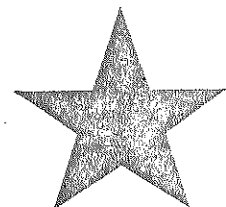
JPB/taw



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Peter Brown, General Foreman 003
Dave Ryan, Area Foreman 013
Jeff VanNostrand
Public Safety Division

Dan Kornfeld



WHEREAS, Leo Cerruti, on behalf of New York AutoFest, 35 Capitol Heights Road, Oyster Bay, New York 11771, by letter dated February 5, 2018, requested the use of Audrey Avenue in Oyster Bay from the gazebo to the Oyster Bay LIRR station, and the use of six (6) complete barricades, for a car show event to benefit PeerPals.org, an Oyster Bay charity dedicated to helping preschool age children with disabilities become part of their communities, to be held on Sunday, May 20, 2018, from 7 am to 7 pm, with said traffic barricades to be delivered on May 18, 2018 and picked up on May 21, 2018, with a rain date of May 27, 2018;

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Highways, by memorandum dated April 23, 2018, advised the Town Board that the abovementioned property and equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing use of Audrey Avenue from the gazebo to the train station in Oyster Bay, New York, and the use of six (6) complete barricades to New York AutoFest for its car show event to benefit PeerPals.org, to be held on Sunday, May 20, 2018, from 7 am to 7 pm, or on the rain date of May 27, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Highways is hereby authorized to provide the use of Audrey Avenue from the gazebo to the LIRR train Station, Oyster Bay, New York, on Sunday, May 20, 2018, from 7 am to 7 pm, and six (6) complete barricades, said equipment to be delivered as abovementioned, to New York AutoFest for its car show event to benefit PeerPals.org, with a rain date of May 27, 2018, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Highway Department or his duly authorized representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment and in the conduct of the aforementioned activity;
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$1,000,000 with a general aggregate of \$2,000,000 and naming the Town as an additional insured, in connection with the aforementioned activities; and
4. The said organization shall not impede access to or egress from the residential driveways and garages on Audrey Avenue in Oyster Bay during the aforementioned event.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway
Public Safety

Reviewed By
Office of Town Attorney

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TOWN OF OYSTER BAY

Inter-Departmental Memo

April 23, 2018

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: NEW YORK AUTOFEST CAR SHOW, AUDREY AVENUE, OYSTER BAY
MAY 20, 2018 7AM – 7PM, RAIN DATE MAY 27, 2018

Enclosed please find a copy of the letter from Leo Cerruti, requesting our assistance on behalf of New York AutoFest in conducting a charity car show on May 20, 2018, to benefit PeerPals.org.

The Highway Department has no objection to the New York AutoFest closing Audrey Avenue from the gazebo down to the Oyster Bay Railroad Station on Sunday, May 20, 2018, from 7am – 7pm, with a rain date of May 27, 2018.

In addition, the Highway Department can readily supply six (6) complete barricades for this event from May 18, 2018 through May 21, 2018.

Also enclosed are the Certificate of Insurance, Endorsement Sheet, and Hold Harmless Agreement to cover this event.

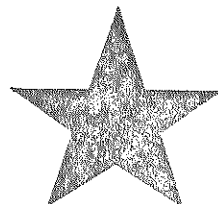
Therefore, Town Board approval is requested.

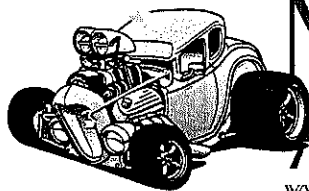

JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw
Attachments

C: Town Attorney (7) copies
Doug Robalino, General Foreman 002
Peter Brown, Foreman 003
Steve Kelly, Sign Bureau

Public Safety Division
Richard Lenz, Commissioner of DPW





NEW YORK
AUTOFEST™

WWW.NYAUTOFEST.COM

Kenny
HIGHWAY DEPARTMENT



February 5, 2018

Mr. John Bishop
Town of Oyster Bay Highway Dept.
150 Miller Place
Syosset, NY 11791

re: Audrey Ave. car show

Dear Mr. Bishop:

I would like to request a permit to use Audrey Avenue between the Gazebo and the Oyster Bay railroad station on Sunday May 20, 2018 between the hours of 7am and 7pm with a rain date of May 27. We would like to hold a charity car show event for the benefit of PeerPals.org, an Oyster Bay organization dedicated to helping preschool age children with disabilities become part of their communities.

We would require the use of 6 TOB traffic barricades to help divert traffic. We intend to close Audrey Avenue from the Gazebo to the train station but allow access to any private driveways or garages. See attached map. We will accept delivery of the barricades on May 18 and will have them available for pick up on May 21 (rain date drop off May 25, pickup May 28/29). Please have someone call me at 516-882-5022 before delivery so that we can meet the trailer and choose a safe place to leave them.

We carry a \$4 million policy which already includes the TOB as additional insured with endorsement.

Sincerely Yours,

Leo Cerruti
Leo Cerruti

cc: Peer Pals

New York AutoFest - 35 Capitol Heights Rd., Oyster Bay, NY, 11771
516-882-5022 - info@nyautofest.com - www.nyautofest.com

Oyster Bay

Showcar exit

Audrey Ave

Hamilton Ave

Show HQ

Sweet Tomato

Yellow area indicates
closed street for car show

Showcar exit

Bonanza

DJ

Special vehicle display

Showcar entrance

Manhasset Ave

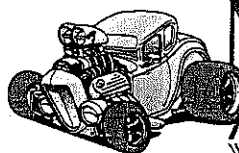
HSBC

Toby's
Burger House

Capital One

Spring St

W Main St



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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/11/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hagerty Insurance Agency LLC 141 River's Edge Drive Traverse City MI 49684-3265	CONTACT NAME: PHONE (A/C No. Ext): (800) 922-4050 FAX (A/C No.): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Markel Insurance Company NAIC# 38970 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED New York Autofest Car Club 35 Capitol Heights Rd. Oyster Bay NY 11771	

COVERAGES CERTIFICATE NUMBER: Cert ID 3117 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSTR	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		CVG1916-01	03/26/2018	03/26/2019	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$ PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
						\$
						\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Include as additional insured: Certificate Holder but only with respects to the named insured's actions and / or negligence with regards to the car show to be held on Audrey Avenue, Oyster Bay, NY 11771 from May 18 to May 21, 2018, rain dates May 25 to May 29 2018.

CERTIFICATE HOLDER Town of Oyster Bay 54 Audrey Ave. Oyster Bay NY 11771	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Reviewed By Office of Town Attorney
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ACORD 25 (2016/03)

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s): Town of Oyster Bay 54 Audrey Ave Oyster Bay, NY 11771
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

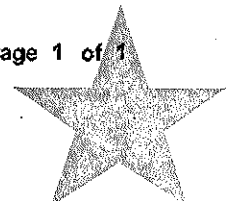
1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney

BAG



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

This Agreement is made this 24 day of April 2018, by New York AutoFest (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Audrey Ave. Oyster Bay extending from both sides of the Gazebo north to the LIRR train station lot

RD May 27th 2018 May 25-29 2018

For the event described as Oyster Bay Concours Car Show

The property/equipment is need from street May 20, 7am-7pm. Barricades (6 horses) May 18 ready for pickup May 23.

The event for which the property and/or equipment is requested () is (X) is not a not a profit making event.

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

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

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

Name of Organization:

New York AutoFest

Address of Organization:

35 Capitol Heights Rd.
Oyster Bay, NY 11771

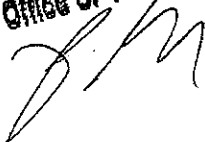
By: Leo Cerruti

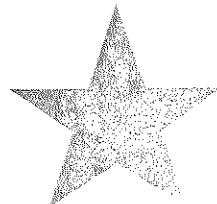

Authorized Representative

Title: Pres.

Telephone Number: 516-882-5022

Reviewed By
Office of Town Attorney





DATE: 2/23/18
TO: HIGHWAY OPERATIONS
SUBJECT: New York Autofest Car Show

PLEASE DELIVER TO: DATE OF EVENT: 5/20/18

Audrey Avenue
Oyster Bay

BARRICADES: 6

CONTACT: Leo Ceruti
516-882-5022

CONES:

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 5/18/18

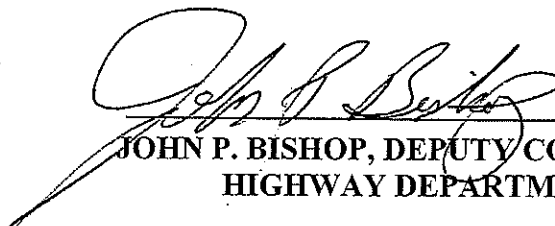
PICKUP ON: 5/21/18

SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

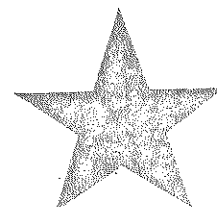
Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/taw


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Peter Brown 003
Dan Kornfeld
Jeff VanNostrand
Public Safety Division

Dave Ryan Area Foreman 013



WHEREAS, The Town Board previously adopted Resolution No. 595-2002, retaining the law firm of Rivkin Radler, LLP, as special counsel for the Town of Oyster Bay, to provide legal services with respect to various environmental law issues involving the Bethpage Community Park, including the handling of the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.* Rivkin Radler, LLP has since notified the Town that it will be withdrawing as counsel for the Town; and

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 27, 2018, have advised that pursuant to the Town's Procurement Policy, law firms were solicited by Requests for Proposals (RFP's) to assist the Office of the Town Attorney with respect to the civil action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*, 2:05-CV-01945, commenced in the United States District Court for the Eastern District of New York; and

WHEREAS, despite the Town Board, on February 27, 2018, adopting Resolution No. 123-2018 authorizing the retention of Young Sommer, LLC as counsel in the *Northrop* litigation, an appropriate retention agreement could not be reached;

WHEREAS, after a review of the qualifications, experience, and references of the law firms responding to the RFPs, the Office of the Town Attorney recommends that Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 be retained to assist the Office of the Town Attorney with said litigation at a rate of \$480.00 per hour, for Senior Partners, and Partners and Senior Of-Counsel shall bill the Town at a rate ranging from \$595.00 to \$690.00 per hour,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth herein is hereby accepted and approved and that Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 is hereby authorized to provide legal services for the Town in connection with the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in an amount not to exceed \$40,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

7/15
Reviewed By
Office of Town Attorney

37

334

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : April 27, 2018

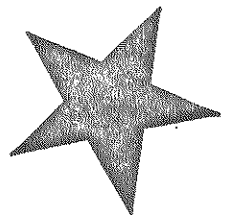
SUBJECT : Request for Proposals
Special Counsel to the Town for Environmental Litigation
Town of Oyster Bay v. Northrop Grumman Corporation, et al.

The Town Board previously adopted Resolution No. 595-2002, retaining the law firm of Rivkin Radler, LLP as special counsel for the Town of Oyster Bay, to provide legal services with respect to various environmental law issues involving the Bethpage Community Park, including the handling of the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.* Rivkin Radler, LLP has since notified the Town that it will be withdrawing as counsel for the Town.

Pursuant to the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney recently solicited law firms to represent the Town in connection with the aforementioned civil action, *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*, 2:05-CV-01945, commenced in the United States District Court for the Eastern District of New York.

Given the complexity of the claims asserted in that action, together with the specialized knowledge and resources that will be required to defend against said claims, this Office solicited proposals pursuant to two RFPs, each RFP providing the same amount of time for response. The first RFP, issued October 11, 2017, solicited sixteen (16) law firms that have experience handling such claims, as well as publication in Newsday on October 13, 2017. Three (3) responses to the RFP were received by the deadline established in the RFP, each of which included a synopsis of the firms' qualifications, experience, and references. A second RFP issued January 16, 2018, solicited three (3) law firms that have experience handling such claims. One (1) further response to the RFP was received by the deadline established in the RFP, which included a synopsis of the firm's qualifications, experience, and references.

On February 27, 2018, the Town Board adopted Resolution No. 123-2018, authorizing the retention of Young Sommer, LLC, as counsel in the *Northrop* litigation. Subsequent discussions with Young Sommer disqualified the use of this firm as counsel, including a demand of Young Sommer, LLC. for a retention payment by the Town prior to commencing work. No retainer agreement was executed for the retention of Young Sommer, LLC.

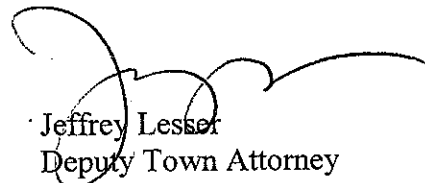


Pursuant to Guideline 9 of the Procurement Policy, and after a thorough investigation and a review of the qualifications of the other law firms who responded to the solicitation for proposals pursuant to the RFPs, this Office recommends that the firm of Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 be retained to assist the Office of the Town Attorney with respect to *Northrop* litigation.

Under the proposal submitted by the firm, Senior Partners shall bill the Town at a rate of \$480.00 per hour, Partners and Senior Of-Counsel shall bill the Town at a rate ranging from \$595.00 to \$690.00 per hour, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, in an amount not to exceed \$40,000.00.

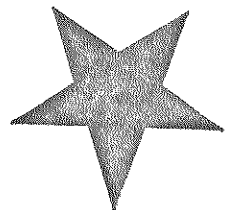
Accordingly, attached hereto for Town Board consideration is a proposed resolution appointing Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103, as special counsel to the Town of Oyster Bay for purposes of representing the Town in connection with *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*

JOSEPH NOCELLA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JAL:ba
Attachment
LT 1130
cc: Town Attorney (w 7/copies)

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

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

WHEREAS, Joseph Nocella, Town Attorney, and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated April 30, 2018, have advised that claimant, Paul Morelli, alleges that on March 21, 2018, he sustained property damages to his 2016 Audi Q5, as a result of a motor vehicle accident, when a vehicle owned by the Town of Oyster Bay struck his parked and unoccupied vehicle in front of his house in North Massapequa, New York; and

WHEREAS, after extensive negotiations, the matter has settled for a total of \$18,460.23, in full resolution of all claims.

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the Town Board finds that it is just, reasonable, and in the best interests of the Town to settle this matter for the sum of \$18,460.23, which sum is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to Claimant, Paul Morelli, with regard to Claim No. 2018-6488 and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to Paul Morelli in the amount of \$18,460.23; and be it further


RESOLVED, That the funds for said payment are 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
Councilman Muscarella	Aye
Councilman Macagnone	Absent
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney


38

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : April 30, 2018
SUBJECT: SETTLEMENT OF NEGLIGENCE CLAIM
Claimant: Morelli, Paul
Claim No.: 2018-6488

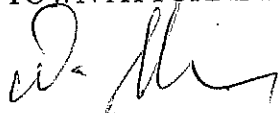
A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

The above referenced claim arose as a result of a motor vehicle accident that occurred on March 21, 2018. Claimant, Paul Morelli, alleges to have sustained property damages when a motor vehicle owned by the Town of Oyster Bay struck his parked and unoccupied vehicle that was in front of his house in North Massapequa, New York.

Two estimates were obtained for repair, one in the amount of \$19,120.21 and after extensive settlement negotiations, this matter was settled for a total of \$18,460.23. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town.

Accordingly, we have attached a resolution authorizing payment of \$18,460.23, together with copies of the General Release executed by Claimant, Paul Morelli. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

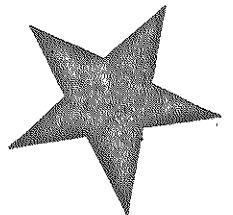
JOSEPH NOCELLA
TOWN ATTORNEY



Dennis P. Sheehan
Deputy Town Attorney

DPS:ba
Attachment
cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2018\MD & Reso\Morelli reso.docx



General Release

BE IT KNOWN, that Paul M. Morelli
1104 N. New York Drive
N. Massapequa, New York 11758

as **RELEASOR(S)**

in consideration of the sum of

EIGHTEEN THOUSAND FOUR HUNDRED SIXTY AND 23/100 ---- DOLLARS \$ 18,460.23

received from **THE TOWN OF OYSTER BAY** as **RELEASEE**,

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

TOWN OF OYSTER BAY,

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

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

Paul M. Morelli
RELEASOR (print name)

Paul M. Morelli
Signature

4-24-18
Date

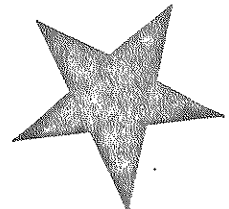
ACKNOWLEDGMENT

State of New York, County of Nassau ss.:

On this 24th day of April, 2018, before me, the undersigned personally appeared Paul M. Morelli, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Lorraine Ozello
(signature and office of individual taking acknowledgment)

Lorraine Ozello
Notary Public, State of New York
No. 01026227239
Qualified in Nassau County
Commission Expires Sept. 07, 2018



Meeting of May 8, 2018

Resolution No. 336-2018

BE IT ORDAINED, by the Town Board of the Town of Oyster Bay, County of Nassau, State of New York, that the Code of the Town of Oyster Bay, New York, adopted October 5, 1971, and recodified April 22, 1991, as Chapter 233, as amended, be and the same is further amended as follows:

That the following locations be ADDED to SECTION 17-25 of the said Code establishing thereunder the following intersections as STOP intersections and stop signs shall be erected at appropriate places facing traffic on the stop street. All traffic on a stop street approaching a through street from either direction, unless otherwise designated, shall come to a full stop before entering the through street.

	<u>THROUGH STREET</u>	<u>STOP STREET</u>
SYOSSET	WESTMINSTER ROAD	DRURY LANE, northwest
	WESTMINSTER ROAD	DRURY LANE, southeast
	DRURY LANE	WESTMINSTER ROAD, northeast

That the following locations be ADDED to SECTION 17-44 of the said Code establishing LEFT OR RIGHT TURNS SHALL OR SHALL NOT BE MADE AS THE CASE MAY BE, which shall be appropriately designated by posted signs: HICKSVILLE - Jerusalem Avenue - No Right Turn - east side - 15 feet south of the south curblineline of West Nicholai Street; No Left Turn - west side - 22 feet north of the north curblineline of West Nicholai Street. MASSAPEQUA - Ontario Avenue - No Left Turn - south side - at the two exits of the parking lot to Broadway.

That the following locations be ADDED to SECTION 17-152 of the said Code establishing NO STOPPING ZONES, which shall be appropriately designated by posted signs: GLEN HEAD - Helen Street - No Stopping Here to Corner - north side - starting at the east curblineline of Glen Cove Road, east for a distance of 50 feet. MASSAPEQUA - Rockwood Avenue - No Stopping Anytime - east side - starting at a point 60 feet south of the south curblineline of East Maple street, south for a distance of 133 feet. North Broadway - No Stopping Here to Corner - east side - starting from the north curblineline of North Wisconsin Avenue, north for a distance of 40 feet; west side - starting at the south curblineline of North Wisconsin Avenue, south for a distance of 40 feet; east side - starting from the south curblineline of North Wisconsin Avenue, south for a distance of 40 feet. Biltmore Boulevard at its intersection with Hampton Boulevard - No Stopping Anytime on all three sides of the Traffic Island. Biltmore Boulevard No Stopping Anytime - east side - starting at the south curblineline of Hampton Boulevard, south for a distance of 50 feet.

That the following locations be DELETED from SECTION 17-154 of the said Code: MASSAPEQUA - North Broadway - No Stopping Bus Stop - east side - starting from the north curblineline of North Wisconsin Avenue, north for a distance of 60 feet; west side - starting at the south curblineline of North Wisconsin Avenue, south for a distance of 100 feet.

That the following location be ADDED to SECTION 17-165 of the said Code establishing NO PARKING ZONES, which shall be appropriately designated by posted signs: PLAINVIEW - Richard Court - No Parking Here to Corner - south side - starting at the west curblineline of Pasadena Drive, west for a distance of 25 feet.

That the following locations be DELETED from SECTION 17-165 of the said Code: MASSAPEQUA - Merrick Road - No Parking Anytime - south side - starting at a point 232 feet east of the east curblineline of Unqua Road, east for a distance of 56 feet; south side - starting at a point 225 feet east of the east curblineline of Unqua Road, east for a distance of 75 feet. PLAINVIEW - Richard Court - No Parking Here to Corner - south side - starting at the west curblineline of Pasadena Drive, west for a distance of 45 feet. Manor Street - No Parking Anytime - east side - starting at a point 5 feet north of the apron to House No. 159, south for a distance of 20 feet.

That the following location be ADDED to from SECTION 17-166 of the Said Code establishing NO PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designed by posted signs: MASSAPEQUA - North Hickory Street - north side - No Parking 7am to 3pm School Days - starting at the east curblineline of Peony Drive, east for a distance of 530 feet.

That the following locations be DELETED from SECTION 17-166 of the Said Code: MASSAPEQUA - North Hickory Street - No Parking 7am to 3pm School Days - north side - starting at the east curblineline of Peony Drive, east for a distance of 178 feet; north side - starting at a point 27 feet opposite the east curblineline of Magnolia Drive, east for a distance of 163 feet; No Parking 7am to 5pm School Days - north side - starting at a point 178 feet east of the east curblineline of Peony Drive, east for a distance of 100 feet.

That the following location be ADDED to SECTION 17-167 of the said Code, establishing LIMITED PARKING ZONES, which shall be appropriately designated by posted signs: MASSAPEQUA - Merrick Road - Two Hour Parking - south side - starting at a point 268 feet west of the west curblineline of Unqua Road, west for a distance of 285 feet; south side - starting at a point 153 feet east of the east curblineline of West Shore Road, east for a distance of 75 feet.

That the following location be DELETED from SECTION 17-167 of the said Code, MASSAPEQUA - Merrick Road - Two Hour Parking - south side - starting at a point 268 feet west of the west curblineline of Unqua Road, west for a distance of 435 feet.

That the following locations be ADDED to SECTION 17-168 of the said Code, establishing LIMITED PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: GLEN HEAD - Helen Street - No Parking 10am to 3pm except Saturday, Sunday and Holidays - north side - starting at a point 50 feet east of the east curblineline of Glen Cove Road, east to the west curblineline of Marion Street; south side - starting at a point 80 feet east of the east curblineline of Glen Cove Road, east for a distance of 195 feet; south side - starting at the west curblineline of Marion Street, west for a distance of 110 feet. MASSAPEQUA - Parkside Boulevard - Two Hour Parking 7am to 7pm Except Saturday, Sunday and Holidays - west side - starting from the south curblineline of Pennsylvania Avenue, south for a distance of 130 feet.

That the following location be DELETED from SECTION 17-168 of the said Code: MASSAPEQUA - Parkside Boulevard - Two Hour Parking 7am to 7pm Except Saturday, Sunday and Holidays - west side - starting from the south curblineline of Pennsylvania Avenue, south for a distance of 150 feet.

That the following location be ADDED to SECTION 17-184 of the said Code, establishing NO PARKING/STANDING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: MASSAPEQUA - North Richmond Avenue - No Parking Saturdays and Sundays 2pm to 7pm - south side - starting at a point 107 feet east of the east curblineline of Broadway, east for a distance of 100 feet.

That the following locations be DELETED from SECTION 17-184 of the said Code: MASSAPEQUA - North Richmond Avenue - No Parking Saturdays and Sundays 2pm to 7pm - south side - starting at a point 107 feet east of the east curblineline of Broadway, east for a distance of 176 feet; north side - starting at a point 132 feet east of the east curblineline of Broadway, east for a distance of 102 feet.

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Absent
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
cc: Supervisor	
Town Atty	
Comptroller	
HWY/DPW/PubSafety	

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 93 – BUILDING CONSTRUCTION TO ADD PROVISIONS RELATIVE TO THE EXECUTION OF BUILDING PERMIT APPLICATIONS", and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on April 24, 2018, 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 24, 2018, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations, including those codified at 6 NYCRR § 617.5(c) (Type II Actions), as Item No. 20 thereunder, 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 6 NYCRR § Section 617.5(c) (Type II Actions), Item No. 20; and be it further

RESOLVED, That said Local Law 5 -18, entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 93 – BUILDING CONSTRUCTION TO ADD PROVISIONS RELATIVE TO THE EXECUTION OF BUILDING PERMIT APPLICATIONS", 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.

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

Reviewed By
Office of Town Attorney
[Signature]

338

Meeting of May 8, 2018

Resolution No. 338 -2018

WHEREAS, pursuant to duly published notice, a hearing was held before the Town Board on May 8, 2018, to present Contracts for Fire Protection with the East Norwich Volunteer Fire Company No. 1 for the calendar years 2018 and 2019 in the following amounts not to exceed \$307,286.25 and \$311,072.56, respectively;

WHEREAS, the Town Board finds it desirable to authorize the Town to enter into a Contract with and pay the East Norwich Volunteer Fire Company No. 1 for fire protection services provided in the calendar year 2018 in an amount not to exceed \$307,286.25; and

WHEREAS, the Town Board finds it desirable to authorize the Town to enter into a Contract with and pay the East Norwich Volunteer Fire Company No. 1 for fire protection services provided in the calendar year 2019 in an amount not to exceed \$311,072.56; and

WHEREAS, the Town Board finds it desirable to authorize the Town Comptroller to pay the East Norwich Volunteer Fire Company No. 1 for fire protection services provided in the calendar years 2018 and 2019 in the following amounts not to exceed \$307,286.25 and \$311,072.56, respectively;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor or his duly authorized representative is authorized to execute the aforesaid Contracts for Fire Protection on behalf of the Town with the East Norwich Volunteer Fire Company No. 1 for the calendar years 2018 and 2019 in the amounts not to exceed \$307,286.25 and \$311,072.56, respectively, as well as other documents that are necessary to carry out the purpose of this Resolution and Contracts, and the Comptroller is authorized to pay the East Norwich Volunteer Fire Company No. 1 for fire protection services provided in the calendar years 2018 and 2019 in the amounts not to exceed \$307,286.25 and \$311,072.56, respectively, upon presentation of a bill from the East Norwich Volunteer Fire Company No. 1 to be effective *nunc pro tunc* January 1, 2018.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney

Elizabeth A. Taughnan

Meeting of May 8, 2018

Resolution No. 339 -2018

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, Audrey Avenue, Oyster Bay, New York on the 22nd day of May, 2018, at 7:00 p.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of ISLAND PROPERTIES, LLC, fee owner, for a Special Use Permit for permission to place a portable bar for on-site consumption of alcoholic beverages on a parcel of land located in the Light Industry (LI) Zone of the Town of Oyster Bay and located at 5 Bay Avenue, Oyster Bay, Town of Oyster Bay, County of Nassau, State of New York and described as Section 27, Block A, Lot 40, on the Land and Tax Map of Nassau County; and be it further

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Environmental Resources

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, May 22, 2018, at 7:00 p.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from ISLAND PROPERTIES, LLC, fee owner, for a Special Use Permit for permission to place a portable bar for on-site consumption of alcoholic beverages on a parcel of land located in the Light Industry (LI) Zone of the Town of Oyster Bay and located at 5 Bay Avenue, Oyster Bay, Town of Oyster Bay, County of Nassau, State of New York and described as Section 27, Block A, Lot 40, on the Land and Tax Map of Nassau County. The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated May 8, 2018 Oyster Bay, New York.

Reviewed By
Office of Town Attorney

24

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

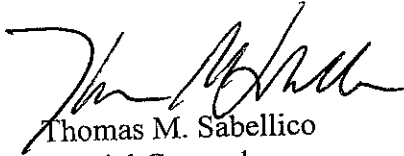
DATE : May 3, 2018

SUBJECT: Island Properties, LLC
Special Use Permit
Premises: 5 Bay Avenue, Oyster Bay, New York
Section 27, Block A, Lot 40

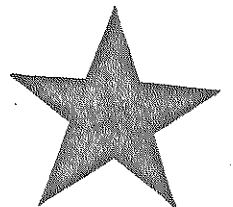
It is requested that at the Town Board meeting scheduled for May 8, 2018, that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on May 22, 2018 in connection with the above referenced matter.

Accordingly, kindly suspend the rules and place this item on the May 8, 2018 action calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:st
Enclosure



Reviewed By
Office of Town Attorney
JMS

WHEREAS, by Resolution No. 116-2017, adopted February 28, 2017, the Town Board appointed the five individuals to serve on the Town of Oyster Bay Board of Ethics; and

WHEREAS, subsequent to the adoption of Resolution 116-2017, vacancies opened on the Board of Ethics; and

WHEREAS, ten (10) candidates for the Board of Ethics were interviewed by an Interview Committee in order to identify individuals to fill such vacancies; and

WHEREAS, Joseph S. Saladino, Supervisor, by memorandum dated May 7, 2018, recommended that the following individual be appointed to serve on the Ethics Board of the Town of Oyster Bay, without compensation, to serve until December 31, 2019:

Rabbi Perry Rank
330 South Oyster Bay Road
Syosset, New York 11791

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board appoints Rabbi Perry Rank to serve as a member of the Town of Oyster Bay Board of Ethics for a term expiring on December 31, 2019.

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

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

cc: Supervisor
Town Attorney
Comptroller

WHEREAS, pursuant to public notice, bids were duly solicited and regularly received for Construction Contract relative to the Expansion of Ellsworth W. Allen Park Replacement of Existing Synthetic Turf Field in accordance with the specifications contained in Contract No. DP18-173, and said bids were publicly opened and read on April 9, 2018; and

WHEREAS, the lowest responsible bid submitted was that of The LandTek Group, Inc., 235 County Line Road, Amityville, New York 11701, with a bid in the amount of \$545,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated April 9, 2018 and April 16, 2018, and LiRo Engineers, Inc., by letter dated April 10, 2018, recommended that the bid as hereinabove set forth be accepted,

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. DP18-173 shall be awarded to The LandTek Group, Inc., in the amount of \$545,000.00, in accordance with the provisions thereunder; and be it further

RESOLVED, that in accordance with Town policy, the amount of \$27,250.00 shall be encumbered for potential quantity increases, for a total bid encumbrance in the amount of \$572,500.00; and be it further

RESOLVED, that funds are available to satisfy the encumbrance in the amount of \$572,500.00 from Account No. PKS H 7197 20000 000 1502 001.

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Parks

Reviewed By
Office of Town Attorney