

John Canning
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting of June 18, 2019

RESOLUTION P-12-19

WHEREAS, The 2019 Budget, adopted October 30, 2018 established the titles and salaries of officers and employees of the Town of Oyster Bay pursuant to Section 27 of Town Law, and other Local Laws relating to the establishment of Town Departments, and Rules and Regulations governing appointments, etc., of employees; and

WHEREAS, The adoption of said 2019 Budget, on October 30, 2018, was by a Resolution of the Town Board; and

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

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

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

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

cc: Supervisor
Town Attorney
Comptroller
Human Resources

John Canning
COMMISSIONER OF LAND RESOURCES

APPROVED

Meeting of June 18, 2019

PA -6-2019

WHEREAS, Resolution #PA 3-73, adopted the 1973 Graded Salary Plan for all titles in use in the Town of Oyster Bay; and

WHEREAS, it is deemed necessary periodically to change or upgrade the grades of such approved titles of Nassau County Civil Service Commission,

NOW, THEREFORE, BE IT RESOLVED, That the Graded Salary Plan, as adopted by Resolution #PA 3-73, on January 1973, be and hereby is amended to reflect the following effective June 18, 2019:

TO CHANGE THE GRADE OF:	FROM:	TO:
Director of Animal Shelter	21	25

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

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

cc: Supervisor
Town Attorney
Comptroller
Human Resources

Meeting of June 18, 2019

Resolution No. TF-11-2019

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
037-19	OTA	\$10,000.00	OTA A 1420 44110 000 0000
			TO
		\$10,000.00	OTA A 1420 44110 604 0000
			FROM
038-19	PKS	\$5,000.00	PKS A 7110 46300 000 0000
			TO
		\$5,000.00	PKS A 7110 25000 000 0000
			FROM
039-19	PAD	\$3,000.00	PAD B 3620 44800 000 0000
			TO
		\$3,000.00	PAD B 3620 41400 000 0000
			INCREASE
040-19	PAD	\$200,000.00	PAD B 0001 02545 000 0000
			INCREASE
		\$200,000.00	PAD B 3620 44900 000 0000
			FROM
041-19	PKS	\$1,750.00	PKS SP07 7180 46300 000 0000
			TO
		\$1,750.00	PKS SP07 7180 47900 000 0000
			FROM
		\$1,750.00	PKS SP11 7180 25000 000 0000
			TO
		\$1,750.00	PKS SP11 7180 47900 000 0000

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks
Planning & Development

Reviewed By
Office of Town Attorney



2A
Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : May 31, 2019
SUBJECT: TRANSFER OF FUNDS

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

FROM:

OTA A 1420 44110 000 0000 (Legal Fees) \$10,000.00

TO:

OTA A 1420 44110 604 0000 (Court Mandated Court Reporters) \$10,000.00

Justification: To cover official transcripts from the court by court designated court reporters.

JOSEPH NOCELLA
TOWN ATTORNEY



Matthew M. Rozea
Deputy Town Attorney



MMR:mek
Cc: Town Attorney (w/ 9 copies)

2*

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: June 5, 2019

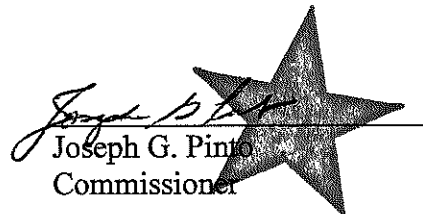
SUBJECT: 2019 Transfer of Funds

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

FROM:
PKS-A-7110-46300-000-0000 Building, Property Maintenance \$5,000.00

TO:
PKS-A-7110-25000-000-0000 General Equipment \$5,000.00

This transfer is being requested to provide funds necessary for General Equipment.


Joseph G. Pinto
Commissioner

JGP:dim
cc: Town Attorney (+ 9 copies)

2B

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

To: MEMORANDUM DOCKET

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

Date: JUNE 6, 2019

Subject: TRANSFER OF FUNDS

Kindly arrange for a transfer of funds as requested from the 2019 budget as follows:

From: PAD B 3620 44800 000 0000-----\$3,000.00
PROFESSIONAL SERVICES

To: PAD B 3620 41400 000 0000-----\$3,000.00
UNIFORMS

This transfer is necessary to pay for uniforms and equipment for Inspectors.


ELIZABETH L. MACCARONE
COMMISSIONER



ELM/dm

C: Legislative Affairs +7 copies

2C

Town of Oyster Bay Inter-Departmental Memo


June 10, 2019

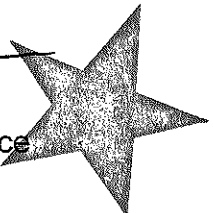
To: Memorandum Docket
From: Robert Darienzo, Director of Finance
Subject: Transfer of Funds

In order to provide funds for cover the costs associated with the Defaulted Mortgage Property Registration Program, the following transfer of funds is hereby requested:

Increase:						
PAD B	0001	02545	000	0000	Other Licenses	200,000.00
Increase:						
PAD B	3620	44900	000	0000	Other Contracts	200,000.00

Thank you.


Robert Darienzo
Director of Finance



RD/rd
cc: Town Attorney (with 9 copies)
Word/Documents/Docket/TOF 2019 PAD

29

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: June 7, 2019

SUBJECT: 2019 TRANSFER OF FUNDS

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

FROM:

PKS-SP07-7180-46300-000-0000	Building Property Maintenance	\$1,750.00
PKS-SP11-7180-25000-000-000	General Equipment	\$1,750.00

TO:

PKS-SP07-7180-47900-000-0000	Other Expenses	\$1,750.00
PKS-SP11-7180-47900-000-0000	Other Expenses	\$1,750.00

This transfer is being requested to provide funds necessary for the Nassau Municipal Swim Inc. Membership Renewal.


Joseph G. Pinto
Commissioner



JGP:GS:ld

CC: Town Attorney (original +9 copies)

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 12, 2019, directed KATHLEEN AUSTIN, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 59 Stillwater Avenue, Massapequa, New York 11758, known and designated as Section 66, Block 85, Lot 95, on the Nassau County Land and Tax Map, in compliance with Section 241-9; and

WHEREAS, more than 14 days have elapsed since said Affidavit of Mailing Notice was given; and

WHEREAS, Commissioner Maccarone, by said memorandum, advised that the Applicant received, and provided the Town with copies of, the following documents: New York State Department of Environmental Conservation Permit No. 1-2824-00971/00008, dated July 2, 2018; Department of the Army, New York District Corps of Engineers, Permit No. NAN-2018-00862-EBR, dated January 30, 2019; and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State, dated July 9, 2018; and

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of May 7, 2019, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated February 6, 2019, advised that 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 has reviewed the relevant environmental factors affected by the uses proposed in the subject application, and has determined that said application warrants a TYPE II ACTION, 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,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board 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 TYPE II ACTION, 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 February 6, 2019; and be it further

RESOLVED, That the application of KATHLEEN AUSTIN, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 59 Stillwater Avenue, Massapequa, New York 11758, known and designated as Section 66, Block 85 Lot 95 on the

Reviewed By
Office of Town Attorney

Nassau County Land and Tax Map, is hereby APPROVED, subject to the following covenant and restriction imposed upon the subject premises: that the floating dock and any vessel or other item attached or connected or tethered to it in any fashion, when taken together, shall not protrude into the canal located to the west of the property a distance which exceeds 25% of the width of the canal, when measured from the western property line of the premises into the canal.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated May 23, 2019, requested Town Board authorization to retain the professional services of Jock Anderson, 7 Russell Road, Garden City, N.Y. 11530 as an Art Instructor for the Senior Citizens Service Program for a total of ten (10) weeks, at a cost of \$80.00 per session, in an amount not to exceed \$800.00, with funds available in *Special Events* Account No. CYS A 7020 47660 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved and the Department of Community and Youth Services is authorized to retain the professional services of Jock Anderson, 7 Russell Road, Garden City, N.Y. 11530 as an Art Instructor for the Senior Citizens Service Program for a total of ten (10) weeks, at a cost of \$80.00 per session, in an amount not to exceed \$800.00, with funds available in *Special Events* Account No. CYS A 7020 47660 000 0000.

-#-

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

CONTRACT

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Jock Anderson, 7 Russell Road, Garden City, New York 11530 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Class: Art Instruction

Location: Syosset-Woodbury Community Center
Ten Sessions Each

Amount: \$80.00 per session
Ten sessions

In consideration of these services, the TOWN agrees to pay CONTRACTOR an amount not to exceed Eight hundred dollars and 00/100. If CONTRACTOR fails to appear, or is incapacitated from rendering services through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be made upon submission of CONTRACTOR'S invoice and the claim form provided by TOWN.

If the workshop(s) covered under this contract does not materialize due to low enrollment or any other unforeseeable cause, the Commissioner of the Department of Community & Youth Services reserves the right to cancel the workshop in part or, the contract in its entirety.

JOCK ANDERSON

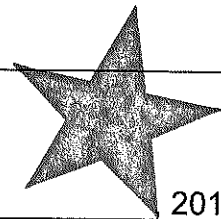
TOWN OF OYSTER BAY

CONTRACTOR

COMMISSIONER

DATE: _____, 2019

DATE: _____ 2019



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated May 23, 2019, requested Town Board authorization to enter into contracts with various performers, and/or their agents, for the pre-movie activities detailed on the attached Grid, in connection with the "2019 Music Under the Stars" concert series, which includes the "Salute to America" and "Movies by Moonlight", to be paid for by The Friends of the Community Services Department, Incorporated,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby authorizes the Department of Community and Youth Services and/or their designee to enter into contracts with various performers, and/or their agents, for the programs located on the attached Grid, in connection with the "2019 Music Under the Stars" concert series, which includes the "Salute to America" and "Movies by Moonlight", paid for by The Friends of the Community Services Department, Incorporated.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

Reviewed By
Office of Town Attorney

5

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

May 23, 2019

TO: Memorandum Docket

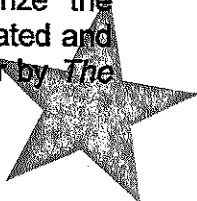
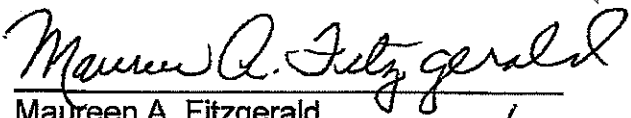
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services

SUBJECT: Amendment to Town Board Resolution No. 277- 2019
Pre-movie Activities for the Movies by Moonlight Series

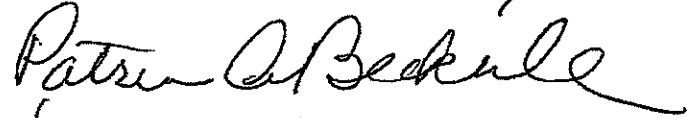
Town Board Resolution No. 277-2019, dated May 7, 2019, authorized the Department of Community & Youth Services to sign contracts with various vendors, performers, and/or their agents for the 2019 *Music Under the Stars* concert series which includes the *Salute to America and Movies by Moonlight*. The Resolution specifies the date, time, cost and service for each of the events. The Department is now requesting authorization to provide pre-movie activities for the *Movies by Moonlight* series.

The attached **Grid**, details date, location, cost and contact information for the activities that will be paid for by *The Friends of the Community Service Department, Incorporated* with monies received from Sponsor donations.

Therefore, it is respectfully requested that the Town Board authorize the Department of Community & Youth Services to enter into agreements as negotiated and attached for the pre-movie activities detailed on the attached Grid and paid for by *The Friends of the Community Service Department, Incorporated*.



Maureen A. Fitzgerald
Commissioner

MAF:iw
Attachments
cc: Town Attorney (Original +9 copies)

by

Deputy Commissioner

Contract

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Lena Pennino, 22 Monett Place, Greenlawn, New York 11704 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by: Lena and the Happy Clam Band

Date: Thursday, July 11, 2019

Duration: 45 – 60 Minutes

Location: Plainview Old Bethpage Community Park
Plainview, New York 11803

Amount: \$550.00

In consideration of these services, the Friends of the Community Service Department, Inc., agrees to pay CONTRACTOR the sum of five hundred fifty dollars and 00/100. If CONTRACTOR fails to appear, or is incapacitated from rendering a performance through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be made upon submission of your invoice and the claim form provided by TOWN.

LENA PENNINO

CONTRACTOR

DATE: _____, 2019

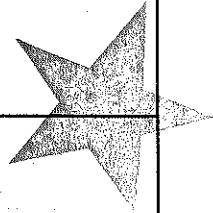
TOWN OF OYSTER BAY

COMMISSIONER

DATE: _____, 2019

2019 MOVIES BY MOONLIGHT ENTERTAINMENT SCHEDULE

Date/Park:	Movie:	Entertainment:	Contact Info:	Cost To Friends:
Thursday, July 11, 2019 Plainview Old Bethpage Community Park, Plainview *Pre movie activities- 6:00 PM *Movie- begins at dusk	MOVIES BY MOONLIGHT: Mary Poppins Returns	SPECIAL PERFORMANCE: Lena and the Happy Clam Band 45-60 minute show with songs from Mary Poppins movies	Lena and the Happy Clam Band Songs By Lena 22 Monett Place Greenlawn, NY 11704 Contact: Lena Pennino 516-413-5462 songsbylena@gmail.com	\$550
Thursday, July 18, 2019 Ellsworth W. Allen Town Park, Farmingdale *Pre movie activities- 6:00 PM *Movie- begins at dusk	MOVIES BY MOONLIGHT: Back To The Future	SPECIAL PERFORMANCE: Mad Science Marvels of Motion 45-60 minute stage show includes the Mad Science Jet Pack and Rocket Car.	Mad Science of LI PO Box 401 Woodmere, NY 11598 Contact: Claudio Superville (516) 620-6768 Ext: 112 Cell (516) 633-4178 Claudio@madscienceli.com	\$595
Thursday, August 8, 2019 Theodore Roosevelt Memorial Park and Beach, Oyster Bay *Pre movie activities- 6:00 PM *Movie- begins at dusk	MOVIES BY MOONLIGHT: Ralph Breaks the Internet	Metrocade Mobile Video Van 2 Hours of 'Free Play' video games	Metrocade Mobile Video Van 3376 Jackson Avenue Wantagh, NY 11793 Contact: Vincent 631-465-9911 metrocadeny@gmail.com	\$450



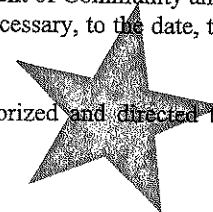
Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated April 11, 2019, requested Town Board authorization to enter into contracts with various performers, and/or their agents, for the programs located on Grid A, attached hereto and made a part thereof, in connection with the "2019 Music Under the Stars" series, for a total fee of \$64,400.00 (with the sum of \$11,500.00 to be reimbursed to the Town from The Friends of Community Services Department, Incorporated), with a net payout from the Town for Grid A being \$52,900.00, to be drawn from Account No. CYS A 7020 47660 000 0000, and for programs, performances and services, as set forth on Grid B, attached hereto and made a part hereof, total fees of \$24,478.00 for Grid B will be paid by The Friends of the Community Services Department, Incorporated, and said Commissioner further requested authorization for her and/or her designee to make changes, as necessary, to the date, time and location of said events;

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby authorizes the Department of Community and Youth Services and/or their designee to enter into contracts with various performers, and/or their agents, for the programs located on Grid A attached hereto, in connection with the "2019 Music Under the Stars" series, for a total fee of \$64,400.00 (with the sum of \$11,500.00 to be reimbursed to the Town from The Friends of Community Services Department, Incorporated), to be drawn from Account No. CYS A 7020 47660 000 0000, and for programs, performances and services, as set forth on Grid B attached hereto, all fees for which will be paid by The Friends of Community Services Department, Incorporated accounts, and a total net payout for the Town under Grid A and Grid B is \$52,900.00, and the Department of Community and Youth Services and/or their designee is authorized to make changes, as necessary, to the date, time and location of said events; and be it further

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

-#-



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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

WHEREAS, Long Island Uncorked has requested the use of Stehli Beach, Charles E. Ransom Beach and Centre Island Beaches to hold a food and wine event on Sunday, September 8, 2019, from 2:00 p.m. to 7:00 p.m.; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 31, 2019, recommended and requested approval of the request of Long Island Uncorked subject to the issuance of a facilities permit, and requested that the Town Board waive Town Code §168-22 Alcoholic Beverages: *No person shall bring beer, ale or any other alcoholic beverage into any park or beach for the duration of the event;* and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Parks is hereby authorized to issue a facilities permit to Long Island Uncorked for the use of Stehli Beach, Charles E. Ransom Beach and Centre Island Beaches to hold a food and wine event on Sunday, September 8, 2019, from 2:00 p.m. to 7:00 p.m. 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 Parks or his duly authorized designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay except those waived in Paragraph 4, both in its use of Town property and equipment and in the conduct of the aforescribed 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 aforescribed activity; and
4. The following section of the Town Code is hereby waived on Sunday, September 8, 2019 from 2:00 p.m. to 7:00 p.m., in

Reviewed By
Office of Town Attorney

Elizabeth A. Jayman

connection with the aforesaid event: Section 168-22, Alcoholic Beverages, subject to compliance with NYS Liquor Authority rules and regulations.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

4 371

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

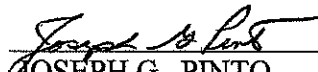
DATE: June 14, 2019

RE: Waiver Request of Town Ordinance

Long Island Uncorked has requested the use of Stehli Beach, Charles E. Ransom Beach and Centre Island Beaches to hold a food and wine event on Sunday, September 8, 2019 from 2:00 pm to 7:00 pm. This event will be authorized through the Department of Parks, in accordance with issuance of a facilities permit, as per Resolution 127-2017 (attached).

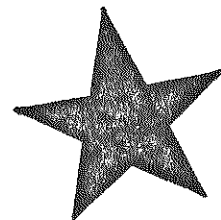
In furtherance of such event, the code of the Town of Oyster Bay, §168-22 Alcoholic Beverages; *No person shall bring beer, ale or any other alcoholic beverage into any park or beach* must be waived.

Therefore, Town Board authorization is requested for this waiver.


JOSEPH G. PINTO
Commissioner of Parks

JGP/ew

Town Attorney (+9 copies)



Meeting of March 21, 2017

Resolution No. 127-2017

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated February 23, 2017, respectfully requested authorization to charge a reasonable fee for organizations that desire to use a park facility, and the proposed facility use permit fee schedule is as follows:

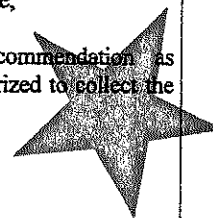
Resident and/or resident organizations	\$500.00
Non-Resident and/or non-resident organizations	\$1,000.00

WHEREAS, facility use permit fees may be waived for charity events, at which money is raised for a specific charitable cause, upon approval by the Commissioner of the Department of Parks, and facility use permit fees shall be waived when a facility is used in conjunction with issued athletic field permits, and events in which attendance is expected to exceed 5,000 participants, attendees, spectators or any combination thereof, shall require Town Board approval and a fee commensurate with the resources required established by a resolution for each event; and

WHEREAS, consistent with the provisions of Chapter 168-16 Public Address, Entertainment or Parades, the Commissioner of the Department of Parks shall establish the application, rules and criteria for the issuance and collection of the above noted fee,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Department of Parks is hereby authorized to collect the fees as set forth hereinabove.

-#-



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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Reviewed By
Office of Town Attorney

WHEREAS, Peter Play has offered to donate a memorial plaque and bench to be placed at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of John Play; and

WHEREAS, the value of the plaque and bench is estimated to be \$830.00, and the monies will be collected and deposited into Account No. PKS A 0001 02770 590 0000 and used to purchase the bench and plaque; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 28, 2019, has recommended that the Town accept said donation;

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$830.00 from Peter Play, for a plaque and bench, to be placed in Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of John Play.

-#-

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

5

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks


SUBJECT: Memorial Plaque and Bench

DATE: May 28, 2019

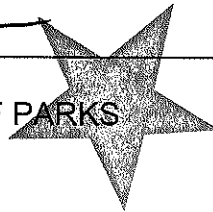
The Department of Parks has received a request from Peter Play (letter attached) requesting to donate a memorial plaque and bench to be placed in Theodore Roosevelt Memorial Park and Beach in memory of John Play.

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

The plaque and bench will be purchased by Peter Play and donated to the Parks Department. The value of the plaque and bench is estimated to be \$830.00. Town Board approval is requested on behalf of Peter Play. The monies will be collected in account PKS A 0001 02770 590 0000.



Joseph G. Pinto
COMMISSIONER OF PARKS



JGP/dc

C: Town Attorney (original +9 copies)
ATTACHMENT

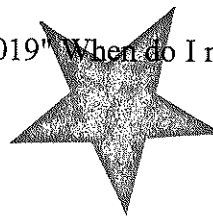
Diann Codispodo

From: Peter Play <peterjplay@gmail.com>
Sent: Friday, May 24, 2019 2:46 PM
To: Diann Codispodo
Subject: Memorial Bench and Plaque

Hi there,

I would like to have a new bench placed in Teddy Roosevelt Memorial Park in memory of my late father, John Play. Along with the larger sized plaque that we had discussed on the phone.

I would like the plaque to say something like "In memory of Johnny Play 1954-2019" When do I need to have final copy to you for the plaque?



What is the process for paying for this and getting it started?

Thank you so much,
Peter Play

WHEREAS, Dr. Tricia Aiello has offered to donate a memorial plaque and bench to be placed at Anchor Park, Massapequa, in memory of Tyler Abizeid; and

WHEREAS, the value of the plaque and bench is estimated to be \$830.00, and the monies will be collected and deposited into Account No. PKS A 0001 02770 590 0000 and used to purchase the bench and plaque; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 28, 2019, has recommended that the Town accept said donation;

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$830.00 from Tyler Abizeid, for a plaque and bench, to be placed in Anchor Park, Massapequa, in memory of Tyler Abizeid.

-#-

Reviewed By
Office of Town Attorney
[Signature]

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

6

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

SUBJECT: Memorial Plaque and Bench

DATE: May 28, 2019

The Department of Parks has received a request from Dr. Tricia Aiello (letter attached) requesting to donate a memorial plaque and bench to be placed in Anchor Park in memory of Tyler Abizeid.

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

The plaque and bench will be purchased by Dr. Tricia Aiello and donated to the Parks Department. The value of the plaque and bench is estimated to be \$830.00. Town Board approval is requested on behalf of Dr. Tricia Aiello. The monies will be collected in account PKS A 0001 02770 590 0000.



Joseph G. Pinto
COMMISSIONER OF PARKS



JGP/dc
C: Town Attorney (original +9 copies)
ATTACHMENT

Diann Codispodo

From: T A <triciaaiello@gmail.com>
Sent: Tuesday, May 21, 2019 3:45 PM
To: Diann Codispodo
Cc: Joseph Pinto; William Zang; Donna Antetomaso
Subject: Re: memorial plaque info

Thank you Diann for all your information.

My name is Tricia Aiello and I would like to request permission for a new bench with a large plaque be donated on our behalf in honor of Tyler Abizeid at Anchor park at the basketball quarts. Please contact me and let me know how we can continue this process.

Thank you kindly for your time

Dr. Tricia Aiello

516-996-4194

Triciaaiello@gmail.com

On Tue, May 21, 2019 at 3:13 PM Diann Codispodo <dcodispodo@oysterbay-ny.gov> wrote:

Good afternoon Tricia, It was nice to talk to another person who is looking to do something meaningful for the family of Tyler.

As I said on the phone the plaque guidelines are as follows:

8x4 \$350. It has 24 characters and spaces from left to right and 4 lines top to bottom

8x6 \$380. It has the same characters across but it has 5 lines top to bottom.

With a new bench the price is \$800. with the 8x4 plaque

With a new bench the price is \$830. With the 8x6 plaque

If you're are looking to do a tree, then you would purchase the tree and have it delivered to the park where the manager would have it planted.

Either way you will make an appointment to meet with the park manager to pick out a spot for placement.

Please call me with any other questions you have. I will get to work on my end as soon as you email me the request letter we spoke about.



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 28, 2019, requested Town Board authorization to conduct the Town of Oyster Bay Tennis Program at various Town of Oyster Bay facilities; and

WHEREAS, Commissioner Pinto requested authorization for the entry fee of sixty dollars (\$60.00) per resident, and seventy five dollars (\$75.00) per non-resident to cover the cost of equipment needed to successfully run the program, with the dates, times and locations of the games to be established by the Commissioner,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Parks, is hereby authorized to conduct the hereinabove described Town of Oyster Bay Tennis Program for the fees as requested, with funds to be deposited into Account No. PKS A 0001 02025 523 0000.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

7

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET
FROM: Joseph G. Pinto, Commissioner of Parks
DATE: May 28, 2019
SUBJECT: Town of Oyster Bay Tennis Program

The Department of Parks, Division of Recreation, respectfully requests Town Board authorization to conduct the Town of Oyster Bay Tennis Program. Permission to operate the program requires the adoption of an entry fee of sixty dollars (\$60.00) per resident and seventy five dollars (\$75.00) per non-resident. The entry fee provides the funds to purchase equipment needed to run this program successfully. 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.

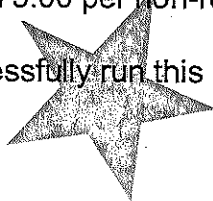
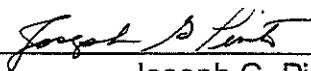
Tennis Program for Ages 5-8

This is a fun organized sports program for resident ages 5-8. The program will be administered by the Department of Parks, Division of Recreation. Dates, times and locations of the program are to be established by the Commissioner of Parks.

The fee for this program will be \$60.00 per resident and \$75.00 per non-resident.

The fees will cover the cost of equipment needed to successfully run this program.

Town Board approval is recommended.

Joseph G. Pinto
COMMISSIONER OF PARKS

CC: Office of Town Attorney (original + 9 copies)

7MS
Reviewed By
Office of Town Attorney
M. J. D. N.

WHEREAS, Michael Carrozza, Vice President, Bayville Chamber of Commerce, P.O. Box 113, Bayville, New York 11709, by letter dated May 1, 2019, requested the use of Centre Island Beach, as well the use of fifteen (15) trash receptacles and fifteen (15) picnic tables, from the Department of Parks connection with its end of summer concert and barbeque fundraising event to be held on Saturday, September 7, 2019 from 11:00 am to 7:00 pm; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 24, 2019, advised that Centre Island Beach is available for the date requested, and the fifteen (15) trash receptacles and fifteen (15) picnic tables will not be required for use by the Town at that time, and that the Department of Parks has no objection to providing same, and upon request of the Bayville Chamber of Commerce waives the following ordinances of the Code of the Town of Oyster Bay: Section 168-22, which bars beer, ale, or any other alcoholic beverage into any park or beach, so as to allow the consumption of said beverages at Centre Island Beach during the aforementioned time; and Section 168-20, which prohibits Solicitation of Alms, in order that contributions may be sought; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of Parks is hereby authorized to provide the use of Centre Island Beach and to provide the abovementioned property and equipment to the Bayville Chamber of Commerce, for its end of summer concert and barbeque fundraising event, to be held on Saturday, September 7, 2019 from 11:00 am to 7:00 pm, subject to the following conditions:

1. The Bayville Chamber of Commerce shall be responsible for obtaining all necessary permits for its event, and will furnish copies of same to the Department of Parks;
2. The use of all Town property shall be in conformance with the direction of the Commissioner of the Department of Parks or his duly authorized designee;
3. 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, except for Sections 168-22 and 168-20, which are to be waived as abovementioned; and

4. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains commercial 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 aforescribed activities.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

8

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

May 24, 2019

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Bayville Chamber of Commerce End of Summer Concert and Barbeque Fundraising Event

The attached letter dated May 1, 2019 from Michael Carrozza, Vice President of the Bayville Chamber of Commerce, requests the use of Centre Island Beach to hold an end of summer concert and barbeque fundraising event on Saturday, September 7, 2019 from 11:00am to 7:00pm.

For the event to take place at Centre Island Beach the following Town Ordinances of the Parks Department must be waived:

168-22 No person shall bring beer, ale or any other alcoholic beverage into any park or beach.

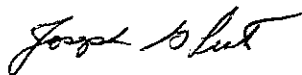
168-20 Solicitation of Alms-During the feast, solicitation of Alms and contributions will take place on behalf of Bayville Chamber of Commerce.

Other items that require Town Board authorization are:

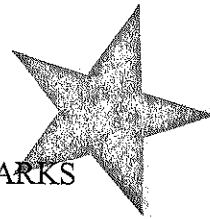
The use of 15 trash receptacles, 15 picnic tables, and a showmobile. Picnic tables and trash receptacles are not being utilized by any other facilities.

Fees for the showmobile are in conjunction with Resolution 174-2017.

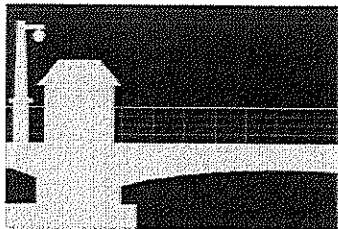
Town Board authorization is requested for the use of Centre Island Beach and Town equipment for their end of summer concert and barbeque.



JOSEPH G. PINTO
COMMISSIONER OF PARKS



Cc: Town Attorney (original + 9 copies)
Greg Skupinsky, Deputy Commissioner of Parks
Frank Gatto, Deputy Commissioner of Parks
Gary Bergenstock, North Shore Manager
Justin McCaffrey, Commissioner of Public Safety



BAYVILLE

CHAMBER OF COMMERCE

Your Bridge To Business Success

P.O. BOX 113, BAYVILLE, NY 11709
THEBAYVILLECHAMBEROFCOMMERCE@GMAIL.COM
WWW.BAYVILLECHAMBEROFCOMMERCE.COM

VINCENT MOSCATO
PRESIDENT

MICHAEL CARROZZA
VICE PRESIDENT

RICHARD VALICENTI
TREASURER

SUSAN RUST
SECRETARY

AMANDA VALDERRAMA
RECORDING SECRETARY

May 1, 2019

Town of Oyster Bay
Department of Parks
977 Hicksville Rd.
Massapequa, NY 11758
Att: Donna Antetomaso

Dear Ms. Antetomaso,

On behalf of the Bayville Chamber of Commerce, I am respectfully requesting the usage of the Centre Island Beach facilities for an end of the summer concert and barbeque fundraising event that will be selling beer and wine to take place on Saturday September 7th, 2019. The event will run from 11am until 7pm and will be in compliance with all permit requirements as well as being made aware to our local Nassau County Police Department Precinct (#2) and the Bayville Fire Company to provide a presence and ensure the utmost safety at the event.

We would also request the use of a showmobile (bandshell), 15 picnic tables (Rubbermaid if possible), and 15 extra garbage recyclables.

I have also enclosed the Landlord Authorization Form from the New York State Liquor Authority as a mandatory part of the Special Event Permit Application. If you could have form filled out and returned to my attention at:

Bayville Wines & Liquors
c/o Michael Carrozza
40 Bayville Avenue
Bayville, NY 11709

Thanks as always for your assistance and we look forward to another successful event.

Regards,

Michael Carrozza
Vice President, Bayville Chamber of Commerce
(516) 628-1618 (business), (516) 314-3310 (cell)



Meeting of April 4, 2017

Resolution No. 174-2017

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated March 27, 2017, requested Town Board authorization, to implement the attached Town of Oyster Bay 2017 Revised Department of Parks Field Permit and Equipment Fee Schedule, and further requested that the Commissioner of Parks be authorized to promulgate the rules and regulations for the issuance of field and equipment permits and the collection of the commensurate fees,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Parks is hereby authorized to implement the attached Town of Oyster Bay 2017 Revised Department of Parks Field Permit and Equipment Fee Schedule, and the Commissioner of Parks is authorized to promulgate the rules and regulations for the issuance of field and equipment permits and the collection of the commensurate fees.

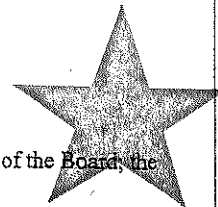
#

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks



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

This Agreement is made this 22 day of MAY 2019, by THE BAYVILLE CHAMBER OF COMMERCE (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as CENTRE ISLAND BEACH PARKING LOT AND RESTROOM FACILITIES, SHOWMOBILE, REFUSE CONTAINERS, AND PICNIC TABLES

for the event described as THE BAYVILLE CHAMBER OF COMMERCE END OF SUMMER FESTIVAL

The property/equipment is needed from SATURDAY SEPT. 7, 11:00AM to SATURDAY SEPT. 7, 11:00PM

The event for which the property and/or equipment is requested () is (X) is not a profit making event.

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

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

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

Name of Organization

THE BAYVILLE CHAMBER OF COMMERCE

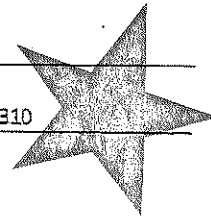
Address of Organization

PO BOX 113
BAYVILLE, NY 11709

By: MICHAEL CARROZZA *Michael Carrozza*
Authorized Representative

Title: VICE PRESIDENT

Telephone Number: 516-314-3310



STATIONARY, HALF-APPROPRIATE FOR KETTLE AND OTHER FOODS

Reviewed By
Office of Town Attorney

[Signature]



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/20/2019

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	CONTACT NAME: Bob Bleistein
1055 Stewart Avenue	PHONE (A/C, No. Ext): (516) 320-8120
2nd Fl, Suite 5	FAX (A/C, No):
Bethpage	E-MAIL ADDRESS: bobb@classiccoverage.com
NY 11714	INSURER(S) AFFORDING COVERAGE
INSURED	INSURER A: U.S. Liability Insurance Company
The Bayville Chamber Of Commerce	INSURER B:
PO Box 113	INSURER C:
Bayville	INSURER D:
NY 11709	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	ADDITIONAL INSURED (Y/N/D)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y	CL1933590	09/07/2019	09/09/2019	EACH OCCURRENCE \$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000	
	<input checked="" type="checkbox"/> Liquor Liab \$1MIL					MED EXP (Any one person) \$ 1,000	
	<input checked="" type="checkbox"/> Liquor Liab \$1MIL AGG					PERSONAL & ADV INJURY \$ 1,000,000	
GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000	
<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMPROP AGG \$ 2,000,000	
OTHER:						\$	
AUTOMOBILE LIABILITY							
<input type="checkbox"/> ANY AUTO							COMBINED SINGLE LIMIT (Ea accident) \$
<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS							BODILY INJURY (Per person) \$
<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY							BODILY INJURY (Per accident) \$
<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR							PROPERTY DAMAGE (Per accident) \$
<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE							\$
<input type="checkbox"/> DED <input type="checkbox"/> RETENTIONS							EACH OCCURRENCE \$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							AGGREGATE \$
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A							\$
If yes, describe under DESCRIPTION OF OPERATIONS below							PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/>
							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)

CERTIFICATE HOLDER IS AN ADDITIONAL INSURED.

CERTIFICATE HOLDER

CANCELLATION

TOWN OF OYSTER BAY

74 AUDREY AVE
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

Robert Bleistein

Reviewed By
Office of Town Attorney

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - MANAGERS OR LESSORS OF PREMISES

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person(s) Or Organization(s) (Additional Insured):

Effective Date: 09/07/2019
TOWN OF OYSTER BAY
54 AUDREY AVE
OYSTER BAY, NY 11771

Designation of Premises (Part Leased To You):
CENTRE ISLAND BEACH
BAYVILLE, NY 11709

Additional Premium: \$

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 arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

1. Any "occurrence" which takes place after you cease to be a tenant in that premises.
2. Structural alterations, new construction or demolition operations performed by or on behalf of the person(s) or organization(s) shown in the Schedule.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and

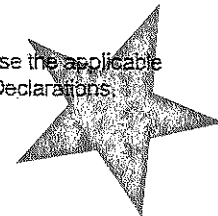
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 29, 2019, recommended that the Town Board authorize a refund to be paid to Daniela Iannelli, in the amount of \$600.00 for registration fee paid for the Summer Recreation program for her sons, which she withdrew from due to a scheduling conflict,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Parks is hereby authorized to issue a refund in the amount of \$600.00 to Daniela Iannelli, from Account No. PKS A 0001 02001 510 0000, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller.

-#-

Reviewed By
Office of Town Attorney
[Signature]

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

9

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: May 29, 2019

SUBJECT: Summer Recreation Refund

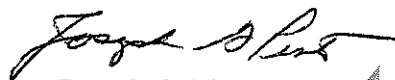
The Department of Parks has received correspondence from Daniela Iannelli requesting a refund in the amount of \$600.00. The refund is requested for Summer Recreation registration at Tappen Beach for the summer season of 2019. Please see attached for pertinent information regarding this refund request.

The refund should be mailed to:

Daniela Iannelli
109 Midway Avenue
Locust Valley, NY 11590

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

Kindly debit account PKS A 0001 02001 510 0000.



Joseph G. Pinto
Commissioner of Parks

JGP:lc

Attachments

CC: Office of the Town Attorney (original + 9 copies)

Liz Carroll

From: Gabrielle Pontillo
Sent: Thursday, May 23, 2019 8:10 AM
To: Liz Carroll
Subject: FW: please send to Joseph Pinto

From: Joseph Pinto
Sent: Thursday, May 23, 2019 7:40 AM
To: Gabrielle Pontillo
Subject: FW: please send to Joseph Pinto

fyi

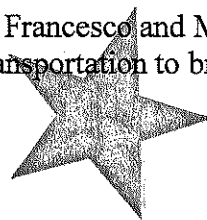
From: Jackie Devlin
Sent: Wednesday, May 22, 2019 3:59 PM
To: Joseph Pinto
Subject: Fwd: please send to Joseph Pinto

Sent from my iPhone

Begin forwarded message:

From: "D. Iannelli" <deeianelli@gmail.com>
Date: May 22, 2019 at 2:26:20 PM EDT
To: <jdevlin@oysterbay-ny.gov>
Subject: please send to Joseph Pinto

Hello Joseph. I will need to cancel the camp registration for my children Francesco and Michael Iannelli. Francesco needs to attend summer school and I will not have transportation to bring Michael.



Can you please send us a refund for \$600 for Michael and Francesco Iannelli?

Sincerely,

Daniela Iannelli



NO. 204
DATE 5/19/19
P/RS/19/122

TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
DAILY OPERATIONS REPORT

PARK: Tapscott

SUMMER RECREATION PROGRAM

	NUMBER	RATE	AMOUNT
1. Child	24	400.00	9600 —
2. Add-on (each additional child after 2)	17	200.00	3400 —
TOTAL	41		13,000 —

General Receipt Opening # 1435 Closing # 1458

REMARKS: _____

Dammes
Recreation Leader-Print
[Signature]
Recreation Leader-Sign
[Signature]
Recreation Supervisor-Print

Recreation Supervisor-Sign
Date 5/19/19


White-Comptroller
Canary-Finance
Pink-Accounting
Goldenrod-Rec. Supervisor

Town of Oyster Bay
Department of Parks
977 Hicksville Road
Massapequa, New York 11758-1281

Tappen

Summer Recreation
GENERAL RECREATION RECEIPT

No. 1439

Last Name	<i>Tannell</i>	First Name	<i>Francesco</i>	M. I.	
Address	<i>109 Midway Ave</i>				
	Town <i>Locust Valley</i>				
Age	<i>6+4</i>	Phone			
Groups	<i>Summer Rec</i>				
Facility	<i>Tappen</i>				
Amount	<i>600.00</i>	Check	<input checked="" type="checkbox"/>	No.	<i>1287</i>
Addl. Names	<i>Michael</i>				
		Received By (Print Name)		Date	
		<i>MM</i>		<i>5/8/19</i>	
		Sign			

White - Office
Canary - Accounting
Pink - Registrant
Goldenrod - Instructor

This Administrative Fee is Not Refundable



**STERLING
NATIONAL BANK**

MASSAPEQUA

Teller 1763
Seq 79

Till 12
10:11 AM

Calendar Date
Business Date

05/20/19
05/20/19

Account Number

*****7087

DDA Deposit

\$13,000.00

Cash Back

\$0.00

Available Balance

*Tap Summer
Rec*

Client Services
855-274-2801

<http://www.snb.com>

PKSA000 0200510 0000

DEPOSIT TICKET

DT8765

FOR CLEAR COPY, PRESS FIRMLY

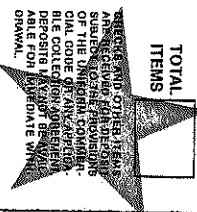
PKS191122000004

DATE

5/20/19

	DOLLARS	CENTS
CURRENCY		
COINS		
CHECKS LIST EACH SEPARATELY		
1 1312	400	
2 307	400	
3 1421	400	
4 2106	400	
5 711	400	
6 711	400	
7 2088	400	
8 958	400	
9 300	400	
10 263	400	
11 137	600	
12 1931	600	
13 634	600	
14 1162	600	
15 760	600	
16 393	600	
17 984	600	
18 1287	600	
19 861	600	
20 854	600	
21 461	800	
22 1063	800	
23 668	800	
24 943061663	800	
25		
26		
27		
28		
PLEASE RE-ENTER TOTAL HERE	TOTAL	12000

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.



50-704/2219

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

STERLING
NATIONAL BANK

USE ROUTING NUMBER FROM YOUR CHECKS FOR AUTOMATIC PAYMENTS. CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE AND ANY APPLICABLE COLLECTION AGREEMENT.

535010109: 6700327087 010

13000.-

Meeting of June 18, 2019

Resolution No. 377-2019

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 28, 2019, recommended that the Town Board authorize a refund be paid to Piedade Rocha, in the amount of \$1,215.00, refunding the cost for rental of a boat slip at Tappen Beach Marina, Glenwood Landing, for the summer season of 2019, due to the death of the boat owner in May 2019,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Parks is hereby authorized to issue a refund in the amount \$1,215.00 to Piedade Rocha, from Account No. PKS A 0001 02025 526 0000 and payment of said refund is to be made by the Comptroller, upon presentation of a duly certified claim, after audit.

#

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

10

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: May 28, 2019

SUBJECT: Boat Slip Refund Fee

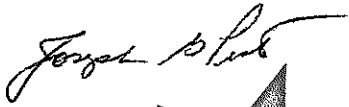
The Department of Parks has received correspondence from Fatina Vasconcelos on behalf of her late father, Antonio Rocha, requesting a refund in the amount of \$1,215.00 for a boat slip at Tappen Marina for the summer season of 2019. Please see attached for pertinent information regarding this refund request

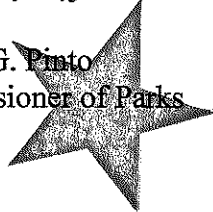
The check should be payable to and mailed to:

Piedaoe Rocha
250 Latham Road
Mineola, NY 11501

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

Kindly debit account PKS A 0001 02025 526 0000.


Joseph G. Pinto
Commissioner of Parks



JGP:lc

Attachments

CC: Office of the Town Attorney (original + 9 copies)

FATIMA VASCONCELOS or
PIEDADE ROCHA
250 LATHAM ROAD
MINEOLA, N.Y. 11501

PKS191078

dm

MAY 20, 2019

DEAR MR. JOSEPH BENTO,

I AM WRITING TO YOU TO REQUEST A FULL
REFUND CHECK FOR MY LATE FATHER'S PAYMENT
FOR SLIP # N9. MY FATHER WAS A TRUE FISHERMAN
AND HE MADE US KEEP CALLING GINA TO GET HIM A
SLIP EVERY YEAR. AND UNFORTUNATELY THIS YEAR HIS BOAT
DIDN'T EVEN MAKE IT TO THE SLIP. HE PASSED
MAY 3RD FROM ACUTE LEUKEMIA. HE WENT INTO THE
HOSPITAL EASTER SUNDAY & WAS 7 DAYS LATER DIAGNOS
W/ THE VIOLENT CANCER THAT TOOK THE BEST FISHERMAN
ALIVE, BEST DAD, BEST HUSBAND AWAY FROM US. SO I'M
ASKING IF YOU PLEASE REFUND MY MOTHER
PIEDADE M. ROCHA THE SLIP PAYMENT BY CHECK IF
POSSIBLE BECAUSE THE CREDIT CARD IS CLOSED DUE TO HIM
BEING THE PRIMARY. IF YOU NEED MORE INFO YOU CAN
CONTACT ME FATIMA (DAUGHTER) @ [REDACTED] OR [REDACTED]
SINCERELY,
Fatima Vasconcelos
A-1/Vasconcelos



PKS191078

Joseph G. Pinto

TOWN OF OYSTER BAY
Department of ParksJoseph S. Saladino
Town Supervisor977 Hicksville Road
Massapequa, NY 11758
(516) 797-4111**SUMMER 2019 MARINA FULL RECEIPT**Antonio Rocha
250 Latham
Mineola, NY 11501Receipt #: **15976**Slip No.: Tappen Beach **N09**Vessel: 4 Do for the oceansBirthdate: 12/17/1949 Payment Type: Visa Reg. #: NY6954UZAmount Received: \$1,215.00 Check #: LOA: 18'Date: 4/2/2019 4:10:07 PMPayment Received By: KSKRYNECKI**TERMS AND CONDITIONS**

The season shall begin on Monday, Apr 15, 2019 and end on Sunday, Nov 10, 2019.

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division
6. A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
 - a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
 - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
7. A tenant may not:
 - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
 - b. Trade up or down in vessel size that takes him/her out of his/her category size
 - c. Transfer ownership to other persons (full or part) and maintain current slip space
8. All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
9. The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone, and slips shall at all times remain under the full control of the Town of Oyster Bay.
10. All requests for refunds must be made in writing and received at the Parks Department main office.
11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
13. No refunds of fees upon revocation of assigned slip.
14. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to said manager by Sunday, Nov 3, 2019 as to the date of which licensee shall vacate assigned slip.
15. Any vessel remaining at a marina after Sunday, Nov 10, 2019, will be charged \$20 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Present to Dockmaster Prior to Occupying Slip

PKS191078

PARKS BEACH ADMIN
977 HICKSVILLE RD
MASSAPEQUA, NY 11758
(516) 797-7876

04-02-19

20:32:09

Term ID: 0004
Merchant ID: 000016163216
Bank ID: 6061

BATCH INQUIRY REPORT

Sales :	6	\$	7,762.50
Refunds :	0	\$	0.00
Total :	6	\$	7,762.50

PARKS BEACH ADMIN
977 HICKSVILLE RD
MASSAPEQUA, NY 11758
(516) 797-7876

04-02-19

20:32:09

DETAIL REPORT

IT	Acct #	Sale	Total
	Inv #		

\$	VS0315 000001	1215.00	1215.00 ✓
\$	VS1671 000002	1350.00	1350.00 ✓
\$	MC1538 000003	1200.00	1200.00 ✓
\$	VS5138 000004	1500.00	1500.00 ✓
\$	VS9378 000005	1282.50	1282.50 ✓
\$	VS7546 000006	1215.00	1215.00 ✓

Grand Totals

Sale Total:	6	\$	7,762.50
Refund Total:	0	\$	0.00
Total:	6	\$	7,762.50

PKS191078

Tuppen

PARKS BEACH ADMIN
977 HICKSVILLE RD
MASSAPEQUA, NY 11758
(516) 797-7876

Marina Summer

Deposit

Term ID: 0004

04-02-19

20:32:16

SETTLEMENT REPORT

Sett. ID: 0001
Host Name: VHV
Mer. Code: 1

Sales :	6	\$	7,762.50
Refunds :	0	\$	0.00
Total :	6	\$	7,762.50


Settlement Successful

<input type="button" value="My Business"/>	<input type="button" value="Helpdesk"/>	<input type="button" value="Documents"/>	Gabrielle Pontillo
--	---	--	---------------------------

Daily Financials

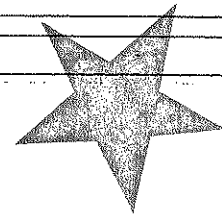
Daily Financials for PARKS BEACH ADMIN for 4/2/2019

Totals by Card Type

Card Type	Total	Transactions
	\$1,200.00	1
VISA	\$6,562.50	5
Totals	\$7,762.50	6

Monetary Batches and Transactions

<div>Export</div> <div>Search: <input type="text"/></div>								
Item No.	Amount	Trans Type	Trans Date	Card	Cardholder	POS Entry Mode	Authorization Code	Invoice Number
Batch Reference Number 02001 on 4/2/2019								
1	\$1,200.00	SALE	4/2/2019	Mastercard	548042*****1538	Chip card read (track data reliable)	03165Z	
2	\$1,282.50	SALE	4/2/2019	Visa	410039*****9378	Chip card read (track data reliable)	98336D	
3	\$1,215.00	SALE	4/2/2019	Visa	414709*****7546	Chip card read (track data reliable)	04121C	
4	\$1,215.00	SALE	4/2/2019	Visa	414709*****0315	Chip card read (track data reliable)	01131D	
5	\$1,350.00	SALE	4/2/2019	Visa	414781*****1671	Chip card read (track data reliable)	012085	
6	\$1,500.00	SALE	4/2/2019	Visa	438857*****5138	Chip card read (track data reliable)	01669D	
	\$7,762.50	Batch Total						
	\$7,762.50	Grand Total						
Showing 1 to 6 of 6 entries								



D 791092

131-2019-00034131

STATE FILE NUMBER

1. NAME: FIRST Antonio Mario Rocha		MIDDLE		LAST		2. SEX: MALE <input checked="" type="checkbox"/> FEMALE <input type="checkbox"/>		3A. DATE OF DEATH: MONTH 05 DAY 03 YEAR 2019		3B. HOUR: 03:17 AM	
4A. PLACE OF DEATH: (Check one) HOSPITAL DOA <input type="checkbox"/> ER <input type="checkbox"/> HOSPITAL OUTPATIENT <input type="checkbox"/> HOSPITAL INPATIENT <input checked="" type="checkbox"/> NURSING HOME <input type="checkbox"/> PRIVATE RESIDENCE <input type="checkbox"/> HOSPICE FACILITY <input type="checkbox"/> OTHER (Specify): <input type="checkbox"/>		4B. IF FACILITY, DATE ADMITTED: MONTH 04 DAY 22 YEAR 2019		4C. NAME OF FACILITY: (If not facility, give address) Winthrop University Hospital		4D. LOCALITY: (Check one and specify) CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWN <input checked="" type="checkbox"/> Mineola Village		4E. COUNTY OF DEATH: Nassau			
4F. MEDICAL RECORD NO. 937762		4G. WAS DECEDENT TRANSFERRED FROM ANOTHER INSTITUTION? (If yes, specify institution name, city or town, county and state) NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>		5. DATE OF BIRTH: MONTH 12 DAY 17 YEAR 1949		6A. AGE IN YEARS: 69 yrs.		6B. IF UNDER 1 YEAR ENTER: months days		6C. IF UNDER 1 DAY ENTER: hours minutes	
6. SERVED IN U.S. ARMED FORCES? (Specify years) NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>		7. DECEDENT OF HISPANIC ORIGIN? Check the boxes that best describe whether the decedent is Spanish/Hispanic/Latino. A <input checked="" type="checkbox"/> No, not Spanish/Hispanic/Latino B <input type="checkbox"/> Yes, Mexican, Mexican American, Chicano C <input type="checkbox"/> Yes, Puerto Rican D <input type="checkbox"/> Yes, Cuban E <input type="checkbox"/> Yes, Other Spanish/Hispanic/Latino (Specify)		8. DECEDENT'S RACE: Check one or more races to indicate what the decedent considered himself or herself to be. A <input checked="" type="checkbox"/> White/Caucasian B <input type="checkbox"/> Black or African American C <input type="checkbox"/> Asian Indian D <input type="checkbox"/> Chinese E <input type="checkbox"/> Filipino F <input type="checkbox"/> Japanese G <input type="checkbox"/> Korean H <input type="checkbox"/> Vietnamese I <input type="checkbox"/> Native Hawaiian K <input type="checkbox"/> Guamanian or Chamorro M <input type="checkbox"/> Samoan N <input type="checkbox"/> American Indian or Alaska Native (specify) P <input type="checkbox"/> Other Asian (specify) R <input type="checkbox"/> Other Pacific Islander (specify) S <input type="checkbox"/> Other (specify)		9. CITY AND STATE OF BIRTH: (If not USA, Country and Region/Province) Sousa, Portugal		7B. IF AGE UNDER 1 YEAR, NAME OF HOSPITAL OF BIRTH:			
11. DECEDENT'S EDUCATION: Check the box that best describes the highest degree or level of school completed at the time of death. 1 <input type="checkbox"/> 8th grade 2 <input type="checkbox"/> 9th-12th grade, no diploma 3 <input checked="" type="checkbox"/> High school graduate or GED 4 <input type="checkbox"/> Some college credit, but no degree 5 <input type="checkbox"/> Associate's degree 6 <input type="checkbox"/> Bachelor's degree 7 <input type="checkbox"/> Master's degree 8 <input type="checkbox"/> Doctorate/Professional degree		12. SOCIAL SECURITY NUMBER: [REDACTED]		13. MARITAL STATUS: NEVER MARRIED <input type="checkbox"/> 1 MARRIED <input checked="" type="checkbox"/> 2 WIDOWED <input type="checkbox"/> 3 DIVORCED <input type="checkbox"/> 4 SEPARATED <input type="checkbox"/> 5		14. SURVIVING SPOUSE: Enter birth name of spouse if married or separated. Piedade Veradade		15. KIND OF BUSINESS OR INDUSTRY: Construction		16. NAME AND LOCALITY OF COMPANY OR FIRM: Local 1298 and Local 66 - Hempstead & Melville, NY	
16A. RESIDENCE (State or Country if not USA) NY		16B. County or Region/Province if not USA Nassau		16C. LOCALITY: (Check one and specify) CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWN <input checked="" type="checkbox"/> Mineola Village		16D. IF CITY OR VILLAGE, IS RESIDENCE WITHIN CITY OR VILLAGE LIMITS? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF NO, SPECIFY TOWN:		16E. ZIP CODE 11501			
17. BIRTH NAME OF FATHER / PARENT: FIRST MI LAST Antonio Alfredo Rocha		18. BIRTH NAME OF MOTHER / PARENT: FIRST MI LAST Celsaltina de Jesus		19. NAME OF INFORMANT: Piedade Rocha		19B. MAILING ADDRESS: (include zip code) 250 Latham Road, Mineola Village, NY 11501		20. PLACE OF BURIAL, CREMATION, REMOVAL OR OTHER DISPOSITION: Long Island Cremation Co.		20C. LOCATION: (City or town and state) West Babylon Hamlet, New York	
21A. NAME AND ADDRESS OF FUNERAL HOME: 156 Willis Avenue, Mineola Village, NY 11501		21B. REGISTRATION NUMBER: 00297		22A. NAME OF FUNERAL DIRECTOR: William Cassidy		22B. SIGNATURE OF FUNERAL DIRECTOR: William Cassidy Electronically Signed		22C. REGISTRATION NUMBER: 10586			
23A. SIGNATURE OF REGISTRAR: Joseph R Scialero Electronically Signed		23B. DATE FILED: MONTH 05 DAY 06 YEAR 2019		24A. BURIAL OR REMOVAL PERMIT ISSUED BY: Lisa Farrell		24B. DATE ISSUED: MONTH 05 DAY 06 YEAR 2019		25. ITEMS 25 THRU 33 COMPLETED BY CERTIFYING PHYSICIAN - OR - CORONER/CORONER'S PHYSICIAN OR MEDICAL EXAMINER			
25A. CERTIFICATION: To the best of my knowledge, death occurred at the time, date and place and due to the causes stated. Certifier's Name: Mangalore Shenoy, MD License No.: 288815 Signature: Mangalore Shenoy, MD Electronically Signed		25B. If coroner is not a physician, enter Coroner's Physician's name & title: License No.: Signature: Month 05 Day 04 Year 2019		25C. If certifier is not attending physician, enter Attending Physician's name & title: License No.: Signature: Month Day Year		26A. Attending physician attended deceased: FROM Month 05 Day 02 Year 2019 TO Month 05 Day 02 Year 2019		26B. Deceased last seen alive by attending physician: Month 05 Day 02 Year 2019		26C. Pronounced Dead OR Month 05 Day 03 Year 2019 AT 03:17 AM	
27. MANNER OF DEATH: NATURAL CAUSE <input checked="" type="checkbox"/> 1 ACCIDENT <input type="checkbox"/> 2 HOMICIDE <input type="checkbox"/> 3 SUICIDE <input type="checkbox"/> 4 UNDETERMINED CIRCUMSTANCES <input type="checkbox"/> 5 PENDING INVESTIGATION <input type="checkbox"/> 6		28. WAS CASE REFERRED TO CORONER OR MEDICAL EXAMINER? 0 <input checked="" type="checkbox"/> NO 1 <input type="checkbox"/> YES		29A. AUTOPSY? NO <input type="checkbox"/> YES <input checked="" type="checkbox"/> 2		29B. IF YES, WERE FINDINGS USED TO DETERMINE CAUSE OF DEATH? 0 <input type="checkbox"/> NO 1 <input type="checkbox"/> YES		30. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR (A), (B), AND (C).) PART I. IMMEDIATE CAUSE: (A) multi organ failure DUE TO OR AS A CONSEQUENCE OF: (B) Acute myeloid leukemia DUE TO OR AS A CONSEQUENCE OF: (C) <<<>>>		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH: 1 day 3 weeks <<<>>>	
31A. IF INJURY, DATE: MONTH DAY YEAR		31B. INJURY LOCALITY: (City or town and county and state)		31C. DESCRIBE HOW INJURY OCCURRED:		31D. PLACE OF INJURY:		31E. INJURY AT WORK? NO <input type="checkbox"/> YES <input type="checkbox"/>		31F. DID TOBACCO USE CONTRIBUTE TO DEATH? 0 <input type="checkbox"/> NO 1 <input type="checkbox"/> YES 2 <input type="checkbox"/> PROBABLY 3 <input type="checkbox"/> UNKNOWN	
31F. IF TRANSPORTATION INJURY, SPECIFY: 1 <input type="checkbox"/> Driver 2 <input type="checkbox"/> Passenger 3 <input type="checkbox"/> Pedestrian		32. WAS DECEDENT HOSPITALIZED IN LAST 2 MONTHS? NO <input type="checkbox"/> YES <input type="checkbox"/>		33A. IF FEMALE: 0 <input type="checkbox"/> Not pregnant within last year 1 <input type="checkbox"/> Pregnant at time of death 2 <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death		33B. DATE OF DELIVERY: MONTH DAY YEAR					

Meeting of June 18, 2019

Resolution No. 378-2019

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 23, 2019, recommended that the Town Board authorize a refund to be paid to Roz Khan, in the amount of \$607.50, the difference between the rental fee for a large boat slip and that for a smaller boat slip at Tappen Beach Marina, Glenwood Landing, for the summer season of 2019,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Parks is hereby authorized to issue a refund in the amount \$607.50 to Roz Khan, from Account No. PKS A 0001 02025 526 0000 and payment of said refund is to be made by the Comptroller, upon presentation of a duly certified claim, after audit.

-#-

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: May 23, 2019

SUBJECT: Boat Slip Refund Fee

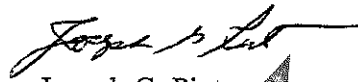

The Department of Parks has received correspondence from Roz Khan requesting a refund in the amount of \$607.50. The refund is the cost difference from a large boat slip to a smaller slip at the Tappen Beach Marina for the summer season of 2019. Please see attached for pertinent information regarding this refund request

The refund should be mailed to:

Roz Khan
88 School Street
Oyster Bay, NY 11771

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

Kindly debit account PKS A 0001 02025 526 0000.


Joseph G. Pinto
Commissioner of Parks


JGP:lc

Attachments

CC: Office of the Town Attorney (original + 9 copies)

May 16, 2017

TAPPEN MARINA

To: Town of Oyster Bay

Department of Parks

Beach Division

1282.50

For the Summer Season 2019 I, Roz Khan, paid for a Slip (C09) a total of \$1287.50. My slip was for a 19ft boat and subsequently I changed to a 15ft boat. At which time I was assigned a new slip (E05). I am currently in the new slip (E05) and have vacated (C09). There was a credit of 675.00 applied to my current slip however based on the difference in size I am owed an additional \$607.50. Please send the refund to my home address.

Roz Khan

88 School St

Oyster Bay New York, 11771

Many Thanks,

Roz Khan

alt

612A to Review

Liz Carroll

From: April Palmieri
Sent: Tuesday, May 21, 2019 8:06 AM
To: Liz Carroll
Subject: RE: Docket Review - Khan

15' \$45 ft
19' \$67.50'
w/elec.

Good morning Liz.....I am confused, what does payment type "combined" mean? And is there proof of it? and does a 4ft smaller boat (15 ft) cost almost 1/2 the price of a 19ft boat?

HOME 10015 201905201430 (3)...



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

SUMMER 2019 MARINA FULL RECEIPT

Roz Khan
88 School St
Oyster Bay, NY 11771

NO \$ taken in
Dredge
Refund

Receipt #: 16067

Slip No.: Tappen Beach E05

Vessel:

Birthdate: 3/29/1979 Payment Type: Combined Reg. #: NY 4673 UR

Amount Received: \$675.00 Check #: LOA: 15'

Initial payment \$1282.50
Credit 675 towards
Refund \$607.50 smaller slip

Date: 5/3/2019 11:22:15 AM

Payment Received By: GVALLI

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 15, 2019 and end on Sunday, Nov 10, 2019

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.

Regards,

April A. Palmieri

Office of the Comptroller
Town of Oyster Bay
Internal Audit Division
516-624-6448
apalmieri@oysterbay-ny.gov

From: Liz Carroll
Sent: Monday, May 20, 2019 3:29 PM



Joseph G. Pinto
Parks Commissioner

TOWN OF OYSTER BAY
Department of Parks

Joseph S. Saladino
Town Supervisor

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

SUMMER 2019 MARINA FULL RECEIPT

Roz Khan
88 School St
Oyster Bay, NY 11771

Receipt #: 15742

Slip No.: Tappen Beach C09

Vessel: _____

Birthdate: 3/29/1979 Payment Type: Cash Reg. #: NY 4470 UX

Amount Received: \$1,282.50 Check #: _____ LOA: 19'

Date: 3/5/2019 10:49:39 AM

Payment Received By: PFORTUNA

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 15, 2019 and end on Sunday, Nov 10, 2019.

- . All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
- . The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
- . The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to assets docked at Town marinas.
- . Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
- . Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division
- . A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
 - a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
 - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
- . A tenant may not:
 - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
 - b. Trade up or down in vessel size that takes him/her out of his/her category size
 - c. Transfer ownership to other persons (full or part) and maintain current slip space
- . All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
- . The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone.
- . All requests for refunds must be made in writing and received at the Parks Department main office.
- . 1. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
- . 2. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
- . 3. No refunds of fees upon revocation of assigned slip.
- . 4. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to aid manager by Sunday, Nov 3, 2019 as to the date of which licensee shall vacate assigned slip.
- . 5. Any vessel remaining at a marina after Sunday, Nov 10, 2019, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
- . 5. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
- . 7. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Present to Dockmaster Prior to Occupying Slip



Joseph G. Pinto
Parks Commissioner

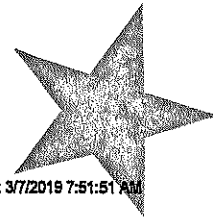
TOWN OF OYSTER BAY
Department of Parks

Joseph S. Saladino
Town Supervisor

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

Daily Cash Receipts - North Shore Marinas
Tuesday, Mar 5, 2019

Name Address	Marina Slip Number	Season	Payment Type Check #	Receipt Type Receipt #	Amount
Timothy Archdeacon PO Box 452, Oyster Bay, NY 11771	Roosevelt 50	summer 2019	Personal Check 1590	Final 15744	\$2,627.50
John H. May, Jr. 23 Julian street, Hicksville, NY 11801	Roosevelt 56	summer 2019	Personal Check 8465	Final 15743	\$1,555.00
Roosevelt Marina Total:					\$4,182.50
Michael Grennan 60 South Bay Drive, Massapequa, NY 11758	Tappen Beach F08	summer 2019	Personal Check 1735	Full 15740	\$2,441.25 ✓
Roz Khan 88 School St, Oyster Bay, NY 11771	Tappen Beach C09	summer 2019	Cash	Full 15742	\$1,282.50 ✓
Sтивен Лианс 17 Central Drive, Glen Head, NY 11545	Tappen Beach M24	summer 2019	Combined	Final 15739	\$1,686.00
Tappen Beach Marina Total:					\$4,723.75 3723.75
Tuesday, Mar 5, 2019 Grand Total:					\$9,906.25



At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, in said Town, on June 18, 2019, at 7:00 P.M., Prevailing Time.

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

PRESENT: Supervisor Saladino

Councilman Muscarella

Councilman Macagnone

Councilwoman Johnson

Councilman Imbroto

Councilman Hand

Councilman Labriola

ABSENT: no one absent for vote

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

RESOLUTION NO. 379, 2019

REFUNDING BOND RESOLUTION DATED JUNE 18, 2019.

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

WHEREAS, the Town of Oyster Bay (the "Town") heretofore issued \$40,560,000 Public Improvement Refunding (Serial) Bonds, 2009 Series A, dated April 16, 2009 (the "2009A Bonds"), pursuant to various bond resolutions for various objects or purposes all as set forth in Exhibit A attached hereto and made a part hereof, and a bond certificate of the Supervisor dated April 16, 2009 executed in connection therewith, and of which there are presently \$2,185,000 aggregate principal amount outstanding, maturing on February 15 in each of the following years and amounts;

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2020	\$205,000	2025	\$250,000
2021	215,000	2026	265,000
2022	220,000	2027	275,000
2023	230,000	2028	285,000
2024	240,000		

WHEREAS, it appears that it would be in the public interest to refund \$2,185,000 outstanding principal amount of the 2009A Bonds maturing in each of the years 2020 through 2028, inclusive (the "Refunded Bonds") by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, it appears that the refunding of the Refunded Bonds will result in present value savings in debt service as required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

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

Section 1. For the object or purpose of refunding all or a portion of the \$2,185,000 aggregate principal amount of the 2009 Refunded Bonds (the "Refunded Bonds"), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of interest payable on the Refunded Bonds to and including the dates on which the Refunded Bonds that are callable are to be called prior to their respective maturities in accordance with the Refunding Financial Plan (as hereinafter defined), (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the Refunding Financial Plan, as hereinafter defined, compensation to the Underwriter, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract, if applicable, as hereinafter defined, and fees and charges of the escrow holder, as hereinafter mentioned, (iv) any the redemption premiums to be paid on the Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$2,400,000 refunding serial bonds of the Town pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$2,165,000, as provided in Section 5 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND", including the year of issuance, and a series designation if appropriate, shall be dated August 7, 2019, or such earlier or later date as shall hereafter be determined by the Supervisor pursuant to Section 5 hereof, shall be of the denomination of \$5,000 each or any integral multiple thereof not exceeding the principal amount of each respective maturity, shall be numbered with the prefix "R-" followed by the last two

digits of the year of issuance, a dash and then from 1 upward, and shall mature annually in each of the years 2020 through 2028, inclusive, or on such other dates as the Supervisor shall hereafter determine pursuant to Section 5 hereof, bearing interest payable semi-annually on February 15 and August 15, commencing February 15, 2020, or such other dates as the Supervisor shall hereafter determine pursuant to Section 5 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the Supervisor. It is hereby further determined that the Refunding Bonds may be issued in one or more series, each having a separate maturity date and separate interest payment dates. The Supervisor shall determine the amortization of each series, and may employ level debt service as an alternate method of amortization, at the discretion of the Supervisor.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Supervisor shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Supervisor. Notice of such call for redemption shall be given by mailing such notice to the registered owners not more than sixty (60) days nor less than thirty (30) days prior to such date in accordance with the terms of the Refunded Bonds. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

Section 3. The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York,

New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the Town shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in registered, certificated form of the denominations of \$5,000 each or any integral multiple thereof not exceeding the principal amount of each respective maturity. In the case non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Town Clerk as fiscal agent for the Refunding Bonds to the Depository Trust Company, New York, New York, or to its partnership nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds to the Town Clerk as fiscal agent for the Refunding Bonds.

In the event said Refunding Bonds are issued in registered, certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by a bank or trust company located or authorized to do business in the State of New York, as shall hereafter be designated by the Supervisor as fiscal agent of the Town for the Refunding Bonds (the "Fiscal Agent") to the registered owners of the Refunding Bonds as shown on the registration books of the Town maintained by the Fiscal Agent as of the close of business on the last business day or fifteenth day of the calendar month preceding each interest payment date, as appropriate. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of the Fiscal Agent.

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Supervisor, as chief fiscal officer of the Town, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said Town, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Town, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted, affixed or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk. In the event that the Refunding Bonds are issued in certificated form, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 4. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law, as applicable.

(b) the maximum periods of probable usefulness permitted by law at the time of the issuance of each of the Refunded Bonds and the objects or purposes for which such respective

Refunded Bonds were issued are as shown upon Exhibit A attached hereto and hereby made a part hereof.

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes for which the Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law.

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 5 hereof.

Section 5. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Exhibit B attached hereto and hereby made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of \$2,165,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Exhibit B. This Town Board recognizes that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Town will likely differ from such assumptions and that the Refunding Financial Plan will also differ from that attached hereto as Exhibit B. The Supervisor is hereby authorized and directed to determine which Refunding Bonds are to be issued, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the

Refunding Bonds shall be sold at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, and pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Supervisor; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Supervisor shall file a copy of a certificate or certificates of the Supervisor determining the details of the Refunding Bonds and of the final Refunding Financial Plan with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 6. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue the Refunding Bonds having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 and in paragraph c of Section 90.10 of the Local Finance Law, is hereby delegated to the Supervisor. All other matters relating to said Refunding Bonds issued by said Town and having substantially level or declining annual debt service, is hereby delegated to the Supervisor.

Section 7. The Supervisor is hereby further delegated all powers of this Town Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 8. The Supervisor is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") if deemed necessary by the Supervisor, with a bank or trust company chosen by the Supervisor, located and authorized to do business in this State (the "Escrow Holder"), for the purpose of having the Escrow Holder act, in connection with the

Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 9. The faith and credit of said Town of Oyster Bay, Nassau County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such Refunding Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 10. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon and any amount applied by or on behalf of the Town on the date of delivery of the Refunding Bonds for costs of credit enhancement, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Any accrued interest on the Refunding Bonds shall be expended to pay interest on the Refunding Bonds on February 1, 2020, or such other first interest payment date of as may be determined by the Supervisor in accordance with Section 5 hereof. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds for which such escrow deposit fund was established in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of such Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of such Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in such escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien

shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

Section 11. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Town shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds, issued as tax-exempt bonds, to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the regulations promulgated by the United States Treasury Department thereunder, as then in effect.

Section 12. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10, as applicable, of the Local Finance Law, the Town hereby elects to call in and redeem all the Refunded Bonds within 30 days of the closing date of the Refunding Bonds, or on such date or dates as shall be determined by the Supervisor in accordance with the final Refunding Financial Plan. The sum to be paid on such redemption dates shall be the par value of the called Refunded bonds, plus interest, without premium. The Escrow Holder for the Refunding Bonds is hereby authorized and directed to cause notice of such calls for redemption to be given in the name of the Town in the manner and within the times provided in each respective Refunded Bond Resolution. Such notice of redemption shall be in substantially the form to be attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publications requirements of paragraph a of Section 53.00 of the Local Finance law, or any successor law thereto.

Section 13. The Refunding Bonds shall be sold at private sale to Oppenheimer & Co., an underwriter designated by the Supervisor upon completion of the request for proposals procurement process (the "Underwriter"), for a purchase price to be determined by the Supervisor

on the date of sale thereof, plus accrued interest from the date of the Refunding Bonds to the date of the delivery of and payment for the Refunding Bonds, and all powers in connection with the sale of the Refunding Bonds to the Underwriter are hereby delegated to the Supervisor. Subject to the approval of the terms and conditions of such sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the Supervisor is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Supervisor to the Underwriter in accordance with said purchase contract upon the receipt by the Town of said purchase price, including accrued interest.

Section 14. The Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 15. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Supervisor and all powers in connection thereof are hereby delegated to the Supervisor.

Section 16. The validity of the Refunding Bonds may be contested only if:

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

Section 17. A summary of this resolution, which takes effect immediately, shall be published in excerpted, summary form in a newspaper to be designated for this purpose as the

official newspaper of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>Supervisor Saladino</u>	VOTING	<u>AYE</u>
<u>Councilman Muscarella</u>	VOTING	<u>AYE</u>
<u>Councilman Macagnone</u>	VOTING	<u>AYE</u>
<u>Councilwoman Johnson</u>	VOTING	<u>AYE</u>
<u>Councilman Imbroto</u>	VOTING	<u>AYE</u>
<u>Councilman Hand</u>	VOTING	<u>AYE</u>
<u>Councilman Labriola</u>	VOTING	<u>AYE</u>

The resolution was thereupon declared duly adopted.

* * * * *

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on June 18, 2019, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media
various publications throughout
the Town of Oyster Bay.

Date given
June 14, 2019

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

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
bulletin board, 1st floor 54 Audrey Avenue Oyster Bay, NY 11771	June 14, 2019

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
this June ____, 2019.

(SEAL)

Town Clerk

EXHIBIT A TO THE
REFUNDING BOND RESOLUTION

OBJECTS OR PURPOSES IN THE REFUNDED
BONDS AND THEIR MAXIMUM
PERIODS OF PROBABLE USEFULNESS

BOND CERTIFICATE DATED 2/11, 1999.

A CERTIFICATE OF THE SUPERVISOR OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, PROVIDING FOR THE CONSOLIDATION AND SALE OF \$24,365,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 1999, FOR VARIOUS PURPOSES IN AND FOR SAID TOWN.

I, the undersigned Supervisor of the Town of Oyster Bay, Nassau County, New York (the "Town"), DO HEREBY CERTIFY:

A. Pursuant to separate bond resolutions duly adopted by the Town Board of said Town, authorizing the issuance of serial bonds for the purposes and in the amounts as set forth below, I HEREBY DIRECT AND DETERMINE AS FOLLOWS:

- 1) Of the \$2,800,000 serial bonds authorized by bond resolution dated July 11, 1989 (Resolution No. 700-1989), as amended on July 10, 1990 (Resolution No. 649-1990), for the construction of a new building at the Department of Public Works Complex in Syosset of and for said Town, there shall be issued and sold as a fourth series of bonds \$190,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '1' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from March 23, 1990, the date of the first bond anticipation note issued for such purpose. It is

hereby further determined that the sum of \$10,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$1,500,000 (being part of \$20,000,000 Public Improvement (Serial) Bonds, 1991, Series A), \$570,000 (being part of \$15,000,000 Public Improvement (Serial) Bonds, 1992, Series A), and \$320,000 (being part of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), have been previously sold as the first three series of bonds for such purpose.

- 2) Of the \$870,000 serial bonds authorized by bond resolution dated October 3, 1989 (Resolution No. 916-1989), as amended on March 21, 1991 (Resolution NO. 227-91), for the dredging of Town waters throughout and in and for said Town, there shall be issued and sold as an fourth series of bonds \$230,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '2' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision 22(a) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 27, 1990, the date of

the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this fourth series of bonds was February 28, 1997. It is hereby further determined that the sum of \$10,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$170,000 (being part of \$15,000,000 Public Improvement (Serial) Bonds, 1992, Series A), \$365,000 (being part of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), and \$35,000 (being part of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), have been previously sold as the first three series of bonds for such purpose.

- 3) Of the \$650,000 serial bonds authorized by bond resolution dated July 10, 1990 (Resolution No. 650-90), as amended on June 4, 1991 (Reso. No. 547-91), and as amended on April 13, 1993 (Reso. No. 259-93), for the improvements to various Town beaches in and for said Town, there shall be issued and sold as a second series of bonds \$135,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '3' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of

the aforesaid specific object or purpose is thirty years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$15,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sum of \$360,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), have been previously sold as the first series of bonds for such purpose.

- 4) Of the 2,135,000 serial bonds authorized by bond resolution dated March 24, 1992 (Resolution No. 230-92), for the original improvement and embellishment of various Town-wide park and recreational facilities located throughout and in and for said Town, there shall be issued and sold as a third series of bonds \$865,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '4' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of

objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 15, 1993, the date of the first obligations issued for such purpose. The date of the first bond anticipation note issued in anticipation of this third series of bonds was February 28, 1997. It is hereby further determined that the sum of \$85,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$500,000 (being part of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), and \$400,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995), have been previously sold as the first two series of bonds for such purpose.

- 5) Of the 2,135,000 serial bonds authorized by bond resolution dated March 24, 1992 (Resolution No. 230-92), for the original improvement and embellishment of various Town-wide park and recreational facilities located throughout and in and for said Town, there shall be issued and sold as a fourth series of bonds \$140,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '5' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that

the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 15, 1993, the date of the first obligations issued for such purpose. The date of the first obligations issued for such purpose for this fourth series of bonds was April 15, 1993. It is hereby further determined that the sums of \$500,000 (being part of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), \$400,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995) and \$865,000 (being part of \$24,365,000 Public Improvement (Serial) Bonds, 1999), have been previously sold as the first three series of bonds for such purpose.

- 6) Of the \$100,000 serial bonds authorized by bond resolution dated March 7, 1995 (Resolution No. 220-95), for the landfill capping and closure program at the Syosset Landfill in and for said Town, there shall be issued and sold \$90,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '6' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 6-b of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. It is hereby

further determined that the sum of \$10,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 7) Of the \$14,970,479 serial bonds authorized by bond resolution dated April 2, 1996 (Resolution No. 224-96), for the capping and closure of the Syosset Landfill in and for said Town, there shall be issued and sold \$240,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '7' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 6-b of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$10,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.
- 8) Of the \$1,050,000 serial bonds authorized by bond resolution dated April 2, 1996 (Resolution No. 228-96), for the original

improvement and embellishment of various Town-wide park and recreational facilities located throughout and in and for said Town, there shall be issued and sold \$985,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '8' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$65,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 9) Of the \$525,000 serial bonds authorized by bond resolution dated April 23, 1996 (Reso. No. 269-96), to pay the additional costs of the original improvement and embellishment of various Town-wide park and recreational facilities located throughout and in and for said Town, there shall be issued and sold as a second series of bonds \$130,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '9' as set forth in Exhibit 'A' attached hereto

and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$20,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 10) Of the \$525,000 serial bonds authorized by bond resolution dated April 23, 1996 (Reso. No. 269-96), for the original improvement and embellishment of various Town-wide park and recreational facilities located throughout and in and for said Town, there shall be issued and sold as a third series of bonds \$260,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '10' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the

date of the first bond anticipation note issued for such purpose.

- 11) Of the \$4,600,000 serial bonds authorized by bond resolution dated February 14, 1989 (Resolution No. 152-89), for the resurfacing and reconstruction of various roads located throughout and in and for said Town, there shall be issued and sold as a eighth series of bonds \$220,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '11' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from September 22, 1989, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this eighth series of bonds was February 28, 1997. It is hereby further determined that the sum of \$30,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$2,200,000 (being part of \$15,600,000 Public Improvement (Serial) Bonds, 1990, Series B), \$1,090,000 (being part of \$2,000,000 Public

Improvement (Serial) Bonds, 1991, Series A), \$300,000 (being part of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), \$65,000, \$50,000 and \$35,000 (being parts of \$23,800,000 Public Improvement (Serial) Bonds, 1994), and \$300,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995)', have been previously sold as the first seven series of bonds for such purpose;

- 12) Of the \$9,495,000 serial bonds authorized by bond resolution dated March 8, 1994 (Resolution No. 177-94), for the the resurfacing and reconstruction of various roads located throughout and in and for said Town, there shall be issued and sold as a third series of bonds \$2,015,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '12' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first obligations issued for such purpose. The date of the first bond anticipation note issued for such purpose for this third series of bonds was February 28, 1997. It is hereby further determined that the sum of \$185,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such

purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$750,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995), and \$2,250,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997 Series A), have been previously sold as the first two series of bonds for such purpose.

- 13) Of the \$9,145,000 serial bonds authorized by bond resolution dated March 7, 1995 (Resolution No. 223-95), for the resurfacing and reconstruction of various roads located throughout and in and for said Town, there shall be issued and sold as a third series of bonds \$2,015,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '13' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first obligations issued for such purpose. The date of the first bond anticipation note issued for such purpose for this third series of bonds was February 28, 1997. It is hereby further determined that the sum of \$185,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such

purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$840,000 and \$1,700,000 (being parts of \$17,950,000 Public Improvement (Serial) Bonds, 1997 Series A), have been previously sold as the first two series of bonds for such purpose.

- 14) Of the \$9,145,000 serial bonds authorized by bond resolution dated March 7, 1995 (Resolution No. 223-95), for the resurfacing and reconstruction of various roads located throughout and in and for said Town, there shall be issued and sold as a fourth series of bonds \$435,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '14' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first obligations issued for such purpose. It is hereby further determined that the sums of \$840,000 and \$1,700,000 (being parts of \$17,950,000 Public Improvement (Serial) Bonds, 1997 Series A), have been previously sold as the first two series of bonds for such purpose.
- 15) Of the \$8,515,000 serial bonds authorized by bond resolution dated April 2, 1996 (Resolution No. 229-96), for the resurfacing and reconstruction of various highways located

- throughout and in and for said Town, there shall be issued and sold \$3,715,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '15' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$285,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.
- 16) Of the \$8,515,000 serial bonds authorized by bond resolution dated April 2, 1996 (Resolution No. 229-96), for the resurfacing and reconstruction of various highways located throughout and in and for said Town, there shall be issued and sold as a second series of bonds \$385,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '16' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness

of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose.

- 17) Of the \$385,000 serial bonds authorized by bond resolution dated May 10, 1988 (Resolution No. 460A-88), for the increase and improvement of the facilities of the Town of Oyster Bay Lighting District in said Town, there shall be issued and sold as a second series of bonds \$135,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '17' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from October 21, 1988, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$15,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It

is hereby further determined that the sum of \$200,000 (being part of \$15,000,000 Public Improvement (Serial) Bonds, 1989 Series B), has been previously sold as the first series of bonds for such purpose.

- 18) Of the \$385,000 serial bonds authorized by bond resolution dated May 10, 1988 (Resolution No. 460A-88), for the increase and improvement of the facilities of the Town of Oyster Bay Lighting District in said Town, there shall be issued and sold as a third series of bonds \$35,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '18' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from October 21, 1988, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$200,000 (being part of \$15,000,000 Public Improvement (Serial) Bonds, 1989 Series B), has been previously sold as the first series of bonds for such purpose.
- 19) Of the \$1,050,000 serial bonds authorized by bond resolution dated June 16, 1992 (Resolution No. 443A-92), for the increase and improvement of the facilities of all Park Districts in said Town, there shall be issued and sold as a third series of bonds \$225,000 serial bonds which shall mature in the amounts

and in the years as set forth in that column marked '19' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from March 15, 1994, the date of the first obligation issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$25,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$500,000 (being part of \$23,800,000 Public Improvement (Serial) Bonds, 1994) and \$300,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995), have been previously sold as the first two series of bonds for such purpose.

- 20) Of the \$6,650,000 serial bonds authorized by bond resolution dated April 4, 1995 (Resolution No. 279-95), for the construction of certain additional drainage facilities and appurtenances, for Drainage District No. 1 of said Town, designated "Authorization BB", there shall be issued and sold

as a second series of bonds \$1,260,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '20' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$50,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sum of \$2,350,000 (being part of \$9,560,000 Public Improvement (Serial) Bonds, 1997, Series B), has been previously sold as the first series of bonds for such purpose.

- 21) Of the \$6,650,000 serial bonds authorized by bond resolution dated April 4, 1995 (Resolution No. 279-95), for the construction of certain additional drainage facilities and appurtenances, for Drainage District No. 1 of said Town, designated "Authorization BB", there shall be issued and sold

as a third series of bonds \$240,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '21' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$2,350,000 (being part of \$9,560,000 Public Improvement (Serial) Bonds, 1997, Series B), has been previously sold as the first series of bonds for such purpose.

- 22) Of the \$3,100,000 serial bonds authorized by bond resolution dated April 13, 1993 (Resolution No. 236A-93), for the increase and improvement of the facilities at the Town of Oyster Bay Solid Waste Disposal District in and for said Town, there shall be issued and sold as a third series of bonds \$940,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '22' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 6-a of paragraph a of Section 11.00 of the Local Finance Law,

computed from March 15, 1994, the date of the first obligation issued for such purpose. The date of the first bond anticipation note issued for such purpose for this third series of bonds was February 28, 1997. It is hereby further determined that the sum of \$60,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$500,000 (being part of \$23,800,000 Public Improvement (Serial) Bonds, 1994) and \$355,000 (being part of \$9,560,000 Public Improvement (Serial) Bonds, 1997, Series B), have been previously sold as the first two series of bonds for such purpose.

- 23) Of the \$3,100,000 serial bonds authorized by bond resolution dated April 13, 1993 (Resolution No. 236A-93), for the increase and improvement of the facilities at the Town of Oyster Bay Solid Waste Disposal District in and for said Town, there shall be issued and sold as a fourth series of bonds \$260,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '23' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 6-a of

paragraph a of Section 11.00 of the Local Finance Law, computed from March 15, 1994, the date of the first obligation issued for such purpose. It is hereby further determined that the sums of \$500,000 (being part of \$23,800,000 Public Improvement (Serial) Bonds, 1994) and \$355,000 (being part of \$9,560,000 Public Improvement (Serial) Bonds, 1997, Series B), have been previously sold as the first two series of bonds for such purpose.

- 24) Of the \$1,300,000 serial bonds authorized by bond resolution dated April 4, 1995 (Resolution No. 266A-95), for the increase and improvement of the facilities of all Park Districts in said Town, there shall be issued and sold as a second series of bonds \$460,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '24' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this third series of bonds was February 28, 1997. It is hereby further determined that the sum of \$40,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February

25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sum of \$460,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.

- 25) Of the \$1,300,000 serial bonds authorized by bond resolution dated April 4, 1995 (Resolution No. 266A-95), for the increase and improvement of the facilities of all Park Districts in said Town, there shall be issued and sold as a third series of bonds \$210,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '25' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$460,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.
- 26) Of the \$1,182,000 serial bonds authorized by bond resolution dated March 8, 1994 (Resolution No. 176-94), for the purchase

of various items of equipment and apparatus for the parks and Recreation Department, Marine Department and General Office use for said Town, there shall be issued and sold as a second series of bonds \$11,250 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '26' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$11,250, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sum of \$350,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.

27) Of the \$1,565,000 serial bonds authorized by bond resolution dated March 8, 1994 (Resolution No. 176-94), for the purchase of motor vehicles and related equipment for said Town, there

shall be issued and sold as a second series of bonds \$41,250 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '27' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$41,250, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sum of \$460,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.

28) Of the \$190,000 serial bonds authorized by bond resolution dated March 8, 1994 (Resolution No. 176-94), for the purchase of incidental computer hardware and software for said Town, there shall be issued and sold \$47,500 serial bonds which shall mature in the amounts and in the years as set forth in

that column marked '28' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this first series of bonds was February 28, 1997. It is hereby further determined that the sum of \$47,500, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 29) Of the \$1,182,000 serial bonds authorized by bond resolution dated March 8, 1994 (Resolution No. 176-94), for the purchase of various items of equipment and apparatus for the parks and Recreation Department, Marine Department and General Office use for said Town, there shall be issued and sold as a third series of bonds \$30,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '29' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the

aforesaid class of objects or purposes is five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 14, 1995, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$350,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.

- 30) Of the \$5,735,500 serial bonds authorized by bond resolution dated April 26, 1994 (Resolution No. 286A-94), for the increase and improvement of the facilities of the Bethpage Water District of and for said Town, there shall be issued and sold as a second series of bonds \$690,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '30' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from June 10, 1994, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 28, 1997. It is hereby further determined that the sum of \$30,000, from a source other than the proceeds of bonds or bond anticipation notes, was used on February 27, 1998, to reduce outstanding

bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sum of \$30,000, from a source other than the proceeds of bonds or bond anticipation notes, will be used on or before February 25, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the second installment of the principal amount of such indebtedness.

- 31) Of the \$1,950,000 serial bonds authorized by bond resolution dated May 9, 1989 (Resolution No. 466-89), for the original improvement and embellishment of various Town-wide park and recreational facilities located throughout and in and for said Town, there shall be issued and sold as a sixth series of bonds \$30,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '31' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from May 18, 1990, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this sixth series of bonds was February 26, 1998. It is hereby further determined that the sums of \$385,000,

\$350,000 and \$700,000 (being parts of \$15,000,000 Public Improvement (Serial) Bonds, 1992, Series A) and \$255,000 and \$95,000 (being parts of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), have been previously sold as the first five series of bonds for such purpose.

- 32) Of the \$10,150,000 serial bonds authorized by bond resolution dated February 23, 1993 (Resolution No. 140-93), for the resurfacing and reconstruction of various roads located throughout and in and for said Town, there shall be issued and sold as a third series of bonds \$1,100,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '32' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from March 15, 1994, the date of the first obligation issued for such purpose. The date of the first bond anticipation note issued for such purpose for this third series of bonds was February 26, 1998. It is hereby further determined that the sums of \$3,500,000 (being part of \$23,800,000 Public Improvement (Serial) Bonds, 1994) and \$3,000,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995), have been previously sold as the first two series of bonds for such purpose.

- 33) Of the \$9,675,000 serial bonds authorized by bond resolution dated February 11, 1997 (Resolution No. 110-97), for the reconstruction of various roads, including incidental improvements and expenses in connection therewith, throughout and in and for said Town, there shall be issued and sold as a second series of bonds \$3,000,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '33' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 11, 1997, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this second series of bonds was February 26, 1998. It is hereby further determined that the sum of \$730,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.
- 34) Of the \$9,675,000 serial bonds authorized by bond resolution dated February 11, 1997 (Resolution No. 110-97), for the reconstruction of various roads, including incidental improvements and expenses in connection therewith, throughout and in and for said Town, there shall be issued and sold as a third series of bonds \$1,500,000 serial bonds which shall

mature in the amounts and in the years as set forth in that column marked '34' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 11, 1997, the date of the first bond anticipation note issued for such purpose. It is hereby further determined that the sum of \$730,000 (being part of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A), has been previously sold as the first series of bonds for such purpose.

- 35) Of the \$7,100,000 serial bonds authorized by bond resolution dated December 9, 1986 (Resolution No. 1239-86), for the construction of additional drainage facilities and appurtenances for Drainage District NO. 1 of said Town, designated "Authorization V", there shall be issued and sold as a sixth series of bonds \$3,000,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '35' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law, computed from October 23, 1987, the

date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued for such purpose for this third series of bonds was February 26, 1998. It is hereby further determined that the sums of \$3,125,000 (being part of \$8,500,000 Public Improvement (Serial) Bonds, 1988, Series B), \$400,000 (being part of \$15,000,000 Public Improvement (Serial) Bonds, 1989, Series B), \$1,479,000 and \$670,000 (being parts of \$16,500,000 Public Improvement (Serial) Bonds, 1990, Series A), and \$225,000 (being part of \$20,000,000 Public Improvement (Serial) Bonds, 1991, Series A), have been previously sold as the first five series of bonds for such purpose.

- 36) Of the \$14,970,479 serial bonds authorized by bond resolution dated April 2, 1996 (Resolution No. 224-96), for the capping and closure of the Syosset Landfill in and for said Town, there shall be issued and sold as a second series of bonds \$1,100,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '36' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 6-b of paragraph a of Section 11.00 of the Local Finance Law, computed from August 30, 1996, the date of the first obligations issued for such purpose. It is hereby further determined that the sum of \$70,405, from a source other than

the proceeds of bonds or bond anticipation notes, will be used on or before March 7, 1999, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 37) The bonds described in the foregoing paragraphs of this certificate, aggregating \$24,365,000, shall be consolidated into one bond issue for purposes of sale, which bonds shall each be designated substantially Public Improvement (Serial) Bond, 1999, and shall be dated February 15, 1999. Such bonds shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds in such amounts as hereinafter set forth. When issued, such bonds shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the Town shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be in certificated form of the denomination of \$5,000 each or any integral multiple thereof not exceeding the principal amount of each respective maturity. Such certificated bonds, if any, may be exchanged at any time prior to maturity at the Office of the Town Clerk, in Oyster Bay, New York (the "Fiscal Agent"), or any successor Fiscal Agent, for bonds of the same maturity of any authorized denomination or denominations in

BOND CERTIFICATE DATED NOVEMBER 15, 2001.

A CERTIFICATE OF THE SUPERVISOR OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, PROVIDING FOR THE CONSOLIDATION AND SALE OF \$51,622,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2001, SERIES A, FOR CERTAIN PURPOSES IN AND FOR SAID TOWN.

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

A. Pursuant to various bond resolutions duly adopted by the Town Board of the Town of Oyster Bay, Nassau County, New York, authorizing the issuance of serial bonds for the purposes and in the amounts as set forth below, and delegating to the Supervisor of said Town, the power and authority to determine whether such bonds of said Town shall be payable in a substantially level or declining annual debt service manner, and certain other sale related powers, I HEREBY DIRECT AND DETERMINE AS FOLLOWS:

- 1) Of the \$8,000,000 serial bonds authorized by Bond Resolution dated November 9, 1999, for the joint increase and improvement of the facilities of all Park Districts in and for the Town of Oyster Bay, Nassau County, New York, there shall be issued and sold \$7,870,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '1' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law, computed from November 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sum of \$130,000, from a source

other than the proceeds of bonds or bond anticipation notes, will be used on or before November 30, 2001 to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 2) Of the \$7,475,000 serial bonds authorized by Bond Resolution dated March 7, 2000, for the resurfacing and reconstruction of various highways located throughout and in and for the Town of Oyster Bay, Nassau County, New York, there shall be issued and sold \$6,000,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '2' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from January 26, 2001, the date of the first bond anticipation note issued therefor.
- 3) The \$2,020,000 serial bonds authorized by Bond Resolution dated March 7, 2000, for the purchase of motor vehicles for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental equipment and expenses in connection therewith, shall mature in the amounts and in the years as set forth in that column marked '3' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, computed from January 26, 2001, the date of the first bond anticipation note issued therefor.

- 4) Of the \$370,000 serial bonds authorized by Bond Resolution dated March 7, 2000, for the purchase of passenger-car type motor vehicles for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$220,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '4' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law, computed from January 26, 2001, the date of the first bond anticipation note issued therefor.
- 5) The \$730,000 serial bonds authorized by Bond Resolution dated March 7, 2000, for the purchase of equipment and apparatus for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, shall mature in the amounts and in the years as set forth in that column marked '5' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law, computed from January 26, 2001, the date of the first bond anticipation note issued therefor.
- 6) The \$530,000 serial bonds authorized by Bond Resolution dated March 7, 2000, for the purchase of computer, hardware and software for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, shall mature in the amounts and in the years as set forth in that

column marked '6' as set forth in Exhibit 'A' attached hereto and made a part hereof; and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 81 of paragraph a of Section 11.00 of the Local Finance Law, computed from January 26, 2001, the date of the first bond anticipation note issued therefor.

- 7) Of the \$3,250,000 serial bonds authorized by Bond Resolution dated March 7, 2000, for the purchase of machinery and apparatus for construction and maintenance purposes, the cost of each item of which exceeds \$15,000 but is less than \$30,000, in and for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$3,000,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '7' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, computed from January 26, 2001, the date of the first bond anticipation note issued therefor.
- 8) Of the \$5,735,500 serial bonds authorized by Bond Resolution dated April 26, 1994, for paying part of the cost of the increase and improvement of the facilities of the Bethpage Water District in the Towns of Oyster Bay and Hempstead, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$630,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '8' as set forth in Exhibit 'A'

attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from June 10, 1994, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was June 10, 1994. It is hereby further determined that the sums of \$30,000, \$30,000, \$30,000, \$30,000, \$30,000 and \$20,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on June 7, 1996, June 6, 1997, January 29, 1998, April 30, 1999, April 28, 2000, and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first six installments of the principal amounts of such indebtedness. It is hereby further determined that \$690,000 (being part of \$24,365,000 Public Improvement (Serial) Bonds, 1999) has been previously sold as a first series of bonds for such purpose.

- 9) Of the \$5,000,000 serial bonds authorized by bond resolution dated November 14, 1989 (Resolution No. 1094A-1989), for the increase and improvement of the facilities of the Plainview Water District of the Town of Oyster Bay, Nassau County, New York, there shall be issued and sold as an eighth series of bonds \$640,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '9' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from June 22, 1990,

the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was July 11, 1997. It is hereby further determined that the sums of \$30,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on July 11, 1997, January 29, 1998, April 30, 1999, April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first five installments of the principal amounts of such indebtedness. It is hereby further determined that the sums of \$270,000 and \$730,000 (being parts of \$15,000,000 Public Improvement (Serial) Bonds, 1992, Series A), \$575,000 and \$425,000 (being parts of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), \$403,000 and \$197,000 (being parts of \$23,800,000 Public Improvement (Serial) Bonds, 1994), and \$1,000,000 (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995) have been previously sold as the first seven series of bonds for such purpose.

- 10) Of the \$5,098,447 serial bonds authorized by Bond Resolution dated October 18, 1994, for the increase; and improvement of the facilities of the Plainview Water District in the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site work and incidental improvements and expenses in connection therewith, there shall be issued and sold as a first series of bonds \$1,230,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '10' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance

Law, computed from July 12, 1996, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$20,000, \$100,000, \$50,000, \$50,000, and \$50,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on July 11, 1997, January 29, 1998, April 30, 1999, April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first five installments of the principal amounts of such indebtedness.

- 11) Of the \$5,098,447 serial bonds authorized by Bond Resolution dated October 18, 1994, for the increase; and improvement of the facilities of the Plainview Water District in the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site work and incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$875,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '11' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was February 28, 1997. It is hereby further determined that the sums of \$35,000, \$30,000, \$30,000 and \$30,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on January 29, 1998, April 30, 1999, April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such

amounts constituting the first four installments of the principal amounts of such indebtedness.

- 12) Of the \$5,098,447 serial bonds authorized by Bond Resolution dated October 18, 1994, for the increase; and improvement of the facilities of the Plainview Water District in the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site work and incidental improvements and expenses in connection therewith, there shall be issued and sold as a third series of bonds \$134,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '12' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was December 20, 1996. It is hereby further determined that the sums of \$10,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 30, 1999, April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first three installments of the principal amounts of such indebtedness.

- 13) Of the \$5,098,447 serial bonds authorized by Bond Resolution dated October 18, 1994, for the increase; and improvement of the facilities of the Plainview Water District in the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site work and incidental improvements and expenses

in connection therewith, there shall be issued and sold as a fourth series of bonds \$390,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '13' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 3, 1999. It is hereby further determined that the sum of \$10,000, from a source other than the proceeds of bonds or bond anticipation notes, was used on April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first installment of the principal amounts of such indebtedness

- 14) Of the \$5,098,447 serial bonds authorized by Bond Resolution dated October 18, 1994, for the increase, and improvement of the facilities of the Plainview Water District in the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site work and incidental improvements and expenses in connection therewith, there shall be issued and sold as a fifth series of bonds \$130,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '14' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued for

such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000.

- 15) Of the aggregate \$1,207,000 serial bonds authorized by Bond Resolutions dated October 4, 1994 and October 1, 1996, for the increase and improvement of the facilities of the Oyster Bay Water District in the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site work and incidental improvements and expenses in connection therewith, there shall be issued and sold \$163,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '15' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 12, 1996, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$10,000, \$10,000, \$87,000, \$10,000, \$10,000 and \$10,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on July 11, 1997, January 29, 1998, May 1, 1998, April 30, 1999, April 28, 2000, and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first six installments of the principal amounts of such indebtedness.
- 16) Of the \$8,515,000 serial bonds authorized by bond resolution dated April 2, 1996, for the resurfacing and reconstruction of various highways located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold as a third series of bonds

\$1,670,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '16' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was May 1, 1998. It is hereby further determined that the sums of \$150,000 and \$180,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness. It is hereby further determined that the sums of \$3,715,000 and \$385,000 (being parts of \$24,365,000 Public Improvement (Serial) Bonds, 1999) have been previously sold as the first two series of bonds for such purpose.

- 17) Of the \$1,800,000 serial bonds authorized by bond resolution dated March 24, 1998, to pay the cost of the original improvement and embellishment of various Town-wide park recreational and conservational facilities located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there shall be issued and sold as a first series of bonds \$1,360,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '17' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be

consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sum of \$140,000, from a source other than the proceeds of bonds or bond anticipation notes, was used on April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 18) Of the \$1,800,000 serial bonds authorized by bond resolution dated March 24, 1998, to pay the cost of the original improvement and embellishment of various Town-wide park recreational and conservational facilities located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$300,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '18' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation notes issued in anticipation of this series of bonds was April 26, 2001.

- 19) Of the \$2,300,000 serial bonds authorized by bond resolution dated February 11, 1997, to pay the cost of the embellishment and improvement of various Town-wide parks, recreational and conservation facilities in and for the Town of Oyster Bay, Nassau County, New York, including original equipment and incidental expenses in connection therewith, there shall be issued and sold as a first series of bonds \$670,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '19' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$30,000 and \$100,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, respectively, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.
- 20) Of the \$2,300,000 serial bonds authorized by bond resolution dated February 11, 1997, to pay the cost of the embellishment and improvement of various Town-wide parks, recreational and conservation facilities in and for the Town of Oyster Bay, Nassau County, New York, including original equipment and incidental expenses in connection therewith, there shall be issued and sold as a second series of bonds \$500,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '20' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other

issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000.

- 21) Of the \$1,335,000 serial bonds authorized by bond resolution dated January 5, 1999, to pay the cost of the 1999 Parks and Beaches and Conservation Capital Program of and for the Town of Oyster Bay, Nassau County, New York, including various incidental improvements and expenses in connection therewith, there shall be issued and sold as a first series of bonds \$880,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '21' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$60,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.
- 22) Of the \$1,335,000 serial bonds authorized by bond resolution dated January 5, 1999, to pay the cost of the 1999 Parks and Beaches and Conservation Capital Program of and for the

Town of Oyster Bay, Nassau County, New York, including various incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$200,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '22' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued for such purpose.

- 23) Of the \$7,575,000 serial bonds authorized by bond resolution dated March 24, 1998, to pay part of the cost of the resurfacing and reconstruction of various highways located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold \$3,700,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '23' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sum of \$300,000, from a source other than the proceeds of bonds or bond anticipation notes, was used on April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such

purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 24) Of the \$75,000 serial bonds authorized by bond resolution dated March 31, 1987, for the installation of various landscaping improvements for the Nassau Shores in and for the Town of Oyster Bay, Nassau County, New York, there shall be issued and sold \$45,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '24' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$15,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.

- 25) Of the \$215,000 serial bonds authorized by bond resolution dated March 31, 1987, for the construction of a sewer hookup for Plainview Park District in and for the Town of Oyster Bay, Nassau County, New York, there shall be issued and sold \$95,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '25' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years

pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$30,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.

- 26) Of the \$700,000 serial bonds authorized by bond resolution dated August 9, 1988, for the increase and improvement of the facilities of the Massapequa Park District of the Town of Oyster Bay, Nassau County, New York, there shall be issued and sold as a third series of bonds \$100,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '26' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from May 19, 1989, the date of the first bond anticipation note issued for such purpose. It is hereby determined that the date of the first bond anticipation note issued in anticipation of this series of bonds was April 30, 1999. It is hereby further determined that the sums of \$50,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.
- 27) Of the \$2,500,000 serial bonds authorized by bond resolution dated June 1, 1993, for the increase and improvement of the facilities of the Massapequa Water District of the Town of

Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$180,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '27' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from December 9, 1994, the date of the first bond anticipation note issued for such purpose. It is hereby determined that the date of the first bond anticipation note issued in anticipation of this series of bonds was April 30, 1999. It is hereby further determined that the sums of \$10,000 each, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness. It is hereby further determined that the sum of \$1,295,000, (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995) has been previously sold as a first series of bonds for such purpose.

- 28) Of the \$2,500,000 serial bonds authorized by bond resolution dated June 1, 1993, for the increase and improvement of the facilities of the Massapequa Water District of the Town of Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold as a third series of bonds \$400,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '28' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be

consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from December 9, 1994, the date of the first bond anticipation note issued for such purpose. It is hereby determined that the date of the first bond anticipation note issued in anticipation of this series of bonds was April 26, 2001. It is hereby further determined that the sum of \$1,295,000, (being part of \$21,000,000 Public Improvement (Serial) Bonds, 1995) has been previously sold as a first series of bonds for such purpose.

- 29) Of the \$4,715,000 serial bonds authorized by bond resolution dated February 11, 1997, for the purchase of various items of equipment, machinery, apparatus and motor vehicles for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold as a third series of bonds \$100,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '29' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 89 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 11, 1997, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 30, 1999. It is hereby further determined that the sums of \$200,000 and \$100,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, respectively, to reduce outstanding bond anticipation notes of said Town for such purpose,

such amounts constituting the first two installments of the principal amount of such indebtedness. It is hereby further determined that the sums of \$750,000 and \$2,715,000 (being parts of \$17,950,000 Public Improvement (Serial) Bonds, 1997, Series A) have been previously sold as the first two series of bonds for such purpose.

- 30.) Of the \$1,450,000 serial bonds authorized by bond resolution dated March 24, 1998 for the purchase of machinery and apparatus for construction and maintenance for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$650,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '30' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$480,000 and \$320,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.
- 31.) Of the \$2,370,000 serial bonds authorized by bond resolution dated March 24, 1998 for the purchase of motor vehicles for various Town Departments for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$435,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '31' as set forth in Exhibit 'A' attached hereto and

made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$320,000 and \$215,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 28, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.

- 32) Of the \$230,000 serial bonds authorized by bond resolution dated March 24, 1998 for the purchase of motor vehicles for various Town Departments for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$95,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked "32" as set forth in Exhibit "A" attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$84,000 and \$51,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 28, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.

- 33) Of the \$350,000 serial bonds authorized by bond resolution dated March 24, 1998 for the purchase of computer hardware and software for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$150,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '33' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 81(b) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 30, 1999, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sums of \$116,000 and \$84,000, from a source other than the proceeds of bonds or bond anticipation notes, were used on April 28, 2000 and April 28, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amounts constituting the first two installments of the principal amount of such indebtedness.
- 34) Of the \$14,970,479 serial bonds authorized by bond resolution dated April 2, 1996 for the capping and closure of the Syosset Landfill in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$1,500,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '34' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years.

pursuant to subdivision 6-b of paragraph a of Section 11.00 of the Local Finance Law, computed from August 30, 1996, the date of the first obligations issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000. It is hereby further determined that the sum of \$240,000 (being part of \$24,365,000 Public Improvement (Serial) Bonds, 1999) has been previously sold as a first series of bonds for such purpose.

- 35) The \$215,000 serial bonds authorized by bond resolution dated February 11, 1997 for the reconstruction of the building facilities at the Department of Public Works Complex on Miller Place in Syosset, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, shall mature in the amounts and in the years as set forth in that column marked '35' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed April 28, 2000, the date of the first obligations issued therefor.
- 36) The \$685,000 serial bonds authorized by bond resolution dated February 11, 1997 for the reconstruction of various Town buildings in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, shall mature in the amounts and in the years as set forth in that column marked '36' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the

period of probable usefulness of the aforesaid class of objects or purposes is twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued therefor.

37) Of the \$700,000 serial bonds authorized by bond resolution dated April 21, 1998 for the reconstruction of Town-owned buildings located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there shall be issued and sold as a first series of bonds \$500,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '37' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued therefor.

38) Of the \$700,000 serial bonds authorized by bond resolution dated April 21, 1998 for the reconstruction of Town-owned buildings located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$200,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '38' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby

determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued for such purpose.

- 39) The \$1,750,000 serial bonds authorized by bond resolution dated March 2, 1999 for the reconstruction of the ice rink at Marjorie Post Community Park, in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, shall mature in the amounts and in the years as set forth in that column marked '39' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued for such purpose.
- 40) Of the \$7,475,000 serial bonds authorized by bond resolution dated January 5, 1999 for the resurfacing and reconstruction of various highways located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold as a first series of bonds \$3,000,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '40' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of

objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from August 27, 1999, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000.

- 41) Of the \$7,475,000 serial bonds authorized by bond resolution dated January 5, 1999 for the resurfacing and reconstruction of various highways located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including incidental improvements and expenses in connection therewith, there shall be issued and sold as a second series of bonds \$2,000,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '41' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from August 27, 1999, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 26, 2001.
- 42) Of the \$273,000 serial bonds authorized by bond resolution dated June 20, 1989 for the increase and improvement of the facilities of the Plainview/Old Bethpage Park District of the Town of Oyster Bay, Nassau County, New York, including various incidental and necessary expenses in connection therewith, there shall be issued and sold as a fourth series of bonds \$60,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '42' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter

authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 1990, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000. It is hereby further determined that the sum of \$20,000, from a source other than the proceeds of bonds or bond anticipation notes, was used on April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$80,000 and \$20,000 (being parts of \$18,000,000 Public Improvement (Serial) Bonds, 1993, Series A), and \$60,000 (being part of \$23,800,000 Public Improvement (Serial) Bonds, 1994) have been previously sold as the first three series of bonds for such purpose.

- 43) Of the aggregate \$1,575,000 serial bonds authorized by bond resolutions dated April 2, 1996 and April 23, 1996, for paying the cost of the original improvement and embellishment of various town-wide park and recreational facilities located throughout and in and for the Town of Oyster Bay, Nassau County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there shall be issued and sold as a fourth series of bonds \$60,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '43' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local

Finance Law, computed from February 28, 1997, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000. It is hereby further determined that the sum of \$20,000, from a source other than the proceeds of bonds or bond anticipation notes, was used on April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness. It is hereby further determined that the sums of \$985,000, \$130,000 and \$260,000 (being parts of \$24,365,000 Public Improvement (Serial) Bonds, 1999) have been previously sold as the first three series of bonds for such purpose.

- 44) Of the \$2,200,000 serial bonds authorized by bond resolution dated April 26 1994, for paying the cost of the increase and improvement of the Town of Oyster Bay Solid Waste Disposal District in the Town of Oyster Bay, Nassau County, New York, consisting of the improvements to the facilities at the Old Bethpage Solid Waste Disposal Complex, including the capping and monitoring of such Complex, there shall be issued and sold \$600,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '44' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 6-a of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued therefor.
- 45) Of the \$3,640,000 serial bonds authorized by bond resolution dated January 5 1999, for the purchase of machinery and apparatus for construction and maintenance purposes in and for

the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$1,260,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '45' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, computed from August 27, 1999, the date of the first bond anticipation note issued for such purpose. The date of the first bond anticipation note issued in anticipation of this series of bonds was April 28, 2000. It is hereby further determined that the sum of \$140,000, from a source other than bonds or bond anticipation notes, was used on April 26, 2001, to reduce outstanding bond anticipation notes of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.

- 46) Of the \$787,000 serial bonds authorized by bond resolution dated January 5, 1999, for the purchase of various items of equipment, machinery and apparatus for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$630,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '46' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued therefor. It

is hereby further determined that the sum of \$157,000, from a source other than the proceeds of bond anticipation notes, was used on April 26, 2001 to reduce outstanding indebtedness of said Town for such purpose; such amount constituting the first installment of the principal amount of such indebtedness.

- 47) Of the \$446,000 serial bonds authorized by bond resolution dated January 5 1999, for the purchase of motor vehicles for various departments of the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there shall be issued and sold \$170,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '47' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2000, the date of the first bond anticipation note issued therefor. It is hereby further determined that the sum of \$43,000, from a source other than the proceeds of bond anticipation notes, was used on April 26, 2001 to reduce outstanding indebtedness of said Town for such purpose, such amount constituting the first installment of the principal amount of such indebtedness.
- 48) The \$400,000 serial bonds authorized by bond resolution dated January 5 1999, for the reconstruction of various Town buildings in and for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, shall mature in the amounts and in the years as set forth in that column marked '48' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable

usefulness of the aforesaid class of objects or purposes is twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 28, 2001, the date of the first bond anticipation note issued therefor.

- 49) Of the \$3,400,000 serial bonds authorized by bond resolution dated February 27, 2001, to pay the cost of the 2001 Parks and Beaches and Conservation Capital Program of and for the Town of Oyster Bay, Nassau County, New York, including various incidental improvements and expenses in connection therewith, there shall be issued and sold \$2,500,000 serial bonds which shall mature in the amounts and in the years as set forth in that column marked '49' as set forth in Exhibit 'A' attached hereto and made a part hereof, and shall be consolidated with other issues of bonds of said Town as hereinafter authorized. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 26, 2001, the date of the first bond anticipation note issued therefor.
- 50) The serial bonds described in the foregoing sections of this certificate, aggregating \$51,622,000, shall be consolidated into one bond issue for purposes of sale, which bonds shall each be designated substantially Public Improvement (Serial) Bonds, 2001, Series A, and shall be dated November 15, 2001. Such bonds shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds in such amounts as hereinafter set forth. When issued, such bonds shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the

CERTIFICATE OF DETERMINATION OF THE SUPERVISOR RELATIVE TO
TERMS, FORM AND DETAILS OF SALE AND ISSUANCE OF
\$25,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2001 SERIES
FOR THE TOWN OF OYSTER BAY, NEW YORK AND PROVIDING FOR
PUBLIC SALE THEREOF.

JOHN VENDITTO, Supervisor of the Town of Oyster Bay, in
County of Nassau, New York (the "Town"), HEREBY CERTIFY that
I am acting in accordance with the powers and duties delegated to me, the chief
Executive Officer of the Town, by the Town Board of the Town,
in accordance with the resolutions duly adopted and as set forth below
and subject to the limitations prescribed in said resolutions, I
make the following determinations:

Authorization, Principal Amount, Maturity Schedule and
(a) Of the \$840,000 serial bonds of the Town
pursuant to the resolution entitled:

A RESOLUTION APPROPRIATING \$840,000 FOR THE
INCREASE AND IMPROVEMENT OF THE FACILITIES
OF ALL PARK DISTRICTS THROUGHOUT THE TOWN OF
OYSTER BAY, NEW YORK, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$840,000, AND
AUTHORIZING THE ISSUANCE OF \$840,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION,"

Adopted by the Town Board on April 23, 1996, \$380,000
bonds shall be issued (bond anticipation notes in the
amount of \$415,000 having been heretofore issued in
anticipation of the sale of said bonds and are currently
outstanding, which notes will be redeemed in full with the
proceeds from the sale of said bonds and other available funds)
and shall mature on April 15 of each of the following years in
principal amounts set forth below:

Year	Amount	Year	Amount
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(b) Of the \$840,000 serial bonds of the Town authorized pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$840,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF ALL PARK DISTRICTS THROUGHOUT THE TOWN OF OYSTER BAY, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$840,000, AND AUTHORIZING THE ISSUANCE OF \$840,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,,"

adopted by the Town Board on April 23, 1996, \$270,000 of bonds shall be issued (bond anticipation notes in the principal amount of \$285,000 having been heretofore issued in anticipation of the sale of said bonds and are currently outstanding, which notes will be redeemed in full with the proceeds from the sale of said bonds and other available funds) and shall mature on April 15 of each of the following years in principal amounts set forth below:

Year	Amount	Year	Amount
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(c) Of the \$315,000,000 serial bonds of the Town authorized pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$315,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE PUBLIC PARKING DISTRICT OF THE TOWN OF OYSTER BAY, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$315,000, AND AUTHORIZING THE ISSUANCE OF \$315,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,,"

By adopted by the Town Board on April 23, 1996, \$145,000
 serial bonds shall be issued (bond anticipation notes in the
 principal amount of \$200,000 having been heretofore issued in
 anticipation of the sale of said bonds and are currently
 outstanding, which notes will be redeemed in full with the
 proceeds from the sale of said bonds and other available funds)
 and shall mature on April 15 of each of the following years in
 principal amounts set forth below:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(d) Of the \$850,000 serial bonds of the Town authorized
 pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$850,000 FOR THE
 INCREASE AND IMPROVEMENT OF THE FACILITIES
 OF ALL PARK DISTRICTS WITHIN THE TOWN OF
 OYSTER BAY, NEW YORK, STATING THE ESTIMATED
 MAXIMUM COST THEREOF IS \$850,000, AND
 AUTHORIZING THE ISSUANCE OF \$850,000 SERIAL
 BONDS OF SAID TOWN TO FINANCE SAID
 APPROPRIATION,"

By adopted by the Town Board on March 18, 1997, \$395,000
 serial bonds shall be issued (bond anticipation notes in the
 principal amount of \$430,000 having been heretofore issued in
 anticipation of the sale of said bonds and are currently
 outstanding, which notes will be redeemed in full with the
 proceeds from the sale of said bonds and other available funds)
 and shall mature on April 15 of each of the following years in
 principal amounts set forth below:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(e) Of the \$330,000 serial bonds of the Town authorized pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$330,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE PUBLIC PARKING DISTRICT OF THE TOWN OF OYSTER BAY, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$330,000, AND AUTHORIZING THE ISSUANCE OF \$330,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,"

and adopted by the Town Board on March 18, 1997, \$270,000 serial bonds shall be issued (bond anticipation notes in the principal amount of \$290,000 having been heretofore issued in anticipation of the sale of said bonds and are currently outstanding, which notes will be redeemed in full with the proceeds from the sale of said bonds and other available funds) and shall mature on April 15 of each of the following years in the principal amounts set forth below:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(f) Of the \$630,000 serial bonds of the Town authorized pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$630,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE MASSAPEQUA PARK DISTRICT OF THE TOWN OF OYSTER BAY, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$630,000, AND AUTHORIZING THE ISSUANCE OF \$630,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,"

and duly adopted by the Town Board on March 18, 1997, \$495,000 serial bonds shall be issued (bond anticipation notes in the principal amount of \$540,000 having been heretofore issued in anticipation of the sale of said bonds and are currently outstanding, which notes will be redeemed in full with the proceeds from the sale of said bonds and other available funds) and shall mature on April 15 of each of the following years in the principal amounts set forth below:

Year	Amount	Year	Amount
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(g) Of the \$4,800,000 serial bonds of the Town authorized pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$4,800,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE SOUTH FARMINGDALE WATER DISTRICT OF THE TOWN OF OYSTER BAY, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,800,000, AND AUTHORIZING THE ISSUANCE OF \$4,800,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,"

By adopted by the Town Board on September 17, 1996, \$2,000,000 serial bonds shall be issued (bond anticipation notes in the principal amount of \$2,060,000 having been heretofore issued in anticipation of the sale of said bonds and are currently outstanding, which notes will be redeemed in full with the proceeds from the sale of said bonds and other available funds) and shall mature on April 15 of each of the following years in the principal amounts set forth below:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(h) Of the \$4,800,000 serial bonds of the Town authorized pursuant to the resolution entitled:

"A RESOLUTION APPROPRIATING \$4,800,000 FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE SOUTH FARMINGDALE WATER DISTRICT OF THE TOWN OF OYSTER BAY, NEW YORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,800,000, AND AUTHORIZING THE ISSUANCE OF \$4,800,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,"

Adopted by the Town Board on September 17, 1996, \$480,000 serial bonds shall be issued (bond anticipation notes in the principal amount of \$490,000 having been heretofore issued in anticipation of the sale of said bonds and are currently outstanding, which notes will be redeemed in full with the proceeds from the sale of said bonds and other available funds) and shall mature on April 15 of each of the following years in the principal amounts set forth below:

Year	Amount	Year	Amount
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

(i) The serial bonds cited in parts (a) to (h), inclusive, of this paragraph 1 shall be combined for the purpose of sale into a single issue of serial bonds in the aggregate principal amount of \$4,435,000, and each of said bonds shall be designated "PUBLIC IMPROVEMENT (SERIAL) BOND, 2001 SERIES B" (the "Bonds").

(j) The weighted average period of probable usefulness of the Bonds (the "W.A.P.P.U.") is the quotient derived by dividing (i) the sum of the products derived from multiplying (A) the dollar value of the proceeds expected to be received from the Bonds for each of the objects or purposes (or class thereof) as determined by the bond resolutions cited in parts (a) to (h), inclusive, of this paragraph 1, by (B) the period of probable usefulness or the maximum authorized maturity of indebtedness to be contracted for such object or purpose (or class thereof), as determined by such bond resolutions, commencing from the first issuance of bond anticipation notes or serial bonds and remaining as of the date hereof (collectively, the "P.P.U.'s"), by (ii) the dollar value of the proceeds expected to be received from the Bonds, which calculation is set forth below:

Para. 1 Part	Remaining P.P.U. (years)	X	Proceeds Expected (dollars)	=	Product
(a)	12		\$ 380,000		\$ 4,560,000
(b)	13		270,000		3,510,000
(c)	7		145,000		1,015,000
(d)	13		395,000		5,135,000
(e)	18		270,000		4,860,000
(f)	12		495,000		5,940,000
(g)	37		2,000,000		74,000,000
(h)	39		480,000		18,720,000
TOTALS			\$4,435,000		\$117,740,000
			\$117,740,000	=	26.55 W.A.P.P.U.
			\$4,435,000		

The last maturity of the Bonds shall not be later than the end of the W.A.P.P.U., calculated from the date of issue of the Bonds.

(k) The Bonds shall be issued with substantially level or declining debt service. The aggregate amount of debt service payable on the Bonds in each year shall not exceed the lowest aggregate amount of debt service payable in any prior year by more than the greater of five percent or \$10,000, as shown on the schedule of annual debt service set forth on Appendix D hereto.

(l) The Bonds shall mature on April 15 of each of the following years in the principal amounts set forth below:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$ 95,000	2016	\$160,000
2003	85,000	2017	170,000
2004	85,000	2018	175,000
2005	90,000	2019	185,000
2006	95,000	2020	195,000
2007	100,000	2021	205,000
2008	110,000	2022	215,000
2009	115,000	2023	225,000
2010	120,000	2024	235,000
2011	125,000	2025	250,000
2012	130,000	2026	265,000
2013	140,000	2027	275,000
2014	145,000	2028	290,000
2015	155,000		

2. Issue Date. The Bonds shall be dated November 15, 2015. The date of each Bond shall appear on the face thereof under the caption "Date of Original Issue," and each Bond shall bear interest from such date.

3. Award of Bonds, Interest Rates, and Interest Payment Dates and Medium of Payment. In accordance with the Notice of Sale, the Bonds were awarded to Salomon Smith Barney, the successful bidder (the "Purchaser") at a price equal to the par value of the Bonds, plus a premium of \$0, plus accrued interest, if any, from their date. The Bonds shall bear interest from their date at the rate or rates of interest as set forth in the Purchaser's Proposal For Bonds, as follows:

<u>Maturity</u>	<u>Interest Rate</u>	<u>Maturity</u>	<u>Interest Rate</u>
2002	4.50%	2016	4.50%
2003	4.50	2017	4.50
2004	4.50	2018	5.00
2005	4.50	2019	5.00
2006	4.50	2020	5.00
2007	4.50	2021	5.00
2008	4.50	2022	5.00
2009	4.50	2023	5.00
2010	4.50	2024	5.00
2011	4.50	2025	5.00
2012	4.50	2026	5.00
2013	4.50	2027	5.00
2014	4.50	2028	5.00
2015	4.50		

Interest shall be payable on April 15, 2002, October 15, 2002 and semiannually thereafter on April 15 and October 15 in each year until maturity, payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of the public and private debts. Interest shall be paid by wire transfer or in clearinghouse funds on each interest payment date, payable to the person in whose name the Bonds are registered at his address shown upon the books of the Town kept for that purpose at the office of the Town Clerk, Town of Oyster Bay, Town Hall Plaza, New York (the "Fiscal Agent"), as of the close of business on the last day of the month preceding each such interest payment date.

4. Optional Redemption. The Bonds maturing on or before April 15, 2010 shall not be subject to redemption prior to maturity. The Bonds maturing on or after April 15, 2011 shall be subject to redemption prior to maturity as a whole or in part and by lot if less than all of a maturity is to be redeemed), at the option of the Town on April 15, 2010 or on any interest payment date thereafter at redemption prices, plus accrued interest to the date of redemption, as follows:

<u>Period During Which</u> <u>Redeemed (Dates Inclusive)</u>	<u>Redemption Prices</u> <u>(as a percentage of par)</u>
April 15, 2010 and October 15, 2010...	102%
April 15, 2011 and October 15, 2011...	101
April 15, 2012 and thereafter.....	100

Unless less than all of the Bonds of any maturity are to be redeemed, the particular bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Town Supervisor. Notice of such

call for redemption shall be given by mailing such notice to the registered holder not more than sixty (60) days nor less than thirty (30) days prior to the redemption date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date and interest shall cease to be paid thereon after such redemption date.

5. Denominations, Numbers and Letters. The Bonds maturing in each year shall be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof, not exceeding the aggregate principal amount of Bonds maturing in any such year. The Bonds shall be numbered separately and consecutively upward with the letter "R" prefixed thereto, and shall be transferable and exchangeable as provided herein.

6. Book-Entry System. The Bonds shall be (i) registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and (ii) deposited with DTC to be held in trust until maturity. Only one Bond will be initially issued for each maturity in the aggregate principal amount of such maturity. DTC is an automated depository for securities and clearinghouse for securities transactions, and will be responsible for establishing and maintaining a book-entry system for recording the ownership interests of its participants, which include certain banks, trust companies and securities dealers, and the transfers of the interests among its participants. The DTC participants will be responsible for establishing and maintaining records with respect to the beneficial ownership interests of individual purchasers in the Bonds. Individual purchases of beneficial ownership interests in the Bonds may only be made through book entries (without certificates issued by the Town) made on the books and records of DTC (or a successor depository) and its participants, in the denominations of \$5,000 or integral multiples thereof. Beneficial owners of the Bonds will not receive certificates representing their interests in the Bonds. Principal of and interest on the Bonds will be payable by the Town or its agent by wire transfer or in clearinghouse funds to DTC or its nominee as registered owner of the Bonds as provided in the Letter of Representations, in substantially the form as provided in appendix C hereto, between the Town and DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The Town will not be responsible or liable

for payments by DTC to its participants or by DTC participants to beneficial owners or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

7. Discontinuance of Book-Entry System. In the event that (a) DTC determines to discontinue providing its service with respect to the Bonds by giving notice to the Town and discharging its responsibilities with respect thereto under applicable law, and the Town fails to appoint a successor securities depository for the Bonds, or (b) the Town determines to discontinue the system of book-entry transfers through DTC (or a successor securities depository), then bond certificates shall be delivered to the beneficial owners upon registration of the Bonds held in the beneficial owners' name. After such registration the beneficial owners shall become the registered owners of the Bonds. In such event, the Supervisor of the Town shall execute a Supplemental Certificate of Determination which will set forth the terms, form and details of issuance of such bond certificates.

8. Fiscal Agent. The Town Clerk is hereby appointed as Fiscal Agent for the Bonds pursuant to, and to act in accordance with, applicable provisions of the Local Finance Law of the State of New York. In the event that the book-entry system described in Section 6 above is discontinued, the Town may appoint a bank or trust company located and authorized to do business in New York State to act as successor Fiscal Agent in connection with the issuance of bond certificates.

9. Execution of Bonds. The Bonds shall be executed in the name of the Town by the manual signature of the Supervisor, and shall have the corporate seal of the Town, or a facsimile thereof, affixed, imprinted, engraved or otherwise reproduced thereon and attested by the manual signature of the Town Clerk.

10. Transfer of Bonds. Each Bond shall be transferable only upon the books of the Town, which shall be kept for such purpose at the office of the Fiscal Agent, by the registered owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Upon transfer of any such Bond, the Town shall issue in the name of the transferee a new Bond or Bonds of the same aggregate principal amount and maturity as the surrendered Bond. The Town and the Fiscal Agent may deem and treat the person in whose name any Bond shall be registered upon the books of the Town as the absolute owner of such Bond, whether such Bond shall

be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the Town nor the Fiscal Agent shall be affected by any notice to the contrary.

11. Regulations With Respect to the Exchanges and Transfers. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the Town shall execute and the Fiscal Agent shall deliver Bonds in accordance with the provisions hereof. All Bonds surrendered in any such exchanges or transfers shall forthwith be cancelled by the Fiscal Agent. For every such exchange or transfer of bonds, the Town or the Fiscal Agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, and may charge a sum sufficient to pay the cost of preparing each new bond issued upon such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. The Town shall not be obliged to make any such exchange or transfer of Bonds between the last day of the month preceding an interest payment date and such interest payment date.

12. Sale of Bonds. The Bonds have been sold upon proposals received by the undersigned Supervisor on November 15, 2001 at 11:00 o'clock A.M. (Prevailing Time), at the offices of Fiscal Advisors & Marketing, Inc., 6221 Route 31, Cicero, New York pursuant to a Notice of Sale, in substantially the form as provided in Appendix A-1 hereto. A copy of such notice was sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale to (1) the State Comptroller, Albany, New York 12236; (2) at least two banks or trust companies having a place of business in the County of Nassau, and at least two banks or trust companies having a place of business in an adjoining county; (3) "THE BOND BUYER", 1 State Street Plaza, New York, New York 10004; and (4) at least 10 bond dealers. A summary of such notice, in substantially the form as provided in Appendix A-2 hereto, was duly published at least once in "THE BOND BUYER", a newspaper published in New York, New York, and having a general circulation within the Town. The Bonds shall be delivered to DTC for the account of the Purchaser on or about November 29, 2001 upon receipt by the Town of the purchase price therefor in Federal Funds.

13. Form of Bonds. The Bonds shall be in substantially the form set forth in Appendix B hereto.

14. Covenant to Make Continuing Financial Disclosure. The Town covenants and agrees as follows:

(a) Definitions. When used in this paragraph 14, the following capitalized terms shall have the following meanings:

i. "Annual Report" shall mean any Annual Report provided by the Town pursuant to, and as described in, subparagraph (b) of this paragraph 14.

ii. "Bondholders" shall mean any of the beneficial owners from time to time of the Bonds.

iii. "NRMSIR" shall mean any Nationally Recognized Municipal Securities Information Repository for purposes of the Rule. Currently, the following are NRMSIRs:

Bloomberg Municipal Repository
Standard & Poor's J.J. Kenny Repository
FT Interactive Data
DPC Data, Inc.

iv. "MSRB" shall mean the Municipal Securities Rulemaking Board established under Section 15B(b)(1) of the Securities Exchange Act of 1934, as amended.

v. "SID" shall mean any public or private repository or entity designated by the State of New York as a state repository for the purpose of the Rule. As of the date hereof, there is no SID.

vi. "Official Statement" shall mean the Town's Official Statement delivered in connection with the sale of the Bonds.

vii. "Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

(b) Provision of Annual Reports. The Town shall provide to each NRMSIR and any SID which exists at the time certain annual financial information and operating data for the preceding fiscal year, as provided in this subparagraph, on or prior to the later of either the end of the sixth month of each preceding fiscal year or, if audited financial statements are prepared, sixty days following receipt by the Town of audited financial statements for the preceding fiscal year, but, in no event, not later than the last business day of each such preceding fiscal year.

i. Each Annual Report will provide financial information and operating data for the preceding fiscal year of the Town, of

the same type as included in the Official Statement, in a form generally consistent with the information contained or cross-referenced under the headings "TOWN OF OYSTER BAY", "Listing of Larger Taxable Properties", "Real Property Tax Collection Record", "FIVE YEAR TREND OF ASSESSED AND FULL VALUATIONS AND FISCAL YEAR INDEBTEDNESS", "TOWN INDEBTEDNESS", "LITIGATION", and all Appendices and a copy of the audited financial statement of the Town, for the preceding fiscal year, prepared in accordance with generally accepted accounting principles in effect at the time of audit.

ii. The Annual Report may consist of one document or a set of documents which together contain at least all of the required information, which documents may include one or more preliminary official statements and official statements prepared in connection with the sale of Town obligations and the Town's Comprehensive Annual Financial Report for the preceding fiscal year.

iii. Any information required to be included in an Annual Report may be incorporated therein by reference from other documents which have been provided to each of the NRMSIRs, to the SID, if any, or to the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Annual Report shall clearly identify each such other document so incorporated by reference.

iv. If the Town is unable to provide to each NRMSIR, the MSRB and the SID, if any, a complete Annual Report on or before the time specified in subparagraph (b) above, for any year, the Town Comptroller will send a notice to each NRMSIR, the MSRB and the SID, if any.

(c) Notices of Material Events. Notices of the occurrence of any of the following events, if applicable deemed to be material to the Bondholders, shall be given in a timely manner to each NRMSIR, the MSRB and to any SID which exists at the time:

- i. Principal and interest payment delinquencies.
- ii. Non-payment related defaults.
- iii. Unscheduled draws on debt service reserves reflecting financial difficulties.
- iv. Unscheduled draws on credit enhancements reflecting financial difficulties.
- v. Substitution of credit or liquidity providers, or their failure to perform.

- vi. Adverse tax opinions or events affecting the tax-exempt status of the Bonds.
- vii. Modifications to rights of Bondholders.
- viii. Bond calls.
- ix. Defeasances.
- x. Release, substitution, or sale of property securing repayment of the Bonds.
- xi. Rating changes.

The Town may from time to time choose to provide notice of the occurrence of certain other events in addition to those listed above, if the Town determines that any such other event is material with respect to the Bonds; but the Town does not undertake to commit to provide any such notice of occurrence of any material event except those events listed above.

(d) Termination of Obligations. The obligations of the Town under this paragraph 14 shall terminate upon the payment in full of all of the Bonds.

(e) Amendment. The obligations of the Town may not be amended without the express written agreement or consent of each affected Bondholder. Notwithstanding the foregoing, the Town may amend this paragraph 14 provided that the Town shall first obtain an opinion of Nixon Peabody LLP, or other nationally recognized bond counsel, to the effect that the proposed amendment would not in and of itself cause the undertakings herein to violate the requirements of the Rule if such amendment had been effective on the date of issuance of the Bonds but taking into account any subsequent change in or official interpretation of the Rule.


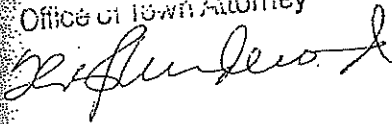
(f) Remedy. In the event that the Town shall fail to meet any of its obligations under this paragraph 14, the sole remedy of a Beneficial Owner of the Bonds will be to bring an action to compel specific performance in a court in the State of New York having appropriate jurisdiction. A default by the Town of its obligations under this paragraph 14 shall not be deemed a default on the Bonds.

(g) Purpose of this Paragraph 14; Beneficiaries. The covenants made in this paragraph 14 have been made in order to assist the original underwriters of the Bonds to comply with the Rule. Such covenants are solely for the benefit of the beneficial owners of the Bonds. This paragraph 14 shall inure solely to the benefit of the Town and Bondholders, and shall create no rights in any other person or entity.

I HEREBY FURTHER CERTIFY that the powers and duties delegated to me to issue and sell the Bonds hereinabove described and referred to are in full force and effect and have not been modified, amended or revoked.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 29th day of November, 2001.

Testified By
Office of Town Attorney



Deputy Supervisor

EXHIBIT B

TO THE REFUNDING BOND RESOLUTION

PRELIMINARY REFUNDING FINANCIAL PLAN
OF
TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK

PREPARED BY
OPPENHEIMER & CO. INC.

Dated: May 30, 2019

SOURCES AND USES OF FUNDS

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Sources:

Bond Proceeds:	
Par Amount	2,165,000.00
Premium	155,484.40
	<u>2,320,484.40</u>

Uses:

Refunding Escrow Deposits:	
Cash Deposit	46,059.69
SLGS Purchases	<u>2,186,198.00</u>
	2,232,257.69
Delivery Date Expenses:	
Cost of Issuance	75,000.00
Underwriter's Discount	<u>12,226.05</u>
	87,226.05
Other Uses of Funds:	
Additional Proceeds	1,000.66
	<u>2,320,484.40</u>

SUMMARY OF REFUNDING RESULTS

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Dated Date	08/07/2019
Delivery Date	08/07/2019
Arbitrage yield	2.324175%
Escrow yield	2.382651%
Value of Negative Arbitrage	-101.79
Bond Par Amount	2,165,000.00
True Interest Cost	2.445650%
Net Interest Cost	2.563638%
Average Coupon	3.947695%
Average Life	4.781
Par amount of refunded bonds	2,185,000.00
Average coupon of refunded bonds	4.321957%
Average life of refunded bonds	4.801
PV of prior debt to 08/07/2019 @ 2.324175%	2,422,828.09
Net PV Savings	103,344.35
Percentage savings of refunded bonds	4.729719%
Percentage savings of refunding bonds	4.773411%

SUMMARY OF BONDS REFUNDED

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2009A Public Improvement, 09API:					
BOND	02/15/2020	4.000%	205,000.00	09/06/2019	100.000
	02/15/2021	4.000%	215,000.00	09/06/2019	100.000
	02/15/2022	4.000%	220,000.00	09/06/2019	100.000
	02/15/2023	4.000%	230,000.00	09/06/2019	100.000
	02/15/2024	4.125%	240,000.00	09/06/2019	100.000
	02/15/2025	4.250%	250,000.00	09/06/2019	100.000
	02/15/2026	4.375%	265,000.00	09/06/2019	100.000
	02/15/2027	4.500%	275,000.00	09/06/2019	100.000
	02/15/2028	4.500%	285,000.00	09/06/2019	100.000
			2,185,000.00		

SAVINGS

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 08/07/2019 @ 2.3241751%
12/31/2019	46,059.38	1,785.56	44,273.82	44,251.09
12/31/2020	293,018.76	283,300.00	9,718.76	9,558.67
12/31/2021	294,618.76	288,025.00	6,593.76	6,335.25
12/31/2022	290,918.76	285,400.00	5,518.76	5,176.40
12/31/2023	291,918.76	286,400.00	5,518.76	5,058.16
12/31/2024	292,368.76	287,000.00	5,368.76	4,809.05
12/31/2025	292,106.26	282,300.00	9,806.26	8,609.26
12/31/2026	295,996.88	287,200.00	8,796.88	7,550.33
12/31/2027	294,012.50	286,600.00	7,412.50	6,221.97
12/31/2028	291,412.50	285,600.00	5,812.50	4,773.51
	2,682,431.32	2,573,610.56	108,820.76	102,343.69

Savings Summary

PV of savings from cash flow	102,343.69
Plus: Refunding funds on hand	1,000.66
Net PV Savings	103,344.35

BOND PRICING

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Premium (-Discount)
Bond Component:						
	02/15/2020	205,000	2.000%	1.850%	100.077	157.85
	02/15/2021	215,000	3.000%	1.960%	101.551	3,334.65
	02/15/2022	220,000	4.000%	2.070%	104.718	10,379.60
	02/15/2023	230,000	4.000%	2.180%	106.137	14,115.10
	02/15/2024	240,000	4.000%	2.240%	107.528	18,067.20
	02/15/2025	245,000	4.000%	2.300%	108.768	21,481.60
	02/15/2026	260,000	4.000%	2.320%	110.113	26,293.80
	02/15/2027	270,000	4.000%	2.410%	110.878	29,370.60
	02/15/2028	280,000	4.000%	2.490%	111.530	32,284.00
		2,165,000				155,484.40

Dated Date	08/07/2019	
Delivery Date	08/07/2019	
First Coupon	08/15/2019	
Par Amount	2,165,000.00	
Premium	155,484.40	
Production	2,320,484.40	107.181727%
Underwriter's Discount	-12,226.05	-0.564714%
Purchase Price	2,308,258.35	106.617014%
Accrued Interest		
Net Proceeds	2,308,258.35	

BOND SUMMARY STATISTICS

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Dated Date	08/07/2019
Delivery Date	08/07/2019
Last Maturity	02/15/2028
Arbitrage Yield	2.324175%
True Interest Cost (TIC)	2.445650%
Net Interest Cost (NIC)	2.563638%
All-In TIC	3.211875%
Average Coupon	3.947695%
Average Life (years)	4.781
Duration of Issue (years)	4.397
Par Amount	2,165,000.00
Bond Proceeds	2,320,484.40
Total Interest	408,610.56
Net Interest	265,352.21
Total Debt Service	2,573,610.56
Maximum Annual Debt Service	288,025.00
Average Annual Debt Service	301,988.20
Underwriter's Fees (per \$1000)	
Average Takedown	2.500000
Other Fee	3.147136
Total Underwriter's Discount	5.647136
Bid Price	106.617014

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	2,165,000.00	107.182	3.948%	4.781
	2,165,000.00			4.781

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,165,000.00	2,165,000.00	2,165,000.00
+ Accrued Interest			
+ Premium (Discount)	155,484.40	155,484.40	155,484.40
- Underwriter's Discount	-12,226.05	-12,226.05	
- Cost of Issuance Expense		-75,000.00	
- Other Amounts			
Target Value	2,308,258.35	2,233,258.35	2,320,484.40
Target Date	08/07/2019	08/07/2019	08/07/2019
Yield	2.445650%	3.211875%	2.324175%

ESCROW DESCRIPTIONS

Town of Oyster Bay
 Proposed Refunding of Series 2009A
 Uninsured Solution
 (Market Conditions as of May 29, 2019)
 For Discussion Purposes Only

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Aug 7, 2019:						
SLGS	Certificate	09/06/2019	09/06/2019	2,186,198	2.330%	2.330%
				2,186,198		

SLGS Summary

SLGS Rates File	29MAY19
Total Certificates of Indebtedness	2,186,198.00

ESCROW COST

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Type of Security	Maturity Date	Par Amount	Rate	Total Cost
SLGS	09/06/2019	2,186,198	2.330%	2,186,198.00
		2,186,198		2,186,198.00

Purchase Date	Cost of Securities	Cash Deposit	Total Escrow Cost	Yield
08/07/2019	2,186,198	46,059.69	2,232,257.69	2.382651%
	2,186,198	46,059.69	2,232,257.69	

ESCROW CASH FLOW

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Date	Principal	Interest	Net Escrow Receipts	Present Value to 08/07/2019 @ 2.3826509%
09/06/2019	2,186,198.00	4,175.28	2,190,373.28	2,186,198.00
	2,186,198.00	4,175.28	2,190,373.28	2,186,198.00

Escrow Cost Summary

Purchase date	08/07/2019
Purchase cost of securities	2,186,198.00
Target for yield calculation	2,186,198.00

ESCROW SUFFICIENCY

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
08/07/2019		46,059.69	46,059.69	46,059.69
08/15/2019	46,059.38		-46,059.38	0.31
09/06/2019	2,190,373.59	2,190,373.28	-0.31	
	2,236,432.97	2,236,432.97	0.00	

ESCROW STATISTICS

Town of Oyster Bay
 Proposed Refunding of Series 2009A
 Uninsured Solution
 (Market Conditions as of May 29, 2019)
 For Discussion Purposes Only

Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Global Proceeds Escrow:						
2,232,257.69	0.080	2.382651%	2.382651%	2,232,335.83	-101.79	23.65
2,232,257.69				2,232,335.83	-101.79	23.65

Delivery date 08/07/2019
 Arbitrage yield 2.324175%

UNDERWRITER'S DISCOUNT

Town of Oyster Bay
Proposed Refunding of Series 2009A
Uninsured Solution
(Market Conditions as of May 29, 2019)
For Discussion Purposes Only

Underwriter's Discount	\$/1000	Amount
Average Takedown	2.50000	5,412.50
Underwriter's Counsel	2.54042	5,500.00
DTC	0.36952	800.00
Dalcomp	0.07000	151.55
CUSIP	0.16721	362.00
	5.64714	12,226.05

17

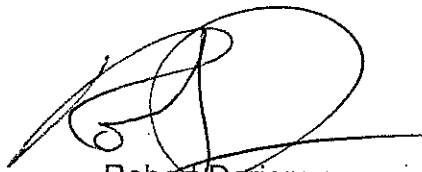
Town of Oyster Bay Inter-Departmental Memo

June 3, 2019

To: Memorandum Docket
From: Robert Darienzo, Director of Finance
Subject: Bond Refunding Resolution - \$3,000,000

Town Board action is required to authorize the Supervisor to refinance up to \$3,000,000.00 of outstanding Town of Oyster Bay bonds through the issuance of refunding bonds. Bond Counsel will prepare said resolution and forward same to the Office of the Town Attorney.

Thank you.


Robert Darienzo
Director of Finance

RD/rd
cc: Town Attorney (with 9 copies)
Word/Documents/Docket refunding reso 2019



WHEREAS, Article 3 of the New York State General Municipal Law, requires that the External Audit Report of the Office of the Receiver of Taxes of the Town of Oyster Bay for the period ended September 30, 2018, be filed with the Office of the State Comptroller and the Office of the Town Clerk; and

WHEREAS, Article 3 of the New York State General Municipal Law, further requires that within 10 days of said filing of the External Audit Report referenced above, a public notice be published to provide for the written responses to the audit findings and recommendations; and

WHEREAS, Sheila Tarnowski, Legislative Affairs, Office of the Town Attorney, by memorandum dated May 28, 2019, reported that the External Audit Report of the Office of the Receiver of Taxes of the Town of Oyster Bay for the period ended September 30, 2018, has been forwarded to the Office of the New York State Comptroller, and the Town Clerk would be publishing the required public notice, and further requested Town Board ratification, *nunc pro tunc*, of the Town Clerk's action in publishing the public notice,

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk, in publishing the External Audit Report of the Office of the Receiver of Taxes of the Town of Oyster Bay for the period ended September 30, 2018, in compliance with General Municipal Law, Article 3, requiring public verification of said report and filing with the State Comptroller, such ratification being nunc pro tunc from May 28, 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 Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor
Town Attorney
Comptroller
Receiver of Taxes

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

18

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMORANDUM

May 28, 2019

TO: Memorandum Docket

FROM: Sheila Tarnowski, Legislative Affairs

THRU: Joseph Nocella, Town Attorney

**SUBJECT: Town of Oyster Bay –
External Audit Report – Office of the Receiver of Taxes
for the period ended September 30, 2018.**

In accordance with an amendment to Article 3 of the General Municipal Law, as amended, effective January 1, 1989, the subject report must be filed with the State Comptroller within ten (10) days after filing. It further requires the Town Clerk to publish a Notice within ten (10) days to provide for the written responses to audit findings and recommendations.

The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

The Comptroller's Office has indicated there are no findings that require written response.

A resolution related to the above mentioned report ratifying the action of the Town Clerk in publishing the report should be adopted by the Town Board at their next meeting, nunc pro tunc to May 28, 2019.

Joseph Nocella
Town Attorney



Sheila Tarnowski
Legislative Affairs

JN:ST:pc

Cc: Town Attorney (w/9 copies)

WHEREAS, by Resolution No. 854-2017, adopted on December 12, 2017, the Town Board authorized the Department of Public Works to enter into an agreement with John A. Grillo, Architect, P.C. to provide engineering services in connection with Contract No. PWC07-18, On-Call Engineering Services Relative to Civil Engineering, for a two (2) year period, from January 1, 2018 through December 31, 2019; and

WHEREAS, John A. Grillo, Architect, P.C., by letter dated April 30, 2019, described the scope of work to be performed under Contract No. PWC07-18, which includes field work, coordination meetings, design and construction documents, topographical survey, soil borings and utility mark out, regarding the construction of a new chemical storage building at the Town of Oyster Bay Golf Course in an amount not to exceed \$70,415.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 3, 2019, requested Town Board authorization for John A. Grillo, Architect, P.C. to provide the aforesaid engineering services under Contract No. PWC07-18, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$70,415.00 for this purpose; and

WHEREAS, funds in the amount of \$70,415.00 to satisfy said engineering costs are available in Account No. PKS H 7197 20000 000 1102 001,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted and approved, and John A. Grillo, Architect, P.C. is hereby authorized to provide the aforementioned services in connection with Contract No. PWC07-18, On-Call Engineering Services Relative to Civil Engineering, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$70,415.00, with funds to be drawn from Account No. PKS H 7197 20000 000 1102 001 for the hereinabove set forth project, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account PKS H 7197 20000 000 1102 001.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works

Reviewed by
Office of Town Attorney

70

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

June 3, 2019

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 07-18
CIVIL ENGINEERING
JOHN A. GRILLO ARCHITECT, P.C.
ACCOUNT NO.: PKS H 7197 20000 000 1102 001
PROJECT ID: 1102 PKSA-33

The consultant, John A. Grillo Architect, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PW 07-18 by Resolution No. 854-2017 for the subject project. Funds have been made available by the Director of Finance.

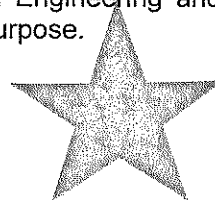
Attached is a letter dated April 30, 2019 from John A. Grillo Architect, P.C. regarding the scope of work to be performed in an amount not to exceed \$70,415.00. Services to be performed include field work, coordination meetings, design and construction documents, topographical survey, soil borings and utility mark out of the chemical storage building in the Town of Oyster Bay Woodbury Golf Course.

Attached is an availability of funds in the amount of \$70,415.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1102 001.

It is hereby requested that the Town Board authorize by Resolution John A. Grillo Architect, P.C. under Contract No. PWC 07-18, On-Call Engineering Services Relative to Civil Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

Richard W. Lenz, by:
Richard W. Lenz, P.E.
RICHARD W. LENZ, P.E.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY



RWL/JCT/MR/SC/lk

Attachment

cc: Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Kathy Stefanich, Public Works
Eric Tuman, Commissioner/General Services
Joseph G. Pinto, Commissioner/Parks



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



Requesting Division/Department _____

Parks

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

Contract Number PWC 07-18

Contract Period 01/01/18 - 12/31/19

Consultant/Contractor John A. Grillo Architect, P.C.

Discipline Civil Engineering

Total Authorization \$259,590.00

Resolution No. 854-2017 Date 12/12/2017

Funded To Date \$189,175.00

Amount Requested \$70,415.00

Account To Be Used PKS-H-7197-20000-000-1102-001 1102PKSA-33

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.

Chemical Concrete Storage Building

Woodbury Golf Course

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 Commissioner / Parks

Title Commissioner of Public Works

Date 6/3/19

Date 6/3/19

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 70,415.00

Unencumbered Balance 194,183.62

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

Yes ☒ No ☐

Signature [Signature]

Date 6/3/19



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 07-18

Contract End 12/31/2019

Commencement Date _____

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

Vendor Name and Address

John A. Grillo Architect, P.C.

1213 Mail Street

Port Jefferson, NY 11777

Requesting Town Department Parks

Contact Sunita Chakraborti Phone (516) 677 - 5725

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

Chemical Concrete Storage Building

Woodbury Golf Course

This work order shall not exceed \$ 70,415.00

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 Commissioner/Parks

Commissioner of Public Works

Date 6/3/19

Date 6/3/19

Row



TEL: (631) 476-2161

JAGarchitect.com

FAX: (631) 476-9846

April 30, 2019

Mr. Richard Lenz
Commissioner of Public Works/ Highways
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

RE: CONSTRUCTION OF A NEW CHEMICAL
STORAGE BUILDING AT THE TOWN OF
OYSTER BAY GOLF COURSE
CONTRACT: PWC #07-18

Dear Commissioner Lenz:

Based on the estimated construction costs, the following engineering fees will be associated with this referenced project:

PHASE 1 – DESIGN

HOURS

• Field Work and Initial Coordination Meetings	24 hrs. @ \$175/hr.	\$4,200.00
• Design and Construction Documents	329 hrs. @ \$175/hr.	\$57,575.00
• Topographical Survey		\$2,400.00
• Soil Borings & Utility Mark out		\$5,740.00
• Printing		<u>\$500.00</u>

Total Hours for Phase 1

353 hours

Total Engineering Fees @ \$175.00 per hour (not to exceed)

\$70,415.00

PHASE 2

HOURS

- Bid Opening and Bid Results Review 10 @ \$175/hr.
- Submittal Review 18 @ \$175/hr.
- Contractor Installation/Supervision 320 @ \$175/hr.
- Progress/Job Meetings 40 @ \$175/hr.

Total Hours for Phase 2 388 hours

Total Engineering Fees at \$175.00 per hour (not to exceed) \$67,900.00

TOTAL FEES BOTH PHASES 1 and 2 (not to exceed) \$138,315.00

Additional items to be considered – unknown at this time.

- ALTERNATE #1
If we can tap the fire water service off the existing fire hydrant main, but need to design a separate RPZ or DCV, and prep and file for a NCDH permit for the backflow device, add an additional 25 hours to the base bid time.
- ALTERNATE #2
If we cannot tap off the existing fire hydrant water service and need to design and install a new water service all the way back to South Woods Rd, need to design a separate RPZ or DCV, and prep and file for a NCDH permit for the backflow device, add an additional 70 hours to the base bid time.
- ALTERNATE #3
If we need to inspect and certify the installation of the new fire water service from South Woods Rd all the way to the proposed building, add an additional 60 hours to the (base bid + Alternate #2) time..
- A fire hydrant flow test must be performed by others, at the Town's expense. There may also be additional expense chlorinating the water service and performing lab tests. If we have to witness the chlorination and lab test sample collection, add an additional 16 hours.

- Design of a water service booster pump system is not contemplated or included in the above scope of work. If the water service pressure is too low, additional services and fees may apply. This cannot be determined until a hydrant flow test is performed.
- NCDH filing fee for hazardous material storage is approximately \$635
- NCDH filing fee for RPZ is approximately \$485
- Misc. reimbursables such as permit plans and overnight mailing for filings approx. \$200
- Fire hydrant flow test- Cost unknown.
- Road opening permit, if required, shall be by contractor.

If additional information is required or you have any questions, please contact our office.

Very truly yours,




John M. Grillo
Architect

JMG/sf

cc: M. Russo
J. Tassone

Meeting of December 12, 2017

CORRECTED COPY

Resolution No. 854-2017

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

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

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

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

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

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

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

Meeting of June 18, 2019

Resolution No. 382-2019

WHEREAS, pursuant to a Brownfield Site Cleanup Agreement entered into between the Town and the New York State Department of Environmental Conservation ("NYSDEC"), Index No. C130212-01-12, for Bethpage Community Park, the Town is obligated to reimburse the State for their employee costs related to the oversight of this program; and

WHEREAS, NYSDEC submitted an invoice, dated April 24, 2019, pursuant to the terms of the aforementioned Agreement, requesting payment in the amount of \$15,845.66 for services rendered at the Bethpage Community Park; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 3, 2019, recommended and requested that the Town be authorized to make payment to NYSDEC in the amount of \$15,845.66, to satisfy costs associated with work performed under the Brownfield Site Cleanup Agreement,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth is hereby accepted and approved, and the Town is hereby authorized to pay NYSDEC the amount of \$15,845.66, to satisfy costs associated with work performed under the Brownfield Site Cleanup Agreement; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make said payment to NYSDEC, with funds to be drawn from Account No. PKS H 7197 20000 000 0606 001, upon the submission of a duly certified claim, and after audit.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works

Reviewed By
Office of Town Attorney

21

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

JUNE 3, 2019

TO : MEMORANDUM DOCKET

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


SUBJECT: PAYMENT OF NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION - BROWNFIELD CLEANUP PROGRAM FEES
BETHPAGE COMMUNITY PARK
ACCOUNT NO. PKS H 7197 20000 000 0606 001
PROJECT ID 0606PKSA-01

The Town of Oyster Bay entered into a Brownfield Site Cleanup Agreement with the New York State Department of Environmental Conservation ("NYSDEC"), Index No. C130212-01-12, for Bethpage Community Park.

In accordance with this Agreement the Town is obligated to reimburse the State for their employee costs related to oversight of this program. Attached is a claim submitted by the NYSDEC in the amount of \$15,845.66 for services provided by NYSDEC and the New York State Department of Health through December 26, 2018.

Funds are available for payment of this invoice from Account No. PKS H 7197 20000 000 0606 001.

It is therefore recommended and requested that the Town Board authorize, by Resolution, funds in the amount of \$15,845.66 to be encumbered for the New York State Department of Environmental Conservation for the payment of Brownfield Cleanup Program Fees relative to Bethpage Community Park, and that the Office of the Comptroller be directed to make payment upon the submission of a proper claim.



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

RWL/JCT/MR/ik

Attachments

c: Office of the Town Attorney (w/9 copies)
Steven Ballas, Comptroller
Joseph Pinto, Commissioner/Parks

DOCKET BCP BROWNFIELD PROGRAM FEES 2018



Department of
Environmental
Conservation

INVOICE

Brownfield Cleanup Agreement BETHPAGE COMMUNITY PK ICE RINK

Site Number:
C130212

CO/BCA/VCA No: C130212-01-12

Effective Date: 03/16/2012

Amended/Modified Effective

Applicant/Respondent/Volunteer Name:

Town of Oyster Bay

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

Statement Date: 04/24/2019

Invoice Number: DER000000016898

Date Due: 06/13/2019

Amount Due: \$15,845.66

Environmental Remediation Program

Amounts

NYSDEC Costs (12/28/2017 through 12/26/2018)

\$12,162.50

NYSDOH Costs (07/15/2015 through 12/26/2018)

\$3,683.16

Total: \$15,845.66

Questions regarding the invoice should be directed to Karen Diligent at (518) 402-9764 (e-mail: karen.diligent@dec.ny.gov).

Questions regarding payment of the invoice should be directed to the Bureau of Revenue Accounting at (518) 402-9365 (e-mail: revenue@dec.ny.gov).**

Please submit bottom portion of Invoice with payment.

☐ Change of contact name/address provided on reverse side.

Make Check Payable to: Commissioner of NYSDEC

****ACH Payments: Please notify the Bureau of Revenue Accounting at (518) 402-9365, e-mail: revenue@dec.ny.gov when a transfer is made.**

Include DER Invoice No. and Site No. on the reference portion of your transaction.

Remit Payment To:

NYS Department of Environmental Conservation
Division of Management & Budget, 10th Floor
625 Broadway
Albany, NY 12233-4900

BETHPAGE COMMUNITY PK ICE RINK

Site Number: C130212

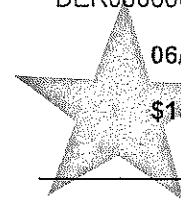
Statement Date: 04/24/2019

Invoice Number: DER000000016898

Date Due: 06/13/2019

Amount Due: \$15,845.66

Amount Enclosed:



Cost Query of the Leave and Accrual Tracking System (LATS)

Print Date: 4/2/2019

Legal Agreement Number: C130212-01-12

Page 1 of 2

Invoice Number: DER000000016898

Pay Period	Pay Period Dates	Check Date	Cost Center	Employee	Title Description	Work Location Description	Billable Hourly Rate	State Fringe Cost	State Indirect Cost	Hours	Salary Cost
Task: 67047 - C130212 BETHPAGE COMMUNITY PARK ICE RINK AREA											
										12/26/2017	12/26/2018
2017/21	01/11/2018 - 01/24/2018	02/07/2018	430221L62017	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.97	19.36	16.02	0.50	31.49
2017/22	01/25/2018 - 02/07/2018	02/21/2018	430221L62017	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.97	19.36	16.02	0.50	31.49
2017/23	02/08/2018 - 02/21/2018	03/07/2018	430221L62017	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.97	19.36	16.02	0.50	31.49
2017/24	02/22/2018 - 03/07/2018	03/21/2018	430221L62017	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.97	116.14	96.09	3.00	188.91
2017/25	03/08/2018 - 03/21/2018	04/04/2018	430221L62017	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.97	135.50	112.11	3.50	220.40
2017/26	03/22/2018 - 04/04/2018	04/18/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.97	290.36	240.23	7.50	472.28
2018/1	04/05/2018 - 04/18/2018	05/02/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	60.09	307.13	296.55	8.00	480.72
2018/2	04/19/2018 - 05/02/2018	05/16/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	63.67	244.07	235.66	6.00	382.02
2018/2	04/19/2018 - 05/02/2018	05/16/2018	777259KG1983	Swartwout Jr, John B.	PROFESSIONAL ENGINEER 2	Central Office - 625 Broadway	69.07	44.13	42.61	1.00	69.07
2018/3	05/03/2018 - 05/16/2018	05/30/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	40.95	39.54	1.00	64.09
2018/5	05/31/2018 - 06/13/2018	06/27/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	63.67	20.34	19.64	0.50	31.84
2018/7	06/28/2018 - 07/11/2018	07/25/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	62.84	20.07	19.36	0.50	31.42
2018/9	07/26/2018 - 08/08/2018	08/22/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	61.42	59.31	1.50	96.14
2018/10	08/09/2018 - 08/22/2018	09/05/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	122.84	118.61	3.00	192.27
2018/11	08/23/2018 - 09/05/2018	09/19/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	245.68	237.21	6.00	384.54
2018/11	08/23/2018 - 09/05/2018	09/19/2018	777259KG2004	Swartwout Jr, John B.	PROFESSIONAL ENGINEER 2	Central Office - 625 Broadway	73.22	46.78	45.17	1.00	73.22
2018/12	09/06/2018 - 09/19/2018	10/03/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	573.26	553.50	14.00	897.26
2018/12	09/06/2018 - 09/19/2018	10/03/2018	777259KG2004	Swartwout Jr, John B.	PROFESSIONAL ENGINEER 2	Central Office - 625 Broadway	73.22	23.39	22.58	0.50	36.61
2018/13	09/20/2018 - 10/03/2018	10/17/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	61.42	59.31	1.50	96.14
2018/14	10/04/2018 - 10/17/2018	10/31/2018	430221L62018	Obrecht, Eric R.	PROFESSIONAL ENGINEER 4	Central Office - 625 Broadway	70.15	11.21	10.82	0.25	17.54

DER000000016898

Cost Query of the Leave and Accrual Tracking System (LATS)

Print Date: 4/2/2019

Legal Agreement Number: C130212-01-12

Page 2 of 2

Task: 67047 - C130212 BETHPAGE COMMUNITY PARK ICE RINK AREA											12/28/2017	-	12/26/2018
2018/14	10/04/2018 - 10/17/2018	10/31/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	63.67	20.34	19.64	0.50			31.84
2018/15	10/18/2018 - 10/31/2018	11/14/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	184.27	177.92	4.50			288.41
2018/16	11/01/2018 - 11/14/2018	11/28/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	63.25	121.23	117.05	3.00			189.75
2018/17	11/15/2018 - 11/28/2018	12/12/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	368.52	355.82	9.00			576.81
2018/17	11/15/2018 - 11/28/2018	12/12/2018	777259KG2004	Swartwout Jr, John B.	PROFESSIONAL ENGINEER 2	Central Office - 625 Broadway	73.22	23.39	22.58	0.50			36.61
2018/18	11/29/2018 - 12/12/2018	12/26/2018	430221L62018	Obrecht, Eric R.	PROFESSIONAL ENGINEER 4	Central Office - 625 Broadway	69.00	154.29	148.98	3.50			241.50
2018/18	11/29/2018 - 12/12/2018	12/26/2018	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	63.67	122.04	117.83	3.00			191.01
2018/19	12/13/2018 - 12/26/2018	01/09/2019	430221L62018	Scharf, Steven M.	PROFESSIONAL ENGINEER 1	Central Office - 625 Broadway	64.09	40.95	39.54	1.00			64.09

Task 67047 Subtotal: 3,457.80 3,255.74 85.25 5,448.96

Legal Agreement C130212-01-12 Invoice No.: DER000000016898 Total: 3,457.80 3,255.74 85.25 5,448.96

Direct Personal Service (salary/wage) Cost	5,448.96
Fringe Benefit Cost	3,457.80
Indirect Cost	3,255.74
Report Grand Total:	12,162.50

DER000000016898

New York State Department of Health
Cost Recovery
C130212
BETHPAGE COMM PARK
For the period July 15, 2015 thru December 26, 2018

<u>Fiscal Year</u>	<u>Personal Service</u>	<u>State Fringe</u>	<u>Indirect*</u>
FY 18/19	\$721.22	\$460.79	\$153.66
FY 17/18	\$535.84	\$329.43	\$146.66
FY 16/17	\$265.38	\$155.80	\$66.55
FY 15/16	\$494.45	\$276.30	\$77.08

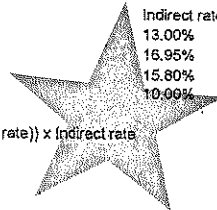
Personal Service, Fringe, and Indirect Costs:	\$3,683.16
Travel Costs:	\$0.00
Laboratory Costs:	\$0.00

TOTAL COSTS: \$3,683.16

Fringe and Indirect Rates are as follows:

<u>Fiscal Year</u>	<u>State Fringe rate</u>	<u>Indirect rate</u>
FY 18/19	63.89%	13.00%
FY 17/18	61.48%	15.95%
FY 16/17	58.71%	15.80%
FY 15/16	55.68%	10.00%

* Indirect amount is calculated per DOH policy as follows: (Personal Services +(Personal Services x Fringe rate)) x Indirect rate

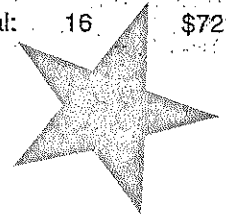


New York State Department of Health Cost Recovery Report
BETHPAGE COMM PARK - C130212

Fiscal Year	Pay Period End Date	Staff Name	Staff Title	Hourly Rate	Hours	Cost
2015	8/26/2015	Steven Karpinski	Pub Hlth Spec 2 Env	\$34.10	4	\$136.40
2015	9/9/2015	Steven Karpinski	Pub Hlth Spec 2 Env	\$34.10	3	\$102.30
2015	11/18/2015	Steven Karpinski	Pub Hlth Spec 2 Env	\$34.10	1	\$34.10
2015	12/2/2015	Steven Karpinski	Pub Hlth Spec 2 Env	\$34.10	1	\$34.10
2015	12/16/2015	Steven Karpinski	Pub Hlth Spec 3 Env	\$34.10	1	\$34.10
2015	3/9/2016	Steven Karpinski	Pub Hlth Spec 3 Env	\$34.10	4.5	\$153.45
Fiscal Year Total:					14.5	\$494.45
2016	11/2/2016	Steven Karpinski	Pub Hlth Spec 3 Env	\$37.91	4	\$151.65
2016	11/16/2016	Steven Karpinski	Pub Hlth Spec 3 Env	\$37.91	1	\$37.91
2016	11/30/2016	Steven Karpinski	Pub Hlth Spec 3 Env	\$37.91	1	\$37.91
2016	12/14/2016	Steven Karpinski	Pub Hlth Spec 3 Env	\$37.91	1	\$37.91
Fiscal Year Total:					7	\$265.38
2017	5/17/2017	Charlotte Bethoney	Pub Hlth Spec 4 Env	\$54.37	1	\$54.37
2017	5/17/2017	Steven Karpinski	Pub Hlth Spec 3 Env	\$40.65	3.5	\$142.28
2017	6/14/2017	Steven Karpinski	Pub Hlth Spec 3 Env	\$40.65	0.5	\$20.33
2017	6/28/2017	Steven Karpinski	Pub Hlth Spec 3 Env	\$40.65	1.5	\$60.98
2017	7/12/2017	Steven Karpinski	Pub Hlth Spec 3 Env	\$40.65	1	\$40.65
2017	7/26/2017	Charlotte Bethoney	Pub Hlth Spec 4 Env	\$54.37	2.5	\$135.93
2017	7/26/2017	Steven Karpinski	Pub Hlth Spec 3 Env	\$40.65	1	\$40.65
2017	11/1/2017	Steven Karpinski	Pub Hlth Spec 3 Env	\$40.65	1	\$40.65
Fiscal Year Total:					12	\$535.84
2018	4/18/2018	Charlotte Bethoney	Pub Hlth Spec 4 Env	\$55.46	0.5	\$27.73
2018	4/18/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	1	\$42.68
2018	8/8/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	1.5	\$64.02
2018	8/22/2018	Charlotte Bethoney	Pub Hlth Spec 4 Env	\$55.46	1.5	\$83.19
2018	9/5/2018	Charlotte Bethoney	Pub Hlth Spec 4 Env	\$55.46	1	\$55.46
2018	9/5/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	1.5	\$64.02
2018	9/19/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	1	\$42.68
2018	10/17/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	1	\$42.68

New York State Department of Health Cost Recovery Report
BETHPAGE COMM PARK - C130212

Fiscal Year	Pay Period End Date	Staff Name	Staff Title	Hourly Rate	Hours	Cost
2018	10/31/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	6.5	\$277.42
2018	11/28/2018	Steven Karpinski	Pub Hlth Spec 3 Env	\$42.68	0.5	\$21.34
Fiscal Year Total:					16	\$721.22



DATE: 12/28/2018

REPORT: BETHPAGE COMM PARK
 BETHPAGE COMM PARK

WHEREAS, by Resolution No. 861-2017, adopted on December 12, 2017, the Town Board authorized Nassau Suffolk Engineering & Architecture, PLLC, 801 Motor Parkway, Suite 103, Hauppauge, New York 11788, to provide the Town of Oyster Bay with engineering services, in connection with Contract No. PWC22-18, Project ID 1401 TWNA-03, On Call Engineering Services Relative to Architecture, for a two (2) year term, commencing on January 1, 2018, and expiring on December 31, 2019; and

WHEREAS, Bruce Strum, Director of Architecture, Nassau Suffolk Engineering & Architecture, PLLC, by letter dated April 18, 2019, described the scope of work to be performed under said Contract, for architecture and engineering services related to the Littauer Estate, including, but not limited to, the investigation, design, bid and construction phases relative to the roof replacement, in an amount not to exceed \$93,500.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated May 31, 2019, requested that the Town Board authorize Nassau Suffolk Engineering & Architecture, PLLC, to provide On-Call Engineering Services under Contract No. PWC22-18, for engineering services related to the Littauer Estate, including, but not limited to, the investigation, design, bid and construction phases relative to the roof replacement, in an amount not to exceed \$93,500.00; and

WHEREAS, Commissioner Lenz further requested that the Town Board authorize and direct the Town Comptroller to issue an encumbrance order, in an amount not to exceed \$93,500.00, to satisfy said engineering costs, and advised that funds to satisfy said engineering costs, are available in Account No. DGS H 1997 20000 000 1401 001,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and Nassau Suffolk Engineering Architecture, PLLC, is authorized to provide On-Call Engineering Services under Contract No. PWC22-18, for engineering services related to the Littauer Estate, in an amount not to exceed \$93,500.00, and it is further

RESOLVED, that the Comptroller is authorized to issue an encumbrance order, in an amount not to exceed \$93,500.00, to satisfy said architecture and engineering costs, with funds to be drawn from Account No. DGS H 1997 20000 000 1401 001.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works

Reviewed By
Office of Town Attorney

22

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

May 31, 2019

TO: MEMORANDUM DOCKET


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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ARCHITECTURAL ENGINEERING
CONTRACT NO. PWC 22-18
ACCOUNT NO.: DGS-H-1997-20000-000-1401-001
PROJECT ID.1401 TWNA-03

The consultant, Nassau Suffolk Engineering & Architecture, PLLC has been approved by the Commissioner of Public Works to provide Engineering services under On-Call Contract No. PWC 22-18, On-Call Engineering Services Relative to Architecture by Resolution No. 861-2017 for the subject project.

Attached is a letter dated April 18, 2019 from Nassau Suffolk Engineering & Architecture, PLLC regarding the scope of work to be performed in an amount not to exceed \$93,500.00. Services to be performed include the investigation, design, bid and construction phases relative to the roof replacement at The Littauer Estate, 510 Split Rock Road Oyster Bay Cove NY, 11791.

Attached is an availability of funds in the amount of \$93,500.00 to satisfy said Engineering costs from the Director of Finance indicating that funds are available in Account No. DGS-H-1997-20000-000-1401-001. It is hereby requested that the Town Board authorize, by Resolution, Nassau Suffolk Engineering & Architecture, PLLC under Contract No. PWC 22-18, On-Call Engineering Services Relative to Architecture 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/DM/IK

Attachment

cc: Office of the Town Attorney (w/9 copies)
Steven Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Kathy Stefanich, Administrative Division/DPW

PWC22-18 DOCKET NSEA LITTAUER ROOF



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



Requesting Division/Department _____

Comptroller/General Services _____

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

Contract Number _____ PWC 22-18

Contract Period _____ 1/1/18 -12/31/19

Consultant/Contractor _____ Nassau Suffolk Engineering & Architecture, PLLC

Discipline _____ On Call Engineering Services Relative to Architecture

Total Authorization _____ \$150,381.33

Resolution No. _____ 861 - 2017 Date _____ 12/12/2017

Funded To Date _____ \$56,881.33

Amount Requested _____ \$93,500.00

Account To Be Used _____ PID 14017WNA - 03 DGS-H-1997-20000-000

-1401
-001

If Capital Account, State The Related Contract Number: _____

Description Of Work

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

_____ Engineering Services relative to Roof Replacement at the Littauer Estate/The Farm at Oyster Bay

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 _____ Eric Juman

Title _____ COMMISSIONER of General Services

Date _____ 5/28/19

DPW Approval

Only To Be Executed By The Commissioner

Signature _____ Richard J. Cery

Title _____ Commissioner of Public Works

Date _____ 5/30/19

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested _____ 93,500.00

Unencumbered Balance _____ 403,592.37

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

Signature _____ [Signature] Date _____ 5/31/19



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 22-18

Contract End 12/31/2019

Commencement Date 1/1/2018

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

Vendor Name and Address

Nassau Suffolk Engineering & Architecture, PLLC

801 Motor Parkway, Suite 103

Hauppauge, New York 11788

Requesting Town Department Comptroller/General Services

Contact _____ Phone _____

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

Engineering Services relative to Roof Replacement at the Littauer Estate/The Farm at Oyster Bay

This work order shall not exceed \$ _____

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 Eric Durman

Signature Richard Long

Title COMMISSIONER of General Services

Commissioner of Public Works

Date 5/28/19

Date 5/30/19

Meeting of December 12, 2017

Resolution No. 861-2017

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 4, 2017, advised that on September 27, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Architecture, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC22-18, for a two (2) year term contract commencing January 1, 2018 through December 31, 2019; and

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

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected Holzmacher, McLendon & Murrell, P.C., Nassau Suffolk Engineering & Architecture, PLLC, David Swift Architects, LLC, Douglas A. Wilke, Architects & Engineers and Mark Design Studios Architecture, P.C. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with Holzmacher, McLendon & Murrell, P.C., Nassau Suffolk Engineering & Architecture, PLLC, David Swift Architects, LLC, Douglas A. Wilke, Architects & Engineers and Mark Design Studios Architecture, P.C., to provide Engineering Services relative to Architecture, in accordance with the specifications contained in Contract No. PWC22-18, 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. PWC22-18 with Holzmacher, McLendon & Murrell, P.C., Nassau Suffolk Engineering & Architecture, PLLC, David Swift Architects & Engineers and Mark Design Studios Architecture, P.C., in accordance with the provisions thereunder, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019.

-#-

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works

Reviewed By
Office of Town Attorney



NASSAU SUFFOLK
ENGINEERING &
ARCHITECTURE, PLLC

April 18, 2019

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

Re: **DPW Contract No:** PWC 22-18
DPW Contract Name: On-Call Engineering Services Relative to Architecture
Task: Littauer Estate – Roofing Project
Funding Request Amount: \$93,500.00
NSEA#: N-40:1901

Dear Commissioner Lenz:

Nassau Suffolk Engineering & Architecture, PLLC ("NSEA") is pleased to submit this proposal for professional services with respect to roof replacement at the Littauer Estate on behalf of the Town of Oyster Bay ("Town"). This project includes the replacement of the existing cedar shakes as well as potential related restoration work on masonry chimneys, step flashing, wood siding, fascia, soffits, frieze boards and leaders and gutters. This project expressly excludes any work to the existing building structure, including the roof rafters, and the existing drainage system to which the leaders and gutters are connected.

NSEA's services under this proposal would cover an investigation phase, schematic design phase services, design and bid phase services, and administration of the construction contract.

The professional services proposed would include:

Investigation Phase Services:

- Undertake an inspection of the building, including the shakes, flashing, underlayment, furring, gutters and related millwork;
- Review the U.S. Department of the Interior, National Park Service, Preservation Briefs for the The Repair and Replacement of Historic Wooden Shingle Roofs;
- Based on the conditions of existing roof components and peripheral millwork, prepare options as to the scope of the remedial work;
- Prepare estimates for the proposed options; and
- Present our findings to the Town.

801 Motor Parkway, Suite 103, Hauppauge, New York 11788
T: 631.574.4870 F: 631.574.4871 www.nassausuffolkea.com

NSEA estimates its fee for this phase of the assignment to be \$20,000 as follows:

- Principal Architect 24 hours @ \$175/hr = \$4,200
- Senior Architect 56 hours @ \$175/hr = \$9,800
- Field Inspector 40 hours @ \$150/hr = \$6,000

Construction Documents Phase Services:

- Prepare and provide to the Town, architectural design drawings and details for use as contract drawings; and
- Prepare and provide project specifications for the proposed improvements.

NSEA estimates its fee for this phase of the assignment to be \$15,100 as follows:

- Principal Architect 12 hours @ \$175/hr = \$2,100
- Senior Architect 60 hours @ \$175/hr = \$10,500
- CAD Draftsman 20 hours @ \$125/hr = \$2,500

Bid Phase Services:

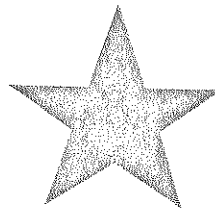
- Answer bidder questions;
- Attend pre-bid meeting;
- Prepare addenda (as required);
- Attend bid opening;
- Evaluate bids; and
- Prepare award recommendation to the Town.

NSEA estimates its fee for this phase of the assignment to be \$7,000 as follows:

- Principal Architect 4 hours @ \$175/hr = \$700
- Senior Architect 36 hours @ \$175/hr = \$6,300

Construction Phase Services:

- Provide full-time inspection/construction observation;
- Facilitate progress meetings;
- Review contractor submittals;
- Review contractor requisitions for payment;
- Contract administration; and
- Construction closeout administration.



Richard W. Lenz, P.E., Commissioner
April 18, 2019
Page 3 of 3

NSEA estimates its fee for this phase of the assignment to be \$51,400 as follows:

- Principal Architect 8 hours @ \$175/hr = \$1,400
- Senior Architect 80 hours @ \$175/hr = \$14,000
- Field Inspector 240 hours @ \$150/hr = \$36,000 (assume 6 weeks on site construction)

Based on the scope of professional services as described above, NSEA respectfully requests funding in the amount of \$93,500.00 under our two (2) year contract term commencing January 1, 2018 through December 31, 2019.

Please feel free to contact me if you have any questions or need further information.

Yours truly,

NASSAU SUFFOLK ENGINEERING & ARCHITECTURE, PLLC



Bruce Strum, AIA
Director of Architecture

cc: Michael W. Spinelli, JD, AIA, President
Stephen P. Ferretti, Director of Project Management



WHEREAS, Richard W. Lenz, P.E. Commissioner, Department of Public Works/Highway, by memorandum dated June 3, 2019, advised that David Swift Architect, LLC., by letter dated February 7, 2019, made a final inspection of the work performed under Contract No. DP15-132, Oyster Bay Golf Course C.V.M. Building Roof Replacement, and has certified that the Contractor, DME Construction Associates Inc., 126 Old Field Road, Old Field, New York 11733, has complied with all of the requirements of the Contract, and said Commissioner, Department of Public Works/Highway, concurs with David Swift Architect, LLC. that this Contract be accepted as having been completed, and that final payment be made to the Contractor; and

WHEREAS, final construction costs were in the amount of \$566,490.15; and

WHEREAS, the Office of the Town Attorney and the Office of the Comptroller, by memoranda dated May 10, 2019 and April 17, 2019, respectively, have stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of final acceptance of this Contract; and

WHEREAS, the Department of Parks, by memorandum dated April 22, 2019, concurs with the recommendation of final acceptance for this project,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, that Contract No. DP15-132, be accepted as being complete, at a final construction cost of \$566,490.15, are hereby accepted and approved and the Office of the Comptroller is hereby authorized and directed to make final payment for same to DME Construction Associates Inc. in accordance with the applicable terms and provisions of the Contract, after the customary review of the engineer's certificate, upon presentation of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Parks

Reviewed By
Office of Town Attorney
[Signature]

25

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 30, 2019

TO: MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE AND FINAL PAYMENT
OYSTER BAY GOLF COURSE C.V.M. BUILDING ROOF REPLACEMENT
CONTRACT NO. DP15-132


Attached herewith is:

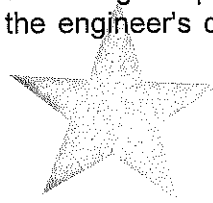
1. A letter dated April 11, 2019 from David Swift Architect, LLC recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for D.M.E. Construction Associates, Inc. dated 2/7/2019.
3. A statement from the Town Attorney's office indicating there are no legal hindrances.
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.
5. A statement from the Parks Department concurring with final acceptance.

Work under this contract was directed to proceed as of June 6, 2018 to be completed within 90 calendar days on September 3, 2018. In accordance with a discontinuance of time, the revised completion date was January 8, 2019. Actual work was completed on December 26, 2018.

Final construction costs amount to \$566,490.15.

We hereby concur with David Swift Architect, LLC that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.


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




RWL/SCT/MR/BK/IK
Attachments

cc: Joseph Nocella, Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Joseph G. Pinto, Commissioner/Parks
Kathy Stefanich, Administration/DPW



David Swift Architect, LLC

P.O. Box 725
Northport, NY 11768

Tel: 631-351-5700
e-mail: dswift1966@gmail.com

April 11, 2019

Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791-5699

Attention: Richard W. Lenz, P.E.
Commissioner

Reference: Oyster Bay Golf Course
C.V.M. Building Roof Reconstruction
Town of Oyster Bay, NY
Contract No. DP15-132
General Contractor: DME Construction Associates, Inc.

Certification of Completion

Dear Commissioner Lenz,

We confirm that the project has been satisfactorily completed in accordance with the contract drawings and specifications for a final contract sum of \$566,490.15.
The Contract Completion Date was 12-26-2018.

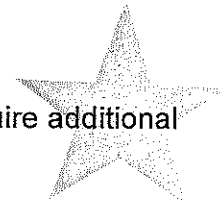
Please do not hesitate to contact me if you have any questions or require additional information.

Very truly yours,

David Swift, RA, LEED AP-BD+C

Principal

cc. Brian Kunzig, Project Manager
Town of Oyster Bay Department of Public Works, Division of Engineering



PAYMENT APPLICATION

Page 1

TO: Town Of Oyster Bay
74 Audrey Ave.
Oyster Bay NY 11771-1592
Attn: Accounts Payable

PROJECT NAME AND LOCATION: Oyster Bay Golf Course
Golf Course CVM Building Reconstruction
Woodbury NY

APPLICATION # 5
PERIOD TFRU: 01/05/2019
PROJECT #s: DP15-132
DATE OF CONTRACT: 04/25/2018

DISTRIBUTION TO: OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐

FROM: DME
126 Old Field Rd
Satauket, NY 11733

ARCHITECT: David Swift LLC
PO Box 725
Northport NY 11788

FOR: Golf Course CVM Building Reconstruction

CONTRACTOR'S SUMMARY OF WORK

Application is made for payment as shown below.
Continuation Page is attached.

1. CONTRACT AMOUNT	\$570,020.00
2. SUM OF ALL CHANGE ORDERS	\$(-3529.85)
3. CURRENT CONTRACT AMOUNT (Line 1 +/- 2)	\$566,490.15
4. TOTAL COMPLETED AND STORED (Column G on Continuation Page)	\$566,490.15
5. RETAINAGE:	
a. 0.00% of Completed Work (Columns D + E on Continuation Page)	\$0.00
b. 0.00% of Material Stored (Column F on Continuation Page)	\$0.00
Total Retainage (Line 5a + 5b or Column I on Continuation Page)	\$0.00
6. TOTAL COMPLETED AND STORED LESS RETAINAGE (Line 4 minus Line 5 Total)	\$566,490.15
7. LESS PREVIOUS PAYMENT APPLICATIONS	\$538,166.64
8. PAYMENT DUE	\$28,324.51
9. BALANCE TO COMPLETION (Line 3 minus Line 6)	\$0.00

SUMMARY OF CHANGE ORDERS	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$24,295.15	\$0.00
Total approved this month	\$0.00	\$0.00
TOTALS	\$24,295.15	\$0.00
NET CHANGES	\$24,295.15	

Contractor's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) the Work has been performed as required in the Contract Documents, (2) all sums previously paid to Contractor under the Contract have been used to pay Contractor's costs for labor, materials and other obligations under the Contract for Work previously paid for, and (3) Contractor is legally entitled to this payment.

By: [Signature] Date: 5-30-19

State of: New York day of May 2019

County of: Suffolk

Subscribed and sworn to before me this 30th day of May 2019

Notary Public: Joanne Pallas

My Commission Expires: 11-08-2022

JOANNE PALLAS
Notary Public - State of New York
NO. 01PA6230778
Qualified in Suffolk County
My Commission Expires Nov 8, 2022

ARCHITECT'S CERTIFICATION

Architect's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) Architect has inspected the Work represented by this Application, (2) such Work has been completed to the extent indicated in this Application, and the quality of workmanship and materials conforms with the Contract Documents, (3) this Application for Payment accurately states the amount of Work completed and payment due therefor, and (4) Architect knows of no reason why payment should not be made.

CERTIFIED AMOUNT: \$ 28,324.51

(If the certified amount is different from the payment due, you should attach an explanation. Initial all the figures that are changed to match the certified amount.)

ARCHITECT: David Swift Architect LLC Date: 2/7/19

By: [Signature]

Neither this Application nor payment applied for herein is assignable or negotiable. Payment shall be made only to Contractor, and is without prejudice to any rights of Owner or Contractor under the Contract Documents or otherwise.

PAYMENT APPLICATION

Quantum Software Solutions, Inc. Document

TOWN OF OYSTER BAY
Supplemental
Inter-Departmental Memo

TO: JOHN C. TASSONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

FROM: RAYMOND J. AVERNA
DEPUTY TOWN ATTORNEY

DATE: May 10, 2019

SUBJECT: FINAL ACCEPTANCE
OYSTER BAY GOLF COURSE C.V.M. BUILDING ROOF RECONSTRUCTION
CONTRACT NO. DP15-132 / D.M.E. CONSTRUCTION ASSOCIATES

In reply to your memorandum of April 12, 2019, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced project.

In addition, we have reviewed Maintenance Bond No. FM22763 and have approved same as to form. The original Maintenance Bond was forwarded to the Town Clerk.

JOSEPH NOCELLA, ESQ.
TOWN ATTORNEY

By: _____

Raymond J. Averna
Deputy Town Attorney

Cc: Comptroller
Town Clerk (w/ original Maintenance Bond)

It
OK

TOWN OF OYSTER BAY
Inter-Departmental Memo

April 17, 2019

TO: RICHARD W. LENZ, COMMISSIONER OF PUBLIC WORKS/HIGHWAY
FROM: STEVEN C. BALLAS, COMPTROLLER
**SUBJECT: FINAL ACCEPTANCE – OYSTER BAY GOLF COURSE C.V.M. BUILDING
ROOF REPLACEMENT – CONTRACT NO DP15-132**

In response to your memo dated April 12, 2019, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.



STEVEN C. BALLAS
COMPTROLLER



Enclosure

SCB/jjb:mj

cc: Town Attorney w/enclosure
Accounts Payable Division (2)
Reading File

IT
BK

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Richard W. Lenz, P.E., Commissioner
Department of Public Works/Highway

ATTENTION: John C. Tassone, Deputy Commissioner
Engineering Division

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: April 22, 2019

SUBJECT: Final Acceptance Contract No. DP15-132

Please be advised that this department has reviewed the Inter-Departmental Memo, dated April 12, 2019, in regard to Final Acceptance of the Oyster Bay Golf Course C.V.M. Building Roof Reconstruction, Contract No. DP15-132.

The Parks Department concurs with the recommendation of the above noted project.



Joseph G. Pinto
Commissioner



WHEREAS, Meredith Maus, Executive Director, Oyster Bay Main Street Association, P.O. Box 116, Oyster Bay, New York 11771, by letter dated May 7, 2019, requested the use of twelve (12) complete barricades and sixteen (16) traffic cones, as well as the closing of Audrey Avenue in the Oyster Bay hamlet, between Town Hall and Townsend Park and Audrey Avenue parking lot which is located across the street from 20th Century Bikes, with the installation of "No Parking" signs from 5:00 p.m. through 9:30 p.m., for the Dancing in the Street event, being held on July 5, 12, 19, 26, and August 2 and 9, 2019, from 7:00 p.m. until 9:00 p.m.; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated May 20, 2019, advised that the Highway Department has no objection to providing the requested items to the Oyster Bay Main Street Association, and to closing Audrey Avenue and Audrey Avenue parking lot on said dates and said times for the Dancing in the Street event; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Highway Department is hereby authorized to provide the use of twelve (12) complete barricades and sixteen (16) traffic cones, as well as the closing of Audrey Avenue in the Oyster Bay hamlet between Town Hall and Townsend Park and Audrey Avenue parking lot which is located across the street from 20th Century Bikes, with the installation of "No Parking" signs from 5:00 p.m. through 9:30 p.m., for the Dancing in the Street event, being held on July 5, 12, 19, 26, and August 2 and 9, 2019, from 7:00 p.m. until 9:00 p.m., subject to the following terms and conditions:

1. The use of all Town property for these activities shall in each and every case be in conformance with the direction of the Commissioner of the Department of Highways, or his duly designated representative;

2. The said organization will comply with all ordinances of the Town of Oyster Bay, both in the conduct of the aforescribed activities and its use of Town property; and

3. The said organization shall file with the Town Clerk a Certificate of Insurance indicating said organization is covered by General Liability Insurance in the amounts of \$1,000,000 with a general aggregate of \$2,000,000 and naming the Town of Oyster Bay as an additional insured in connection with the aforescribed activities.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway

Reviewed By
Office of Town Attorney

26
TOWN OF OYSTER BAY

Inter-Departmental Memo

May 20, 2019

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: OYSTER BAY MAIN STREET ASSOCIATION
DANCING IN THE STREET
TO BE HELD FRIDAY EVENINGS – AUDREY AVENUE, OYSTER BAY
JULY 5th, 12th, 19th, 26th, August 2nd and 9th 2019

Enclosed please find a copy of the letter from Meredith Maus, Executive Director, requesting our assistance on behalf of the Oyster Bay Main Street Association in conducting the 9th season of the "Dancing in the Street" events on Audrey Avenue in Oyster Bay on Friday evenings July 5th, 12th, 19th, 26th, August 2nd and 9th 2019.

The Highway Department has no objection to the Oyster Bay Main Street Association utilizing the portion of Audrey Avenue in the Oyster Bay hamlet between Town Hall and the (Gazebo area) Townsend Park and Audrey Avenue which is located across the street from 20th Century Bikes for the "Dancing in the Street" events on Friday evenings from July 5th through August 9th, 2019. The area will be closed from 5:00 p.m. until 9:30 p.m. to allow for set-up and break-down. The actual hours of the events will be from 7:00 p.m. until 9:00 p.m.

Further, the Highway Department will be pleased to provide twelve (12) complete barricades and sixteen (16) traffic cones and "No Parking" signs which will state the dates and times of the events to help traffic control and to keep cars off the street for the events, from July 5th thru August 9th, 2019.

Also attached are the Certificate of Insurance, Endorsement Sheet, and Hold Harmless Agreement to cover the events. Therefore, Town Board approval is requested.

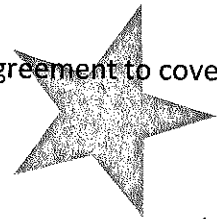


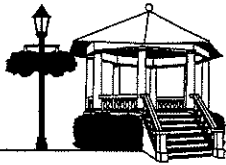
JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz

C: Town Attorney (9) copies
Richard Lenz, P.E. Commissioner DPW
Doug Robalino, General Foreman 002
Peter Brown, General Foreman, 003
Steve Kelly, Sign Bureau Supervisor

Justin McCaffrey, Commissioner, Department of Public Safety
Grace SantaMaria, Highway Administration





Phil Hay

OYSTER BAY

MAIN STREET ASSOCIATION

Kim Z Aug 2019
DEPUTY COMMISSIONER HIGHWAY

RECEIVED
MAY 7 2019
MAY 7, 2019

Officers

President

Sandra Coudert Graham

Vice-President

John Bonifacio

Treasurer

Timothy DiPietro

Secretary

Diana Hauser

Board of Directors

Claude Bahnik

Andrew Carr

Linda Cassola

Henry C. Clark

Kevin Curry

Mario Gallo

Richard McKean

Diane Meltzer

Alexis Pagano

Megan Pearson

Advisory Board

Roger Bahnik

John Collins

Harriet Gerard Clark

Kelly Fuhrmann

Rep. Steve Israel

Billy Joel

Hunt & Betsy Lawrence

Colleen McKean

Bob Santos

Dr. Laura Seinfeld

William Sheeline

Dottie Simons

John Specce

Alex Urdea

Honorary Trustee

George O'Neill

Staff

Executive Director

Meredith Maus

Project Manager

Sasha Freedman

Deputy Commissioner John Bishop
Town of Oyster Bay Highway Department
150 Miller Place
Syosset, New York 11791

Re: Oyster Bay Main Street Association Request to Host 2019 "Dancing in the Street"

Dear Deputy Commissioner Bishop,

The Oyster Bay Main Street Association is hereby requesting that Audrey Avenue in the hamlet of Oyster Bay, between Town Hall and the municipal parking lot be closed for the 9th season of the "Dancing in the Street" events organized by the Oyster Bay Main Street Association.

We are requesting this closure for the following dates:

Friday, July 5, 2019

Friday, July 12, 2019

Friday, July 19, 2019

Friday, July 26, 2019

Friday, August 2, 2019

Friday, August 9, 2019

The hours of the requested street closing for each day will be 5:00 pm – 9:30 pm to allow for the set up and break down of the event. The actual hours of the event are from 7:00pm to 9:00pm.

To assist with traffic control for the event, we are requesting the use of 12 barricades, 16 cones, and additionally some "No Parking" signage to be placed in the area. The cones and barricades will need to be delivered on every event day, by 5 pm, to the parking lot on Audrey Avenue Extension that serves the Town Hall and is located across the street from 20th Century Cycles. The Oyster Bay Main Street Association will be responsible for the equipment from July 5, 2019 through to August 9, 2019. To clarify specifics regarding the no parking signage, we are requesting that Mr. Kelly of the sign department contact us at his convenience.

If there are any questions or further requirements you may contact me directly at 516-922-6982.

Sincerely,

Meredith Maus

Meredith Maus

Executive Director

Maus@oysterbaymainstreet.org

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/13/2019

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 Geo. V. Bullen & Son Inc. 3333 New Hyde Park Road Suite 300 New Hyde Park, NY 11042		CONTACT Michael Oliva NAME: PHONE (A/C, No, Ext): (516) 945-6779 FAX (A/C, No): E-MAIL ADDRESS: moliva@gvbullen.com	
INSURED Oyster Bay Main Street Association Inc. PO Box 116 Oyster Bay, NY 11771		INSURER(S) AFFORDING COVERAGE	
		INSURER A : Continental Casualty Company	
		INSURER B :	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	
		NAIC #	
		20443	

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.


EXCLUSIONS AND CONDITIONS OF SUCH POLICY (SEE POLICY NUMBER SHOWN HERE) HAVE BEEN																														
INSR LTR	TYPE OF INSURANCE			ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																					
A	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY							<table border="1"> <tr> <td>EACH OCCURRENCE</td> <td>\$</td> <td>1,000,000</td> </tr> <tr> <td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td> <td>\$</td> <td>900,000</td> </tr> <tr> <td>MED EXP (Any one person)</td> <td>\$</td> <td>10,000</td> </tr> <tr> <td>PERSONAL & ADV INJURY</td> <td>\$</td> <td>1,000,000</td> </tr> <tr> <td>GENERAL AGGREGATE</td> <td>\$</td> <td>2,000,000</td> </tr> <tr> <td>PRODUCTS - COMP/OP AGG</td> <td>\$</td> <td>2,000,000</td> </tr> <tr> <td></td> <td>\$</td> <td></td> </tr> </table>	EACH OCCURRENCE	\$	1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	900,000	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		\$	
EACH OCCURRENCE	\$	1,000,000																												
DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	900,000																												
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																												
	\$																													
	<input type="checkbox"/>	CLAIMS-MADE	<input checked="" type="checkbox"/>	OCCUR	X	B4025932909	6/3/2019	6/3/2020																						
		GEN'L AGGREGATE LIMIT APPLIES PER:																												
	<input checked="" type="checkbox"/>	POLICY	<input type="checkbox"/>	PRO-JECT	<input type="checkbox"/>	LOC																								
		OTHER:																												
		AUTOMOBILE LIABILITY							<table border="1"> <tr> <td>COMBINED SINGLE LIMIT (Ea accident)</td> <td>\$</td> <td></td> </tr> <tr> <td>BODILY INJURY (Per person)</td> <td>\$</td> <td></td> </tr> <tr> <td>BODILY INJURY (Per accident)</td> <td>\$</td> <td></td> </tr> <tr> <td>PROPERTY DAMAGE (Per accident)</td> <td>\$</td> <td></td> </tr> <tr> <td></td> <td>\$</td> <td></td> </tr> </table>	COMBINED SINGLE LIMIT (Ea accident)	\$		BODILY INJURY (Per person)	\$		BODILY INJURY (Per accident)	\$		PROPERTY DAMAGE (Per accident)	\$			\$							
COMBINED SINGLE LIMIT (Ea accident)	\$																													
BODILY INJURY (Per person)	\$																													
BODILY INJURY (Per accident)	\$																													
PROPERTY DAMAGE (Per accident)	\$																													
	\$																													
	<input type="checkbox"/>	ANY AUTO																												
	<input type="checkbox"/>	OWNED AUTOS ONLY	<input type="checkbox"/>	SCHEDULED AUTOS																										
	<input type="checkbox"/>	HIRED AUTOS ONLY	<input type="checkbox"/>	NON-OWNED AUTOS ONLY																										
		UMBRELLA LIAB		OCCUR					EACH OCCURRENCE \$																					
		EXCESS LIAB		CLAIMS-MADE					AGGREGATE \$																					
		DED		RETENTION \$					\$																					
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							<table border="1"> <tr> <td>PER STATUTE</td> <td></td> <td>OTH-ER</td> <td></td> </tr> <tr> <td colspan="2">E.L. EACH ACCIDENT</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2">E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2">E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> <td></td> </tr> </table>	PER STATUTE		OTH-ER		E.L. EACH ACCIDENT		\$		E.L. DISEASE - EA EMPLOYEE		\$		E.L. DISEASE - POLICY LIMIT		\$						
PER STATUTE		OTH-ER																												
E.L. EACH ACCIDENT		\$																												
E.L. DISEASE - EA EMPLOYEE		\$																												
E.L. DISEASE - POLICY LIMIT		\$																												
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)			Y/N	N/A																								
		If yes, describe under DESCRIPTION OF OPERATIONS below																												

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Dancing in the Street Event

Event will take place on days 7/5/19, 7/12/19, 7/19/19, 7/26/19, 8/2/19, 8/9/19 from 5:50 pm to 9:30 pm

The Town of Oyster Bay is included as additional insured with respect to General Liability as required by written contract.

CERTIFICATE HOLDER The Town of Oyster Bay 54 Audrey Avenue Oyster Bay, NY 11771		CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	
Reviewed By Office of Town Attorney		AUTHORIZED REPRESENTATIVE 	

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

This Agreement is made this 7th day of May 2019, by the Oyster Bay Main Street Association, Inc. (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 12 barricades, 16 cones for traffic control. These will need to be delivered on every event day, by 5 pm, to the parking lot on Audrey Avenue Extension that serves the Town Hall and is located across the street from 20th Century Cycles.

For the event described as Dancing in the street.

The property/equipment is need on 7/5; 7/12; 7/19; 7/26; 8/2; 8/9 from 5:00 pm to 9:30 pm

The event for which the property and/or equipment is requested () is (X) is not a profit making event.

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

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

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

Name of Organization:

Oyster Bay Main Street Association, Inc.

Address of Organization:

P.O. Box 116

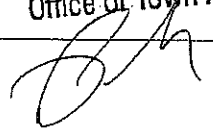
Oyster Bay, NY 11771

By:


Authorized Representative

Title: Executive Director

Telephone Number: 516.922.6982

Reviewed By
Office of Town Attorney


DATE: 5/20/19

TO: HIGHWAY OPERATIONS

SUBJECT: OBMSA Dancing in the Streets

PLEASE DELIVER TO:

the parking lot on Audrey
Avenue across from 20th
Century Bikes

CONTACT: Meredith Maus
516-922-6982

DATE OF EVENT: 7/5/19 every Friday
through 8/9/19

SNOW FENCE:

BARRICADES: 12

CONES: 16

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: July 3, 2019

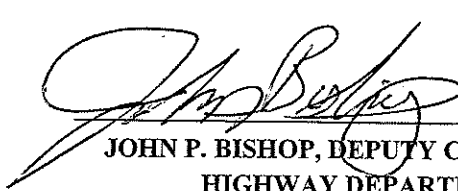

PICKUP ON: August 12, 2019

SWEEPING BEFORE AFFAIR IS NEEDED:

XX
YES NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT 

CC: Doug Robalino, General Foreman 002
Peter Brown, General Foreman 003
Mike Ricardo, Regional Foreman 009
Kevin Freiberg, Area Foreman 013

Dan Kornfeld
Public Safety Division
Jeff VanNostrand, Woodshop

WHEREAS, Robert DeRose, Carnival Committee Board, Maria Regina Roman Catholic Church, 3945 Jerusalem Avenue, Seaford, New York 11783, by letter dated April 12, 2019, requested the use of thirty (30) complete barricades for its annual family carnival to be held from June 20, 2019 through June 23, 2019; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated May 29, 2019, advised that the abovementioned Town equipment will not be required for use by the Town at that time and that the Highway Department has no objection to providing Maria Regina Roman Catholic Church with the use of thirty (30) complete barricades, for its carnival, with said barricades to be delivered on June 19, 2019 and collected on June 24, 2019; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Highway Department is hereby authorized and directed to provide Maria Regina Roman Catholic Church with the use of thirty (30) complete barricades for its carnival, with said barricades to be delivered to 3945 Jerusalem Avenue, Seaford, New York on June 19, 2019, and collected on June 24, 2019, subject to the following 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 designated representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the aforesaid activity; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amount of \$1,000,000.00 bodily injury and \$500,000.00 property damage, and naming the Town of Oyster Bay 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	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor
Town Attorney
Comptroller
Highway

Reviewed By
Office of Town Attorney
Elizabeth A. Saughman

21

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 29, 2019

TO: MEMORANDUM DOCKET

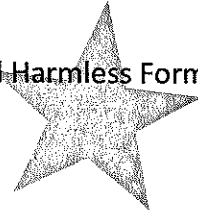
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: MARIA REGINA R.C. CHURCH ANNUAL FAMILY CARNIVAL
JUNE 20TH – JUNE 23RD 2019

Enclosed please find a copy of the letter from Robert DeRose, Maria Regina R.C. Church Carnival Committee, requesting our assistance on behalf of the Maria Regina R.C. Church in Seaford in conducting their annual family carnival from June 20th through June 23rd, 2019.

The Highway Department can readily supply thirty (30) complete barricades for the event, from June 19th thru June 24th, 2019.

Also attached are a Certificate of Insurance, Endorsement Sheet and Hold Harmless Form to cover the event. Therefore, Town Board approval is requested.




JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz
Attachments

C: Town Attorney (9) copies
Richard Lenz P.E., Commissioner DPW/HWY
Doug Robalino, General Foreman 002
Peter Brown, General Foreman 003
Parks Department
Justin McCaffrey, Commissioner, Public Safety Department
Grace SantaMaria, Highway Administration

Maria Regina R.C. Church
3945 Jerusalem Ave.
Seaford, NY 11783-1631

Kim Z
Mail Log
APR 12 2019
11 50 AM
TOWN OF OYSTER BAY

April 12, 2019

DEPUTY COMM/HIGHWAY

Mr. John Bishop
Town of Oyster Bay
Deputy Commissioner of Highways
150 Miller Place
Syosset, NY 11791
516 677 5839

Dear Mr. Bishop,

This June Maria Regina R.C. Church will be holding its annual family carnival. As in the past, the Town has always been there to support our parish functions.

On behalf of the Maria Regina R.C. Church, I would like to request the use of the 30 wooden barricades and 300 ft. snow fencing.

The dates of the carnival are June 20th, 21st, 22nd and 23rd

The material can be dropped off any day prior to our start date and picked up after the final day of our event.

Thank you in advance for the continued support of The Town of Oyster Bay.



Sincerely,

A handwritten signature in black ink, appearing to read 'Robert DeRose', written over a horizontal line.

Robert DeRose

516-798-2415



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/17/2019

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 Ecclesia Assurance Company c/o Porter & Curtis, LLC 225 State Road Media, PA 19063	CONTACT NAME: Porsha Seal PHONE (A/C, No. Ext): E-MAIL ADDRESS: pscat@portercurtis.com FAX (A/C, No.):
INSURED MARIA REGINA CHURCH 3945 JERUSALEM AVENUE SEAFORD, NY 11783	INSURER(S) AFFORDING COVERAGE INSURER A: ECCLESIA ASSURANCE COMPANY NAIC # 11952 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: C000179001 Account: 000055 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 LIR	TYPE OF INSURANCE	ADOL INSR	SUBR WV2	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"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PKG-2016-1	11/01/2018	11/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ Included MED EXP (Any one person) \$ Not Covered PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ None Applicable PRODUCTS - COMPOP AGG \$ None Applicable \$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						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/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The limits include applicable retentions. The certificate holder is included as an Additional Insured if required by written contract with respect to the use of dumpsters, flood light equipment, and wood barricades for the carnival taking place 06/20/2019 - 06/24/2019.

CERTIFICATE HOLDER

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

Reviewed By
Office of Town Attorney

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

William A. Gault

© 1988-2015 ACORD CORPORATION. All rights reserved.

Policy Number: PKG-2018-1

Endorsement Number: 17

Date Effective: 11/1/2018

ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies the insurance provided under the following Coverage Part(s):
GENERAL LIABILITY

SCHEDULE

Town of Oyster Bay, 54 Audrey Avenue, Oyster Bay, NY 11771


The person or organization shown in the Schedule above is an "insured", but only as respects your agreement to insure such person or organization and only if the wrongful act occurs after the date of agreement.

The amount of insurance shall not exceed the lesser of the amount of limits you agree to provide or the available limits of this insurance.

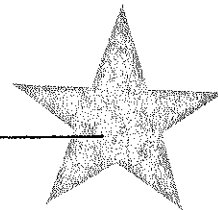
All other terms and conditions remain unchanged.

In witness whereof, this Endorsement has been executed in Rockville Centre, New York by the Company's authorized officer as set forth below.

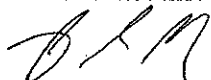
ECCLESIA ASSURANCE COMPANY


Authorized Representative's Signature

9/26/2018
Date



Reviewed By
Office of Town Attorney



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

This Agreement is made this 13 day of May, 2019, by Maria Regina R.C. Church (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Dumpster, Flood light equipment & wood
barbecue

for the event described as Maria Regina Annual Festival
The property/equipment is needed from 6-20-19 to 6-24-19
The event for which the property and/or equipment is requested () is (☒) is not a profit-making event.

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

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

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

Name of Organization

Maria Regina R.C. Church

Address of Organization

3945 Jerusalem Ave
Seaside NY 11782

By:

Robert DePaul
Authorized Representative

Title:

Business Manager

Telephone Number: 516 7982415

Reviewed By
Office of Town Attorney



DATE: May 29, 2019
TO: HIGHWAY OPERATIONS
SUBJECT: Maria Regina R.C. Church Carnival

PLEASE DELIVER TO: **DATE OF EVENT:** 6/20/19 – 6/23/19

Maria Regina Church
3945 Jerusalem Ave
Seaford

BARRICADES: 30

CONTACT: Robert DeRose
516-798-2415

CONES:

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

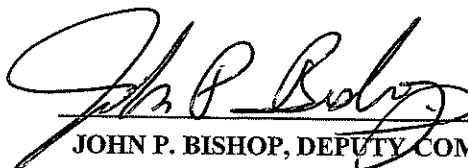
DELIVER ON: 6/19/19

PICKUP ON: 6/24/19

SWEEPING BEFORE AFFAIR IS NEEDED: YES XX
NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Peter Brown, General Foreman 003
Jack Grandine, Regional Foreman 007
Jeff VanNostrand

Public Safety Division
Dan Kornfeld

WHEREAS, Thomas M. Sabellico, President, Massapequa-Farmingdale Men's Club, Inc., One West Street, Farmingdale, New York 11735, by letter dated April 4, 2019, requested the use of fifteen (15) traffic cones, ten (10) complete barricades and use of the Massapequa Train Station parking lot M-5, for the purpose of conducting their Second Annual Car Show, to be held on Sunday, June 23, 2019 from 9:00 am to 4:30 pm, with delivery of said equipment on June 22, 2019; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated May 29, 2019, advised that the Highway Department has no objection to providing use of fifteen (15) traffic cones, ten (10) complete barricades and use of the Massapequa Train Station parking lot M-5 for said event to be held on Sunday, June 23, 2019 from 9:00 am to 4:30 pm, with delivery of said equipment on June 22, 2019; and

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

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are hereby accepted and approved, and the Highway Department is hereby authorized to provide the use of fifteen (15) traffic cones, ten (10) complete barricades and use of the Massapequa Train Station parking lot M-5 to Massapequa-Farmingdale Men's Club, Inc. for its Second Annual Car Show, to be held on Sunday, June 22, 2019 from 9:00 am to 4:30 pm, with delivery of said equipment on June 22, 2019 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; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$1,000,000 with a general aggregate of \$2,000,000 and naming the Town as an additional insured, in connection with the aforementioned activities.

#

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	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Abstain
Councilman Labriola	Aye

cc: Supervisor
Town Attorney
Comptroller
Highway

Reviewed By
Office of Town Attorney

28

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 29, 2019

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

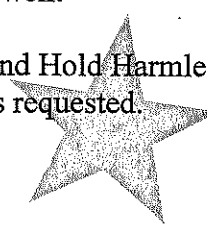
SUBJECT: MASSAPEQUA-FARMINGDALE MEN'S CLUB, INC.
2ND ANNUAL CAR SHOW

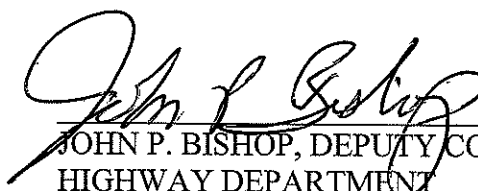
Enclosed please find a copy of the letter from Thomas M. Sabellico, President, requesting our assistance on behalf of the Massapequa-Farmingdale Men's Club, Inc. in conducting their 2nd Annual Car Show on June 23, 2019 from 9 am till 4:30 pm.

The Highway Department can readily supply ten (10) complete barricades and fifteen (15) Cones for the event. The Massapequa Train Station Lot M-5 in Massapequa will be utilized as well.

Parks Department is providing various equipment for the event as well.

Also attached is 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/kaz
Attachments

C: Town Attorney (9) copies
Richard Lenz, P.E., Commissioner DPW
Doug Robalino, General Foreman 002
Justin McCaffrey, Commissioner, Department of Public Safety
Steve Kelly, Supervisor, Sign Bureau
Grace SantaMaria, Highway Administration



Men: Serving Our Community

THOMAS M. SABELLICO, Esq.
President

GERARD TUOHEY
Vice-President

ARTHUR MAISANO
Treasurer

DANIEL KORNFELD
Secretary

Trustees:

JOSEPH PAPPALARDO

RALPH RAYMOND

ANDREW ROTHSTEIN

MEMBERS:

Hon. James Altadonna

George Andriopoulos

Steven C. Ballas

Hon. Joseph Belesi

James Cahill

Dr. John Capogna

Gregory W. Carman, Jr., Esq.

Salvatore Citrano

Kevin Conologue

Scott D'Amico

Paul Defendini

Steven J. Delligatti

Robert Diamond

Hon. Ralph Ekstrand

Michael Goldberg

Hon. George Graf

Frank Grella

Hon. Thomas Hand

Joseph Karam

Ian Kornfeld

John Mascia

Kevin McClorey

Hon. John Mikulin

Ralph V. Morales, Esq.

Hon. Joseph Muscarella

Frank Nocerino

Michael Nocerino

Brian Parker

Hon. Dan Pearl

George Pieri

James Sabellico

Joseph Saitta

Peter Saitta

Peter J. Saitta

Vincenze Saulle

Gary Slavin

Thomas Soluri

Michael Spinelli, Esq.

Ernest Weber

Keith R. Wilson

MASSAPEQUA-FARMINGDALE MEN'S CLUB, INC.

MEN: SERVING OUR COMMUNITY

1 West Street

Farmingdale, New York 11735

Text/cell: 516-551-8915

April 4, 2019

Town of Oyster Bay, Highway Department
150 Miller Place
Syosset, NY 11791

ATT: Mr. John Bishop

Dear Mr. Bishop,

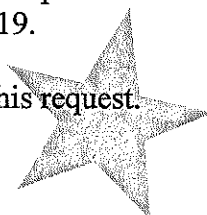
We respectfully request permission to use the parking field M-5, at the Massapequa LIRR Station, as depicted on the attached diagram, on Sunday, June 23, 2019, from 9:00 am to 4:30 pm for our Second Annual Car Show to raise funds for our efforts to provide transportation to veterans.

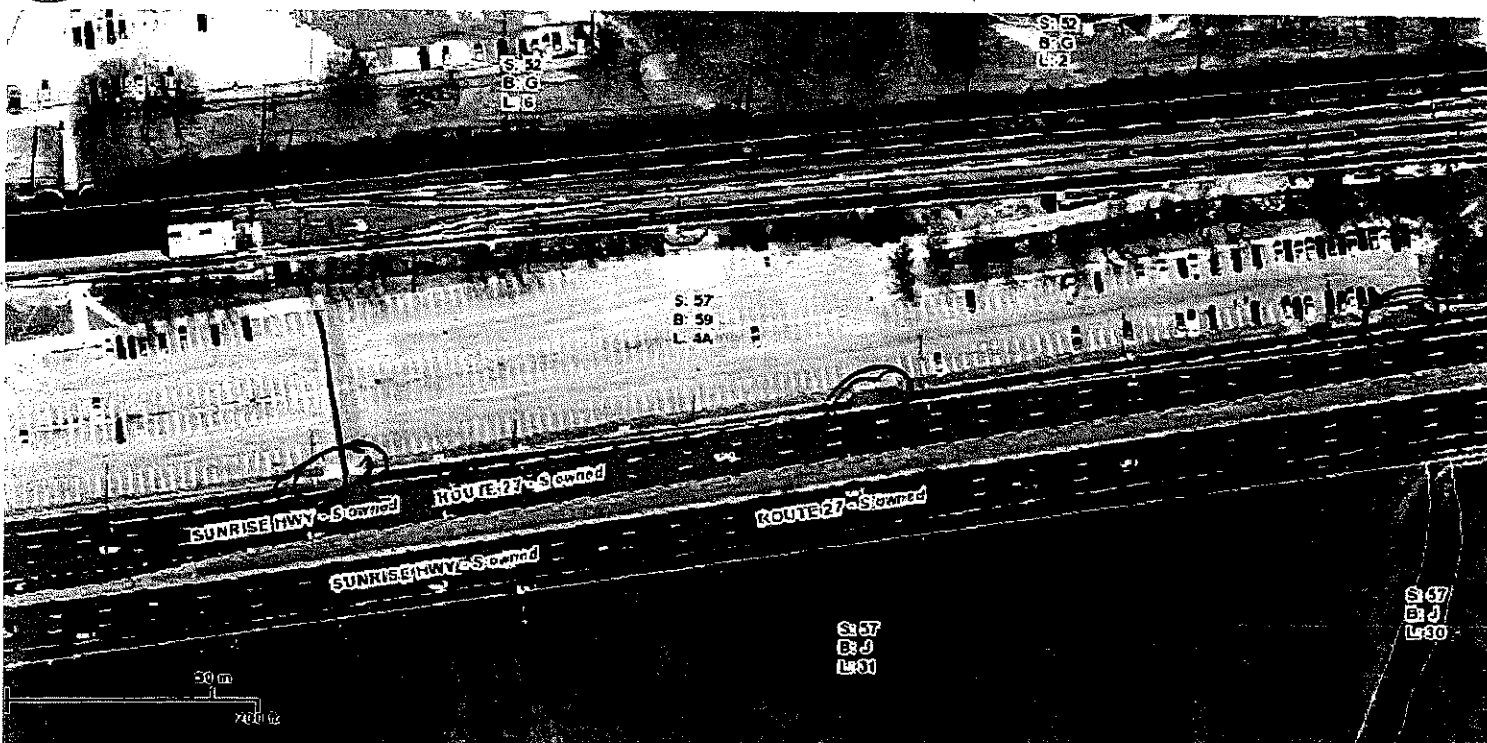
In addition to use of the parking field we will also require fifteen traffic cones and ten barricades, and request that they be dropped off at the parking field on June 22, 2019.

Thank you for your consideration of this request.

Sincerely,

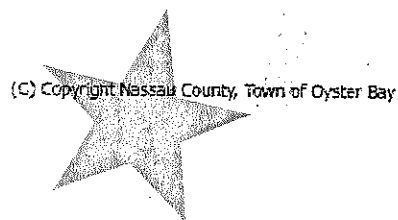
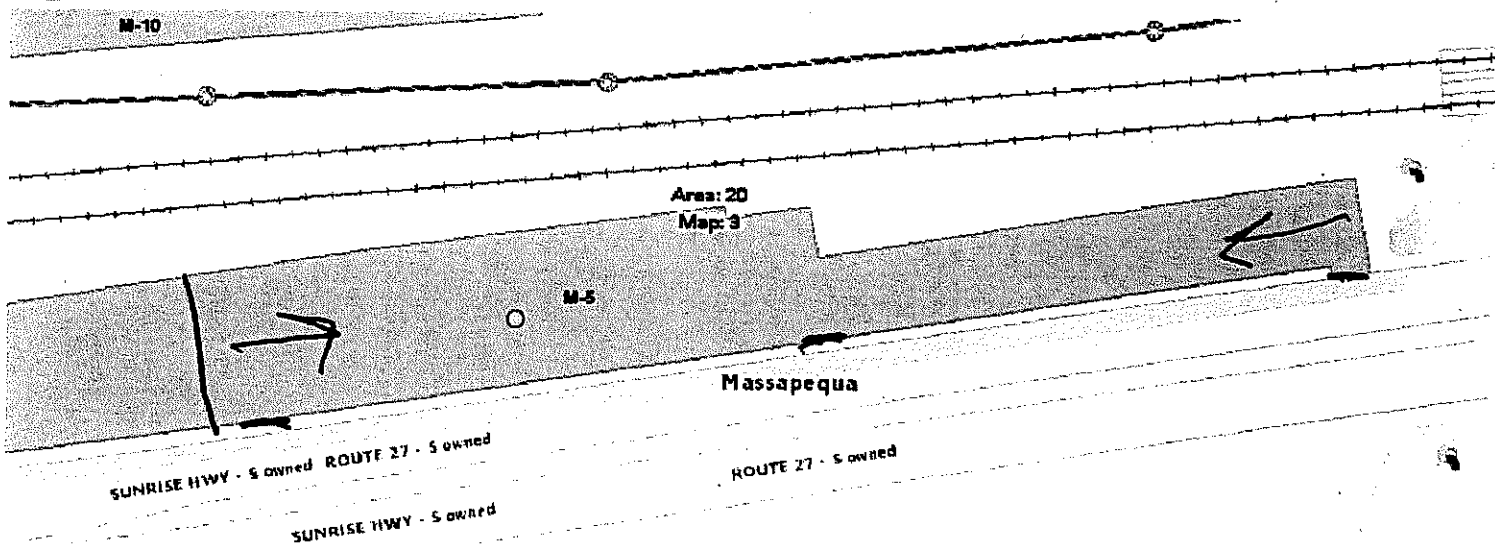
Thomas M. Sabellico
President





Fri Mar 15 2019 12:02:32 PM.

M5★





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/20/2019

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 AssuredPartners Northeast, LLC. 100 Baylis Road Suite 300 Melville NY 11747	CONTACT NAME: Vickie Donovan PHONE (A/C No. Ex): (631) 465-4000 FAX (A/C No.): (631) 465-4005 E-MAIL ADDRESS: vickie.donovan@assuredpartners.com
INSURED Massapequa-farmingdale Men's Club Inc 1 West St Farmingdale NY 11735	INSURER(S) AFFORDING COVERAGE INSURER A: U.S. Underwriters Ins. Co. NAIC # 35416 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

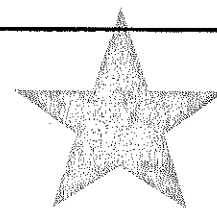
CERTIFICATE NUMBER: CL1952029787

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 INSD	SUBR 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:	X		NFP3552683A	4/27/2019	4/27/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 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
	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 EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ PER STATUTE OTH-ER
	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	N/A				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)
Certificate holder is listed as additional insured.



CERTIFICATE HOLDER

CANCELLATION

Town of Oyster Bay
54 Audrey Ave
Oyster Bay, NY 11771

Reviewed By
Office of Town Attorney

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Philip Colletta/VMD

ACORD 25 (2014/01)
INS025 (2014/01)

The ACORD name and logo are registered marks of ACORD

© 1988-2014 ACORD CORPORATION. All rights reserved.

EXTENSION OF DECLARATIONS

Policy No. NPP3552683A

Effective Date: 04/27/2019

12:01 AM STANDARD TIME

FORMS AND ENDORSEMENTS

The following forms apply to the Commercial Liability coverage part

Endt#	Revised	Description of Endorsements
2110	09/10	Service Of Suit
CG0001	12/07	Commercial General Liability Coverage Form
CG0068	05/09	Recording And Distribution Of Material Or Information In Violation Of Law Exclusion
CG0104	12/04	New York Changes - Premium Audit
CG2002	11/85	Additional Insured - Club Members
CG2107	05/14	Exclusion - Access Or Disclosure Of Confidential Or Personal Information And Data-Related Liability - Limited Bodily Injury Exception Not Included
CG2139	10/93	Contractual Liability Limitation
CG2147	12/07	Employment-Related Practices Exclusion
IL0017	11/98	Common Policy Conditions
IL0023	07/02	Nuclear Energy Liability Exclusion Endorsement
L 427	09/14	Exclusion For Fireworks And/Or Pyrotechnics
* L -767 NPP	12/17	Exclusion - Bleacher Collapse
* L-232s	04/15	Classification Limitation Endorsement
* L-367	04/15	Minimum Earned Premium Endorsement
L-387	03/06	Exclusion - Mechanical Rides
* L-428	04/15	Absolute Firearms Exclusion
* L-461	04/15	Assault Or Battery Exclusion
L-526	01/15	Absolute War Or Terrorism Exclusion
* L-536	04/15	Exclusion - Participation In Athletic Activity, Physical Activity Or Sports
* L-599	04/15	Absolute Exclusion For Pollution, Organic Pathogen, Silica, Asbestos And Lead With A Hostile Fire Exception
* L-606	04/15	Exclusion For Injury To Performers, Entertainers And Participants
* L-607	10/16	Exclusion for Climbing, Rebounding and Interactive Games and Devices
* L-609	04/15	Animal Exclusion
L-610	11/04	Expanded Definition Of Bodily Injury
L-618C	09/09	Amendment Of Premium Audit Conditions
* L-686	04/15	Absolute Exclusion For Liquor And Other Related Liability
L-721NY	02/09	New York Changes
L-744NPP	06/10	Blanket Additional Insured Endorsement
* LLQ100	04/15	Who Is An Insured Clarification Endorsement
LLQ368	08/10	Separation Of Insureds Clarification Endorsement
TRIADN	02/15	Policyholder Disclosure Notice of Terrorism Insurance Coverage
NPP Jacket	09/10	Non Profit Package Policy Jacket

Reviewed By
Office of Town Attorney

Endorsements marked with an asterisk (*) have been added to this policy or have a new edition date and are attached with this certificate.

COMMERCIAL GENERAL LIABILITY COVERAGE PART DECLARATIONS

Policy No. NPP3552683A

Effective Date: 04/27/2019
12:01 AM STANDARD TIME

LIMITS OF INSURANCE

Each Occurrence Limit	\$1,000,000
Personal & Advertising Injury Limit (Any One Person/Organization)	\$1,000,000
Medical Expense (Any One Person)	\$5,000
Damages To Premises Rented To You (Any One Premises)	\$100,000
Products/Completed Operations Aggregate Limit	Included
General Aggregate Limit	\$2,000,000

LIABILITY DEDUCTIBLE

\$0

LOCATIONS OF ALL PREMISES YOU OWN, RENT OR OCCUPY

<i>Location</i>	<i>Address</i>	<i>Territory</i>
1	1 West Street, Farmingdale, NY 11735	007

PREMIUM COMPUTATION

<i>Loc</i>	<i>Classification</i>	<i>Code No.</i>	<i>Premium Basis</i>	<i>Pr/Co</i>	<i>Rate</i>	<i>Advance Premium</i>	
					<i>All Other</i>	<i>Pr/Co</i>	<i>All Other</i>
1	Additional Insured - Club Members	49950	1 Flat	Included	0.000	Included	Included
1	Blanket Additional Insured - Non-Profit Package	49950	1 Flat	Included	100.000	Included	\$100
1	Clubs - civic, service or social - having building or premises owned or leased -Not-For-Profit only	41668	100 Per 1,000 Total Area	Included	574.670	Included	\$57

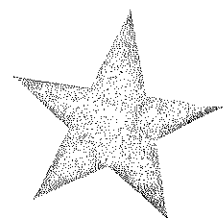
MINIMUM PREMIUM FOR GENERAL LIABILITY COVERAGE PART: \$750

TOTAL PREMIUM FOR GENERAL LIABILITY COVERAGE PART: \$750 MP

(This Premium may be subject to adjustment.) MP - minimum premium

Coverage Form(s)/Part(s) and Endorsement(s) made a part of this policy at time of issue:

See Form EOD (01/95)



THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD.

**UNITED STATES LIABILITY INSURANCE GROUP
WAYNE, PENNSYLVANIA**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

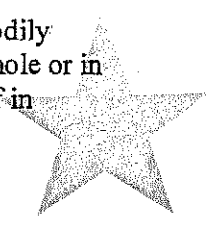
BLANKET ADDITIONAL INSURED ENDORSEMENT

Section II – Who Is An Insured is amended to include as an insured any person, entity or organization that is:

1. A franchisor under a franchise agreement with the Named Insured as franchisee relating to “your work”; or
2. A licensor under a license agreement with the Named Insured as licensee relating to “your work”; or
3. A co-owner with the Named Insured in premises used for “your work”; or
4. A majority owner with a controlling interest in the Named Insured but only with respect to liability arising out of such owner’s (i) financial or operational control of the Named Insured; or (ii) ownership, maintenance or use of premises leased or occupied by the Named Insured for purposes of “your work”; or
5. A mortgagee, assignee or receiver of the Named Insured relating to “your work”; or
6. A lessor, or an agent of a lessor, under a lease agreement with the Named Insured as lessee relating to “your work”; or
7. A grantor of a permit to the Named Insured as permittee relating to “your work”.
However, if the grantor of a permit is a federal, state or local government or political subdivision, there is coverage under this endorsement only for liability arising from:
 - a. The existence, maintenance, repair, construction, erection or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners or decorations and similar exposures; or
 - b. The construction, erection or removal of elevators; or
 - c. The ownership, maintenance or use of any elevators covered by this insurance; or
8. A lessor of equipment leased to the Named Insured relating to “your work”; or
9. A contributor, benefactor, or supporter who provides financial assistance to the Named Insured in connection with “your work”;

but only to the extent the Named Insured is required to add such person, entity or organization as an additional insured to this policy under a written contract, written permit or written agreement relating to “your work”.

Such person, entity or organization is an insured only with respect to liability for “bodily injury”, “property damage” or “personal and advertising injury” that is caused, in whole or in part by your acts or omissions or the acts or omissions of those acting on your behalf in connection with “your work” while such written contract, written permit or written agreement is in effect.



EXCLUSIONS

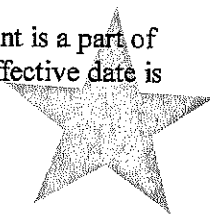
There is no coverage under this endorsement for loss or expense, including but not limited to the cost of defense for "bodily injury", "property damage" or "personal and advertising injury":

1. That occurs after all of "your work", including materials, parts or equipment furnished in connection with "your work" and performed under a written contract, written permit or written agreement has ended; or
When that portion of "your work" out of which the "bodily injury", "property damage" or "personal and advertising injury" arises and performed under a written contract, written permit or written agreement has been put to its intended use by any person(s) or organization(s);
whichever occurs first.
2. Arising directly or indirectly from construction or demolition operations of any kind performed by you.
3. Caused or alleged to be caused by the sole negligence of an additional insured under this endorsement.
4. Arising out of "your work" performed for a federal, state or local government or political subdivision under a written permit.
5. Included within the "products-completed operations hazard".

CONDITIONS

Coverage provided by this endorsement will be excess over any insurance available to any additional insured under this endorsement unless a written contract, written permit or written agreement specifically requires that coverage under this endorsement is primary.

All other terms and conditions of this policy remain unchanged. This endorsement is a part of your policy and takes effect on the effective date of your policy unless another effective date is shown.



Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 21 day of May 2019, by MASSAPEQUA-FARMINGDALE MEN'S CLUB, INC. (hereinafter "CONCESSIONAIRE"). Whereas, the CONCESSIONAIRE has entered into a contract to provide certain services and products at various Town locations, as designated in the contract between the TOWN and the CONCESSIONAIRE for the contract period June 23, 2019 through June 23, 2019.

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 the 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, \$1,000,000 products, naming the Town as additional insured. All certificates of insurance must be accompanied by an endorsement.

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

Name of Organization:

MASSAPEQUA - FARMINGDALE
MEN'S CLUB, INC.

Address of Organization:

1 WEST STREET

FARMINGDALE, NY 11735

By:

Thomas M. Mullen
Authorized Representative

Title:

PRESIDENT

Telephone Number: 716-551-8915

Reviewed By
Office of Town Attorney

BA

DATE: 5/21/19

TO: HIGHWAY OPERATIONS

SUBJECT: Massapequa Farmingdale Men's Club

PLEASE DELIVER TO:

Parking Field M-5
Massapequa

DATE OF EVENT: 6/23/19

SNOW FENCE:

BARRICADES: 10

CONTACT: Tom Sabellico
516-551-8915

TRAFFIC CONES: 15

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 6/22/19

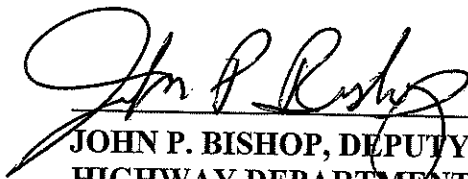
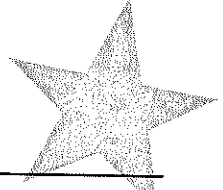
PICKUP ON: 6/24/19

SWEEPING BEFORE AFFAIR IS NEEDED:

 XX
YES NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Jack Grandine, Regional Foreman 007
Area Foreman 020
Jeff VanNostrand
Peter Brown, General Foreman 003

Public Safety Division
Dan Kornfeld

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, in memorandum dated June 3, 2019, requested that the Town Clerk be authorized to publish a Public Notice in Newsday, regarding the Transfer of Funds for the 42nd Community Development Program Year, from PS Community Center Rehabilitation to PF&I Streetscapes Town-wide, in the amount of \$50,000.00, the cost of said Notice to be paid from Account No. IGA CD 8686 44100 000 CD19,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town Clerk is hereby authorized and directed to publish the aforesaid Public Notice in Newsday, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim after audit, from Account No. IGA CD 8686 44100 000 CD19.

#

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs

29

Town of Oyster Bay Inter-Departmental Memorandum

TO: Memorandum Docket

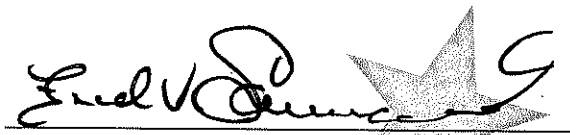
FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

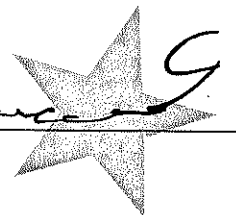
DATE: June 3, 2019

SUBJECT: Community Development
Public Notice for Transfer of Funds
Nassau County Contract 42nd Program Year

To effectively implement the Town's Community Development Program, it is necessary to amend the above referenced Contract Agreement with Nassau County, as detailed in the attachment. The Public notice must be published in an English language paper of general town wide circulation. In this regard, it is recommended that Newsday be utilized for the notice. The Public Notice will be forwarded to the Town Clerk for publication in the Nassau edition of Newsday. The public notice has been approved by the Town Attorney's Office. Funds for the public notice are available in account IGA CD 8686 44100 000 CD19.

The Funds were initially allocated for Commercial Rehabilitation which will not take place. Therefore the funds will be utilized for a Public Facilities Improvement project in the hamlet of Oyster Bay.


Frank V. Sammartano
Commissioner



FVS/PA

Attachment

cc: Town Attorney w/ 7 copies

Legal Notice to be published on

Public Notice Nassau County

NOTICE TO PUBLIC OF NASSAU URBAN COUNTY CONSORTIUM PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AMENDMENTS

COUNTY OF NASSAU OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT,
1 West Street, 1ST- Suite 365 Mineola, NY 11501. Telephone number: (516) 572-1924.

Overall Program Description:

The Nassau County Office of Housing and Community Development is the overall administrative agent for the Federal Community Development Block Grant, HOME Investment Partnerships, and the Emergency Solutions Grants (ESG) Programs. These programs are intended to support the goals of providing decent housing, providing a suitable living environment and expanding economic opportunities for low and moderate income persons.

The Town of Oyster Bay - The Town proposes to make the following revisions:

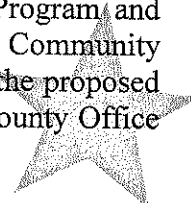
42nd Yr. CQHI16000055- Transfer \$50,000.00 from Commercial Rehabilitation to PF&I Streetscapes Town wide.

PUBLIC COMMENT

Additional information on the Nassau County Community Development Program and program changes is available from the Nassau County Office of Community Development, 1 West Street, 1ST- Suite 365 Mineola, NY 11501. Comments on the proposed Program Amendment can be directed to Kevin J. Crean, Director, Nassau County Office of Housing and Community Development, no later than, _____.

Reviewed By
Office of Town Attorney

Kevin J. Crean



Reviewed By
Office of Town Attorney

WHEREAS, the Massapequa Water District, by letter dated May 30, 2019, advised the Town Board that the District had a vacancy in the position of Water District Commissioner for the term ending December 31, 2021, and the Massapequa Water District has respectfully requested and recommended that the Town Board give full and due consideration to the appointment of Michael Mazzola to serve as Water District Commissioner for the Massapequa Water District, effective immediately through December 31, 2019,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board hereby appoints Michael Mazzola as a Water District Commissioner of the Massapequa Water District for a term commencing immediately and running 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 Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor
Town Attorney
Comptroller

TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE TOWN ATTORNEY
DATE: June 6, 2019
SUBJECT: Massapequa Water District Commissioner Vacancy

The Massapequa Water District, by letter dated May 30, 2019, advised the Town that there was a vacancy in the District for the position of Water District Commissioner for the term ending December 31, 2021, and requested and recommended that the Town Board give full and due consideration to the appointment of Michael Mazzola to fill the vacant position, effective immediately through December 31, 2019.

Submitted herewith is the Resolution for this matter. It is requested that this item appear on the action calendar for the June 18, 2019 Town Board meeting.

JOSEPH NOCELLA
Town Attorney

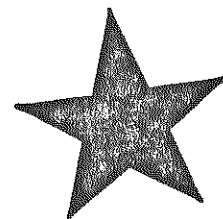
Thomas M. Sabellico / ST

Thomas M. Sabellico
Special Counsel

TMS/nb

Enc.

cc: Town Attorney (with 7 copies)



WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memoranda dated May 31, 2019 and June 10, 2019, requested that the Town Board authorize and direct the Town Clerk to publish a Public Notice of a Request for Proposals under the Workforce Innovation and Opportunity Act for the period September 1, 2019 through August 30, 2021, for One-Stop Operator services, in a newspaper of general circulation, no later than July 1, 2019; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to publish a Public Notice of a Request for Proposals under the Workforce Innovation and Opportunity Act for the period September 1, 2019 through August 30, 2021, for One-Stop Operator services, in a newspaper of general circulation no later than July 1, 2019; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. IGA CD 6293 47900 000 CW17.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs

Reviewed By
Office of Town Attorney

14

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

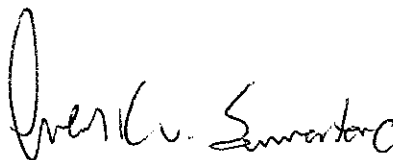
TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: MAY 31, 2019

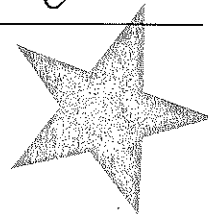
SUBJECT: WORKFORCE INNOVATION AND OPPURTUNITY ACT
PROCUREMENT OF ONE-STOP OPERATOR

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of June 18, 2019. Details will follow by supplemental memorandum.



Frank V. Sammartano
Commissioner

By C. Bell



cc: Town Attorney w/7 copies

14

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 10, 2019


TO: MEMORANDUM DOCKET

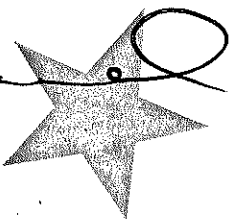
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

SUBJECT: SUPPLEMENTAL MEMORANDUM TO MD 6/4/19, ITEM # 14
WORKFORCE INNOVATION AND OPPORTUNITY ACT
PROCUREMENT OF ONE-STOP OPERATOR

The Department of Intergovernmental Affairs' Division of Employment and Training has prepared the enclosed Public Notice with regard to a Request for Proposals for the delivery of One-Stop Operator services under the Workforce Innovation and Opportunity Act for the period September 1, 2019 through August 30, 2021. Requested services will include service delivery coordination for One-Stop partners and service providers across the One-Stop System; coordination of regional system activities; and coordination of partner responsibilities. This is a Workforce Innovation and Opportunity Act eligible cost and therefore at no cost to the Town of Oyster Bay.

We therefore respectfully request a Town Board Resolution authorizing the Office of the Town Clerk to publish the enclosed Public Notice in a newspaper of general circulation upon the direction of the Department of Intergovernmental Affairs. Funds for this purpose are available in account # IGA CD 6293 47900 000 CW18.


Frank V. Sammartano
Commissioner



Enclosure(s)
cc: Town Attorney, 9 copies

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

PLEASE TAKE NOTICE that the Town of Oyster Bay Department of Intergovernmental Affairs' Division of Employment and Training (as the Grant Recipient for the Oyster Bay-North Hempstead-Glen Cove Workforce Development Area) and the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) are soliciting proposals for the provision of federally-funded Workforce Innovation and Opportunity Act of 2014 (WIOA) One-Stop Operator services. A maximum of \$30,000 in WIOA funding is available for the 24 month period September 1, 2019 through August 30, 2021. Eligible applicants include individuals and organizations who can successfully demonstrate administrative capacity to successfully provide WIOA One-Stop Operator workforce development services as specified in the Request for Proposals.

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

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

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

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

The deadline for proposals submitted in response to this RFP is 4:00 p.m. on July 19, 2019. Faxed or emailed proposals will **not** be accepted.

BY THE ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH SALADINO,
Supervisor, JAMES ALTADONNA JR., Town Clerk. Dated: _____, 2019. Oyster
Bay, New York.



WHEREAS, by Resolution No. 482-2018, adopted on July 24, 2018, the Town Board awarded Contract No. H17-159R, Repairs to the Hicksville Parking Facility, to Pullman SST, Inc., 2227 High Hill Road, Swedesboro, New Jersey 08085, and;

WHEREAS, by Resolution No. 826-2018, adopted on December 11, 2018, the Town Board authorized Change Order No. 1 relative to the Construction Phase of said Contract No. H17-159R, Repairs to the Hicksville Parking Facility, for a total net increase in the amount of \$1,593,774.26, and;

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memoranda dated June 3, 2019, and June 10, 2019, and Hirani Engineering & Land Surveying, P.C., by letter dated June 7, 2019, concerning increases and decreases, advised that it is necessary and essential to authorize a net decrease of \$51,058.50, relative to said Contract No. H17-159R, Repairs to the Hicksville Parking Facility, and recommended such authorization from the Town Board, and;

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by said memoranda, Hirani Engineering & Land Surveying, P.C., by letter dated June 6, 2019, and Lizardos Engineering Associates, P.C., by letter dated June 5, 2019, advised that it is necessary and essential to authorize Change Order No. 2 to said Contract No. H17-159R, Repairs to the Hicksville Parking Facility, for a net total increase in the amount of \$269,584.59, due to inconsistencies from the actual field conditions and the record drawings from the original construction contract, modifications to the electrical scope of the project due to field conditions, and additional structural work deemed necessary by the engineer, and recommended such authorization from the Town Board, and;

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by said memoranda, recommended approval and authorization of Quantity Increase/Decrease No. 2 and of Change Order No. 2 relative to Contract No. H17-159R, Repairs to the Hicksville Parking Facility, for a net increase in the amount of \$218,526.09, and;

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by said memoranda, advised that funds are available in Account No. HWY H 5997 20000 000 1804 016,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, Quantity Increase/Decrease No. 2 relative to Contract No. H17-159R, Repairs to the Hicksville Parking Facility, is hereby approved and authorized for a net decrease amount of \$51,058.50; and be it further

Reviewed By
Office of Town Attorney

Elizabeth A. Faughnan

RESOLVED, That upon the recommendations as hereinabove set forth, Change Order No. 2, relative to Contract No. H17-159R, Repairs to the Hicksville Parking Facility, is hereby approved and authorized for a net increase in the amount of \$269,584.59; and be it further

RESOLVED, That upon the recommendations as hereinabove set forth, Quantity Increase/Decrease No. 2 and Change Order No. 2 relative to Contract No. H17-159R, Repairs to the Hicksville Parking Facility, are hereby approved and the Supervisor, or his designee, is hereby authorized and directed to sign said Quantity Increase/Decrease No. 2 and Change Order No. 2 in the net total increased amount of \$218,526.09; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. HWY H 5997 20000 000 1804 016; and be it further

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

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

15

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JUNE 10, 2019

TO : MEMORANDUM DOCKET

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

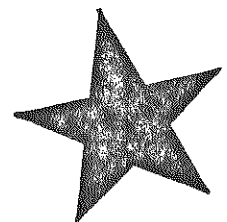
SUBJECT : SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 23
DOCKET OF JUNE 4, 2019
QUANTITY INCREASE/DECREASE NO. 2
CHANGE ORDER NO. 2
REPAIRS TO THE HICKSVILLE PARKING FACILITY
CONTRACT NO. H17-159R
ACCOUNT NO. HWY H 5997 20000 000 1804 016
PROJECT ID NO. 1804 HWYST-02

In furtherance to Item No. 23 of the docket of June 4, 2019, attached is a letter from Hirani Engineering & Land Surveying, P.C., dated June 7, 2019 concerning increases and decreases in quantities with a total net decrease in the amount of \$51,058.50. Said quantity adjustments are explained by the consultant in this correspondence, and are necessary due to final measured in-place quantities of carbon fiber reinforcing polymer, concrete deck crack repairs, and upper level ponding repairs, as well as the unused balance of funds for the safety and security systems.

Also attached are letters from Hirani Engineering & Land Surveying, P.C. and Lizardos Engineering Associates, P.C., dated June 6, 2019 and June 5, 2019 concerning Change Order No. 2 for a total net increase in the amount of \$269,584.59. Specific items of work are detailed in the attached documents, which includes price adjustments from previously approved change order items, additional work necessary due to inconsistencies from actual field conditions and the record drawings from the original construction contract, modifications to the electrical scope of the project due to field conditions, and additional structural work deemed necessary by the engineer.

The contractor, Pullman SST, Inc., has submitted his price quote for the proposed work and the consultants, Hirani Engineering & Land Surveying, P.C. and Lizardos Engineering Associates, P.C., reviewed the contractor's price quote and finds the price of \$269,584.59 for the additional work to be fair and reasonable.

The net result of Quantity Increase/Decrease No. 2 and Change Order No. 2 is an increase to the contract in the amount of \$218,526.09. Funds are available in this amount from Account No. HWY H 5997 20000 000 1804 016.



It is hereby requested that the Town Board authorize, by resolution, Quantity Increase/Decrease No. 2 and Change Order No. 2 having a net result of an increase in the amount of \$218,526.09 relative to the construction of Contract No. H17-159R.



RICHARD W. LENZ, P.E.

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/^{ML}MR/lk

Attachments

C: Office of the Town Attorney (w/9 copies)
Steven Ballas, Comptroller
John Bishop, Deputy Commissioner/Highway
Kathy Stefanich, Administration/DPW

H17-159R DOCKET CO2 & QI-QD NO2 SUPP

June 7, 2019

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

Re: Quantity Increase and Quantity Decrease No. 2
Repairs to the Hicksville Parking Facility
Contract No. H17-159R

Dear Mr. Lenz,

Hirani Engineering and Land Surveying, P.C. (Hirani) has been providing inspection and construction management services for the construction of Repairs to the Hicksville Parking Facility, Contract No. H17-159R. This contract was awarded to Pullman SST, Inc. (Pullman).

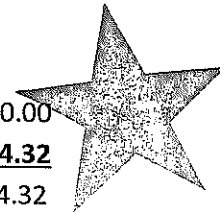
At this time the work is substantially complete and the Town has been occupying the facility for public use. Hirani and the office of Lizardos Engineering Associates, P.C. are working with Pullman to complete the remaining restoration work and project documentation. The final quantities of the unit cost items that are part of the Contract have been calculated. These final quantities vary from the current quantities provided for in the Contract, and require an adjustment in order to allow for project closeout. These adjustments are detailed as follows:

Item 2 : Supply and Install Bottom Slab CFRP

Original Bid Quantity:	55,000.0 square feet @ \$25.92/SF =	\$1,425,600.00
Adjustment:	+1,139.0 square feet @ \$25.92/SF =	+ \$29,522.88
Revised Quantity:	56,139.0 square feet @ \$25.92/SF =	\$1,455,122.88

Item 3 : Supply and Install Top Slab CFRP

Original Bid Quantity:	40,000.0 square feet @ \$24.28/SF =	\$971,200.00
Adjustment:	+ 3,244.0 square feet @ \$24.28/SF =	+\$ 78,764.32
Revised Bid Quantity:	43,244.0 square feet @ \$24.28/SF =	\$1,049,964.32



Item 4: Slab Repair P

Original Bid Quantity: 15.00 cubic feet @ \$913.34/CF = \$13,700.10
Adjustment: - 14.03 cubic feet @ \$913.34 CF = - \$12,814.16
 Revised Quantity: 0.97 cubic feet @ \$913.34/CF = \$885.94

Item 5: Slab Repair P'

Original Bid Quantity: 5.00 cubic feet @ \$720.00/CF = \$3,600.00
Adjustment: - 5.00 cubic feet @ \$720.00 CF = - \$3,600.00
 Revised Quantity: 0.00 cubic feet @ \$720.00/CF = \$ 0.00

Item 6: Slab Repair Q

Original Bid Quantity: 15.00 cubic feet @ \$913.34/CF = \$13,700.10
Adjustment: + 1.62 cubic feet @ \$913.34 CF = + \$ 1,479.61
 Revised Quantity: 16.62 cubic feet @ \$913.34/CF = \$15,179.71

Item 7: Slab Repair Q'

Original Bid Quantity: 4.00 cubic feet @ \$900.00/CF = \$3,600.00
Adjustment: - 4.00 cubic feet @ \$900.00 CF = - \$3,600.00
 Revised Quantity: 0.00 cubic feet @ \$900.00/CF = \$ 0.00

Item 9: Slab Repair S

Original Bid Quantity: 2,000.0 linear feet @ \$17.35/LF = \$34,700.00
Adjustment: - 1,066.0 linear feet @ \$17.35/L F= \$18,495.10
 Revised Quantity: 934.0 linear feet @ \$17.35/LF= \$16,204.90

Item 10: Town Vendor Costs for Safety & Security and Heat Detection System

Original Bid Quantity: \$400,000.00 Lump Sum
Adjustment: - \$ 67,716.85 Lump Sum
 Revised Quantity: \$332,283.15 Lump Sum

Item 12: Repair of Ponding Areas on Roof Deck

Original Bid Quantity: 5,000.0 square feet @ \$55.60/SqFT = \$278,000.00
Adjustment: - 982.0 square feet @ \$55.60/SqFT = - \$ 54,599.20
 Revised Quantity: 4,018.0 square feet @ \$55.60/SqFT = \$233,400.80



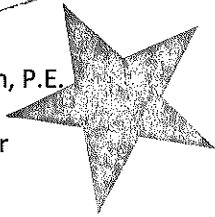
The described quantity adjustments result in a net decrease to the contract in the amount of \$51,058.50. Hirani recommends that the Town authorize these modifications to the unity price items of the Contract.

If you have any questions regarding this action, please do not hesitate to contact this office.

Sincerely,

Matthew Holahan, P.E.

Resident Engineer





Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

June 6, 2019

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

RE: **Hicksville Parking Facility**
Project Number H17-159R
Change Order No. 2

To Whom it May Concern:

This cover letter summarizes Change Order No. 2, submitted by Pullman SST, Inc. the General Contractor on the Hicksville Parking Facility.

Hirani Engineering and Land Surveying, P.C. ("Hirani") has reviewed and verified all labor quantities and material quantities and hereby recommends acceptance to the Town of Oyster Bay, subject to verification of labor rates in accordance with the Project Labor Agreement upon contractor request for payment submittal.

Item No. 1 – Revision to CO1 slab replacement Cost
Change to Contract Decrease to the contract of \$77,101.79

Reason for Change Upon demolition and slab removal, it was revealed that the existing slabs were thicker than anticipated and the exposed concrete steel reinforcement layout differed from the provided as built and design drawings. This resulted in additional work being required for the slab demolition and replacement. This additional work was approved by Change Order No. 1, Item 2.

Upon completion of work, Hirani determined that the actual labor hours and rates utilized were less than what had initially been originally estimated. The original change order authorized \$475,309.72 but after further review, the final cost was calculated to be \$398,207.93. Therefore, Hirani recommends TOB a credit of \$77,101.79.

Item No. 2 – Revision to CO1 Additional / Emergency Shoring Cost
Change to Contract Decrease to the contract of \$6,420.14

Reason for Change During construction Hirani directed the Contractor to install emergency shoring under three Grade-LL1 Ramp slab sections. Subsequently, after the remediation design was issued, the contractor needed to rearrange post shores to allow for the installation of CFRP, as well as remove all post shores after CFRP was installed and cured. This work was approved by Change Order No. 1, Item 3.

Upon completion of work, Hirani determined that the actual material, labor hours and rates utilized were less than what had initially been originally estimated. The original change order authorized \$18,718.73 but after further review, the final cost was calculated to be \$12,298.59. Therefore, the Hirani recommends TOB a credit of \$6,420.14.



Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

Item No. 4 – LL-1 to LL-2 Ramp Waterproofing

Change to Contract Increase to the contract of \$73,749.00

Reason for Change

Original contract drawings showed the waterproofing being applied on Grade Level, Ramp from Grade to Lower Level 1, and Lower Level 1. The design drawing showed CFRP on the ramp from LL1 To LL2, where the ramp is not on grade. To protect the CFRP on this portion of the ramp, the slab from LL1 To LL2 needed to be waterproofed as per drawing SK-6 issued by Hirani. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, the Hirani recommends TOB accept the additional cost of \$73,749.00

Item No. 6 – Chipping of Slabs for Conduit Penetration

Change to Contract Increase to the contract of \$45,948.68

Reason for Change

The contract documents required the Contractor to core through concrete slab and girder without damaging any existing reinforcement that was detailed in the original garage design documents. The contractor used Ground Penetrating Radar to detect the concrete steel reinforcement embedded in concrete slab and perform a test core. After the coring test, reinforcement was found within the test core indicating inaccuracies in the original plans, GPR findings and mark-outs.

Consequently, the design team elected to avoid core drilling through the slab for conduit penetration and propose chipping through the concrete slabs instead in an effort to minimize damage to the existing structural steel concrete reinforcement. The chipping through the concrete slab is time-consuming when compared to the core drilling. Also, the concrete needed to be restored, for which additional formwork was required in the process which increases the labor time and materials used. The coring for conduit penetration was a part of the original contract and credit was issued to the town in a previously approved change order. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$45,948.68.

Item No. 7 – Northeast Stairwell Caulking

Change to Contract Increase to the contract of \$2,045.03

Reason for Change

In order to prevent further water intrusion into the building, the Contractor was directed to caulk the exterior of the Northeast stairwell. The work includes cutting the existing caulk and re-caulking the joints. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$2,045.03.



Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

Item No. 9 – NSM Bars and CFRP Revision, Design and Installation

Change to Contract Increase to the contract of \$45,631.80

Reason for Change To accommodate the expansion joint assembly in the girder, a girder top reinforcing rebar needed to be removed at each expansion joint location which was not shown in the provided design drawings. Hirani investigated the installation of near-surface mounted (NSM) bar reinforcement at the expansion joint side of all (6) replacement slabs to make up the loss of the removed rebar. The NSM bar designer, Structural Technologies, was required to develop the NSM bar beyond the columns. The contractor demolished/ chipped the concrete curb and a portion of a column in a couple of locations to investigate the constructability of the proposed NSM bar installation procedure. After the investigation, it was determined that there was no way to develop the bars into the columns without damaging the structural steel. The design team then alternately elected to install CFRP at the underside of the girders considering moment redistribution instead of NSM bars at the top surface.

In this process, additional labor had been utilized by the Contractor for the demolition and NSM bar prep work. Also, additional costs have been incurred by Structural Technologies, the CFRP / NSM Bar designer/manufacture, for design work and modifications to the CFRP scope and NSM bars utilization. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$45,631.80.

Item No. 10 – Painting of Stairwells

Change to Contract Increase to the contract of \$31,768.43

Reason for Change The town elected to repaint areas of the stairwells that showed damage from water infiltration. Additional labor and materials was required to scrape and paint spot locations on the walls inside and outside of the stairwells. Also, grinding and painting spot locations on the handrails inside the stairwells required additional costs. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$31,768.43.

Item No. 12 – Additional Waterproofing to the Upper Level

Change to Contract Increase to the contract of \$17,982.76

Reason for Change The upper-level waterproofing was damaged in some locations. It was determined that was a need to repair these locations for the aesthetic reasons, as well as to reduce the water infiltration into the existing structure. Additional waterproofing installation required a standard preparation process which incurred in an additional cost of labor and material. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$17,982.76.



Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

Item No. 13 – Trench Drain Modifications

Change to Contract Decrease to the contract of \$68,192.27

Reason for Change

The contract documents required the Contractor to remove and replace the existing trench drain assembly completely. Due to the existing structural conditions of the girder under the trench drain, it could not be possible to remove and replace the drain fully without damaging the structural integrity of the girder. Also, a water test was performed to locate the leaks and the leak was found in the drain and not found in the trench drainpipe. Ultimately, the design engineers decided the existing trench drain was to remain and be coated with a waterproofing system to block further water leakage.

In the process of finding the best possible solution and repair, a water test, cleaning of the drains and preparation of the steel surface for waterproofing installation was performed. Also, determination of the structural condition of the trench drain girder, shoring installation, investigative demolition and repair of demolished areas were performed which required additional labor and materials. The original value for the trench drain girder repair was \$90,871.00. The final value of the alternate work performed was determined to be \$22,678.73.

Therefore, Hirani recommends TOB a credit of \$68,192.27.

Item No. 14 – Modifications to Upper-Level Expansion Joint Installation

Change to Contract Increase to the contract of \$12,137.18

Reason for Change

During the demolition of the existing expansion joint assembly at upper-level column line 10, existing concrete steel reinforcement was found near the edge of the slab which was not shown on the original construction design drawings. Ultimately, in order to chip between the unforeseen bars required additional time. However, because of the presence of the existing concrete steel reinforcement, the contractor needed less U-bar for the securement of the new expansion joint assembly, which was shown in the design drawings, and proposed a credit to the town due to this reduction. In addition, the designer recommended installing the bonding agent at the face of new and existing concrete for proper structural bonding. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$12,137.18.

Item No. 19 – Temporary Heating for Waterproofing Installation

Change to Contract Increase to the contract of \$68,624.59

Reason for Change

Additional costs were incurred by the Contractor for heating equipment and supplementary manpower needed for weather- and temperature-sensitive scope items that whose installation were delayed due to the various changed conditions. The changed conditions include the additional CFRP and additional waterproofing proposed by the design team during the construction due to the unforeseen existing conditions. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$68,624.59.



Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

Item No. 20 – Upper-Level Water Stops and Downspout Modifications

Change to Contract Increase to the contract of \$1,321.70

Reason for Change A pipe / conduit was exposed during demolition on the upper level for water-stop installation which interfered with waterstop installation. The design team directed the Contractor to perform additional work to allow this installation which included additional concrete demolition and modifications to the existing downspout. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$1,321.70.

Item No. 26 – Deletion of RPNL panels

Change to Contract Decrease to the contract of \$6,935.74

Reason for Change The contract documents required the Contractor to install concrete curbs at slab penetrations to protect new RPNL conduits that were installed. During construction it was determined that existing conduits could be used for this purpose, and the curb was no longer necessary and a credit was to be issued for this work. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends TOB a credit of \$6,935.74.

Item No. 28 – Modification to CPM Scheduling Requirements

Change to Contract Decrease to the contract of \$15,000.00

Reason for Change The contract documents required the Contractor to develop a Critical Path Method schedule for the project and provide regular updates for use and review by the project team. During the course of construction several changes became necessary to the project requirements which limited the ability to update the CPM in a timely and accurate fashion. It was determined that the project management team would manage the construction schedule without the use of a CPM. A credit was negotiated with the Contractor for the value of the work not performed.

Therefore, Hirani recommends a credit for this work in the amount of \$15,000.00.

Item No. 29 – Drainage Field Retaining Wall

Change to Contract Increase to the contract of \$5,326.65

Reason for Change The existing grades within the drainage field were found to be different than those that were shown on the original garage construction design documents. Due to necessary final elevations, it was determined that a wooden retaining wall at the Southern property line of the drainage field area would be required. Additional labor, material and equipment were required to build the retaining wall. The wall was not part of the contract documents. A fair and reasonable cost for this additional work was negotiated with the Contractor.

Therefore, Hirani recommends the additional cost of \$5,326.65.



Hirani Engineering & Land Surveying, P.C.

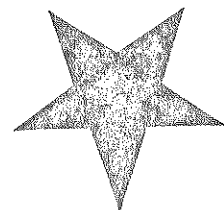
Engineers ■ Land Surveyors ■ Construction Managers

Hirani Engineering and Land Surveying, P.C. has reviewed the Proposed Change Order documentation submitted by Pullman SST, Inc. relative to the civil- and structural-related work and recommends that the Town of Oyster Bay approves those items which total \$130,885.88.

Should you have any questions or concerns regarding this matter, please call.

Sincerely yours,

Matthew Holahan, P.E.
Resident Engineer





June 5, 2019

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

Reference: Repair to the Hicksville Parking Facility
Contract No. H17-159R
Lizardos Project No. 6607.01

Dear Commissioner Lenz:

Lizardos Engineering Associates, P.C., has reviewed the submitted proposed Change Order and confirm that the pricing contained herein is reasonable consistent with the work performed and described below.

Change Order Item #3: Elevator Machine Room

During construction it was discovered that the electrical equipment in the elevator machine room had to be temporarily removed and then reinstalled to facilitate the extensive shoring and to facilitate the replacement of the structural slab above.

Cost = \$5,665.01

Change Order Item #5: RPNL Circuits

The As-Built drawings for the garage did not show the circuiting for the RPNL panels and the electrical design allocated one circuit for each RPNL panel. During construction it was discovered that the RPNL panels contained two circuits each. An additional circuit was provided for each RPNL panel to maintain the original design intent.

Cost = \$24,979.63

Change Order Item #8: Credit for Unit Heater

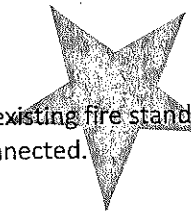
A unit heater was provided for an unconditioned storage space however the storage space was demolished and added to the parking garage area and the unit heater was not installed.

Credit = \$2,671.60

Change Order Item #11: Standpipe Reconnection

During construction it was discovered that a section of the existing fire standpipe system was missing. The missing piece was found and reconnected.

Cost = \$4,055.24



HEADQUARTERS
200 Old Country Road Suite 670
Mineola New York 11501
v 516 484 1020 f 516 484 0926

NEW YORK CITY OFFICE
222 West 37th Street - 7th Floor
New York NY 10018
v 212 967 7651 f 212 967 7654

www.leapc.com

PRESIDENT AND CEO
George A. Lombardo, PE LEED®

SENIOR VICE PRESIDENTS
Ralph Aldorasi, PE LEED®
John E. Lizardos, PE, LEED®
Daniel J. O'Sullivan, PE LEED®
Marios C. Tinis, PE

ASSOCIATE VICE PRESIDENTS
Dirk Anderson, PE LEED®
Andrew Dubel, PE LEED®
Steve Sonmez, PE LEED® CBCP CEM

SENIOR ASSOCIATE
DIRECTOR OF OPERATIONS
Thomas J. Cusack, PE LEED®

SENIOR ASSOCIATE
DIRECTOR OF PLUMBING AND FIRE PROTECTION
Keith P. Brumblay

SENIOR ASSOCIATES
Dana L. Harris
Vladimir P. Lamin
Linda A. McNulty LEED®
Jaime Moya, P.E.
Thomas Roberts

ASSOCIATES
Giuseppe Licandro
Matthew R. Liff, PE
Maurice A. Stevenson
Patrick Tennant, PE CBCP CEM

FOUNDING PARTNER
Evans J. Lizardos, PE LEED®

PRINCIPALS EMERITUS
Lewis M. Damrauer, PE
Douglas J. Pavone, PE

Change Order Item #15: Generator Conduit

After extensive structural investigation, it was determined that no penetrations should be made in existing slabs to avoid damaging existing reinforcing steel. A section of new conduit going to the generator was rerouted to avoid penetrating the roof slab of the annex building.

Cost = \$2,044.62

Change Order Item #16: Remove and Reinstall Conduits

After extensive structural investigation, it was determined that additional reinforcing was required for slabs that were scheduled to remain. The additional CFRP installation required the removal and reinstallation of new conduits, lights, and wiring that had already been installed.

Cost = \$3,928.18

Change Order Item #17: Additional Power to Nitrogen Generator

The electrical design for the nitrogen generator was based off of a nitrogen generator with all of the necessary nitrogen equipment packaged and wired in one unit. However the nitrogen generator equipment required two separate pieces of equipment which were to be powered separately. A section of conduit and wiring was provided to power the additional piece of equipment.

Cost = \$1,252.39

Change Order Item #18: Repair of Elevator Ground Fault

During construction a ground fault was discovered in part of the original fire alarm wiring in the elevator pit that was to be reused. New conduit and fire alarm wiring was provided to repair this existing condition.

Cost = \$2,453.92

Change Order Item #21: Troubleshooting and Re-wiring of Areas

The electrical drawings were developed to restore power to those areas that would be affected by the slab removal, in accordance with the original garage drawings. After structural repairs were completed areas of the parking garage including stairwells, grade level column lights, exhaust fans on lower level 1 and storage areas were without power as exact as-built drawings showing the locations of power conduits were not available. New conduit and wiring were provided to restore power to these areas.

Cost = \$43,414.19

Change Order Item #22: Upper Level Lighting Dimming Modules

Due to neighbor's comments of excessive light disturbing their homes, modules to dim the top deck parking lights after 10pm were provided.

Cost = \$4,266.08

Change Order Item #23: Nitrogen System Compressor Transformer

During construction it was discovered that the voltage of the building electrical services supplied by LIPA fluctuated higher than the allowable tolerances of the nitrogen system compressor components. A transformer, wiring, and conduit was provided to reduce the voltage for the nitrogen system compressor.

Cost = \$8,319.49

Change Order Item #24: Upper Deck Lighting Controls

The TOB Hicksville Parking garage was originally equipped with smart circuit breakers and lighting control system for the parking area lights. These existing lighting controllers and circuit breakers were reused to control the new lighting fixtures of the parking garage and required to meet all of the requirements of the New York State energy code. After construction was completed it was discovered that the controller was not functioning properly and after troubleshooting had to be reprogrammed to operate properly.

Cost = \$9,512.50

Change Order Item #25: Expedited Work for Fire Marshall Inspection

During construction it was discovered that additional work was required to repair and make the fire alarm system ready for Nassau County Fire Marshall inspection.

The work included

- Testing of existing water flow and tamper switches of the existing sprinkler system that was to remain.
- Troubleshooting existing fire alarm wiring and components that were to remain.
- Replacing existing fire alarm equipment that was to remain however was damaged due to short circuiting of existing wiring.
- Additional labor to expedite repairs and installation to meet project deadline.
- Additional labor required to troubleshoot fire alarm elevator recall.

Cost = \$33,445.64

Change Order Item #27: Credit for Compressor Removal


The electrical design called for 6 air compressors related to the sprinkler system to be rewired however they were replaced with the new nitrogen system. The existing compressors were incompatible with the new system and therefore the compressors were removed and turned over to the Town for reuse.

Credit = \$1,966.58

Overall Cost = \$138,698.71

Sincerely,

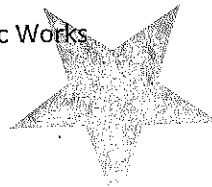
LIZARDOS ENGINEERING ASSOCIATES, P.C.



Ralph Aldorasi, P.E., Vice President

Enclosure

cc: Mr. Matt Russo, P.E., Town of Oyster Bay Department of Public Works



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

REPAIRS TO THE HICKSVILLE PARKING FACILITY

CONTRACT NO. H17-159R

CHANGE ORDER NO. 2

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

ITEM 1

Upon demolition and slab removal, it was revealed that the existing slabs were thicker than anticipated and the exposed concrete steel reinforcement layout differed from the provided as built and design drawings. This resulted in additional work being required for the slab demolition and replacement. This additional work was approved by Change Order No. 1, Item 2. Upon completion of work, Hirani determined that the actual labor hours and rates utilized were less than what had initially been originally estimated. The original change order authorized \$475,309.72 but after further review, the final cost was calculated to be \$398,207.93.

TOTAL OF ITEM 1 : - \$77,101.79

ITEM 2

During construction Hirani directed the Contractor to install emergency shoring under three Grade-LL1 Ramp slab sections. Subsequently, after the remediation design was issued, the contractor needed to rearrange post shores to allow for the installation of CFRP, as well as remove all post shores after CFRP was installed and cured. This work was approved by Change Order No. 1, Item 3. Upon completion of work, Hirani determined that the actual material, labor hours and rates utilized were less than what had initially been originally estimated. The original change order authorized \$18,718.73 but after further review, the final cost was calculated to be \$12,298.59.

TOTAL OF ITEM 2 : - \$6,420.14

ITEM 3

During construction it was discovered that the electrical equipment in the elevator machine room had to be temporarily removed and then reinstalled to facilitate the extensive shoring and to facilitate the replacement of the structural slab above.

TOTAL OF ITEM 3 : \$5,665.01

ITEM 4

Original contract drawings showed the waterproofing being applied on Grade Level, Ramp from Grade to Lower Level 1, and Lower Level 1. The design drawing showed CFRP on the ramp from LL1 To LL2, where the ramp is not on grade. To protect the CFRP on this portion of the ramp, the slab from LL1 To LL2 needed to be waterproofed as per drawing SK-6 issued by Hirani.

TOTAL OF ITEM 4 : \$73,749.00

ITEM 5

The As-Built drawings for the garage did not show the circuiting for the RPNL panels and the electrical design allocated one circuit for each RPNL panel. During construction it was discovered that the RPNL panels contained two circuits each. An additional circuit was provided for each RPNL panel to maintain the original design intent.

TOTAL OF ITEM 1 : \$24,979.63

ITEM 6

The contract documents required the Contractor to core through concrete slab and girder without damaging any existing reinforcement that was detailed in the original garage design documents. The contractor used Ground Penetrating Radar to detect the concrete steel reinforcement embedded in concrete slab and perform a test core. After the coring test, reinforcement was found within the test core indicating inaccuracies in the original plans, GPR findings and mark-outs. Consequently, the design team elected to avoid core drilling through the slab for conduit penetration and propose chipping through the concrete slabs instead in an effort to minimize damage to the existing structural steel concrete reinforcement. The chipping through the concrete slab is time-consuming when compared to the core drilling. Also, the concrete needed to be restored, for which additional formwork was required in the process which increases the labor time and materials used. The coring for conduit penetration was a part of the original contract and credit was issued to the town in a previously approved change order.

TOTAL OF ITEM 6 : \$45,948.68

ITEM 7

In order to prevent further water intrusion into the building, the Contractor was directed to caulk the exterior of the Northeast stairwell. The work includes cutting the existing caulk and re-caulking the joints.

TOTAL OF ITEM 7 : \$2,045.03

ITEM 8

A unit heater was provided for an unconditioned storage space however the storage space was demolished and added to the parking garage area and the unit heater was not installed.

TOTAL OF ITEM 8 : - \$2,671.60

ITEM 9

To accommodate the expansion joint assembly in the girder, a girder top reinforcing rebar needed to be removed at each expansion joint location which was not shown in the provided design drawings. Hirani investigated the installation of near-surface mounted (NSM) bar reinforcement at the expansion joint side of all (6) replacement slabs to make up the loss of the removed rebar. The NSM bar designer, Structural Technologies, was required to develop the NSM bar beyond the columns. The contractor demolished/ chipped the concrete curb and a portion of a column in a couple of locations to investigate the constructability of the proposed NSM bar installation procedure. After the investigation, it was determined that there was no way to develop the bars into the columns without damaging the structural steel. The design team then alternately elected to install CFRP at the underside of the girders considering moment redistribution instead of NSM bars at the top surface. In this process, additional labor had been utilized by the Contractor for the demolition and NSM bar prep work. Also, additional costs have been incurred by Structural Technologies, the CFRP / NSM Bar designer/manufacturer, for design work and modifications to the CFRP scope and NSM bars utilization.

TOTAL OF ITEM 9 : \$45,631.80

ITEM 10

The town elected to repaint areas of the stairwells that showed damage from water infiltration. Additional labor and materials was required to scrape and paint spot locations on the walls inside and outside of the stairwells. Also, grinding and painting spot locations on the handrails inside the stairwells required additional costs.

TOTAL OF ITEM 10: \$31,768.43

ITEM 11

During construction it was discovered that a section of the existing fire standpipe system was missing. The missing piece was found and reconnected.

TOTAL OF ITEM 11 : \$4,055.24

ITEM 12

The upper-level waterproofing was damaged in some locations. It was determined that to repair these locations for the aesthetic reasons, as well as to reduce the water infiltration into the existing structure. Additional waterproofing installation required a standard preparation process which incurred in an additional cost of labor and material.

TOTAL OF ITEM 12 : \$17,982.76

ITEM 13

The contract documents required the Contractor to remove and replace the existing trench drain assembly completely. Due to the existing structural conditions of the girder under the trench drain, it could not be possible to remove and replace the drain fully without damaging the structural integrity of the girder. Also, a water test was performed to locate the leaks and the leak was found in the drain and not found in the trench drainpipe. Ultimately, the design engineers decided the existing trench drain was to remain and be coated with a waterproofing system to block further water leakage. In the process of finding the best possible solution and repair, a water test, cleaning of the drains and preparation of the steel surface for waterproofing installation was performed. Also, determination of the structural condition of the trench drain girder, shoring installation, investigative demolition and repair of demolished areas were performed which required additional labor and materials. The original value for the trench drain girder repair was \$90,871.00. The final value of the alternate work performed was determined to be \$22,678.73, requiring a credit to the contract.

TOTAL OF ITEM 13 : - \$68,192.27

ITEM 14

During the demolition of the existing expansion joint assembly at upper-level column line 10, existing concrete steel reinforcement was found near the edge of the slab which was not shown on the original construction design drawings. Ultimately, in order to chip between the unforeseen bars required additional time. However, because of the presence of the existing concrete steel reinforcement, the contractor needed less U-bar for the securement of the new expansion joint assembly, which was shown in the design drawings, and proposed a credit to the town due to this reduction. In addition, the designer recommended installing the bonding agent at the face of new and existing concrete for proper structural bonding.

TOTAL OF ITEM 14 : \$12,137.18

ITEM 15

After extensive structural investigation, it was determined that no penetrations should be made in existing slabs to avoid damaging existing reinforcing steel. A section of new conduit going to the generator was rerouted to avoid penetrating the roof slab of the annex building.

TOTAL OF ITEM 15 : \$2,044.62

ITEM 16

After extensive structural investigation, it was determined that additional reinforcing was required for slabs that were scheduled to remain. The additional CFRP installation required the removal and reinstallation of new conduits, lights, and wiring that had already been installed.

TOTAL OF ITEM 16 : \$3,928.18

ITEM 17

The electrical design for the nitrogen generator was based off of a nitrogen generator with all of the necessary nitrogen equipment packaged and wired in one unit. However the nitrogen generator equipment required two separate pieces of equipment which were to be powered separately. A section of conduit and wiring was provided to power the additional piece of equipment.

TOTAL OF ITEM 17 : \$1,252.39

ITEM 18

During construction a ground fault was discovered in part of the original fire alarm wiring in the elevator pit that was to be reused. New conduit and fire alarm wiring was provided to repair this existing condition.

TOTAL OF ITEM 18 : \$2,453.92

ITEM 19

Additional costs were incurred by the Contractor for heating equipment and supplementary manpower needed for weather- and temperature-sensitive scope items that whose installation were delayed due to the various changed conditions. The changed conditions include the additional CFRP and additional waterproofing proposed by the design team during the construction due to the unforeseen existing conditions.

TOTAL OF ITEM 19 : \$68,624.59

ITEM 20

A pipe / conduit was exposed during demolition on the upper level for water-stop installation which interfered with waterstop installation. The design team directed the Contractor to perform additional work to allow this installation which included additional concrete demolition and modifications to the existing downspout.

TOTAL OF ITEM 20 : \$1,321.70

ITEM 21

The electrical drawings were developed to restore power to those areas that would be affected by the slab removal, in accordance with the original garage drawings. After structural repairs were completed areas of the parking garage including stairwells, grade level column lights, and storage areas were without power as exact as-built drawings showing the locations of power conduits were not available. New conduit and wiring were provided to restore power to these areas.

TOTAL OF ITEM 21 : \$43,414.19

ITEM 22

Due to neighbor's comments of excessive light disturbing their homes, modules to dim the top deck parking lights after 10pm were provided.

TOTAL OF ITEM 22 : \$4,266.08

ITEM 23

During construction it was discovered that the voltage of the building electrical services supplied by LIPA fluctuated higher than the allowable tolerances of the nitrogen system compressor components. A transformer, wiring, and conduit was provided to reduce the voltage for the nitrogen system compressor.

TOTAL OF ITEM 23 : \$8,319.49

ITEM 24

The Hicksville Parking garage was originally equipped with smart circuit breakers and lighting control system for the parking area lights. These existing lighting controllers and circuit breakers were reused to control the new lighting fixtures of the parking garage and required to meet all of the requirements of the New York State energy code. After construction was completed it was discovered that the controller was not functioning properly and after troubleshooting had to be reprogrammed to operate properly.

TOTAL OF ITEM 24 : \$9,512.50

ITEM 25

During construction it was discovered that additional work was required to repair and make the fire alarm system ready for Nassau County Fire Marshall inspection. The work included testing of existing water flow and tamper switches of the existing sprinkler system that was to remain, troubleshooting existing fire alarm wiring and components that were to remain, replacing existing fire alarm equipment that was to remain however was damaged due to short circuiting of existing wiring, additional labor to expedite repairs and installation to meet project deadline, additional labor required to troubleshoot fire alarm elevator recall.

TOTAL OF ITEM 25 : \$33,445.64

ITEM 26

The contract documents required the Contractor to install concrete curbs at slab penetrations to protect new RPNL conduits that were installed. During construction it was determined that existing conduits could be used for this purpose, and the curb was no longer necessary and a credit was to be issued for this work.

TOTAL OF ITEM 26 : - \$6,935.74

ITEM 27

The electrical design called for 6 air compressors related to the sprinkler system to be rewired however they were replaced with the new nitrogen system. The existing compressors were incompatible with the new system and therefore the compressors were removed and turned over to the Town for reuse.

Credit = \$1,966.58

TOTAL OF ITEM 27 : - \$1,966.58

ITEM 28

The contract documents required the Contractor to develop a Critical Path Method schedule for the project and provide regular updates for use and review by the project team. During the course of construction several changes became necessary to the project requirements which limited the ability to update the CPM in a timely and accurate fashion. It was determined that the project management team would manage the construction schedule without the use of a CPM.

TOTAL OF ITEM 28 : - \$15,000.00

ITEM 29

The existing grades within the drainage field were found to be different than those that were shown on the original garage construction design documents. Due to necessary final elevations, it was determined that a wooden retaining wall at the Southern property line of the drainage field area would be required. Additional labor, material and equipment were required to build the retaining wall. The wall was not part of the contract documents.

TOTAL OF ITEM 29 : \$5,326.65

The above work is to be performed in accordance with the letter from Hirani Engineering & Land Surveying, P.C. dated 6/6/2019, Lizardos Engineering Associates, P.C. dated 6/5/2019 and the memorandum of Richard W. Lenz, P.E., Commissioner of the Department of Public Works/Highway, dated 6/10/2019, at an additional cost to the Town of Oyster Bay in the amount of **Two Hundred and Sixty-Nine Thousand, Five Hundred and Eighty-Four Dollars, and Fifty-Nine Cents (\$269,584.59).**

The above Change Order is hereby accepted by the Town of Oyster Bay.

Dated: _____

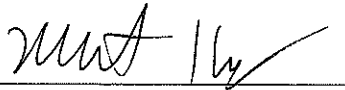
JOSEPH SALADINO
TOWN SUPERVISOR

Recommended by:

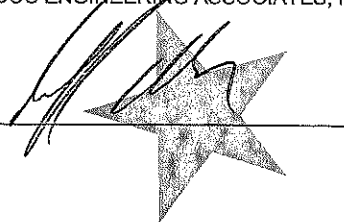
HIRANI ENGINEERING & LAND SURVEYING, P.C.

LIZARDOS ENGINEERING ASSOCIATES, P.C.

by: _____



by: _____



The above Change Order is hereby accepted:

PULLMAN SST, INC.

By: _____



23

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JUNE 3, 2019

TO: MEMORANDUM DOCKET

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


SUBJECT: CHANGE ORDER NO. 2 & QUANTITY INCREASE/DECREASE NO. 2
REPAIRS TO THE HICKSVILLE PARKING FACILITY
CONTRACT NO. H17-159R
SUPPLEMENTAL MEMO TO FOLLOW

The Division of Engineering is finalizing negotiations and preparing the necessary documentation relative to Change Order No. 2 and Quantity Increase/Decrease No. 2 relative to the construction of Repairs to the Hicksville Parking Facility, Contract No. H17-159R.

A formal recommendation will be provided by a supplemental memorandum docket.

Therefore, it is hereby requested that the Town Board reserve a space at the Town Board meeting of June 18, 2019 to take action on Change Order No. 2 and Quantity Increase/Decrease No. 2 relative to the Construction Phase of Contract No. H17-159R.

Reviewed by:
Richard W. Lenz, P.E.
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY



RWL/JCT/MR/lk

Attachments

c: Town Attorney (w/9 copies)
Steven Ballas, Comptroller
John Bishop, Deputy Commissioner/Highway
Kathy Stefanich, Administration/DPW

H17-159R DOCKET CO2 & Q1-QD 2 RESERVE 2

It is hereby requested that the Town Board authorize, by resolution, Quantity Increase/Decrease No. 2 and Change Order No. 2 having a net result of an increase in the amount of \$218,526.09 relative to the construction of Contract No. H17-159R.



RICHARD W. LENZ, P.E.

COMMISSIONER

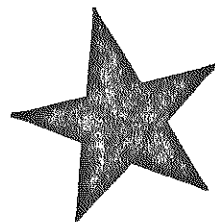
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

C: Office of the Town Attorney (w/9 copies)
Steven Ballas, Comptroller
John Bishop, Deputy Commissioner/Highway
Kathy Stefanich, Administration/DPW

H17-159R DOCKET CO2 & QI-QD NO2 SUPP



WHEREAS, pursuant to Resolution No. 694-2018, adopted on October 30, 2018, the Town Board authorized payment to court mandated court reporters so that the Office of the Town Attorney may order transcripts of court proceedings; and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated June 10, 2019, have advised that expenses have exceeded the previously authorized sum, and recommended and requested that an increase of the authorization by an amount of \$10,000.00 is necessary so that the Office of the Town Attorney may continue to order necessary transcripts,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request hereinabove set forth is accepted and approved, and Resolution No. 694-2018 is hereby amended to provide an increase in the authorization by \$10,000.00, for payment to court mandated court reporters for transcripts of judicial proceedings, with funds to be drawn from Account No. OTA A 1420 44110 604 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
Matthew M. Rozea

14


Town of Oyster Bay Inter-Departmental Memo

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : June 10, 2019
SUBJECT: Increase Authorization for Court Reporters

Pursuant to Resolution No. 694-2018, adopted on October 30, 2018, the Town Board authorized payment to court mandated court reporters so that the Office of the Town Attorney can order transcripts of various court proceedings. Expenses for such transcripts have exceeded the initial authorization of \$3,000.00. It is therefore recommended and requested that the Town Board increase the authorization under Resolution No. 694-2018 by an amount of \$10,000.00 so that this Office may continue to order necessary transcripts of judicial proceedings. Funds for these expenses are available in Account No. OTA A 1420 44110 604 0000.

Kindly suspend the rules and place this matter on the Town Board action calendar for June 18, 2019.

JOSEPH NOCELLA
TOWN ATTORNEY


Matthew M. Rozea
Deputy Town Attorney

MMR:mmr
Attachment
2016-5565.001
cc: Town Attorney (w 9/copies)

S:\Attorney\RESOS 2019\MD & RESO\MD Inc. Court Reporter Fees MMR.doc

Reviewed By
Office of Town Attorney
Elizabeth A. Taughn

RESOLVED, That a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 9th day of July, 2019, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, Chapter 203-Speed Limits, by adopting a new Local Law entitled "A LOCAL LAW TO AMEND CHAPTER 203 - SPEED LIMITS, SECTION 203-9. THIRTY-FIVE MILES PER HOUR AT SPECIFIC LOCATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK"; and be it further

Newsday RESOLVED, That the Town Clerk shall publish a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Traffic Safety

Reviewed By
Office of Town Attorney
Elizabeth A. Jaughan

PUBLIC NOTICE

PLEASE TAKE NOTICE, That pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 9th day of July, 2019, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND CHAPTER 203 - SPEED LIMITS, SECTION 203-9. THIRTY-FIVE MILES PER HOUR AT SPECIFIC LOCATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK" which, if adopted, shall create a speed zone of thirty (30) miles per hour on Lexington Avenue between South Street, Oyster Bay, and West Main Street, Oyster Bay, in the Hamlet of Oyster Bay. The abovementioned proposed Local Law is on file, and may be viewed daily (except Saturday, Sunday and holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection therewith at the time and place designated herein. TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: June 18 , 2019, Oyster Bay, New York.

17

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : June 12, 2019

SUBJECT: Proposed Local law entitled:
"A LOCAL LAW TO AMEND CHAPTER 203 - SPEED LIMITS,
SECTION 203-9. THIRTY-FIVE MILES PER HOUR AT SPECIFIC
LOCATIONS OF THE CODE OF THE TOWN OF OYSTER BAY, NEW
YORK"

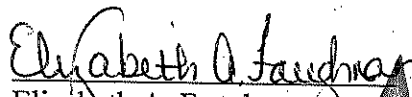
This office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

Kindly suspend the rules and place this matter on the Town Board Action calendar for June 18, 2019.

JOSEPH NOCELLA
TOWN ATTORNEY

By:


Elizabeth A. Faughnan
Deputy Town Attorney

EAF:ba
Enclosure
File 2017-5789B
cc: Town Attorney (w/9 copies)

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. _____ of the year 2019

A local law entitled "A LOCAL LAW TO AMEND CHAPTER 203 – SPEED LIMITS, SECTION 203-9. THIRTY-FIVE MILES PER HOUR AT SPECIFIC LOCATIONS OF THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK"

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Oyster Bay as follows:

Section 1. Amend Chapter 203 – Speed Limits, Section 203-9. Thirty-five miles per hour at specific locations, of the Code of the Town of Oyster Bay, New York, so as to delete a speed zone of thirty-five (35) miles per hour on Lexington Avenue between South Street, Oyster Bay, and West Main Street, Oyster Bay, in the Hamlet of Oyster Bay as follows:

Chapter 203 – SPEED LIMITS.

Section 203-9. Thirty-five miles per hour at specific locations.

DELETE:

Lexington Avenue Between South Street, Oyster Bay, and West Main Street, Oyster Bay, in the Hamlet of Oyster Bay

Section 2. SEQRA Determination.

It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(20) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities

that may affect the environment” and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

Section 3. Severability.

If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 4. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

Certification:

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2019 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2019, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2019

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Town Attorney

Title

Town of Oyster Bay

Date: _____ 2019

WHEREAS, the residents of the Town of Oyster Bay essentially receive their entire water supply from independent municipal water providers including:

Locust Valley Water District
Oyster Bay Water District
Jericho Water District
Bethpage Water District
South Farmingdale Water District
Plainview Water District
Hicksville Water District
Village of Farmingdale
Massapequa Water District; and

WHEREAS, these Districts, combined, provide hundreds of millions of gallons of water to the Town's residents on a daily basis; and

WHEREAS, all of these Districts work tirelessly to provide water for public consumption which meets or exceeds all Federal, State and local standards; and

WHEREAS, by virtue of Federal regulations our local providers are required to test for unregulated contaminants in a protocol commonly known as UCMR 3; and

WHEREAS, the UCMR 3 testing has recently detected several emerging contaminants including, but not limited to, 1,4 Dioxane and the perfluorinated compounds commonly known as PFOS/PFOA; and

WHEREAS, Hon. Andrew Cuomo, Governor, New York State, appointed the New York State Drinking Water Council to formulate recommendations to the New York State Health Department concerning the establishment of Maximum Contaminant Levels ("MCLs") for these compounds; and

WHEREAS, in December 2018, the Council recommended an MCL of 1,4 Dioxane at 1 part per billion ("ppb") and for PFOS/PFOA at 10 parts per trillion ("ppt"); and

WHEREAS, the formal adoption of these respective MCLs by the Health Department is imminent; and

WHEREAS, once adopted these MCLs will require the water providers to install sophisticated treatment systems to reduce the levels of the contaminants in their affected wells to assure continued compliance with all water drinking standards ; and

WHEREAS, the combined costs to the Town's municipal water providers to install treatment systems to reduce 1,4 Dioxane and PFOS/PFOA to their respective MCLs is estimated to exceed \$100,000,000; and

Reviewed By
Office of Town Attorney

WHEREAS, annual operation and maintenance charges to all of the Town's water providers to maintain these treatment systems for forty (40) years is estimated to exceed \$200,000,000; and

WHEREAS, the municipal water providers are in the process of seeking civil damages from the polluters who manufactured these contaminants; and

WHEREAS, recent decisions by both New York State and Federal Courts have struck down lawsuits brought by Bethpage Water District and the Suffolk County Water Authority premised upon questionable interpretations of the accrual of the statute of limitations for contamination to the providers water wells; and

WHEREAS, in an effort both to eliminate the legal confusion generated by these decisions and to clarify the statute of limitations rules regarding well head contamination, legislation has been introduced in both the Senate under Bill No. S-3337 and in the Assembly under Bill No. A05477C; and

WHEREAS, as set forth in the memoranda accompanying these bills, the legislation principally seeks to accrue the statute of limitations for injury to municipal water providers at the time a specific level of contamination is detected at the well head; and

WHEREAS, both bills also sustain a viable claim against the polluters so long as the contamination can be detected in the well head at injurious levels; and

WHEREAS, the public policy supporting this remedial legislation seeks to hold the polluters accountable for their actions and to afford our taxpayers the right to seek reimbursement for the enormous costs to treat the contaminants in their wells; and

WHEREAS, this bipartisan public policy to protect our taxpayers is self-evident where the Assembly Bill is sponsored by 28 members and where the Senate Bill is sponsored by 11 members; and

WHEREAS, the Senate unanimously passed its bill on May 30, 2019; and

WHEREAS, the Assembly unanimously passed its bill on June 4, 2019,

NOW THEREFORE, BE IT RESOLVED; that the Town of Oyster Bay urges Governor Cuomo to support the unanimous voice of the Legislature and sign Senate Bill No. S-3337 and Assembly Bill No. A05477C into law with all due speed.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: JOSEPH S. SALADINO, Supervisor

DATE: June 17, 2019

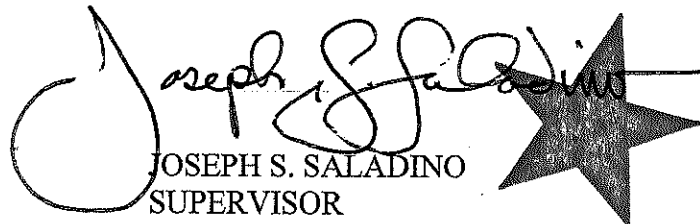
SUBJECT: NYS Senate Bill No. S-337, NYS Assembly Bill No. A05477C

In December 2018, the New York State Drinking Water Council recommended the establishment of a Maximum Contaminant Level of 1,4 Dioxane at 1 part per billion and for PFOS/PFOA at 10 parts per trillion, which if adopted by the Health Department will require our local municipal water providers to install sophisticated treatment systems at a collective cost in excess of \$100,000,000. The municipal water providers are seeking to recover monetary damages from the polluters who manufactured these contaminants.

In an effort to eliminate any confusion as to the statute of limitations rules regarding well head contamination claims, legislation has been introduced in both the NYS Senate, under Bill No. S-3337, (which was unanimously passed on May 30, 2019), and in the NYS Assembly, under Bill No. A05477C, (which was unanimously passed on June 4, 2019), which bills seek to accrue the statute of limitations for injury to municipal water providers at the time a specific level of contamination is detected at the well head.

Based on the importance of this matter in allowing our municipal water providers to seek redress from the responsible parties for these enormous costs to treat contaminants, I request and recommend that the Town Board adopt a resolution to urge NYS Governor Andrew Cuomo to sign Senate Bill No. S-3337 and NYS Assembly Bill No. A05477C into law with all due speed.

It is requested that the rules be suspended and the attached Resolution appear on the action calendar at the June 18, 2019 Town Board meeting.


JOSEPH S. SALADINO
SUPERVISOR

JSS/esk
Attachment

STATE OF NEW YORK

Cal. No. 305

3337--C

2019-2020 Regular Sessions

IN SENATE

February 5, 2019

Introduced by Sens. GAUGHRAN, LAVALLE, BROOKS, HARCKHAM, HOYLMAN, KAMINSKY, KAPLAN, METZGER, SERRANO, SKOUFIS, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

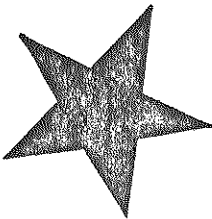
AN ACT to amend the civil practice law and rules, in relation to the statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

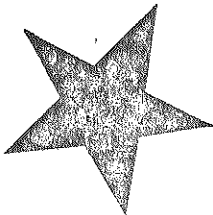
- 1 Section 1. The civil practice law and rules is amended by adding a new
- 2 section 214-h to read as follows:
- 3 § 214-h. Certain actions by public water suppliers to recover damages
- 4 for injury to property. 1. In this section:
- 5 (a) "Contaminant" means any physical, chemical, biological or radio-
- 6 logical substance or matter in water and includes but is not limited to
- 7 an emerging contaminant listed pursuant to section eleven hundred twelve
- 8 of the public health law.
- 9 (b) "Person" means an individual, corporation, public corporation,
- 10 company, association, partnership, or entity of the state or federal
- 11 government.
- 12 (c) "Public water supplier" means a person that owns, manages or oper-
- 13 ates a community, noncommunity or nontransient noncommunity water system
- 14 that provides water to the public for human consumption through pipes or
- 15 other constructed conveyances, if such system has at least five service

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD03302-14-9



1 connections or regularly serves an average of at least twenty-five indi-
2 viduals daily at least sixty days out of the year.
3 (d) "Wholesale water supplier" means a person that owns, manages or
4 operates a public water system that treats a source of water supply as
5 necessary to produce finished water and then delivers some or all of
6 that finished water to a public water supplier.
7 (e) "Source of water supply" means any groundwater aquifer or other
8 source from which water is taken either periodically or continuously
9 for drinking, kitchen, cooking or food-processing purposes, or which has
10 been designated for present or future use as a source of water supply
11 for domestic or municipal purposes.
12 (f) "Plant intake" means the works or structures at the head of a
13 conduit through which water is diverted from a source of water supply
14 into the treatment plant by a public water supplier.
15 (g) "Well" means any excavation used for obtaining water by a public
16 water supplier.
17 (h) "Raw water" means water immediately before the first or only point
18 of disinfection or other treatment.
19 2. Notwithstanding any other law that provides for a shorter limita-
20 tions period, any civil claim or cause of action brought by a public
21 water supplier or wholesale water supplier against any person to recover
22 damages for injury to property owned, managed or operated by a public
23 water supplier or a wholesale water supplier resulting from the presence
24 of a contaminant in a source of water supply shall be commenced within
25 three years of the latest of any of the following:
26 (a) the detection of a contaminant in the raw water of each well or
27 plant intake sampling point in excess of any notification level, action
28 level, maximum contaminant level, or maximum contaminant level goal
29 established by the commissioner of health, the department of health or
30 the United States Environmental Protection Agency for that contaminant;
31 (b) the last wrongful act by any person whose conduct contributed to
32 the presence of a contaminant in a source of water supply or the raw
33 water of each well or plant intake sampling point; or
34 (c) the date the contaminant is last detected in the raw water of each
35 well or plant intake sampling point in excess of any notification level,
36 action level, maximum contaminant level, or maximum contaminant level
37 goal established by the commissioner of health, the department of health
38 or the United States Environmental Protection Agency for that contam-
39 inant.
40 3. This three-year period shall apply to each well and each plant
41 intake for each contaminant separately, and the expiration of the three-
42 year period at one well or plant intake shall not affect the three-year
43 period for another well or plant intake.
44 4. Nothing in this section shall abridge or limit a public water
45 supplier's or a wholesale water supplier's right to bring an action to
46 abate an imminent threat of contamination of any well or plant intake or
47 to recover as damages the costs of such abatement.
48 § 2. This act shall take effect immediately.



A05477 Summary:

BILL NO A05477C

SAME AS SAME AS

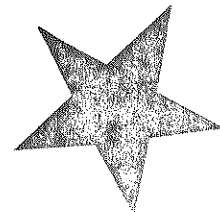
SPONSOR Thiele

COSPNSR Stern, LiPetri, Englebright, Levine, D'Urso, Montesano, Mikulin, Raia, Ra, Gottfried, Colton, Zebrowski, McDonough, Schmitt, DeStefano, Jean-Pierre, Ortiz, Rosenthal L, Magnarelli, Reyes, Jacobson, Stirpe, McDonald, Lifton, Weprin, Mosley, Galef

MLTSPNSR DenDekker

Add §214-h, CPLR

Provides that the statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property shall be three years.



A05477 Text:

STATE OF NEW YORK

5477--C

2019-2020 Regular Sessions

IN ASSEMBLY

February 12, 2019

Introduced by M. of A. THIELE, STERN, LIPETRI, ENGLEBRIGHT, LAVINE, D'URSO, MONTESANO, MIKULIN, RAIA, RA, GOTTFRIED, COLTON, ZEBROWSKI, McDONOUGH, SCHMITT, DeSTEFANO, JEAN-PIERRE, ORTIZ, L. ROSENTHAL, MAGNARELLI, REYES, JACOBSON, STIRPE -- Multi-Sponsored by -- M. of A. Dendekker -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

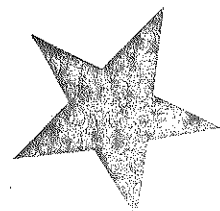
AN ACT to amend the civil practice law and rules, in relation to the statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. The civil practice law and rules is amended by adding a new
2 section 214-h to read as follows:
3 § 214-h. Certain actions by public water suppliers to recover damages
4 for injury to property. 1. In this section:
5 (a) "Contaminant" means any physical, chemical, biological or radio-
6 logical substance or matter in water and includes but is not limited to
7 an emerging contaminant listed pursuant to section eleven hundred twelve
8 of the public health law.
9 (b) "Person" means an individual, corporation, public corporation,
10 company, association, partnership, or entity of the state or federal
11 government.
12 (c) "Public water supplier" means a person that owns, manages or oper-
13 ates a community, noncommunity or nontransient noncommunity water system
14 that provides water to the public for human consumption through pipes or
15 other constructed conveyances, if such system has at least five service

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD03302-13-9



A. 5477--C

2

connections or regularly serves an average of at least twenty-five individuals daily at least sixty days out of the year.

(d) "Wholesale water supplier" means a person that owns, manages or operates a public water system that treats a source of water supply as necessary to produce finished water and then delivers some or all of that finished water to a public water supplier.

(e) "Source of water supply" means any groundwater aquifer or other source from which water is taken either periodically or continuously for drinking, kitchen, cooking or food-processing purposes, or which has been designated for present or future use as a source of water supply for domestic or municipal purposes.

(f) "Plant intake" means the works or structures at the head of a conduit through which water is diverted from a source of water supply into the treatment plant by a public water supplier.

(g) "Well" means any excavation used for obtaining water by a public water supplier.

(h) "Raw water" means water immediately before the first or only point of disinfection or other treatment.

2. Notwithstanding any other law that provides for a shorter limitations period, any civil claim or cause of action brought by a public water supplier or wholesale water supplier against any person to recover damages for injury to property owned, managed or operated by a public water supplier or a wholesale water supplier resulting from the presence of a contaminant in a source of water supply shall be commenced within three years of the latest of any of the following:

(a) the detection of a contaminant in the raw water of each well or plant intake sampling point in excess of any notification level, action level, maximum contaminant level, or maximum contaminant level goal established by the commissioner of health, the department of health or the United States Environmental Protection Agency for that contaminant;

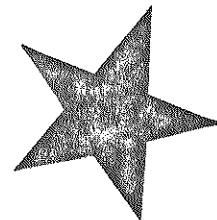
(b) the last wrongful act by any person whose conduct contributed to the presence of a contaminant in a source of water supply or the raw water of each well or plant intake sampling point; or

(c) the date the contaminant is last detected in the raw water of each well or plant intake sampling point in excess of any notification level, action level, maximum contaminant level, or maximum contaminant level goal established by the commissioner of health, the department of health or the United States Environmental Protection Agency for that contaminant.

3. This three-year period shall apply to each well and each plant intake for each contaminant separately, and the expiration of the three-year period at one well or plant intake shall not affect the three-year period for another well or plant intake.

4. Nothing in this section shall abridge or limit a public water supplier's or a wholesale water supplier's right to bring an action to abate an imminent threat of contamination of any well or plant intake or to recover as damages the costs of such abatement.

§ 2. This act shall take effect immediately.



A05477 Memo:

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A5477C**SPONSOR:** Thiele

TITLE OF BILL: An act to amend the civil practice law and rules, in relation to the statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property

PURPOSE:

Relates to the statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property.

SUMMARY OF PROVISIONS:

This bill amends the Civil Practice Law and Rules by adding a new Section 214-h to provide for a three-year statute of limitations for public water suppliers and wholesale water suppliers to commence an action for injury to property resulting from the contamination of the public water supplier's source of water supply. Provides for the definition of specific terms as used in this Section: (a) Contaminant; (b) person; (c) public water supplier; (d) wholesale water supplier; (e) source of water supply; (f) plant intake; (g) well and (h) raw water.

JUSTIFICATION:

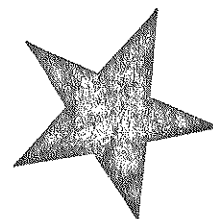
Parts m and r of Chapter 57 of the Laws of 2017 amended the Public Health Law by adding Sections 1112 and 1113 requiring the Commissioner of the Department of Health to promulgate regulations regarding emerging contaminants after recommendations from a new drinking water advisory council. These new drinking regulations will result in new and significant costs for public water suppliers, their customers and the state. Public water suppliers can mitigate these costs through litigation against polluters who caused or who are responsible for the contamination of sources of water supply. However, Civil Practice Law and Rules Section 214, 214-c and court rulings interpreting these statutes have made it difficult for public water suppliers to overcome statute of limitations defenses raised by polluters in many cases.

This bill would clarify the statute of limitations for public and wholesale water suppliers and makes it clear that an action to recover damages for injury to property owned, managed or operated by a public water supplier or a wholesale water supplier resulting from the presence of a contaminant in a source of water supply shall be commenced within three years of the latest of any of following events: (a) the detection of a contaminant in the raw water of each well or plant intake sampling point in excess of any notification level, action level, maximum contaminant level, or maximum contaminant level goal established by the Commissioner of the Department of Health, the Department of Health or the United States Environmental Protection Agency for that contaminant; (b) the last wrongful act by any person whose conduct substantially contributed to the presence of a contaminant in a source of water supply or the raw water of each well or plant intake sampling point; or (c) the date the contaminant is last detected in the raw water of each well or plant intake sampling point in excess of any notification level, action level, maximum contaminant level, or maximum contaminant level goal established by the Commissioner of Health, the Department of Health or the United States Environmental Protection Agency for the contaminant. It also provides that the three-year period shall apply to each well and each plant intake for each contaminant separately, and the expiration of the three-year period at one well or plant intake shall not affect the three-year period for another well or plant intake.

The bill further makes it clear that nothing shall abridge or limit a public or wholesale water supplier's right to bring an action to abate an imminent threat of contamination of any well or plant intake or to recover as damages the costs of such abatement.

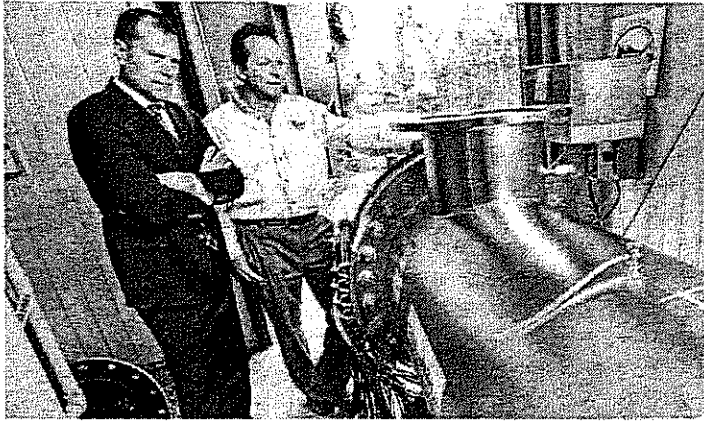
LEGISLATIVE HISTORY:

New Legislation, 2019

FISCAL IMPLICATIONS:


LONG ISLAND / ENVIRONMENT

Lawmakers pass bill to help water providers recoup treatment costs



Jeffrey Szabo, the Suffolk County Water Authority chief executive officer, left, and Joseph Roccaro, a water quality engineer with the authority, look at an ultraviolet reactor before it was installed at the authority's Central Islip pump station in December 2016. Photo Credit: Newsday/John Paraskevas

By David M. Schwartz

david.schwartz@newsday.com  @schwartznewsNY

Updated June 4, 2019 7:08 PM

A bill that could help local water providers recover millions of dollars spent on treatment of drinking water contamination, including from 1,4-dioxane, passed the Assembly on Tuesday and now goes to Gov. Andrew M. Cuomo's desk.

The measure, sponsored by Sen. James Gaughran (D-Huntington), clarifies when the three-year statute of limitations starts for water providers to sue polluters. The bill passed the Senate last month.

Gaughran, former chairman of the Suffolk County Water Authority, said it "closes a loophole" and will help prevent ratepayers from picking up the full cost of treatment.

"I think the practical effect you'll see over a period of time is hundreds of millions of dollars in awards to public entities from polluters who caused the problem in the first place," Gaughran said.

At least 22 Long Island water providers and governments have sued 1,4-dioxane manufacturers and distributors in Eastern District federal court over contamination in their water.

Contamination from the man-made chemical, found in industrial solvents and in trace amounts in common household products, is expected to cost Long Island water providers \$840 million to treat.

<https://www.newsday.com/long-island/environment/water-treatment-pollutants-1-4-dioxane...> 6/7/2019

Traditional water treatment methods don't remove 1,4-dioxane, which is designated a likely carcinogen by the U.S. Environmental Protection Agency.

The state Department of Health is expected to finalize an enforceable drinking water standard for 1,4-dioxane this year.

In the most recent legal action on the Island, the Town of Huntington and the Dix Hills Water Authority filed suit on May 20 against 1,4-dioxane manufacturers and distributors Dow Chemical Co., Ferro Corp. and Vulcan Materials Co.

Get the Breaking News newsletter!

Get the latest breaking news as it happens.

Sign up

By clicking Sign up, you agree to our [privacy policy](#).

Company representatives did not respond Tuesday to requests for comment.

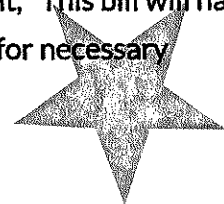
The Bethpage Water District lost a case against Northrop Grumman when a court ruled it had waited too long to sue over contamination there.

At issue was when the three-year clock on claims started, according to the ruling. Northrop Grumman asserted it was when Bethpage knew of an imminent threat, before 2010, and took remedial action. The lawsuit was filed in 2013.

Under current court interpretation, the clock starts when a "reasonably prudent water provider should have or could have brought the suit," Suffolk County Water Authority general counsel Tim Hopkins said. "That makes it difficult for a water supplier to know when they should commence the action."

The new law changes the standard, so the clock starts when there is "injury to property" resulting from contamination of the public water supply. Hopkins said that "provides more clarity for the current litigation for 1,4-dioxane."

Tyrand Fuller, chairman of the Long Island Water Conference, said in a statement, "This bill will have a profound impact on the ability of Long Island water providers to recoup funds for necessary treatment costs from polluters."



Jeff Szabo, chief executive officer of the Suffolk County Water Authority said, "This is a huge victory for residents of New York State and a significant blow to the polluters."

A spokesman for Cuomo said the administration will review the legislation. "Governor Cuomo is taking aggressive action to ensure every community has safe drinking water and polluters pay the price when they are found responsible," spokesman Jordan Levine said in a statement.



By David M. Schwartz

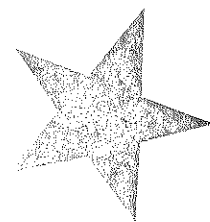
david.schwartz@newsday.com  @schwartznewsNY

David Schwartz covers environmental issues. A native Long Islander, he's worked at Newsday since 2013.

Didn't find what you were looking for?

Try our new Search

search newsday.com



WHEREAS, Town pools, operated by the Department of Parks, are scheduled to be opened for the 2019 season, on Saturday, June 22, 2019, with fees as previously approved by the Town Board; and

WHEREAS, Joseph Nocella, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated June 17, 2019, have advised that Joseph G. Pinto, Commissioner, Department of Parks, by email dated June 14, 2019, advised that the last day of school is Friday, June 21, 2019, and requested Town Board approval to open the Town pools on Friday, June 21, 2019, from 3:00 pm to 8:00 pm, and to waive any admission fees for that day,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Town Board hereby authorizes the Department of Parks to open the Town pools on Friday, June 21, 2019, and to waive any admission fees for that day.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney


TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: June 17, 2019


SUBJECT: Early Pool Opening

The Town pools, operated by the Department of Parks, are scheduled to be opened for the 2019 season, on Saturday, June 22, 2019, with fees as previously approved by the Town Board.

Joseph G. Pinto, Commissioner, Department of Parks, by email dated June 14, 2019, advised that the last day of school is Friday, June 21, 2019, and requested Town Board approval to open the Town pools on Friday, June 21, 2019, from 3:00 pm to 8:00 pm, and to waive any admission fees for that day.

Submitted herewith is the Resolution for this matter. It is requested that the rules be suspended and that this item be walked on for action at the June 18, 2019 Town Board meeting.

JOSEPH NOCELLA
Town Attorney


Thomas M. Sabellico
Special Counsel



TMS/nb
Enc.
File 15-000

cc: Town Attorney (with 9 copies)

S:\Attorney\RESOS 2019\MD & RESO\MD Early Pool Opening TMS.docx

Meeting of June 18, 2019

Resolution No. 396-2019

Reviewed By
Office of Town Attorney

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, Joseph S. Saladino, Supervisor, by memorandum dated June 17, 2019, recommends that the following individual be appointed to fill a vacancy on the Board and serve on the Ethics Board of the Town of Oyster Bay, without compensation, to fill a term commencing immediately up and until and including December 31, 2022:

Hal Simon
74 Diamond Drive
Plainview, New York 11803

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board appoints Hal Simon to serve as a member of the Town of Oyster Bay Board of Ethics, without compensation, to fill a term commencing immediately up and until and including December 31, 2022.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Human Resources

29

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

TO: MEMORANDUM DOCKET
FROM: Office of the Supervisor
DATE: June 17, 2019
SUBJECT: Ethics Board of the Town of Oyster Bay

It is respectfully requested that the following appointment be made to the Town of Oyster Bay Ethics Board in order to fill a vacancy on said Board. After having interviewed Hal Simon, said appointment is based upon the recommendations of the Interview Committee and attached hereto is a copy of his resume:

Hal Simon Term ending 12/31/2022

It is my recommendation and request that the Town Board approve the appointment of the above-named individual for the term stated above and submitted herewith is the Resolution for the foregoing matter. Please suspend the rules and walk this matter onto the Town Board's action calendar for June 18, 2019.

Yours truly,


JOSEPH S. SALADINO
SUPERVISOR

JSS:ss

Attachment

cc: Town Attorney w. 9 copies

Meeting of February 28, 2017

Resolution No. 116-2017

WHEREAS, the new ethics code adopted by the Town Board (Chapter 30 of the Town Code) provides for a new Ethics Board; and

WHEREAS, Joseph S. Saladino, Supervisor, by memorandum dated February 27, 2017, recommended that the following individuals be appointed to serve on the Ethics Board of the Town of Oyster Bay, without compensation, for the terms set forth opposite their respective names:

Alfred Constants III, Esq. 5 year term
52 Ayres Road
Locust Valley, NY 11560

Mary Sanchez 4 year term
18 Spruce Park
Syosset, NY 11791

Robert Harrison 3 year term
60 Church Street
Syosset, NY 11791

Margaret Eaton 2 year term
239 Lee Avenue
Hicksville, NY 11801

Carolyn Mazzu Genovesi, Esq. 1 year term
1 Rose Street
Glen Head, NY 11545

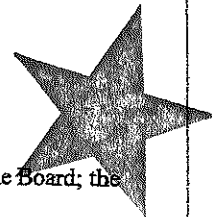
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board appoints the above named individuals to serve as members of the Town of Oyster Bay Ethics Board for the terms set forth opposite their names.

#

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)



HAL W. SIMON

74 Diamond Drive, Plainview, NY 11803 • (516) 398-4287 • h5sm@aol.com

Professional Summary

Area Supervisor dedicated to streamlining operations and maximizing team performance. Driven to improve processes and reduce costs with hands-on management style. Bringing strong communication, planning and problem solving abilities demonstrated over 39 years in the field.

Skills

- Team leadership
- Quick learner
- Managing changing priorities
- Proficient in Spanish
- Integrity
- Management
- Vendor relations
- Strong communication skills
- Strong work ethic
- Outgoing and energetic

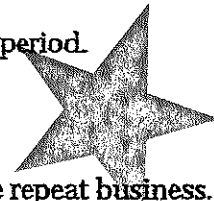
Work History

Restaurant Area Supervisor, 10/2007 to Current

Ben's Kosher Delicatessen Restaurant & Caterers – New York, NY

I returned to Ben's Kosher Restaurants as an area supervisor after several years on my own. Responsible for the entire operation of three restaurants; Manhattan, Bayside Queens, Scarsdale Westchester County.

- Carried out supervisory responsibilities in accordance with company policies and applicable laws.
- Responsible for all municipal oversight and health department regulations.
- Assist the General Managers and supporting staff in daily operations.
- Responsible for all purchases for the restaurants.
- Responsible for purchasing several products from different vendors for all 7 restaurants.
- Accountable for keeping purchases, labor costs, essentials and non essential costs within budget.
- Conduct routine inspections of the physical facilities.
- Direct customer satisfaction representative for any disgruntled guests.
- Supervise schedules and staff to meet the projected sales for the associated period.
- Organize and coordinate all large and special events.
- Oversaw the renovation of one unit.
- Engaged in friendly conversation with guests to build rapport and facilitate repeat business.



Title Closer, 04/2003 to 10/2007

Self Employed – Plainview, NY

Trained at a Law Offices of Jacobowitz and Pototsky learning how to conduct a real estate closing and mortgage loan signing.

- Accepted freelance work from different Law Offices, Title Companies, Banks and individuals.
- Picked up all loan documents
- Traveled to site of closings; law offices, banks, title companies, borrower's homes.
- Ensured all documents were signed properly by all parties.
- Ensured that the borrower understood all documents and what he/she was signing.
- Prepared all necessary documents for closing.
- Returned all documents to bank's attorney's office.
- Remained in touch to see that the loan funded and title was executed.
- Responsible for my own billing and collecting of fees.
- Responsible for reporting all income and expenses.

Sole Proprietor, 08/2000 to 04/2007

Bagel Court Cafe – Mineola, NY

After years of experience in the food business, I opened my own deli/cafe. I used my skills and knowledge from my career to have a successful endeavor in my own business.

- Raised \$200,000 in capital to launch deli/cafe restaurant seating 40 guests.
- Supervised daily activities of the restaurant and 12 employees.
- Trained incoming staff regarding restaurant's practices, culture and procedures.
- Promoted items on beverage lists and restaurant specials.
- Managed financial and business operations, including payroll, daily deposits and cost controls.
- Managed accounts payables and all vendors.
- Set employee schedules, delegated work and monitored quality and performance on a regular basis.
- Sourced vendors, negotiated contracts and managed efficient deliveries of high-quality supplies.
- Resolved challenging customer complaints to full satisfaction, promoting brand loyalty and maximizing repeat business.
- Spearheaded menu and staff development through detailed training and facilitation of staff meetings.
- Developed sales and profit margin plans, maintained margins and determined turnover objectives.
- Kept facility compliant with health codes, sanitation requirements and license regulations alleviating potentially heavy fines.

Restaurant General Manager, 09/1988 to 06/2000

Ben's Kosher Delicatessen Restaurant & Caterers – Baldwin, NY

HAL W. SIMON

74 Diamond Drive, Plainview, NY 11803 | (516) 398-4287 | h5sm@aol.com

Dear Supervisor Saladino,

As a concerned resident of the Town of Oyster Bay for almost 50 years, I feel I can be an asset to the Town to help insure the integrity of the Town's contracting decisions. I grew up in Massapequa with my family since I was 7 years old. I have lived in Plainview with my own family of four since 1992. We have always enjoyed the beauty and open spaces the Town has to offer. The amenities in the Town are by far the best in the area. It has bothered me to read of the difficulties the Town has faced recently. Although I have complete faith in our leaders to make things better, I would like to offer my help to return the integrity of the Town's business relationships. I am offering my services and experience for the position of Board of Ethics member.

In my role as a restaurant manager and area supervisor, I gained the knowledge and experience I need to hit the ground running and start making an immediate contribution right away. The following are just a few highlights of my professional skills and achievements that I hope to bring to The Town of Oyster Bay:

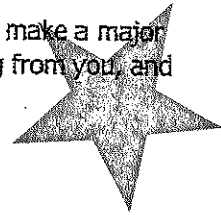
- Procurement of vendors
- Negotiate purchases of over \$1,000,000.
- Skilled communicator
- Natural ability to work well with people of very diverse backgrounds

My resume will show you many others.

I would welcome the opportunity to speak with you to discuss how my background could make a major impact on The Town's success and the Board of Ethics integrity. I look forward to hearing from you, and thank you for your time.

Sincerely,

Hal Simon



WHEREAS, the Office of the Town Attorney is aware of the potential for litigation with a party whose identity has been made known to the Town Board in executive session regarding the Town's Peddling and Soliciting ordinance (Town Code Chapter 173); and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated June 18, 2019, advised that because of the time sensitive nature of the matter, the Office of the Town Attorney recommends and requests that the Town Board authorize the retention of Albanese and Albanese, LLP, 1050 Franklin Ave # 500, Garden City, NY 11530 pursuant to Guideline 5 of the Town's Procurement Policy; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the retention of Albanese and Albanese, LLP is authorized and approved, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$30,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

#-

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
[Signature]

Town of Oyster Bay

Inter-Departmental Memo

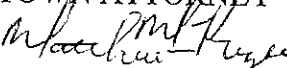
TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : June 18, 2019
SUBJECT: Authorization of Retention of Special Counsel to the Town Attorney

The potential for litigation exists relative to the Town's Peddling and Soliciting ordinance (Town Code Chapter 173). The Town was contacted by counsel for a potential party, whose identity was made known to the Town Board in executive session, regarding a planned lawsuit to challenge the Town's restriction on door-to-door soliciting after 7:00 p.m. or one-half hour before sunset, whichever is earlier.

In order to protect the Town's interests, and because of the time sensitive nature of this matter, we recommend and request that the Town Board authorize the retention of Albanese and Albanese, LLP, 1050 Franklin Ave # 500, Garden City, NY 11530 pursuant to Guideline 5 of the Town's Procurement Policy. Diana Prevete, Esq., a partner at Albanese and Albanese, LLP, who has extensive municipal and litigation experience, will be the primary responsible attorney for this case at a courtesy government rate of \$300.00 per hour. Funds are available in Account No. OTA A 1420 44110 000 0000 in an amount not to exceed \$30,000.00.

It is requested that the rules be suspended and the attached Resolution be "walked on" for the Town Board action calendar of June 18, 2019.

JOSEPH NOCELLA
TOWN ATTORNEY


Matthew M. Rozea
Deputy Town Attorney

MMR:mmr
Attachment

cc: Town Attorney (with 9 copies)