

APPROVED
John Camming
COMMISSIONER OF HUMAN RESOURCES

Reviewed By
Office of Town Attorney
Jim M. Heltzer

Meeting of July 9, 2019

RESOLUTION P-13-19

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

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
042-19	OTA	\$5,750.00	OTA A 1420 44110 000 0000
		\$5,750.00	TO OTA A 1420 44900 000 0000
043-19	DPS	\$2,000.00	FROM DPS A 3010 44140 000 0000
		\$2,000.00	TO DPS A 3010 41400 000 0000
	DPS	\$2,000.00	FROM DPS A 3010 12010 000 0000
		\$2,000.00	TO DPS A 3010 44900 000 0000
044-19	PAD	\$26,604.22	FROM PAD B 3602 44900 000 0000
		\$26,604.22	TO PAD B 3620 46410 000 0000
045-19	IGA	\$100,000.00	FROM IGA CD 8662 28800 000 CD17
		\$100,000.00	TO IGA CD 8662 28800 7220 CD17
046-19	IGA	\$1,750.00	INCREASE PKS SP11 7180 25000 000 0000
		\$1,750.00	INCREASE PKS SP11 7180 47900 000 0000
047-19	IGA	\$41,778.58	FROM IGA CD 8668 48250 733 CD18
		\$41,778.58	TO IGA CD 8662 28800 722 CD18

#

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

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

Reviewed By
Office of Town Attorney
Thomas M. Labriola

2A

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

June 19, 2019

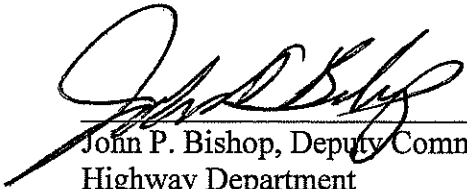
TO: MEMORANDUM DOCKET
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT
SUBJECT: TRANSFER OF FUNDS

Town Board authorization is requested to transfer the following funds:

Account No.	Object Description	Amount
<u>From:</u> HWY DB 5110 41730 000 0000	ASPHALT	\$500.00.
HWY DB 5110 41400 000 0000	UNIFORMS	\$1,000.00
HWY DB 5110 41720 000 0000	SMALL TOOLS	\$500.00
HWY DB 5110 41770 000 0000	SAND, STONE & GRAVEL	\$500.00
HWY DB 5110 41900 000 0000	GROUND SUPPLIES	\$500.00
HWY DB 5110 46100 000 0000	EQUIPMENT MAINTENANCE	<u>\$1000.00</u>
		\$4,000.00
 <u>To:</u> HWY DB 5110 41600 000 0000	 MATERIALS AND SUPPLIES	 \$4,000.00

This transfer is necessary to purchase lumber for various projects by Highway Operations, such as barricades and concrete forms.





John P. Bishop, Deputy Commissioner
Highway Department

JPB/dp

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

2B

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : June 20, 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) \$5,750.00
TO:
OTA A 1420 44900 000 0000 (Other Contracts) \$5,750.00

Justification: To cover the services of an investigation firm for contracts.

JOSEPH NOCELLA
TOWN ATTORNEY



Matthew M. Rozea
Deputy Town Attorney



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

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TOWN OF OYSTER BAY

Inter-Departmental Memo

July 2, 2019

TO: MEMORANDUM DOCKET
FROM: JUSTIN McCaffrey, COMMISSIONER, PUBLIC SAFETY
Subject: TRANSFER OF FUNDS

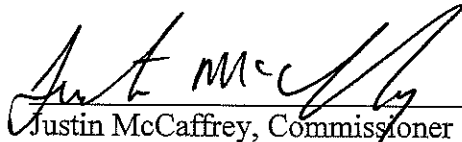
Town Board authorization is requested for the following transfer of funds:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
FROM: DPS-A-3010-44140-000-0000	Training	\$2,000.00
TO: DPS-A-3010-41400-000-0000	Uniforms	\$2,000.00
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
FROM: DPS-A-3010-12010-000-0000	Salaries Seasonal	\$4,500.00
TO: DPS-A-3010-44900-000-0000	Other Contract	\$4,500.00

The first above transfer is necessary for the purchase of various required marine safety uniform items for the marine enforcement division of Public Safety.

The second transfer is necessary for repairs and relocation of various physical security devices.




Justin McCaffrey, Commissioner
Department of Public Safety

C: Town Attorney (9)
Comptroller's Office

2B

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

To: MEMORANDUM DOCKET

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

Date: JULY 1, 2019

Subject: TRANSFER OF FUNDS

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

From: PAD B 3620 44900 000 0000-----\$26,604.22
OTHER CONTRACT

To: PAD B 3620 46410 000 0000-----\$26,604.22
IT MAINTENANCE

This transfer is necessary to pay for the annual maintenance of the Department's building permit system software.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
COMMISSIONER

BY *Timothy R. Zike*
Deputy Commissioner

ELM/dm

C: Legislative Affairs +9 copies

2C

Town of Oyster Bay Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: June 28, 2019

SUBJECT: Transfer of Funds

FROM

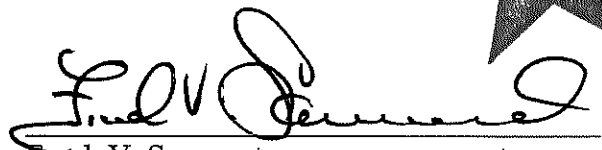
IGA CD 8662 28800 000 CD17	\$100,000.00
(Public Facility Improvement-General)	

TO

IGA CD 8662 28800 722 CD 17	\$100,000.00
(Public Facility Improvement- Oyster Bay)	

JUSTIFICATION

This transfer is respectfully requested to provide funding for a sidewalk project in Oyster Bay Hamlet.


Frank V. Sammartano
Commissioner

FSV/PA
cc: Town Attorney w/ 9 copies

2D

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

TO: Memorandum Docket
FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs
DATE: June 28, 2019
SUBJECT: Increase Budget/Transfer of Funds

Increase

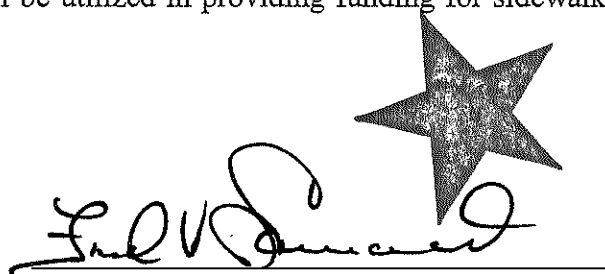
IGA CD 0001 02170 000 CD19 \$ 109,623.50
(Community Development Income General)

Increase

IGA CD 8662 28800 722 CD 19 \$ 109,623.50
(Public Facility Improvement- Oyster Bay)

JUSTIFICATION

The above transfer is respectfully requested in order to expend funds received from the Deferred Loan Program. These funds are to be utilized within the Community Development Block Grant Program. These particular funds will be utilized in providing funding for sidewalk project in Oyster Bay Hamlet.



Frank V. Sammartano
Commissioner

FVS/PA
cc: Town Attorney w/9 copies

2E

Town of Oyster Bay Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: June 28, 2019

SUBJECT: Transfer of Funds

FROM

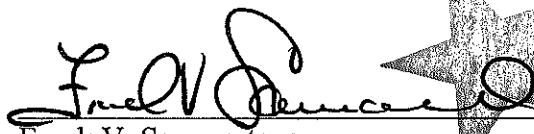
IGA CD 8668 48250 733 CD18	\$41,778.58
(Residential Rehabilitation-Deferred Loan)	

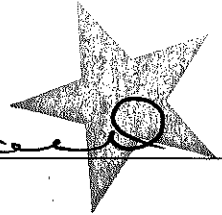
TO

IGA CD 8662 28800 722 CD 18	\$41,778.58
(Public Facility Improvement- Oyster Bay)	

JUSTIFICATION

This transfer is respectfully requested to provide funding for a sidewalk project in Oyster Bay Hamlet.


Frank V. Sammartano
Commissioner



FSV/PA
cc: Town Attorney w/ 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 May 31, 2019, directed MICHAEL PESCE, 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 55 Anchor Drive, Massapequa, New York 11758, known and designated as Section 65, Block 241, Lot 48, on the Nassau County Land and Tax Map; and

WHEREAS, more than 14 days have elapsed since said Affidavit of Mailing Notice was given; 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 July 9, 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 May 24, 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 May 24, 2019; and be it further

RESOLVED, That the application of MICHAEL PESCE, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 55 Anchor Drive, Massapequa, New York 11758, known and designated as Section 65, Block 241, Lot 48 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

REVIEWED BY
Office of Town Attorney

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

TO: MEMORANDUM DOCKET

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

DATE: MAY 31, 2019

**SUBJECT: WATERWAYS REVIEW
MICHAEL PESCE
55 ANCHOR DRIVE
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 241, LOT(S) 48
DOCK BUILDING PERMIT APPLICATION # 19050227**

We have received a request from Michael Pesce for the repair and replacement of 53 linear feet of existing bulkhead in place with one (1) 14-foot-long return and one (1) 6-foot-long return 18 inches higher than existing. It also includes the removal of a 2.5-foot-wide by 19-foot-long fixed pier, a three-foot-wide by 16-foot-long float, an eight-foot-wide by 25-foot-long float and a 2.6-foot-wide by 18-foot-long ramp. The structures would be replaced with a four-foot-wide by six-foot-long cantilever platform, a 2.5-foot-wide by 10-foot-long ramp leading to an eight-foot-wide by 20-foot-long float and two (2) four-foot-wide by 15-foot-long floats in a "U" configuration. The new configuration will be 329 square feet less than the existing footprint of the dock structures. The proposed work also includes dredging approximately 25 cubic yards of material within 10 linear feet seaward of the length of the bulkhead over an area of 530 square feet to a depth of four feet below the plane of Mean Low Water. The recovered dredged material would be placed upland behind the bulkhead, with no return flow to the water way.

All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-00563/00005 dated April 12, 2019. Please note that as per the letter from the Department of the Army, New York District, Corps of Engineers dated May 1, 2019, the proposed work falls under the Nationwide General Permit Number 3 MAINTENANCE in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403); an individual Department of the Army permit is not required. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 19050227; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-00563/00005 dated April 12, 2019; Department of the Army, New York District Corps of Engineers letter dated May 1, 2019, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated April 10, 2019. Also attached is a memo from George Baptista, Deputy Commissioner Department of Environmental Resources dated May 24, 2019, classifying the project as a TYPE II

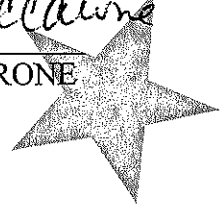
HONORABLE MEMBERS OF THE TOWN BOARD
WATERWAYS REVIEW
MICHAEL PESCE
55 ANCHOR DRIVE
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 241, LOT(S) 48
DOCK BUILDING PERMIT APPLICATION # 19050227

Page 2

ACTION under SEQRA. The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

The proposed work at the subject premises would, in our opinion, be compatible with the surrounding area. Pursuant to Section §241-9(E)(3) in the Town Code, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the July 9, 2019 Town Board calendar to provide the applicant ample time to comply with this requirement.


ELIZABETH L. MACCARONE
COMMISSIONER



ELM/JV
Encls.

CC: Town Attorney (Original + 9 copies)

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

May 24, 2019

TO: JOSEPH NOCELLA, OFFICE OF THE TOWN ATTORNEY
ATTENTION: SHEILA TARNOWSKI, OFFICE OF LEGISLATIVE AFFAIRS

FROM: GEORGE BAPTISTA JR., DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: DOCKS, PIERS & FLOATS PERMIT:
Michael Pesce
Application # 19050227
55 Anchor Drive, MASSAPEQUA, New York
Section: 65 Block: 241 Lot(s): 48

Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQRA, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay Town Code), the Department of Environmental Resources has reviewed the above-captioned application.

Based on our review, the Department has classified the subject proposal as a **TYPE II ACTION**, under the SEQRA Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, §B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances."

Actions or classes of actions identified in the above-referenced section of SEQRA have been pre-determined not to have a significant impact on the environmental or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8.

Inasmuch as the action which would be undertaken by the subject applicant is on SEQRA's pre-determined Type II Actions list, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require the completion of an environmental assessment form or an environmental impact statement, or any further review under SEQRA.


GEORGE BAPTISTA JR., DEPUTY COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES

cc: Elizabeth L. Maccarone, Commissioner, Department of Planning & Development
Attn: Michael Moriarty, Commercial Planning

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

19050227

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

April 10, 2019

Scott Moses
Bulkhead Permits by Gary, Inc.
1456 66th Street
Brooklyn, New York 11219

Re: **F-2019-0310**
U.S. Army Corps of Engineers/New York District
Permit Application – Michael Pesce
Bulkhead replaced in same place with a navy bulkhead
with an 18' increase in elevation, pier and mooring
replacement
Seaford Creek, Town of Oyster Bay, Suffolk County
General Concurrence

Dear Mr. Moses:

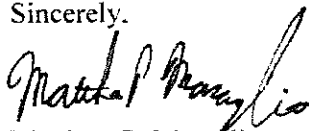
The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on 3/12/2019.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

This General concurrence is without prejudice to and does not obviate the need to obtain all other applicable license, permits, other forms of authorizations or approvals that may be required pursuant to existing New York State statutes. Specifically, it appears that you may require authorization from the New York State Department of Environmental Conservation (DEC). Please contact the DEC region 1 office to determine if their authorization is required.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file #F-2019-0310.

Sincerely,



Matthew P. Maraglio
Supervisor, Consistency Review Unit
Office of Planning, Development and
Community Infrastructure



MM/dc

c: COE/New York District – Steve Ryba
DEC Region 1 – Susan Ackerman



**Department
of State**

1-9-0502-27

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790
P: (631) 444-0365 | F: (631) 444-0360
www.dec.ny.gov

April 12, 2019

Michael Pesce
55 Anchor Dr.
Massapequa, NY 11758

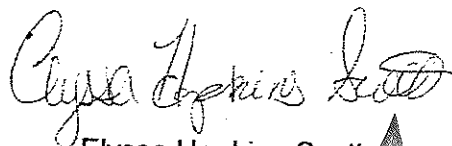
Re: Application #1-2824-00563/00005
Pesce Property: 55 Anchor Drive
CTM# 65-241-48

Dear Mr. Pesce:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions please contact us at the above address.

Also enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather.

Sincerely,



Elyssa Hopkins Scott
Environmental Analyst

cc: Bulkhead Permits by Gary
BMHP
File



Department of
Environmental
Conservation



19050227

PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

Michael Pesce
55 Anchor Dr
Massapequa, NY 11758
(516) 473-4768

Facility:

Pesce PROPERTY
55 ANCHOR DR|65-241-48
MASSAPEQUA, NY 11758

Facility Application Contact:

BULKHEAD PERMITS BY GARY INC
1456 66TH ST
BROOKLYN, NY 11219
(516) 546-3479

Facility Location: in OYSTER BAY in NASSAU COUNTY

Facility Principal Reference Point: NYTM-E: 628.05 NYTM-N: 4501.563
Latitude: 40°39'18.0" Longitude: 73°29'07.2"

Project Location: Seaford Creek

Authorized Activity: Reconstruct bulkhead in-place of the existing bulkhead, dredge 10' seaward of the bulkhead, and install a platform, ramp and floats. All work must be done according to the plans prepared by Bulkhead Permits by Gary, last revised 3/5/2019 and stamped NYSDEC approved 4/12/2019. EEH.

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-00563/00005

New Permit Effective Date: 4/12/2019 Expiration Date: 4/11/2024

Water Quality Certification - Under Section 401 - Clean Water Act

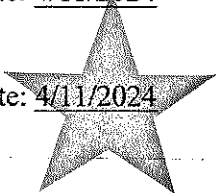
Permit ID 1-2824-00563/00006

New Permit Effective Date: 4/12/2019 Expiration Date: 4/11/2024

Excavation & Fill in Navigable Waters - Under Article 15, Title 5

Permit ID 1-2824-00563/00007

New Permit Effective Date: 4/12/2019 Expiration Date: 4/11/2024



**NYSDEC Approval**

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: KEVIN A KISPERT, Deputy Permit Administrator

Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: _____

Date 4/12/2019

Distribution List

BULKHEAD PERMITS BY GARY INC
Bureau of Marine Habitat Protection
Elyssa Hopkins

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following
Permits: TIDAL WETLANDS; WATER QUALITY CERTIFICATION;
EXCAVATION & FILL IN NAVIGABLE WATERS**

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

2. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.



- 19050
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Bulkhead Permits by Gary, last revised 3/5/2019.
 4. **No Construction Debris in Wetland or Adjacent Area** Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.
 5. **No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.
 6. **Materials Disposed at Upland Site** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.
 7. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.
 8. **Clean Fill Only** All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).
 9. **Backfilling** All peripheral berms, cofferdams, rock revetments, seawalls, gabions, bulkheads or other approved shoreline stabilization structures shall be completed prior to placement of any fill material behind such structures.
 10. **No Seaward Extension of Bulkhead** The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.
 11. **Replacement Bulkhead Maximum Height** The top elevation of the replacement bulkhead shall be no more than 18 inches higher than the existing bulkhead.
 12. **No Structures on Bulkhead** No permanent structures shall be installed on the authorized bulkhead without first obtaining written department approval (permit, modification, amendment).
 13. **Excavation for Bulkhead/Structure** Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.
 14. **No Runoff Over or Through Bulkhead or into Wetland** There shall be no discharge of runoff or other effluent over or through any bulkhead or shoreline stabilization structure or into any tidal wetland or protected buffer area.
 15. **Bulkhead Decking** No portion of the decking or boardwalk shall extend seaward of the bulkhead sheathing.
 16. **Use of Treated Wood** The use of wood treated with Pentachlorophenol or other wood treatment not specifically approved by the Department for use in wetlands and/or marine waters, is strictly



prohibited in the construction of structures that will be in contact with tidal waters.

17. No Floats, Ramps in Vegetated Tidal Wetlands Floats and ramps may not rest on or be stored in any vegetated tidal wetland.

18. Float Installation The float shall be installed only at the approved location with a minimum water depth of 2½ feet, measured at apparent low tide.

19. No Prop Dredging Prop dredging, or the act of utilizing and/or directing the propeller or propulsion system of a motorized vessel and/or the water-borne forces created by said propeller or propulsion system, to excavate or displace existing bottom sediment and benthic habitat for the direct or indirect purpose of establishing or increasing water depth, is a regulated activity and is not authorized by this permit. Prop dredging is strictly prohibited without further written authorization (permit, modification or amendment) from the department.

20. No Permanent Structures on Dock No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).

21. Docks at Property Lines Docks/catwalks/floats must not:

- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

22. Pilings at Property Lines Pilings shall not:

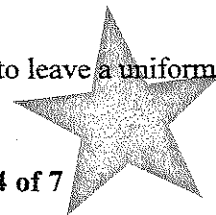
- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

23. No Structures on Pilings No structures, other than structures specifically authorized by this permit, shall be constructed on pilings without further authorization from the department (permit, modification or amendment).

24. Restrict Spillage, Use Closed Bucket During the dredging operation, the permittee and his contractor shall prevent spillage of sediment during excavation and haulage. Dredging shall be accomplished with a clam shell or other closed bucket equipment or hydraulic dredge equipment.

25. No Side-casting or Temporary Storage Excavated sediments shall be placed directly into the approved disposal site/dewatering site or conveyance vehicle. No side-casting (double-dipping) or temporary storage of excavated sediments is authorized.

26. Leave a Uniform Bottom Elevation All dredging shall be conducted so as to leave a uniform bottom elevation free of mounds or holes.





27. **Contain Exposed, Stockpiled Soils** All disturbed areas where soil will be temporarily exposed or stockpiled for longer than 48 hours shall be contained by a continuous line of staked haybales / silt curtains (or other NYSDEC approved devices) placed on the seaward side between the fill and the wetland or protected buffer area. Tarps are authorized to supplement these approved methods.

28. **Maintain Erosion Controls** All erosion control devices shall be maintained in good and functional condition until the project has been completed and the area has been stabilized.

29. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

30. **No Interference With Navigation** There shall be no unreasonable interference with navigation by the work herein authorized.

31. **State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

32. **State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

33. **State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. **Water Quality Certification** The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent



limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

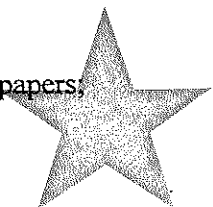
3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY11790 -3409

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Tidal Wetlands, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;





- c. exceeding the scope of the project as described in the permit application;
 - d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
 - e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.
6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

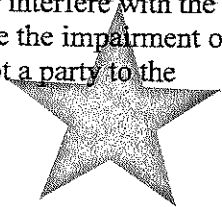
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

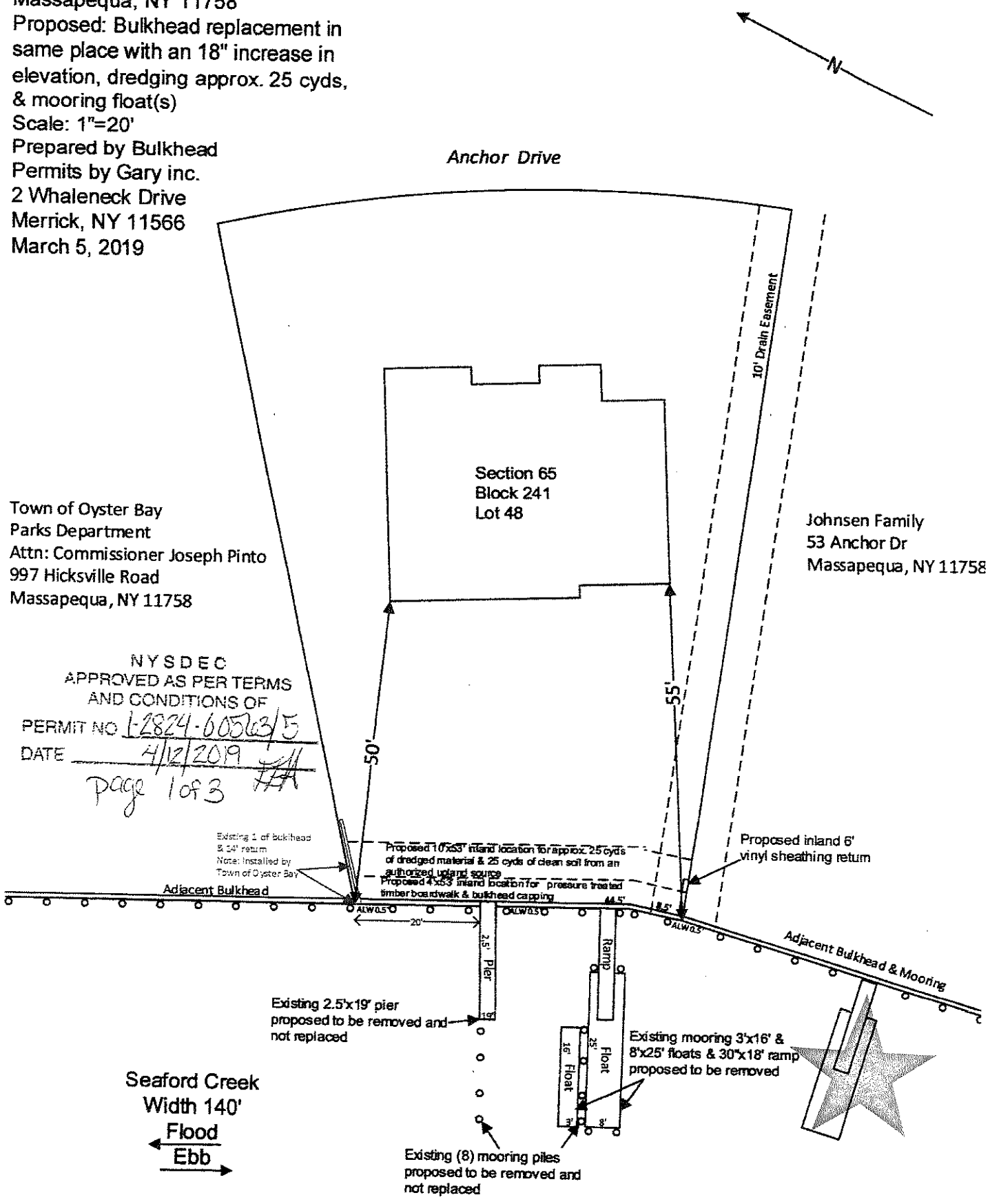
Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



Applicant: Michael Pesce
Project Site: 55 Anchor Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement in
same place with an 18" increase in
elevation, dredging approx. 25 cyds,
& mooring float(s)
Scale: 1"=20'
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
March 5, 2019

Project Plan – Existing Site Conditions



Proposed: Bulkhead replacement in same place with an 18" increase in elevation, dredging approx. 25 cyds, & mooring float(s)

Scale: 1"=20'

Prepared by Bulkhead

Permits by Gary inc.

2 Whaleneck Drive

Merrick, NY 11566

March 5, 2019

Town of Oyster Bay
Parks Department
Attn: Commissioner Joseph Pinto
997 Hicksville Road
Massapequa, NY 11758

NYS DEC
APPROVED AS PER TERMS
AND CONDITIONS OF

PERMIT NO. 1
DATE 2 of 3

DATE 7 Oct

Anchor Drive

Section 65
Block 241
Lot 48

Johnsen Family
53 Anchor Dr
Massapequa, NY 11758

Existing 1' of bulkhead
& 14' return removed
& replaced as needed
Notes: Installed by
Town of Oyster Bay

Proposed 10x53 inland location for approx. 25 cyds of dredged material & 25 cyds of clean soil from an authorized upland source
Proposed 4x53 inland location for pressure treated timber boardwalk & bulkhead capping

Proposed 4x5-3 inland location for p
timber boardwalk & bulthead capping

Proposed inland 6' vinyl sheathing return

Adjacent Bulkhead

Proposed replacement of existing 53' navy bulkhead in same place with an 18" increase in elevation for flood control
Note: Proposed bulkhead will tie into adjacent

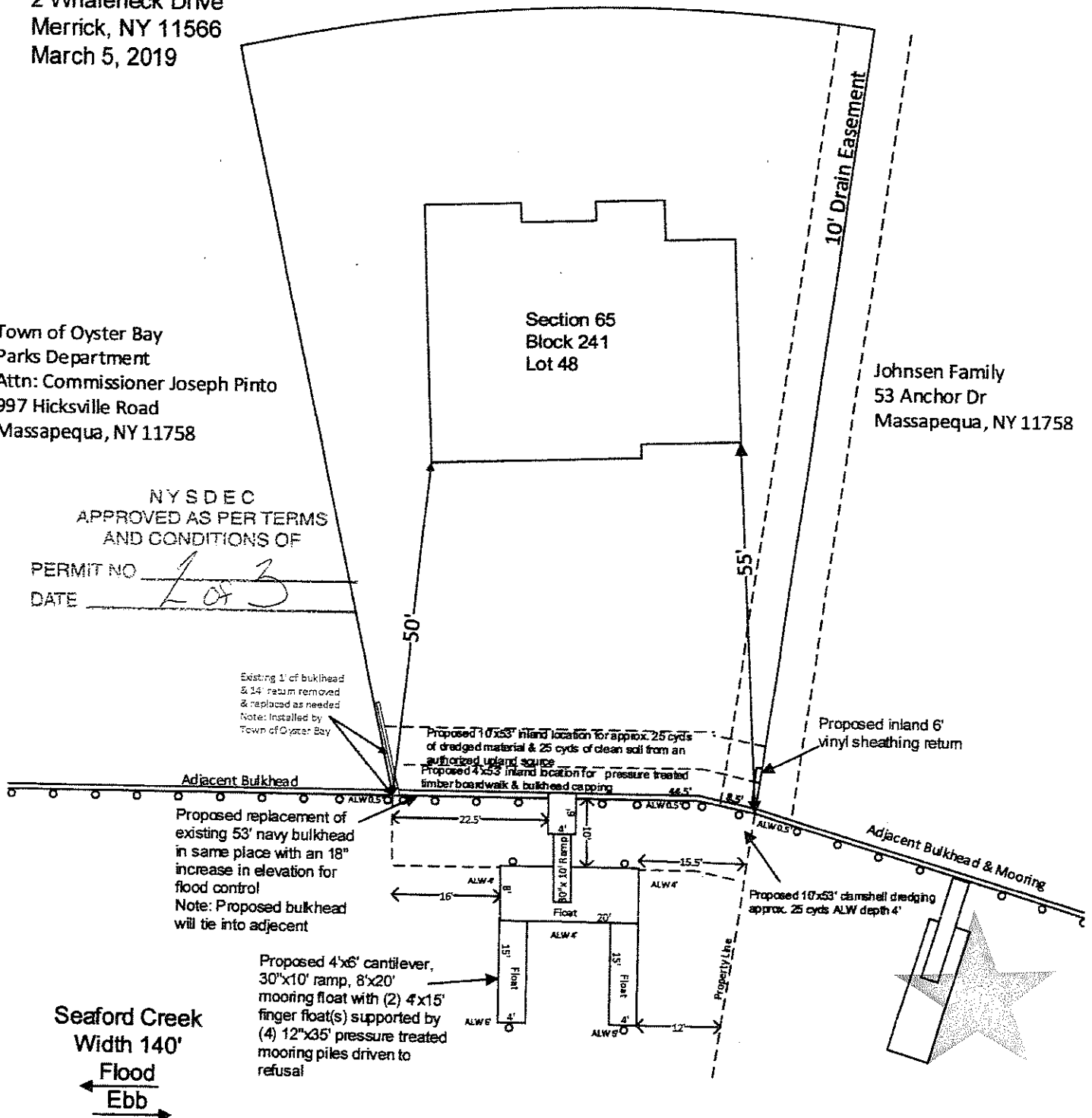
Proposed 4'x6' cantilever,
30'x10' ramp, 8'x20' —
mooring float with (2) 4'x15'
finger float(s) supported by
(4) 12"x35' pressure treated
mooring piles driven to
refusal

Proposed 15'x53' clamshell dredging
approx. 25 cycles ALW depth 4'

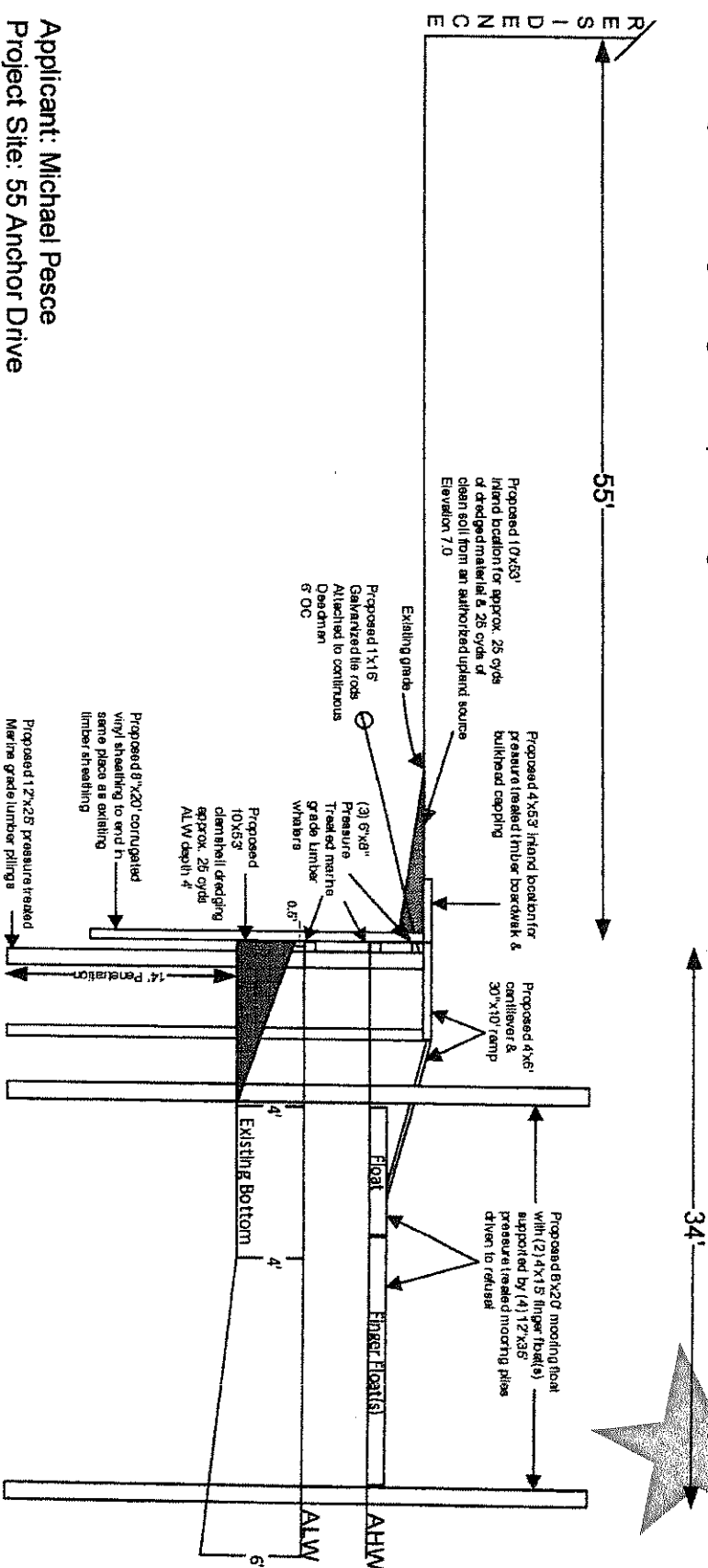
Seafood Creek
Width 140'

Flood

Ebb



CROSS VIEW - PAGE 3/3



NY S D E C
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO 1
DATE 5-05-71

19050227



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

MAY 01 2019

REGULATORY BRANCH

SUBJECT: Department of the Army Permit Application File Number NAN-2019-00351-EKL by Michael Pesce for Bulkhead Maintenance, Maintenance Dredging, and Dock Structures Maintenance in Seaford Creek, a tributary of South Oyster Bay in Massapequa, Town of Oyster Bay, Suffolk County, New York

1. PERMITTEE:

Michael Pesce
55 Anchor Drive
Massapequa, New York 11758

2. On March 12, 2019, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the repair and replacement of 53 linear feet of existing bulkhead in place with one (1) 14-foot-long return and one (1) six-foot-long return 18 inches higher than existing. The regulated activities also include the removal of a 2.5-foot-wide by 19-foot-long fixed pier, a three-foot-wide by 16-foot-long float, an eight-foot-wide by 25-foot-long float, and a 2.6-foot-wide by 18-foot-long ramp. The structures would be replaced with a four-foot-wide by six-foot-long cantilever platform, a 2.5-foot-wide by 10-foot-long ramp leading to an eight-foot-wide by 20-foot-long float and two (2) four-foot-wide by 15-foot-long floats in a "U" configuration. The new configuration will be 329 square feet less than the existing footprint of the dock structures. The proposed work also includes dredging approximately 25 cubic yards of material within 10 linear feet seaward of the length of the bulkhead over an area of 530 square feet to a depth of four feet below the plane of Mean Low Water. The recovered dredged material would be placed upland behind the bulkhead, with no return flow to the water way. The project is located in Seaford Creek, a tributary of South Oyster Bay, at 55 Anchor Drive in Massapequa, Town of Oyster Bay, Suffolk County, New York.

3. The specific applicant-provided details are as shown on the attached permit drawings titled "Michael Pesce" dated March 5, 2019, prepared Bulkhead Permits by Gary, Inc. (sheets 1 through 3 of 3).

4. This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District of the U.S. Army Corps of Engineers.

5. Based on the information submitted to this office and accomplishment of any required notification in accordance with the applicable federal requirements, our review of the subject work indicates that an individual Department of the Army permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 3 MAINTENANCE in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The subject work may be performed without

MAY 01 2019

SUBJECT: Department of the Army Permit Application File Number NAN-2019-00351-EKL by Michael Pesce for Bulkhead Maintenance, Maintenance Dredging, and Dock Structures Maintenance in Seaford Creek, a tributary of South Oyster Bay in Massapequa, Town of Oyster Bay, Suffolk County, New York

- 2 -

further authorization from this office provided it complies with Sections A through D Number 3 MAINTENANCE; New York District regional conditions; the following work-specific Special Conditions listed below; and any applicable regional conditions added by the State of New York.

6. Other than the work-specific Special Conditions listed below, the 2017 nationwide general permits in the State of New York, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

www.nan.usace.army.mil/Portals/37/docs/regulatory/publicnotices/Regional%20Gen%20Permit/PN-RB%20NAN%20FinalRegionalConditionsWQC%20CZMforNYdated%2021-MAR-2017.pdf

If you require a specific paper copy, please contact our Regulator-of-the-Day at 917-790-8511 to request one be mailed to you. Please be sure to have the above eighteen-character file number readily available when you call.

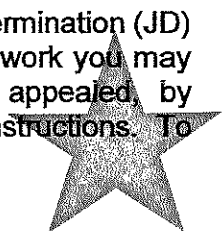
7. Work-specific Special Conditions:

(A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

(B) The permittee shall sign and submit the attached compliance certification form to this office **within 30 days of COMPLETION** of the regulated activity authorized by this permit and any mitigation work required by Special Condition.

(C) The permittee, and their agents, shall take actions to prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

8. Please note that this nationwide general permit (NWGP) verification is based on a preliminary jurisdictional determination (JD). A preliminary jurisdictional determination (JD) is not appealable. If you wish, prior to commencement of the authorized work you may request an approved jurisdictional determination (JD), which may be appealed, by contacting the New York District, US Army Corps of Engineers for further instructions. To



REGULATORY BRANCH

MAY 01 2019

SUBJECT: Department of the Army Permit Application File Number NAN-2019-00351-EKL by Michael Pesce for Bulkhead Maintenance, Maintenance Dredging, and Dock Structures Maintenance in Seaford Creek, a tributary of South Oyster Bay in Massapequa, Town of Oyster Bay, Suffolk County, New York

- 3 -

assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review US Army Corps of Engineers Regulatory Guidance Letter Number 16-01, which can be found at:

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll9/id/1256>

9. This verification is valid until March 18, 2022, unless the nationwide general permits are modified, reissued, or revoked before then. This verification will remain valid until March 18, 2022, if the subject work activity complies with the terms of any subsequent modifications of the nationwide general permits. If the nationwide general permits are suspended, revoked, or modified in such a way that the subject activity would no longer comply with the terms and conditions of a nationwide general permit, and the proposed work activity has commenced, or is under contract to commence, the permittee will have twelve (12) months from the date of such permit action to complete the regulated work.

10. In order for us to better serve you and others, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

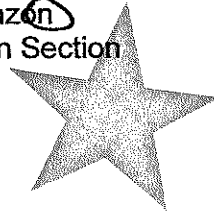
11. Any inquiries should be directed to our Regulator-of-the-Day at 917-790-8511. Please be sure to have the above eighteen-character file number readily available when you call.


Ronald R. Pinzon
Chief, Eastern Section

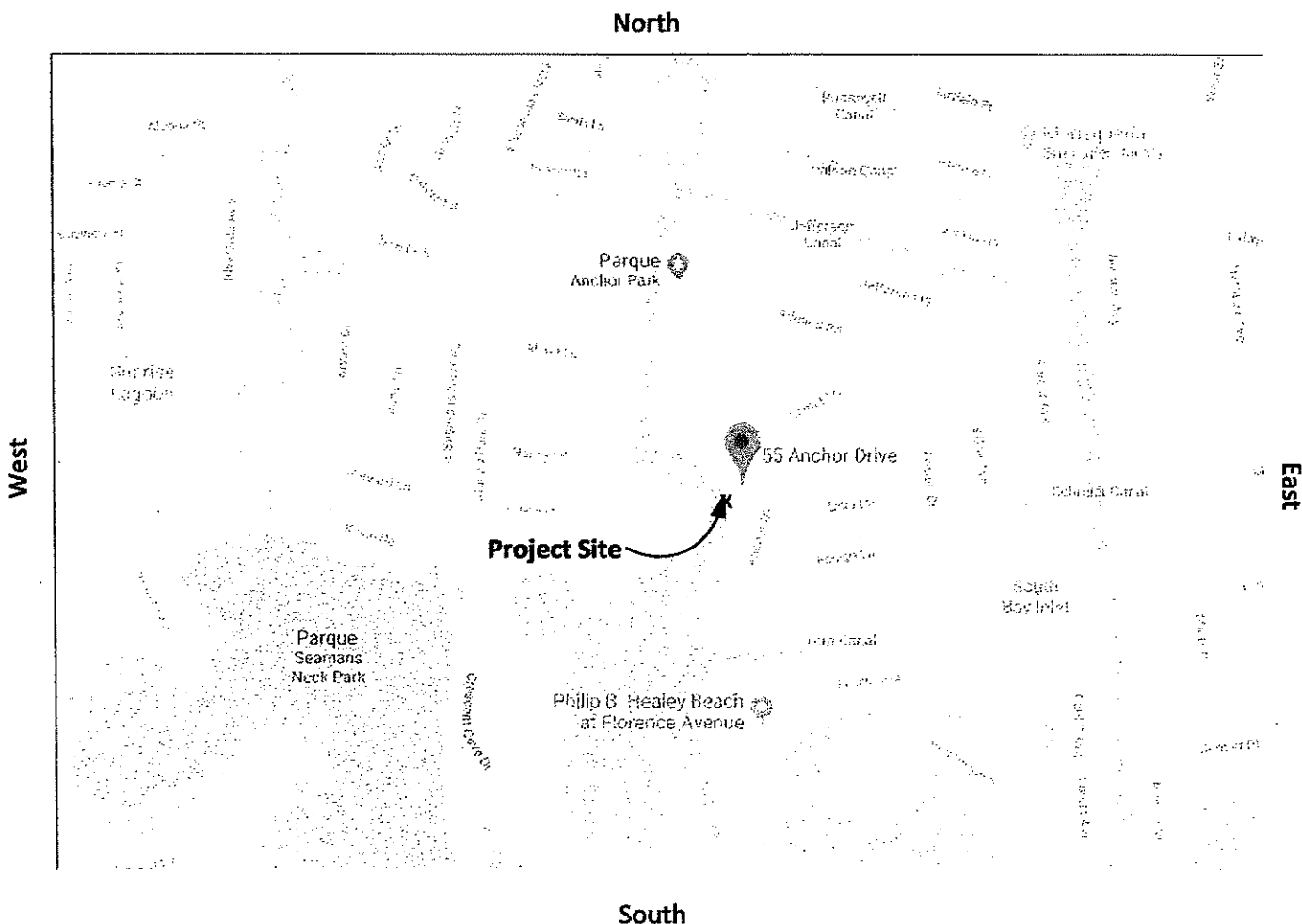
Enclosures (3)

1. Dated Permit Drawings
2. Completion Form
3. Preliminary Jurisdictional Determination

Copies furnished:
Bulkhead Permits by Gary, Inc.
1456 66th Street
Brooklyn, New York 11219



10050227



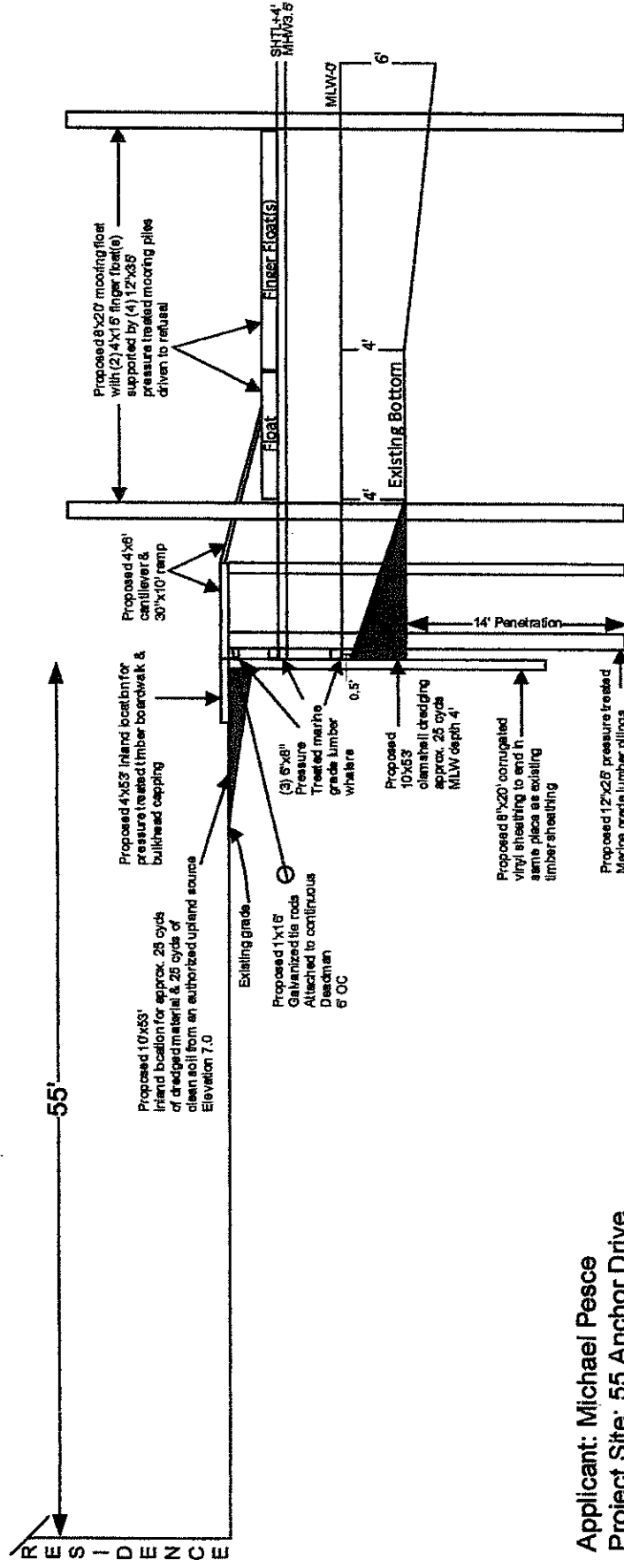
Applicant: Michael Pesce
 Project Site: 55 Anchor Drive
 Massapequa, NY 11758
 Proposed: Bulkhead replacement in
 same place with an 18" increase in
 elevation, dredging approx. 25 cyds,
 & mooring float(s)
 Prepared by Bulkhead
 Permits by Gary inc.
 2 Whaleneck Drive
 Merrick, NY 11566
 March 5, 2019

Latitude: 40°39'17.62"N
 Longitude: 73°29'7.89"W

MAY 01 2019

PAGE 1 of 3

All hardware, nails & bolts shall be hot dip galvanized.
All bolts heads & nuts will be used with cut washers.
All timber will be pressure treated marine grade.
All sheathing inter locking corrugated vinyl marine grade.



Applicant: Michael Pesce
Project Site: 55 Anchor Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement
in same place with an 18" increase
in elevation, dredging approx. 25 cyds,
& mooring float(s)
Scale: 1"=10'

Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
March 5, 2019

MAY 01 2019

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: April 23, 2019

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Michael Pesce, 55 Anchor Drive, Massapequa, Town of Oyster Bay, Suffolk County, New York

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: NYD, Michael Pesce, NAN-2019-00351-EKL

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR
AQUATIC RESOURCES AT DIFFERENT SITES)

State: New York County/parish/borough: Suffolk City: Town of Oyster Bay

Center coordinates of site (lat/long in degree decimal format):

Lat.: 40.654909 Long.: -73.485556

Universal Transverse Mercator:

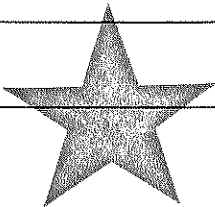
Name of nearest waterbody: Seaford Creek, tributary of South Oyster Bay

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

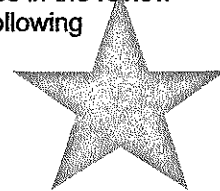
- ☒ Office (Desk) Determination. Date: April 23, 2019
- ☐ Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
1	40.654909	-73.485556	530 square feet	non-wetland waters	Section 10/404



- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:



SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:

Map: Drawings titled "Michael Pesce" dated March 5, 2019, prepared Bulkhead Permits by Gary, Inc.

☐ Data sheets prepared/submitted by or on behalf of the PJD requestor.

☐ Office concurs with data sheets/delineation report.

☐ Office does not concur with data sheets/delineation report. Rationale: _____

☐ Data sheets prepared by the Corps: _____

☐ Corps navigable waters' study: _____

☐ U.S. Geological Survey Hydrologic Atlas: _____

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

☐ U.S. Geological Survey map(s). Cite scale & quad name: _____

☐ Natural Resources Conservation Service Soil Survey. Citation: _____

☐ National wetlands inventory map(s). Cite name: _____

☐ State/local wetland inventory map(s): _____

☐ FEMA/FIRM maps: _____

☐ 100-year Floodplain Elevation is: _____ (National Geodetic Vertical Datum of 1929)

☒ Photographs: ☒ Aerial (Name & Date): Google Earth

or ☒ Other (Name & Date): Color Photographs dated February 16, 2019

☐ Previous determination(s). File no. and date of response letter: _____

☐ Other information (please specify): _____

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

KLINEKRISTY.MARIE.125 Digitally signed by
KLINEKRISTY.MARIE.125 168863
1189893 Date: 2019.04.23 16:52:59 -0400

Signature and date of
Regulatory staff member
completing PJD

Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹



¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

NATIONWIDE GENERAL PERMIT
COMPLIANCE CERTIFICATION
AND REPORT FORM

Permit File Number: NAN-2019-00351-EKL

Permittee: Michael Pesce

Location: 55 Anchor Drive, Massapequa, Town of Oyster Bay, Suffolk County, New York

Date Permit Letter Issued: MAY 01 2019

Within 30 days of the completion of the activity authorized by this nationwide general permit and any mitigation required in the verification letter, please sign this certification and return it to the address at the bottom of this form.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the permit's terms and conditions you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced nationwide general permit has been completed in accordance with the terms and conditions of said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

FOLD THIS FORM INTO THIRDS, WITH THE BOTTOM THIRD FACING OUTWARD.
TAPE IT TOGETHER AND MAIL TO THE ADDRESS BELOW OR FAX (212) 264-4260.

PLACE
STAMP
HERE

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
ATTN: CENAN-OP-RE
NEW YORK, NEW YORK 10278-0090



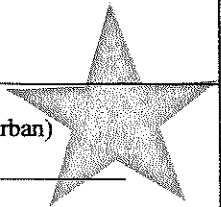
Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing


Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

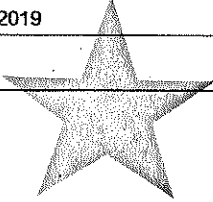
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Michael Pesce			
Name of Action or Project: Pesce Project			
Project Location (describe, and attach a location map): 55 Anchor Drive Massapequa, NY 11758			
Brief Description of Proposed Action: The existing 53' navy bulkhead is proposed to be removed and replaced in the same place with an 18" increase in elevation for flood control. Also proposed is clamshell dredging 10' seaward from the proposed bulkhead to a low water depth of 4'. All dredged material and approx. 25 cyds of clean soil backfill from an authorized upland source will be placed upland onto applicant property. A 4'x53' pressure treated timber boardwalk and (1) 6' inland returns are also recommended. The existing 2.5'x19' pier, existing (8) mooring piles, 30"x18' ramp, 3'x16' & 8'x 25' mooring floats are proposed to be removed and replaced with 4'x6' cantilever, 30"x10' ramp, 8'x20' mooring float & (2) 4'x15' finger floats supported by (4)12"x35' pressure treated mooring piles driven to refusal.			
Name of Applicant or Sponsor: Michael Pesce		Telephone: 516-473-4768 E-Mail: mpesce5@gmail.com	
Address: 55 Anchor Drive			
City/PO: Massapequa		State: NY	Zip Code: 11758
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Does not apply to this project, proposed is for residential use and bulkhead stabilization			
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Does not apply to this project, proposed is for residential use and bulkhead stabilization			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Does not apply to this project, proposed is for residential use and bulkhead stabilization			
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
Replacement of Bulkhead			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Michael Pesce		Date: 02/16/2019
Signature: 		



Applicant: Michael Pesce
 Project Site: 55 Anchor Drive
 Massapequa, NY 11758
 Proposed: Bulkhead replacement in
 same place with an 18" increase in
 elevation, dredging approx. 25 cyds,
 & mooring float(s)

Scale: 1"=20'

Prepared by Bulkhead

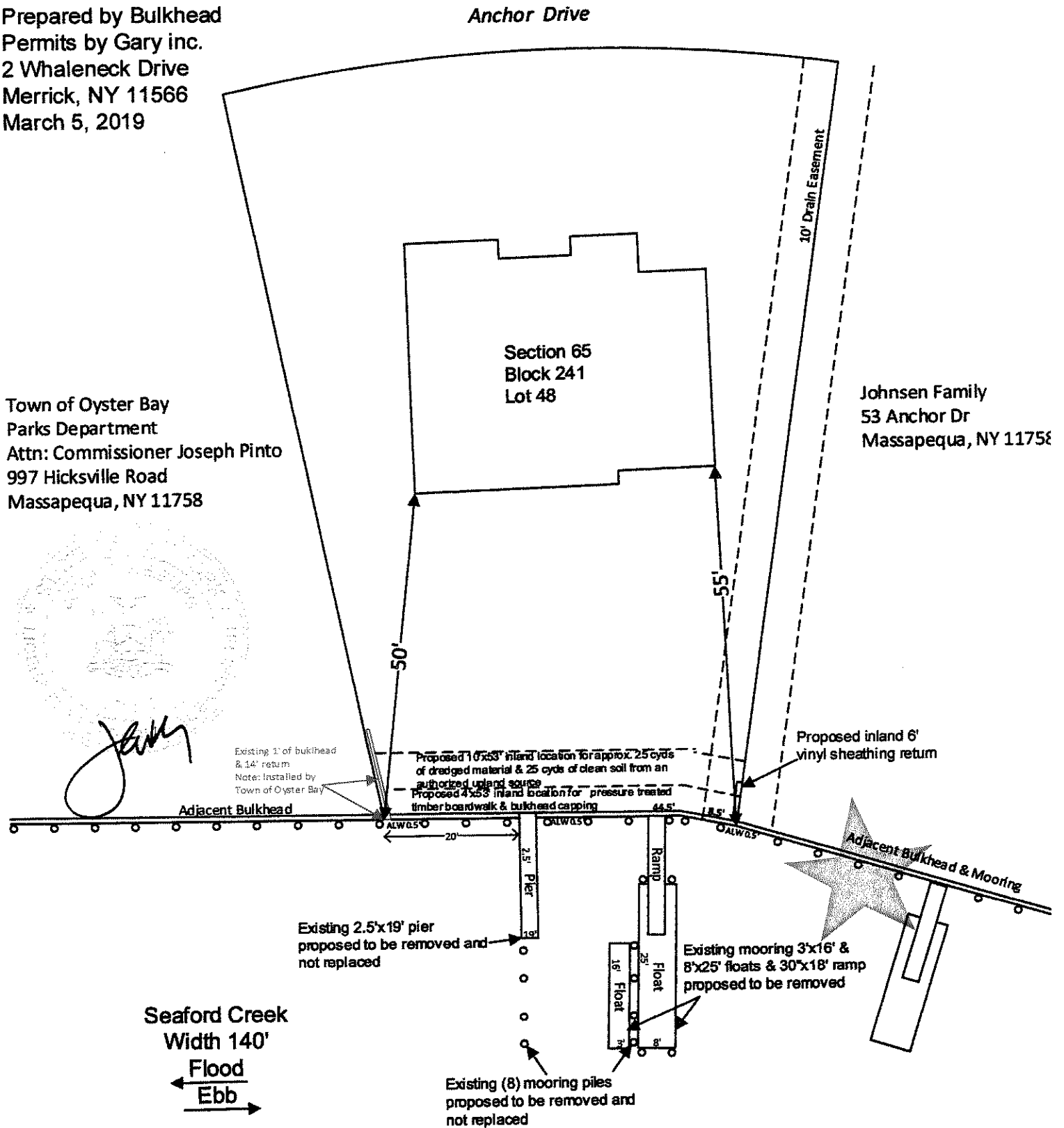
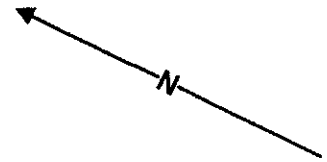
Permits by Gary inc.

2 Whaleneck Drive

Merrick, NY 11566

March 5, 2019

Project Plan – Existing Site Conditions



Proposed: Bulkhead replacement in same place with an 18" increase in elevation, dredging approx. 25 cyds, & mooring float(s)

Scale: 1"=20'

Prepared by Bulkhead

Permits by Gary inc.

2 Whaleneck Drive

Merrick, NY 11566

March 5, 2019

Anchor Drive

Section 65
Block 241
Lot 48

Johnsen Family
53 Anchor Dr
Massapequa, NY 11758

Existing 1' of bulkhead
& 14' return removed
& replaced as needed
Note: Installed by
Town of Oyster Bay

Proposed 10x53' inland location for approx. 25 cyds
of dredged material & 25 cyds of clean soil from an
authorized inland source
Proposed 4x53' inland location for pressure treated
timber boardwalk & bulkhead capping 44.5'

Proposed inland 6'
vinyl sheathing return

Adjacent Bulkhead

Proposed replacement of existing 53' navy bulkhead in same place with an 18" increase in elevation for flood control
Note: Proposed bulkhead will tie into adjacent

Proposed 4'x6' cantilever,
30"x10' ramp, 8'x20'
mooring float with (2) 4'x15'
finger float(s) supported by
(4) 12"x35' pressure treated
mooring piles driven to
refusal

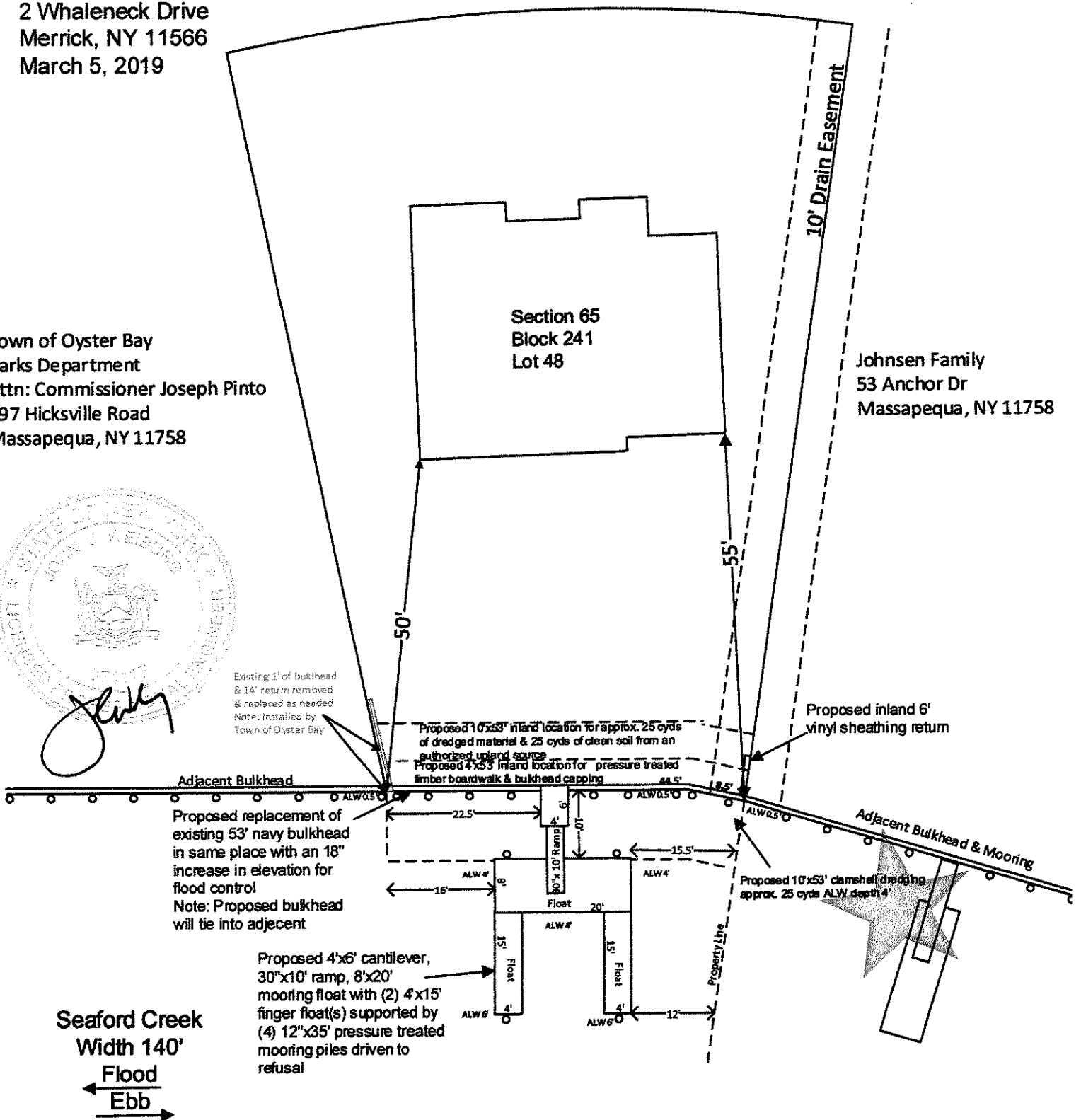
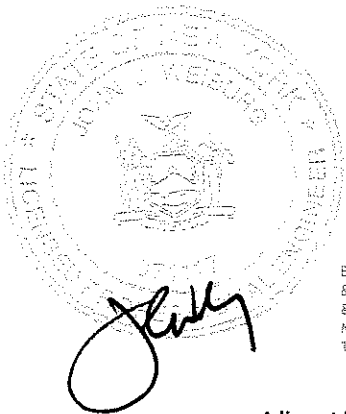
Proposed 10'x53' clamshell dredging
approx. 25 cycles ALW depth 4'

Seaford Creek

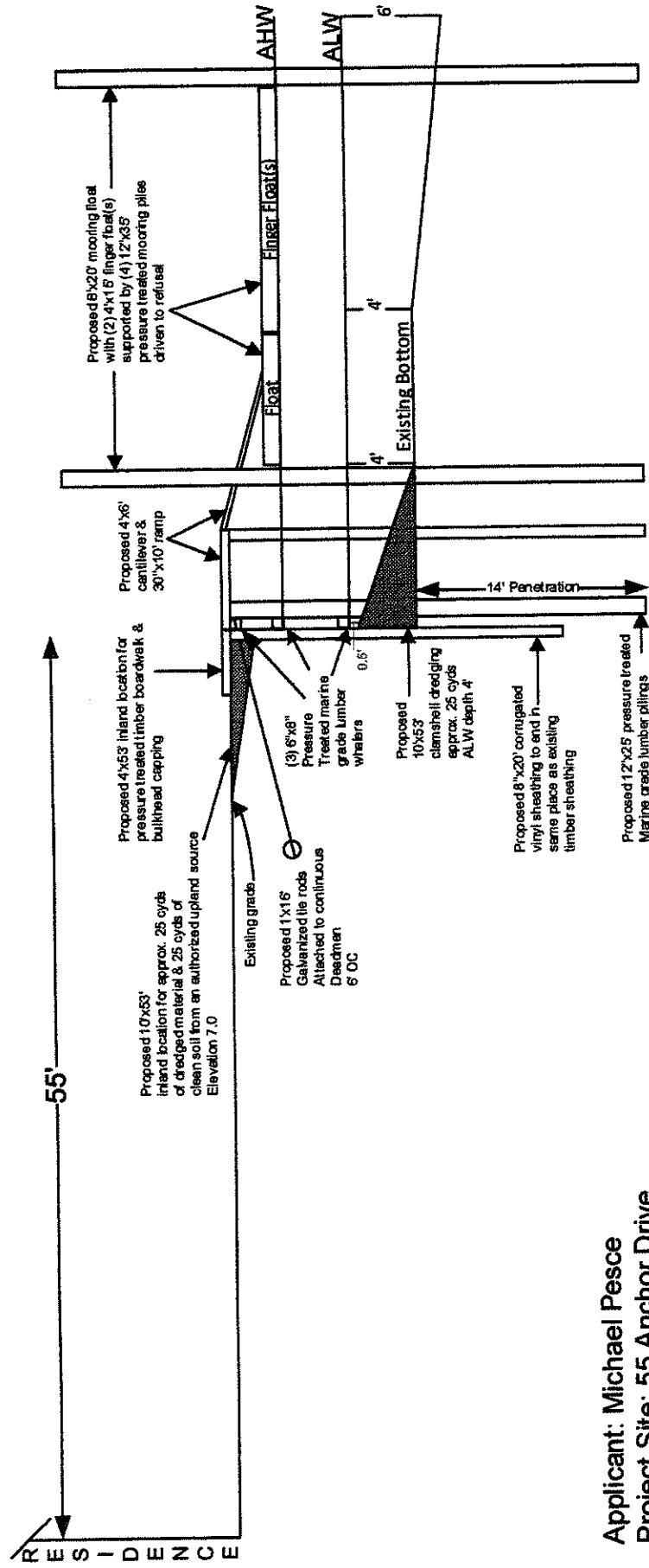
Width 140'

Flood

Ebb



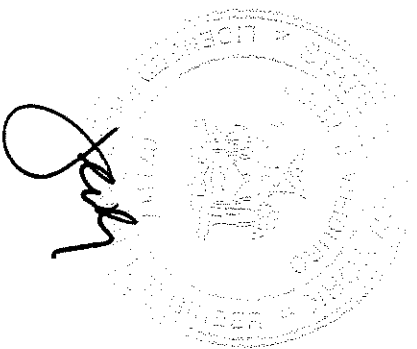
All hardware, nails & bolts shall be hot dip galvanized.
All bolts heads & nuts will be used with cut washers.
All timber will be pressure treated marine grade.
All sheathing inter locking corrugated vinyl marine grade.



Applicant: Michael Pesce
Project Site: 55 Anchor Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement
in same place with an 18" increase
in elevation, dredging approx. 25 cyds,
& mooring float(s)
Scale: 1"=10'
Prepared by Bulkhead
Permits by Gary-inc.
2 Whaleneck Drive
Merrick, NY 11566
March 5, 2019

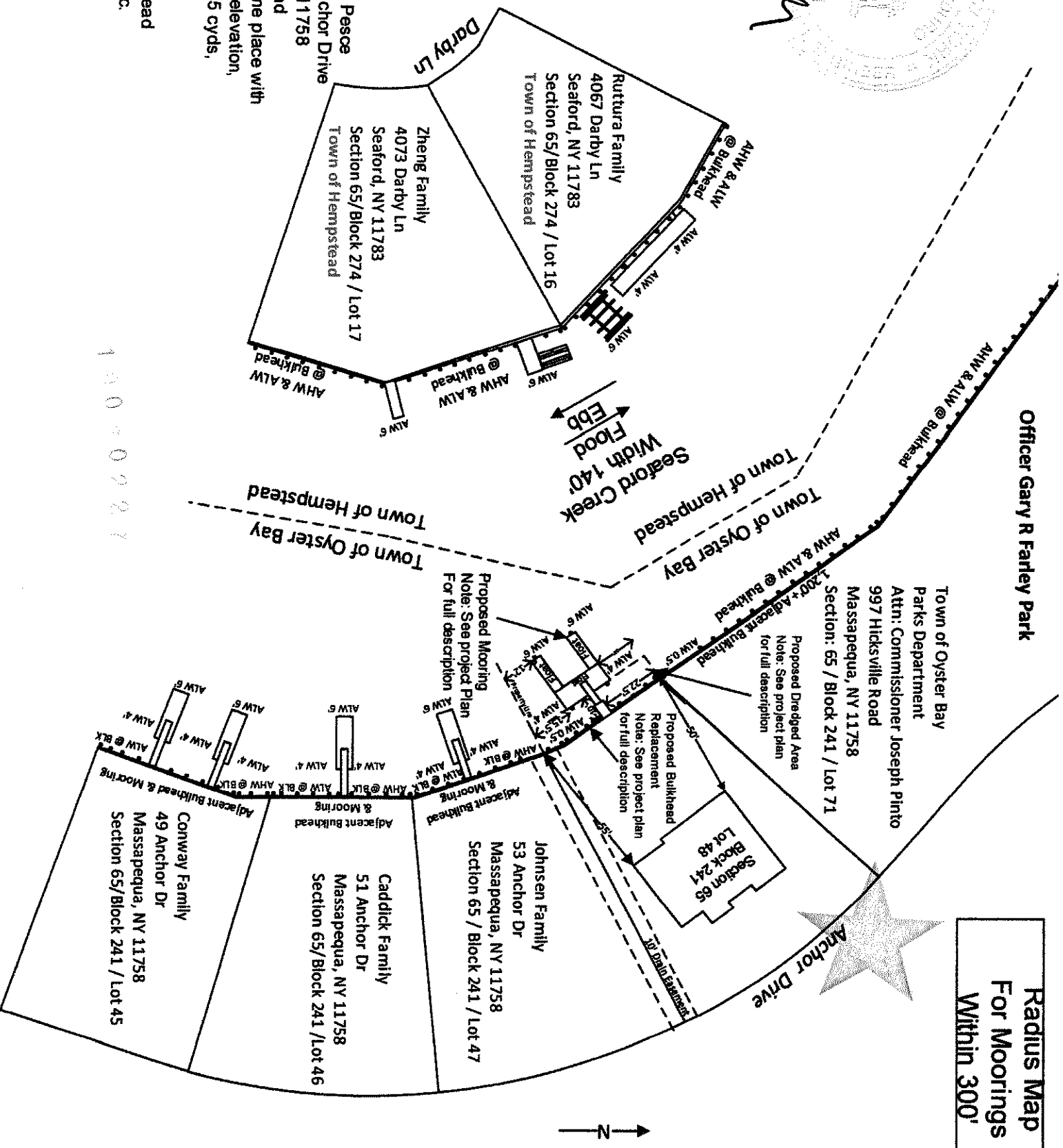
19050227





Officer Gary R Farley Park

Radius Map
For Moorings
Within 300'



Applicant: Michael Pesce
Project Site: 55 Anchor Drive
Massapequa, NY 11758
Proposed: Bulkhead
replacement in same place with
an 18" increase in elevation,
dredging approx. 25 cyds,
& mooring float(s)
Scale: 1"=50'
Prepared by Bulkhead
Permits by Gary Inc.
2 Whaleneck Drive
Merrick, NY 11566
May 9, 2019

0300004260

SECTION 65 BLOCK 24 LOT(S) 48

11050001



TOWN OF OYSTER BAY
DEPARTMENT OF PLANNING & DEVELOPMENT
DIVISION OF BUILDING
Town Hall
Oyster Bay, New York 11771

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Street Address Post Office Zip Phone #
PROPERTY OWNER: Michael Pesce 55 Anchor Dr MASSAP 11758 516.473.4768
LESSEE
TENANT:
APPLICANT: Bulkhead Permits by Gary 2 Whaleneck Dr Merrick 11566 917 776.3922
ARCHITECT: John Weiburg 40410 HUDSON AVE SEAFORD 11783 516 603.5770
CONTRACTOR: Kevel Marine PO Box 62 MASSAP PARK NY 11762 516 639.0875
PLUMBER:
ELECTRICIAN:

ADDRESS OF CONSTRUCTION: IF DIFFERENT FROM ABOVE NO. & STREET POST OFFICE ZIP CODE

LOCATION OF PROPERTY: N.E.S.W. SIDE OF FEET
N.E.S.W. OF
OR (STREET) (POST OFFICE)
N.E.S.W. OF corner of and (STREET) (STREET) (POST OFFICE)

TYPE OF BUILDING

A. TYPE OF IMPROVEMENT

B. PROPOSED USE

EXISTING PROPOSED ☒

EXISTING PROPOSED

1. NEW BUILDING/STRUCTURE
2. ADDITION/EXTENSION
3. ALTERATION (i.e. Garage Conv.)
4. DECK
5. AWNING/ROOF-OVER
6. CELLAR ENTRANCE
7. REISSUE #
8. OTHER ☒ Bulkhead

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s) Replace 53' bulkhead (1) 14' return (1) 6' return

3" increased elevation. Remove 2.5'x19' pier. 3'x16' float. Remove 8'x25' float and a 26'x18' cantilever
move 2.5'x10' RAMP Remove 8'x20' float Remove (2) 4'x15' floats - New Configuration 32'x11' platform

CHECK HERE IF TREES ARE BEING REMOVED ON THE PROPERTY. IF SO, A TREE PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PARKS. PLEASE CALL (516) 797-7956 FOR FURTHER INFORMATION.

less than original

HAVE BOTH AFFIDAVITS NOTARIZED

THE OWNER OF THE BUILDING & THE UNDERSIGNED AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE TOWN OF OYSTER BAY, COUNTY OF NASSAU & STATE OF NEW YORK

APPLICANT

OWNER

STATE OF NEW YORK
COUNTY OF NASSAU

ss:

Scott Moses being duly sworn, deposes and says: That he/she resides at 2 Whaleneck Drive in the hamlet of Merrick in the State of New York and that he/she is authorized by the Owner Michael Pesce who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponents own knowledge.
Address: 2 Whaleneck Dr Merrick NY 11566
Phone: 917-776-3922

(Sign here)

Sworn to before me this Seventh day of May 2019

NOTARY PUBLIC

GARY W. MOSES
Notary Public, State of New York
Reg. No. 01M06186523
Qualified in Nassau County
Commission Expires 05/06/2020

STATE OF NEW YORK
COUNTY OF NASSAU

ss:

Michael Pesce being duly sworn, deposes and says: That he/she resides at 55 Anchor Drive in the hamlet of Massapequa in the State of New York and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.

(Sign here)

Sworn to before me this Seventh day of May 2019

NOTARY PUBLIC

GARY W. MOSES
Notary Public, State of New York
Reg. No. 01M061867
Qualified in Nassau County
Commission Expires



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

19050227

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

APPLICANT'S DISCLOSURE AFFIDAVIT

PREMISES: 35 Anchor Drive MASSAPEQUA NY 11758

STATE OF NEW YORK)

COUNTY OF NASSAU)

ss.

Scott MOSES, being duly sworn, deposes and says:

1. That I am 36 (age), and reside at (address) 2 Whaleneck Dr Merrick, NY 11566
2. That I am the (owner, lessee, etc.) exeditor of property which is the subject Matter of this application and am familiar with all the facts and circumstances hereinafter set forth.
3. That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.) _____
4. That there are no encumbrances or holders of any instruments creating and encumbrance upon the subject property - except: (if any, set forth details) _____
5. That neither deponent nor any other person mentioned in this affidavit is an officer or Employee, or is related to an officer or employee of the Town of Oyster Bay - except: (if any, set forth details) _____
6. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the applicant, or any officer, director or partner, member or employee of the applicant, or legally or beneficially owns or controls one (1) percent or more of the stock of the applicant, or is associated with the applicant in a joint venture, or is a party to an agreement with the applicant, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request - except (if any set forth details - see General Municipal Law Section 809) _____
7. That in the event there is any change in the matters set forth herein prior to the issuance of a building permit or certificate of occupancy for the property affected hereby, deponent (s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this

Seventh day of May, 2019

NOTARY PUBLIC

GARY W. MOSES
Notary Public, State of New York
Reg. No. 01M06186523
Qualified in Nassau County
Commission Expires 05/05/2020 (Rev. 07/11/2017)



19050227

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

ELIZABETH L. MACCARONE
 COMMISSIONER

TIMOTHY R. ZIKE
 DEPUTY COMMISSIONER

APPLICANT'S DISCLOSURE AFFIDAVIT

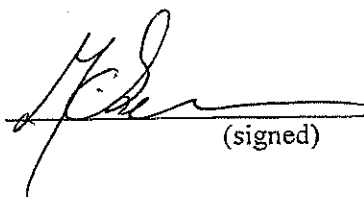
PREMISES: 55 Anchor Drive Massapequa NY 11758

STATE OF NEW YORK)

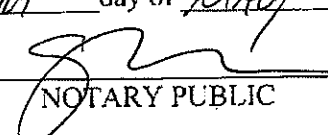
COUNTY OF NASSAU) ss.

Michael Pesce, being duly sworn, deposes and says:

1. That I am 32 (age), and reside at (address) 55 Anchor Drive Massapequa NY 11758
2. That I am the (owner, lessee, etc.) owner of property which is the subject Matter of this application and am familiar with all the facts and circumstances hereinafter set forth.
3. That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.) _____
4. That there are no encumbrances or holders of any instruments creating and encumbrance upon the subject property – except: (if any, set forth details) _____
5. That neither deponent nor any other person mentioned in this affidavit is an officer or Employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details) _____
6. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the applicant, or any officer, director or partner, member or employee of the applicant, or legally or beneficially owns or controls one (1) percent or more of the stock of the applicant, or is associated with the applicant in a joint venture, or is a party to an agreement with the applicant, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request - except (if any set forth details - see General Municipal Law Section 809) _____
7. That in the event there is any change in the matters set forth herein prior to the issuance of a building permit or certificate of occupancy for the property affected hereby, deponent (s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.


 (signed)

Sworn to before me this

Seventh day of May, 2019

 NOTARY PUBLIC

GARY W. MOSES
 Notary Public, State of New York
 Reg. No. 01M06186523
 Qualified in Nassau County
 Commission Expires 05/05/2020

(Rev. 07/11/2017)

Reviewed By
Office of Town Attorney
M. J. 72

WHEREAS, Maureen Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated June 7, 2019, requested Town Board authorization to sponsor enrichment workshops and to retain the professional services of the instructors on the attached chart for the locations, services and fees listed therein, for the Fall 2019 Cultural Enrichment Program Workshops, and by said memorandum Commissioner Fitzgerald advised that the registration fees for the Adult Workshops will range from \$75.00 to \$100.00 for Residents and \$100.00 to \$125.00 for Non-Residents, and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 0000; and

WHEREAS, Commissioner Fitzgerald advised that the funds for the instructional fees are available in Account No. CYS A 7020 47660 000 0000 Special Events, and will not exceed \$8,400,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Community and Youth Services, is hereby authorized to retain the professional services of the instructors on the attached chart, for the locations, services and fees listed therein, for the Fall 2019 Cultural Enrichment Program Workshops; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. CYS A 7020 47660 000 0000 Special Events; and be it further

RESOLVED, That the registration fees for the Adult Workshops will range from \$75.00 to \$100.00 for Residents and \$100.00 to \$125.00 for Non-Residents, and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 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

2019 FALL Instructional Services	Check Payable to:	Community Centers	Fee per Session x Amount of Sessions	Amount Not to Exceed
<u>Sumi-E Painting</u> One (1) Adult Class. Ten (10) sessions.	<u>Gladys L. Yong Chu Stewart</u> 28 20th Street Jericho, NY 11753	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Painting in Oils I & II</u> Two (2) Adult Classes. Ten (10) sessions for each class. Twenty (20) sessions total.	<u>Jock Anderson</u> 7 Russell Road Garden city, NY 11530	Syosset- Woodbury	\$80 per session x twenty (20) sessions	\$1,600.00
<u>Drawing Fundamentals</u> One (1) Adult Class. Ten (10) sessions.	<u>Jock Anderson</u> 7 Russell Road Garden city, NY 11530	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Abstract Acrylics</u> One (1) Adult Class. Ten (10) sessions.	<u>Kevin Larkin</u> 51 Bellflower Path Smithtown, NY 11787	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Watercolor</u> One (1) Adult Class. Ten (10) sessions.	<u>Rita Broughton</u> 26 Park Circle North Bethpage, NY 11714	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Writing</u> One (1) Adult Class. Ten (10) sessions.	<u>Laurie Rozakis</u> 62 Sunset Avenue Farmingdale, NY 11735	Syosset- Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
<u>Let's Make Beautiful Jewelry!</u> One (1) Adult Class. Eight (8) sessions.	<u>Rachel Ferraro</u> 620 Conklin Street Farmingdale, NY 11735	Syosset- Woodbury	\$110 per session x eight (8) sessions	\$880.00
<u>Psychic Development</u> One (1) Adult Class. Four (4) sessions	<u>Winter Brook Psychic Medium</u> PO Box 552 Northport, NY 11768	Syosset- Woodbury	\$250 per session x four (4) sessions	\$1,000.00
<u>Astrology</u> One (1) Adult Class Four (4) sessions	<u>Joanne Wolff</u> 750 Lido Boulevard, Apt 8B Lido Beach, NY 11561	North Massapequa Community Center	\$90 per session x four (4) sessions	\$360.00
<u>Meditation</u> One (1) Adult Class Four (4) sessions	<u>Sarah Curley</u> Lake Drive South West Islip, NY 11795	North Massapequa Community Center	\$90 per session x four (4) sessions	\$360.00

TOTAL \$8,400.00

4

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

June 7, 2019

TO: Memorandum Docket

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

SUBJECT: Fall 2019 Cultural Arts Enrichment Program – Instructional Services

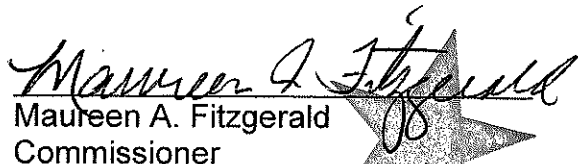
The Department of Community & Youth Services is requesting Town Board authorization to sponsor enrichment workshops and to retain the professional services of Instructors to conduct those workshops.

The workshop type, location, Instructor and fee for each workshop are listed on the attached chart. The funds for the instructional fees are available in Account CYS A 7020 47660 000 0000 *Special Events*, and will not exceed \$8,400.00.

Registration fees for the workshops will range from \$75.00-\$100.00 for residents and from \$100.00-\$125.00 for non-residents. The registration fees collected from the workshops shall be deposited in Revenue Account CYS A 0001 02001 511 0000.

The workshops are in accordance with Guideline 5, Section b. of the Town's Procurement Policy therefore, no solicitation, written proposal or quotation is required.

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


Maureen A. Fitzgerald
Commissioner

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

2019 FALL Instructional Services	Check Payable to:	Community Centers	Fee per Session x Amount of Sessions	Amount Not to Exceed
<u>Sumi-E Painting</u> One (1) Adult Class. Ten (10) sessions.	<u>Gladys L. Yong Chu Stewart</u> 28 20th Street Jericho, NY 11753	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Painting in Oils I & II</u> Two (2) Adult Classes. Ten (10) sessions for each class. Twenty (20) sessions total.	<u>Jock Anderson</u> 7 Russell Road Garden city, NY 11530	Syosset- Woodbury	\$80 per session x twenty (20) sessions	\$1,600.00
<u>Drawing Fundamentals</u> One (1) Adult Class. Ten (10) sessions.	<u>Jock Anderson</u> 7 Russell Road Garden city, NY 11530	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Abstract Acrylics</u> One (1) Adult Class. Ten (10) sessions.	<u>Kevin Larkin</u> 51 Bellflower Path Smithtown, NY 11787	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Watercolor</u> One (1) Adult Class. Ten (10) sessions.	<u>Rita Broughton</u> 26 Park Circle North Bethpage, NY 11714	Syosset- Woodbury	\$80 per session x ten (10) sessions	\$800.00
<u>Writing</u> One (1) Adult Class. Ten (10) sessions.	<u>Laurie Rozakis</u> 62 Sunset Avenue Farmingdale, NY 11735	Syosset- Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
<u>Let's Make Beautiful Jewelry!</u> One (1) Adult Class. Eight (8) sessions.	<u>Rachel Ferraro</u> 620 Conklin Street Farmingdale, NY 11735	Syosset- Woodbury	\$110 per session x eight (8) sessions	\$880.00
<u>Psychic Development</u> One (1) Adult Class. Four (4) sessions	<u>Winter Brook Psychic Medium</u> PO Box 552 Northport, NY 11768	Syosset- Woodbury	\$250 per session x four (4) sessions	\$1,000.00
<u>Astrology</u> One (1) Adult Class Four (4) sessions	<u>Joanne Wolff</u> 750 Lido Boulevard, Apt 8B Lido Beach, NY 11561	North Massapequa Community Center	\$90 per session x four (4) sessions	\$360.00
<u>Meditation</u> One () Adult Class Four (4) sessions	<u>Sarah Curley</u> Lake Drive South West Islip, NY 11795	North Massapequa Community Center	\$90 per session x four (4) sessions	\$360.00



TOTAL: \$8,400.00

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 Gladys L. Yong Chu Stewart, 28 20th Street, Jericho, New York 11753 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Class: Sumi-E Painting

Location: Syosset-Woodbury Community Center

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 do 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.

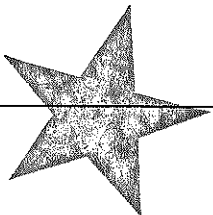
CONTRACTOR agrees to provide services in accordance with the Instructor's Guidelines specified in Appendix I which is attached hereto and in all respects made a part hereof by reference.

GLADYS L. YONG CHU STEWART

TOWN OF OYSTER BAY

CONTRACTOR

COMMISSIONER



DATE: _____, 2019

DATE: _____, 2019

WHEREAS, Greys Quintero has requested to donate a memorial plaque and a bench, to be located 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 donated will be deposited into Account No. PKS A 0001 02770 590 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 4, 2019, 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 Greys Quintero to be deposited into Account No. PKS A 0001 02770 590 0000, to purchase a plaque and bench, placed in Anchor Park, Massapequa, in memory of Tyler Abizeid.

-#-

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

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

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Bench
DATE: June 4, 2019

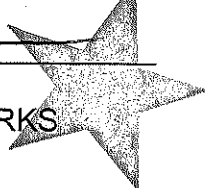
The Department of Parks has received a request from Greys Quintero (letter attached) requesting to donate a memorial plaque and bench to be placed in Anchor Park in memory of Tyler Abizeid.

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

The plaque and bench will be purchased by Greys Quintero 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 Greys Quintero. 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

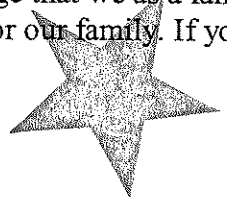
From: Greys Quintero <greyskaren1@gmail.com>
Sent: Tuesday, June 04, 2019 3:08 PM
To: Diann Codispodo; eid.maya1@gmail.com
Subject: BENCH DONATION REQUEST TO ANCHOR PARK

Good afternoon Diann,

We would like to donate a new bench with an 8x6 Plaque to Anchor Park in Massapequa in Honor of our beloved cousin Tyler Abizeid. I hope to stay in touch with you soon to discuss the message that we as a family will want on the plaque. I appreciate all your time and cooperation in this difficult time for our family. If you need to contact me, my phone number is [REDACTED] or the email is fine too.

Thank you,

Greys Quintero



WHEREAS, Sylvia Marcus has requested to donate two memorial plaques and a bench, to be located at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of Melinda Ehrlich; and

WHEREAS, the value of the plaques and bench is estimated to be \$1,210.00, and the monies donated will be deposited into Account No. PKS A 0001 02770 590 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 4, 2019, 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 \$1,210.00 from Sylvia Marcus to be deposited into Account No. PKS A 0001 02770 590 0000, to purchase two plaques and a bench, placed at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of Melinda Ehrlich.

-#-

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

Town of Oyster Bay
Inter-Departmental Memo

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks


SUBJECT: Memorial Plaques and Bench

DATE: June 4, 2019

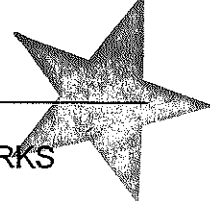
The Department of Parks has received a request from Sylvia Marcus (letter attached) requesting to donate a two memorial plaques and a bench to be placed in Theodore Roosevelt Memorial Park and Beach in memory of Melinda Ehrlich.

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

The plaques and bench will be purchased by Sylvia Marcus and donated to the Parks Department. The value of the plaques and bench are estimated to be \$1210.00. Town Board approval is requested on behalf of Sylvia Marcus. 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: Sylvia Marcus <sylviam14@gmail.com>
Sent: Tuesday, June 11, 2019 9:44 AM
To: Diann Codispodo
Subject: Re: Memorial bench

Hi Diann,

We are adding a second large plaque, 8x6, to the new bench to be placed in Teddy Roosevelt Park in honor of Melinda Ehrlich.

Sylvia

On Jun 7, 2019, at 5:00 PM, Sylvia Marcus <sylviam14@gmail.com> wrote:

Hi Diann,

We are adding a second large plaque to the new bench to be placed in Teddy Roosevelt Park in honor of Melinda Ehrlich.

Sylvia

On May 30, 2019, at 2:50 PM, Sylvia Marcus <sylviam14@gmail.com> wrote:

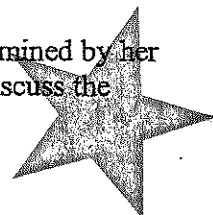
Hi Diann,

As per our conversation, I am hereby requesting the purchase of memorial bench with a 8x6 plaque in memory of Melinda Ehrlich.

The bench is to be placed in Teddy Roosevelt Park, place to be determined by her family in the coming weeks. We will contact Gary Burgenstock to discuss the location.

Sincerely,

Sylvia Marcus



Reviewed By
Office of Town Attorney

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 June 7, 2019, directed JOHN C. McSHANE, 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 4 East Hamilton Avenue, Massapequa, New York 11758, known and designated as Section 66, Block 127, Lot 49, on the Nassau County Land and Tax Map; and

WHEREAS, more than 14 days have elapsed since said Affidavit of Mailing Notice was provided; 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 July 9, 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 May 30, 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 May 30, 2019; and be it further

RESOLVED, That the application of JOHN C. McSHANE, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 4 East Hamilton Avenue, Massapequa, New York 11758, known and designated as Section 66, Block 127, Lot 49 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

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

TO: MEMORANDUM DOCKET

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

DATE: JUNE 7, 2019

**SUBJECT: WATERWAYS REVIEW
JOHN C. MCSHANE
4 EAST HAMILTON AVENUE
MASSAPEQUA, NY 11758
SECTION 66, BLOCK 127, LOT(S) 49
DOCK BUILDING PERMIT APPLICATION # 19040516**

We have received a request from John McShane for the construction of a new three-foot-wide by 12-foot-long aluminum ramp and a four-foot-wide by six-foot-long float with six (6) 10-inch diameter piles leading to an existing six-foot-wide by 20-foot-long float in a "T" configuration. The proposed work includes a one-time maintenance dredging of approximately 25 cubic yards of material within 10 linear feet seaward of the bulkhead over an area of 400 square feet to a depth of four feet below the plane of Mean Low Water. The recovered material would be placed upland behind the bulkhead with no return flow to the waterway. The project is located in Yacht Canal, a tributary of South Oyster Bay at 4 East Hamilton Avenue in Massapequa, Town of Oyster Bay, Nassau County, New York. Please note that a portion of this work did not require Town of Oyster Bay Town Board approval and was completed satisfactorily through Permit #R19001993 with subsequent Certificate of Occupancy (CO) #515495. The scope of work included within the permit is as follows: 40 lf of bulkhead with 12 lf of returns as per plans prepared by Paul D. Barroca, P.E. dated 01/16/19. A copy of the Permit and CO has been enclosed for your review.

All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-003328/00001 dated February 20, 2019 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. 2 STRUCTURES IN ARTIFICIAL CANALS, Number 3 MAINTENANCE, and Number 19 MINOR DREDGING in accordance with Section 10 of the Rivers and harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344, as amended). Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 19040516; Permit Number R19001993 with Certificate of Completion Number 515495; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-003328/00001 dated February 20, 2019; Department of the Army, New York District Corps of Engineers letter dated April 4, 2019, and a letter of General Concurrence with the Federal Consistency

HONORABLE MEMBERS OF THE TOWN BOARD
WATERWAYS REVIEW
JOHN C. MCSHANE
4 EAST HAMILTON AVENUE
MASSAPEQUA, NY 11758
SECTION 66, BLOCK 127, LOT(S) 49
DOCK BUILDING PERMIT APPLICATION # 19040516

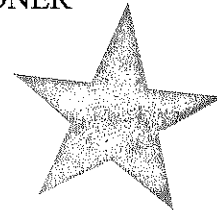
Page 2

Assessment Form from the New York State Department of State dated February 7, 2019. Also attached is a memo from George Baptista, Deputy Commissioner Department of Environmental Resources dated May 30, 2019, classifying the project as a TYPE II ACTION under SEQRA. The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

The proposed work at the subject premises would, in our opinion, be compatible with the surrounding area. Pursuant to Section §241-9(E)(3) in the Town Code, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the July 9, 2019 Town Board calendar to provide the applicant ample time to comply with this requirement.

Elizabeth L. MacCarone

ELIZABETH L. MACCARONE
COMMISSIONER



ELM/JV
Encls.

CC: Town Attorney (Original + 9 copies)

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

May 30, 2019

TO: JOSEPH NOCELLA, OFFICE OF THE TOWN ATTORNEY
ATTENTION: SHEILA TARNOWSKI, OFFICE OF LEGISLATIVE AFFAIRS

FROM: GEORGE BAPTISTA JR., DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

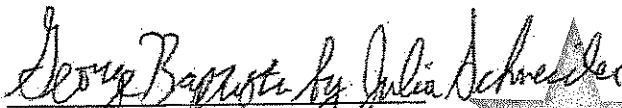
SUBJECT: DOCKS, PIERS & FLOATS PERMIT:
John C McShane
Application # 19040516
4 East Hamilton Avenue, Massapequa, New York
Section: 66 Block: 127 Lot(s): 49

Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQRA, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay Town Code), the Department of Environmental Resources has reviewed the above-captioned application.

Based on our review, the Department has classified the subject proposal as a **TYPE II ACTION**, under the SEQRA Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, §B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances."

Actions or classes of actions identified in the above-referenced section of SEQRA have been pre-determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8.

Inasmuch as the action which would be undertaken by the subject applicant is on SEQRA's pre-determined Type II Actions list, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require the completion of an environmental assessment form or an environmental impact statement, or any further review under SEQRA.

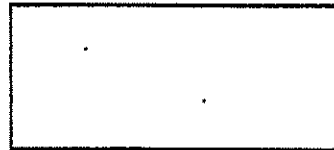

GEORGE BAPTISTA JR., DEPUTY COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES

cc: Elizabeth L. Maccarone, Commissioner, Department of Planning & Development
Attn: Michael Moriarty, Commercial Planning

SECTION 66 BLOCK 127 LOT(S) 49



TOWN OF OYSTER BAY
DEPARTMENT OF PLANNING & DEVELOPMENT
DIVISION OF BUILDING
Town Hall
Oyster Bay, New York 11771



APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Street Address Post Office Zip Phone #
PROPERTY OWNER: John C. McShane 4 East Hamilton Avenue, Massapequa 11758 516-797-5926
LESSEE
TENANT:

APPLICANT: Shore Solutions Inc.- Donna Myers 32 Lincoln Ave Massapequa NY 11758 516-816-4163

ARCHITECT: PR Consulting Engineers PC - Paul Barroca 147 Glen St. 2nd Floor Glen Cove 516-790-4583

CONTRACTOR: Bayview Dock Building Corp. 42 Mariners Circle West Islip, NY 11795 631-422-0943

PLUMBER: NA

ELECTRICIAN: NA

ADDRESS OF CONSTRUCTION:

IF DIFFERENT FROM ABOVE NO. & STREET POST OFFICE ZIP CODE

LOCATION OF PROPERTY: N.E.S.W. SIDE OF East Hamilton Avenue 697.43 FEET
N.E.S.W. OF Carmen Street Massapequa
OR (STREET) (POST OFFICE)
N.E.S.W. OF corner of and (STREET) (POST OFFICE)

CHECK HERE IF REQUESTING A WAIVER OF THE RECENT SURVEY REQUIREMENT (SEE INSTRUCTIONS FOR FURTHER INFO).

TYPE OF BUILDING

A. TYPE OF IMPROVEMENT

B. PROPOSED USE

EXISTING PROPOSED ☒

EXISTING ☒ PROPOSED ☒

1. NEW BUILDING/STRUCTURE
2. ADDITION/EXTENSION
3. ALTERATION (i.e. Garage Conv.)
4. DECK
5. AWNING/ROOF-OVER
6. CELLAR ENTRANCE
7. REISSUE #
8. OTHER

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER

Float, ramp & piles

float, ramp & piles

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s) Construct a new three-foot-wide by 12-foot long ramp, and a four-foot-wide by 6-foot long float with six 10" dia. piles leading to an existing six-foot-wide by 20-ft-long float in a "T" configuration.

CHECK HERE IF TREES ARE BEING REMOVED ON THE PROPERTY. IF SO, A TREE PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PARKS. PLEASE CALL (516) 797-7956 FOR FURTHER INFORMATION.

HAVE BOTH AFFIDAVITS NOTARIZED

THE OWNER OF THE BUILDING & THE UNDERSIGNED AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE TOWN OF OYSTER BAY, COUNTY OF NASSAU & STATE OF NEW YORK

APPLICANT

OWNER

STATE OF NEW YORK
COUNTY OF NASSAU

ss:

Donna Myers- Shore Solutions Inc. being duly sworn, deposes and says: That he/she resides at 32 Lincoln Ave in the hamlet of Massapequa in the State of NY and that he/she is authorized by the Owner John C. McShane who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponents own knowledge.
Address: 32 Lincoln Ave. Massapequa NY 11758
Phone: 516-816-4163

(Sign here)

Sworn to before me this

10th day of April 2019

STATE OF NEW YORK
COUNTY OF NASSAU

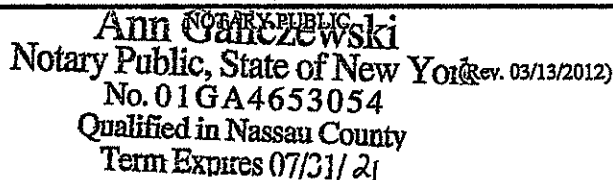
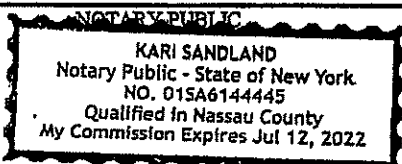
ss:

John C. McShane being duly sworn, deposes and says: That he/she resides at 4 East Hamilton Avenue in the hamlet of Massapequa in the State of NY and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Donna Myers - Shore Solutions Inc. (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.

(Sign here)

Sworn to before me this

16th day of April 2019





Town of Oyster Bay

TOWN HALL, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771-1592 - TELEPHONE: (516) 624-6224 - FAX: (516) 624-6240

Planning and Development

BUILDING APP No.

AFFIDAVIT OF MAILING NOTICE.

STATE OF NEW YORK
COUNTY OF NASSAU

MAILING NOTICE

On the 18th DAY OF April 2019, I sent by regular mail to each owner and occupant of the two properties on both sides of the premises for which the permit is sought (four in total) and any properties which have any frontage on a waterway and are directly opposite from the subject premises.

Name	Address
Richard Giordano	2 Hamilton Ave. Massapequa NY 11758
Joshua & Norma Thomas	15 East Lincoln Ave. Massapequa NY 11758
Jose & Catherine Sanchez	10 Hamilton Ave. Massapequa NY 11758
Joseph Weller	6 Hamilton Ave. Massapequa NY 11758
Irene Matthews Trust	17 Riverdale Ave. Massapequa NY 11758

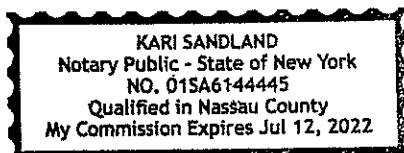
The persons names, and to whom I mailed said notice, are the owners and occupants of the property affected by my said application, and the address designated in said list are the post office addresses of said persons.

Donna Myers
Donna Myers / Shore Solutions Inc.

Sworn to before me this

18th DAY OF April 2019

Kari Sandland
Notary Public



SHORE SOLUTIONS INC

DONNA MYERS
32 LINCOLN AVE.
MASSAPEQUA, N.Y. 11758
516-977-3102-FAX
516-816-4163

Dear Property Owner,

Under the new Town of Oyster Bay Code, I am required to notify you of the filing of this application. We filed this application for installing a ramp to safely access the existing float. The float will be secured by pilings.

There is no action required of you from this mailing.

The new town code states:

Section 16: Amend Chapter 241- Waterways, to read as follows:

CHAPTER 241 WATERWAYS

Section 241-9. Applications.

A. A person wishing to construct or modify a dock, mooring, pier, bulkhead, float or similar structure or ancillary structure thereto in any area of the Town of Oyster Bay shall comply with the provisions of this Article.

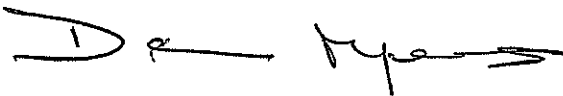
B. Applications for permits for the construction of any such structure pursuant to this Article shall be submitted to the Department of Planning and Development for processing.

C. An application shall include the following:

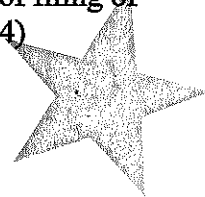
4) A radius map showing all beaches, moorings of all types, piers, docks, floats, bulkheads, decks and all types of structures and paved areas which are located on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which has any frontage on a waterway and is directly opposite from the subject premises, and a chart showing the mean low tide of all areas within 300 feet of such structure.

6) Certification of mailing a copy of the application and notice of filing of same to the owners of the properties identified in subsection C(4) above.

Sincerely,



Donna Myers





Name and Address of Sender SHORE SOLUTIONS INC. 32 Lincoln Avenue Massapequa, NY 11758		TOTAL NO. of Places Listed by Sender 5	TOTAL NO. of Places Received at Post Office™ 5	Affix Stamp Here <i>Postmark with Date of Receipt.</i> U.S. POSTAGE PAID MASSAPEQUA, NY APR 18, 2018 AMOUNT \$2.05 R2304M110606-1 0000	
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USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
1.	Richard Giordano 4 Hamilton Ave Massapequa NY 11758				
2.	Jose & Catherine Sanchez 10 Hamilton Ave Massapequa NY 11758				
3.	Joshua & Norma Thomas 15 East Lincoln Ave. Massapequa NY 11758				
4.	Joseph Weller 6 Hamilton Ave. Massapequa NY 11758				
5.	Irene Matthews Trust 17 Riverdale Ave Massapequa NY 11758				
6.					

Short Environmental Assessment Form
Part 1 - Project Information

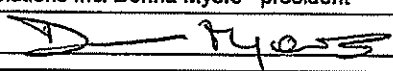
Instructions for Completing

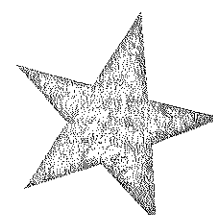
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
John C. McShane			
Name of Action or Project: Bulkhead repair and maintenance. Provide a safe private wheelchair access mooring for owner's private vessel.			
Project Location (describe, and attach a location map): 4 East Hamilton Avenue Massapequa, NY 11758 Located on Yacht Channel			
Brief Description of Proposed Action: Remove/replace 40 LF timber bulkhead with a vinyl navy bulkhead close off 6.5' x 6' x 3' step down bu raising 6.5' sec. 3' making one continuous bulkhead at same height. Install one 6' North return. Install 3' x 12' ramp, 4' x 6' float under ramp for wheelchair access to existing float / install six float anchor piles. Remove existing concrete/boardwalk replace with 6' x 40' boardwalk. Recovery dredge. Truck in clean fill.			
Name of Applicant or Sponsor: Shore Solutions Inc. Donna Myers - president		Telephone: 516-816-4163 E-Mail: shoresolutions@AOL.com	
Address: 32 Lincoln Avenue			
City/PO: Massapequa		State: NY	Zip Code: 11758
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYSDEC USACE NYSDOS		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.1644 acres	
b. Total acreage to be physically disturbed?		20' x 40' aeres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.1644 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Located in a littoral zone on Yacht Channel. Bulkhead will be replaced close off step down. _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ The storm water discharge will run off to the drain system on East Hamilton Ave. _____	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Shore Solutions Inc. Donna Myers - president</u> Date: <u>4-16-2019</u> Signature: <u></u>		





DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

REGULATORY BRANCH

APR 04 2019

SUBJECT: Department of the Army Permit Application File Number NAN-2019-00174-EKL by John C. McShane for Minor Dredging, Bulkhead Maintenance, and Maintenance of Dock Structures, in Yacht Canal, a tributary of South Oyster Bay, in Massapequa, Town of Oyster Bay, Nassau County, New York

1. PERMITTEE:

John C. McShane
4 East Hamilton Avenue
Massapequa, New York 11758
(516) 797-5926

2. On February 5, 2019, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the replacement of approximately 40 linear feet of existing bulkhead in place with one (1) new 6-foot-long return. The regulated activities also include raising a 6.5 foot section of the proposed 40 linear feet bulkhead 36 inches higher to remove access to the 6.5-foot-wide by 6-foot-long access steps and would require 1.4 cubic yards of fill from an approved source to be discharged below Spring High Water. The construction of a new three-foot-wide by 12-foot-long aluminum ramp, and a four-foot-wide by six-foot-long float with six (6) 10-inch diameter piles leading to an existing six-foot-wide by 20-foot-long float in a "T" configuration. The proposed work includes one-time maintenance dredging of approximately 25 cubic yards of material within 10 linear feet seaward of the bulkhead over an area of 400 square feet to a depth of four feet below the plane of Mean Low Water. The recovered material would be placed upland behind the bulkhead with no return flow to the waterway. The project is located in Yacht Canal, a tributary of South Oyster Bay, at 4 East Hamilton in Massapequa, Town of Oyster Bay, Nassau County, New York.

3. The specific applicant-provided details are as shown on the attached permit drawings titled "John C. McShane" dated January 16, 2019, prepared by Shore Solutions Inc. (sheets 1 through 3 of 3).

4. This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District of the U.S. Army Corps of Engineers.

5. Based on the information submitted to this office and accomplishment of any required notification in accordance with the applicable federal requirements, our review of the subject work indicates that an individual Department of the Army permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 2 STRUCTURES IN ARTIFICIAL CANALS, Number 3 MAINTENANCE, and Number 19 MINOR DREDGING in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and

SUBJECT: Department of the Army Permit Application File Number NAN-2019-00174-EKL by John C. McShane for Minor Dredging, Bulkhead Maintenance, and Maintenance of Dock Structures, in Yacht Canal, a tributary of South Oyster Bay, in Massapequa, Town of Oyster Bay, Nassau County, New York

- 2 -

Section 404 of the Clean Water Act (33 U.S.C. 1344, as amended). The nationwide permits are prescribed at Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The subject work may be performed without further authorization from this office provided it complies with Number 2, STRUCTURES IN ARTIFICIAL CANALS, Sections A through D, Number 3 MAINTENANCE, and Number 19 MINOR DREDGING; New York District regional conditions; the following work-specific Special Conditions listed below; and any applicable regional conditions added by the State of New York.

6. Other than the work-specific Special Conditions listed below, the 2017 nationwide general permits in the State of New York, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

www.nan.usace.army.mil/Portals/37/docs/regulatory/publicnotices/Regional%20Gen%20Permit/PN-RB%20NAN%20FinalRegionalConditionsWQC%20CZMforNYdated%2021-MAR-2017.pdf

If you require a specific paper copy, please contact our Regulator-of-the-Day at 917-790-8511 to request one be mailed to you. Please be sure to have the above eighteen-character file number readily available when you call.

7. Work-specific Special Conditions:

(A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

(B) The permittee shall sign and submit the attached compliance certification form to this office **within 30 days of COMPLETION** of the regulated activity authorized by this permit and any mitigation work required by Special Condition.

(C) The permittee, and their agents, shall take actions to prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

8. Please note that this nationwide general permit (NWGP) verification is based on a preliminary jurisdictional determination (JD). A preliminary jurisdictional determination (JD)

APR 04 2019

SUBJECT: Department of the Army Permit Application File Number NAN-2019-00174-EKL by John C. McShane for Minor Dredging, Bulkhead Maintenance, and Maintenance of Dock Structures, in Yacht Canal, a tributary of South Oyster Bay, in Massapequa, Town of Oyster Bay, Nassau County, New York

- 3 -

is not appealable. If you wish, prior to commencement of the authorized work you may request an approved jurisdictional determination (JD), which may be appealed, by contacting the New York District, US Army Corps of Engineers for further instructions. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review US Army Corps of Engineers Regulatory Guidance Letter Number 16-01, which can be found at:


<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll9/id/1256>

9. This verification is valid until March 18, 2022, unless the nationwide general permits are modified, reissued, or revoked before then. This verification will remain valid until March 18, 2022, if the subject work activity complies with the terms of any subsequent modifications of the nationwide general permits. If the nationwide general permits are suspended, revoked, or modified in such a way that the subject activity would no longer comply with the terms and conditions of a nationwide general permit, and the proposed work activity has commenced, or is under contract to commence, the permittee will have twelve (12) months from the date of such permit action to complete the regulated work.

10. In order for us to better serve you and others, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

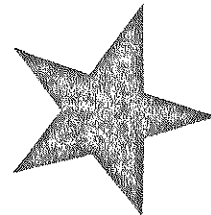
11. Any inquiries should be directed to our Regulator-of-the-Day at 917-790-8511. Please be sure to have the above eighteen-character file number readily available when you call.


Ronald R. Pirzon
Chief, Eastern Section

Enclosures (3)

1. Dated Permit Drawings
2. Completion Form
3. Preliminary Jurisdictional Determination

Copies furnished:
Shore Solutions, Inc
Attn: Donna Myers
32 Lincoln Avenue
Massapequa, New York 11758

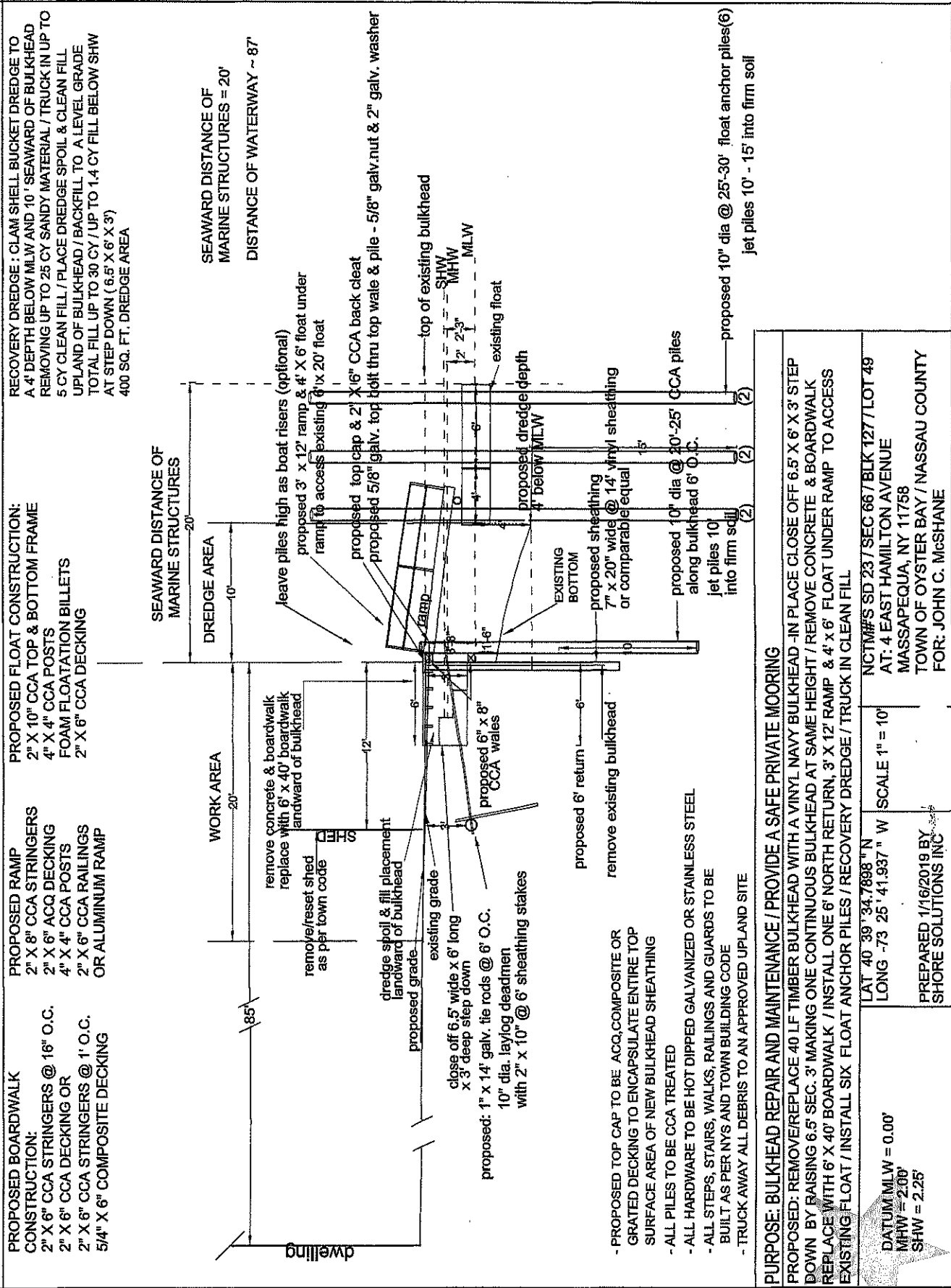




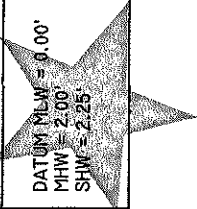
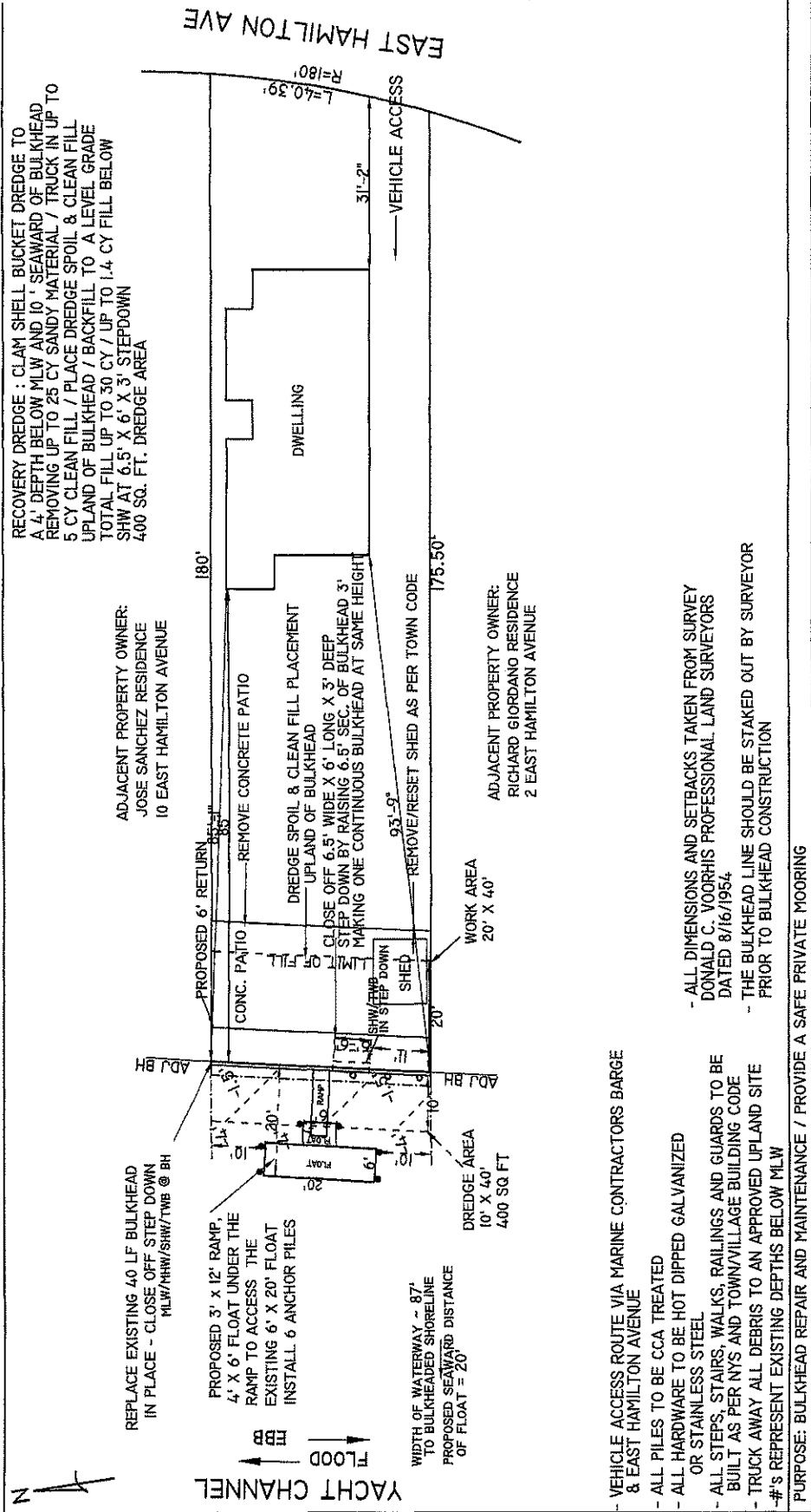
SITE
LAT 40° 39' 34.7898" N
LONG 73° 25' 41.937" W

GOOGLE MAPS	N
PURPOSE: BULKHEAD REPAIR AND MAINTENANCE / PROVIDE A SAFE MOORING FOR OWNERS PRIVATE VESSEL	DATUM: MLW = 0.00' MHW = 2.00' SHW = 2.25'
PREPARED BY SHORE SOLUTIONS INC - DM 32 LINCOLN AVE MASSAPEQUA, NY 11758	
NCTM#S SD 23/ SEC 66 / BLK 127 LOT 49 FOR: JOHN C. McSHANE AT: 4 EAST HAMILTON AVENUE MASSAPEQUA, NY 11758 TOWN OF OYSTER BAY NASSAU COUNTY ON: YACHT CHANNEL	

PROJECT PLAN CROSSVIEW



PROJECT PLAN SITE PLAN VIEW



DATUM MLW = 0.00' MHW = 2.00' SHW = 2.25'	LAT 40 39' 34.7898" N LONG -73 25' 41.937" W	SCALE 1" = 30'	NCTM#S SD 23 / SEC 66 / BLK 127 / LOT 49	PREPARED 1/16/2019 BY SHORE SOLUTIONS INC.	AT: 4 EAST HAMILTON AVENUE MASSAQUA, NY 11758 TOWN OF OYSTER BAY NASSAU COUNTY ON: YACHT CHANNEL FOR: JOHN C. MCSHANE
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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1

SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790

P: (631) 444-0365 | F: (631) 444-0360

www.dec.ny.gov

February 20, 2019

Mr. John C. McShane
4 East Hamilton Ave
Massapequa, NY 11758

Re: Permit No. 1-2824-03328/00001

Dear Permittee:

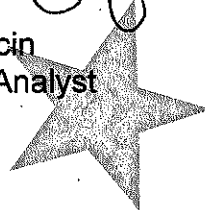
In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit for the referenced activity. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions please contact us at the above address.

Also enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather and a Notice of Commencement/Completion of Construction. Please note, the permit sign and Notice of Commencement/Completion of Construction form are sent to either the permittee or the facility application contact, not both.

Sincerely,



Gene R. Zamojcin
Environmental Analyst



GRZ/lis



Department of
Environmental
Conservation



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

JOHN C MCSHANE
4 E HAMILTON AVE
MASSAPEQUA, NY 11758
(516) 797-5926

Facility:

MCSHANE PROPERTY
4 E HAMILTON AVE|66-127-49
MASSAPEQUA, NY 11758

Facility Application Contact:

SHORE SOLUTIONS INC
32 LINCOLN AVE
MASSAPEQUA, NY 11758
(516) 816-4163

Facility Location: in OYSTER BAY in NASSAU COUNTY **Village:** Massapequa

Facility Principal Reference Point: NYTM-E: 632.865 NYTM-N: 4502.164

Latitude: 40°39'34.8" Longitude: 73°25'41.8"

Project Location: 4 East Hamilton Ave - Watercourse - Yach

Authorized Activity: In-place removal and replacement of the existing 40 linear foot bulkhead and parallel capping boardwalk and construct one new return. Close off bulkhead straight across and remove the existing step down stairs. Remove concrete patio, relocate existing shed. Maintenance dredge the adjacent seaward ten foot wide area to maximum depth of minus four feet below Mean Low Water and place dredge material and additional clean, upland source fill behind new bulkhead. Relocate the existing floating dock seaward and construct a new four foot by six foot floating dock, ramp and associated pilings. All authorized activities must be in strict conformance with the attached plans stamped "NYSDEC Approved" on 2/20/2019. (GRZ) SAP # 1-08-012

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-03328/00001

New Permit

Effective Date: 2/20/2019

Expiration Date: 2/19/2024

Excavation & Fill in Navigable Waters - Under Article 15, Title 5

Permit ID 1-2824-03328/00002

New Permit

Effective Date: 2/20/2019

Expiration Date: 2/19/2024

Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 1-2824-03328/00003

New Permit

Effective Date: 2/20/2019

Expiration Date: 2/19/2024



NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: SUSAN ACKERMAN, Regional Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook 50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: _____

Date 2/20/2019

Distribution List

SHORE SOLUTIONS INC
Marine Habitat Protection
EUGENE R ZAMOJCIN

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following
Permits: TIDAL WETLANDS; EXCAVATION & FILL IN NAVIGABLE
WATERS; WATER QUALITY CERTIFICATION**

1. Regulated Activities Authorized By This Permit This permit ONLY authorizes those regulated activities / structures identified under the section titled "SAP Authorized Activity". The Department does not issue after-the-fact or as-built permits. This permit does not authorize activities, or legitimize the existence of structures, which would have required a permit but for which no permit or other authorization has been granted by the Department

2. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Shore Solutions Inc. (two sheets), dated 1/16/2019 and stamped NYSDEC approved on 2/20/2019.



3. Notice of Commencement At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.

4. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

5. Wood Preservatives

- a. Pressure treated wood used for construction of in-water structures must have undergone a treatment process approved (stamped or otherwise marked as certified) by the American Wood Preservative Association.
- b. Wood treated with Pentachlorophenol (PCP) must not be used in marine or brackish waters. Wood treated with PCP must be aged in the open air for at least three months prior to in-water use.
- c. The use of creosote treated wood is prohibited both in the water and upland areas.
- d. Chromated Copper Arsenate (CCA) pressure treated wood must be clean and free of CCA surface deposits. Wood with surface deposits must be washed for at least 5 minutes under running water prior to use. The washing must occur greater than 100 feet landward of any regulated wetland and/or water body. (Note "E." below for handling wash water.)
- e. Any wood debris such as sawdust or wash water must not enter any water body, including wetlands or protected buffer areas.

6. Docks at Property Lines Docks/catwalks/floats must not:

- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

7. Pilings at Property Lines Pilings shall not:

- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

8. No Permanent Structures on Dock No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).

9. Float Installation The float shall be installed only at the approved location with a minimum water depth of 2½ feet, measured at apparent low tide.



10. Excavation for Bulkhead/Structure Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.

11. No Seaward Extension of Bulkhead The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.

12. Jet-in Bulkhead Bulkheads constructed directly adjacent to vegetated tidal wetlands shall be hand driven or jetted in with no disturbance to the tidal wetland. Trenching is strictly prohibited.

13. Backfilling The installation of the approved replacement bulkhead shall be completed prior to the placement of any fill material behind the structure.

14. Clean Fill Only All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).

15. No Runoff Over or Through Bulkhead or into Wetland Upon completion of the bulkhead replacement authorized herein, there shall be no discharge of runoff or other effluent over or through the structure or into any tidal wetland or protected buffer area.

16. No Structures on Reconstructed Bulkhead or Pilings No structures, other than structures specifically authorized by this permit, shall be constructed on the reconstructed bulkhead or pilings without further authorization from the department (new permit, modified permit).

17. Parallel Capping Boardwalk The width of the parallel capping boardwalk shall not exceed six (6) feet. No portion of the boardwalk shall extend seaward of the most seaward face of the bulkhead sheathing.

18. Dredgings to Remain On-Site/Within Wetland Dredge material approved to remain on-site and/or within the NYSDEC Tidal Wetlands jurisdiction shall be retained so as not to enter any water body, tidal wetlands, or protected buffer areas. Off-site, upland disposal of dredged material beyond NYSDEC Tidal Wetland jurisdiction requires the additional guidance of the Division of Materials Management (631) 444-0375 and is not covered by this permit.

19. Restrict Spillage, Use Closed Bucket During the dredging operation, the permittee and his contractor shall prevent spillage of sediment during excavation and haulage. Dredging shall be accomplished with a clam shell or other closed bucket equipment or hydraulic dredge equipment.

20. No Side-casting of Dredged Material Excavated sediment shall be placed directly into the approved work area landward of the replacement bulkhead. No side-casting (double dipping) of dredged material is authorized.

21. Leave a Uniform Bottom Elevation All dredging shall be conducted so as to leave a uniform bottom elevation free of mounds or holes.

22. Dragline Prohibited The use of a dragline for dredging is strictly prohibited.

23. Storage of Equipment, Materials The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.



24. No Disturbance to Vegetated Tidal Wetlands There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.

25. No Construction Debris in Wetland or Adjacent Area Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.

26. Seeding Disturbed Areas All areas of soil disturbance resulting from the approved project shall be stabilized with appropriate vegetation (grasses, etc.) immediately following project completion or prior to permit expiration, whichever comes first. If the project site remains inactive for more than 48 hours or planting is impractical due to the season, then the area shall be stabilized with straw or hay mulch or jute matting until weather conditions favor germination.

27. Temporary Mulch, Final Seeding If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

28. No Interference With Navigation There shall be no unreasonable interference with navigation by the work herein authorized.

29. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

30. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

31. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

32. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.



WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook 50 Circle Rd
Stony Brook, NY 11790 -3409

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Tidal Wetlands, Water Quality Certification.



5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

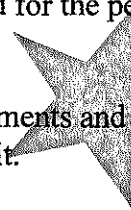
The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

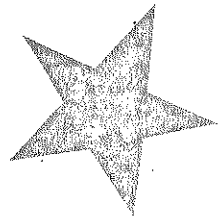
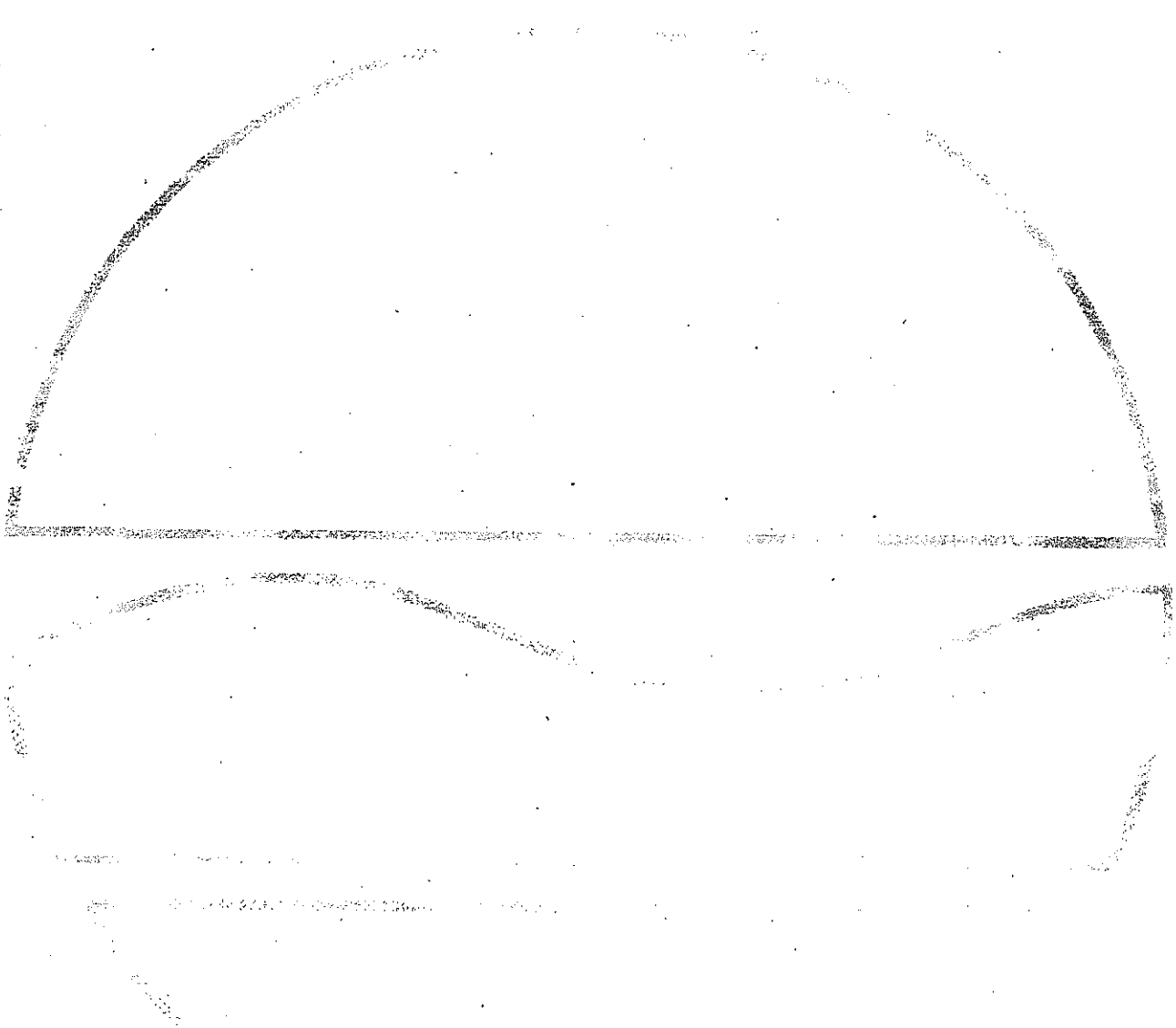
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.



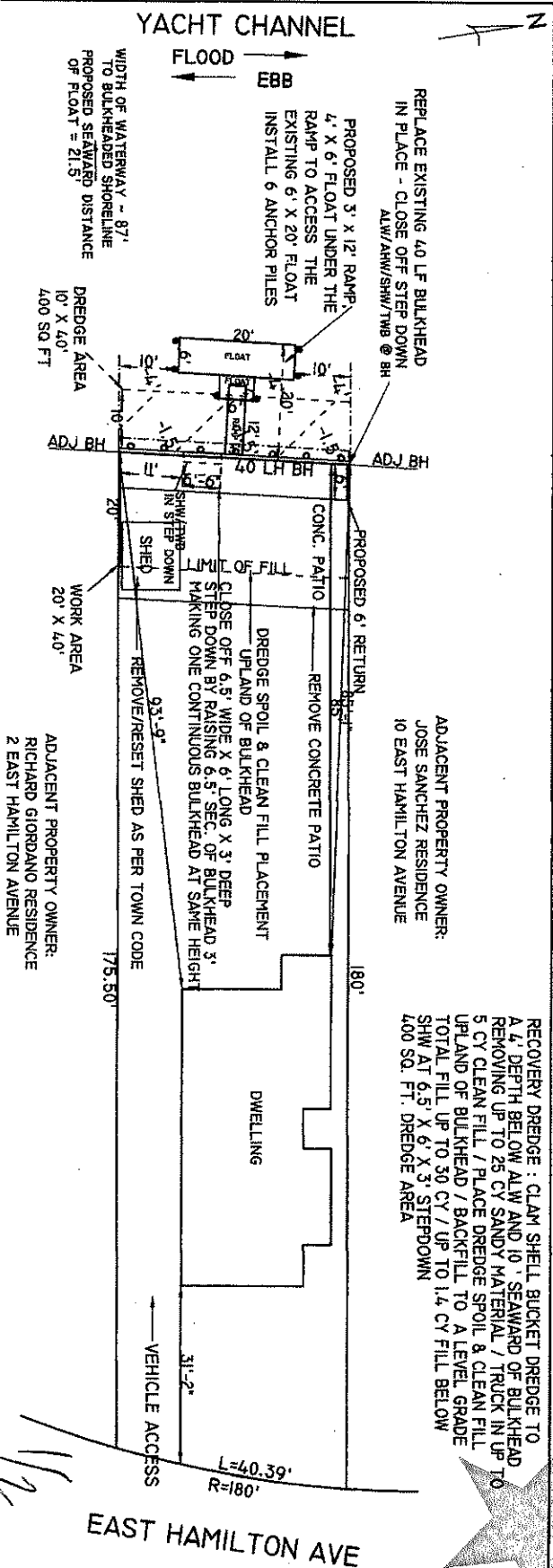


Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PROJECT PLAN SITE PLAN VIEW



NYS DEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO. 1-2884-15332810001
DATE 2/23/2019 G&E

- VEHICLE ACCESS ROUTE VIA MARINE CONTRACTORS BARGE & EAST HAMILTON AVENUE
- ALL PILES TO BE CCA TREATED
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL
- ALL STEPS, STAIRS, WALKS, RAILINGS AND GUARDS TO BE BUILT AS PER NYS AND TOWN/VILLAGE BUILDING CODE
- TRUCK AWAY ALL DEBRIS TO AN APPROVED UPLAND SITE
- #S REPRESENT EXISTING DEPTHS BELOW ALW
- ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY DONALD C. VOORHIS PROFESSIONAL LAND SURVEYORS DATED 8/6/1954
- THE BULKHEAD LINE SHOULD BE STAKED OUT BY SURVEYOR PRIOR TO BULKHEAD CONSTRUCTION

PURPOSE: BULKHEAD REPAIR AND MAINTENANCE / PROVIDE A SAFE PRIVATE MOORING

PROPOSED: REMOVE/REPLACE 40 LF TIMBER BULKHEAD WITH A VINYL NAVY BULKHEAD - IN PLACE / CLOSE OFF 6.5' WIDE X 6' X 3' DEEP STEP DOWN BY RAISING 6.5' SEC. 3' MAKING ONE CONTINUOUS BULKHEAD AT SAME HEIGHT / REMOVE EXISTING CONCRETE & BOARDWALK REPLACE WITH 6' X 40' BOARDWALK / INSTALL ONE 6' NORTH RETURN / INSTALL 3' X 12' RAMP, 4' X 6' FLOAT UNDER RAMP TO ACCESS EXISTING 6' X 20' FLOAT / INSTALL SIX FLOAT ANCHOR PILES / RECOVERY DREDGE / TRUCK IN CLEAN FILL

DATUM ALW = 0.00'
AHW = 2.00'
SHW = 2.25'

LAT 40 39' 34.7898" N
LONG -73 25' 41.937" W

SCALE 1" = 30'
PAGE 1 OF 2

NCTM#S SD 23 / SEC 66 /
BLK 127 / LOT 49

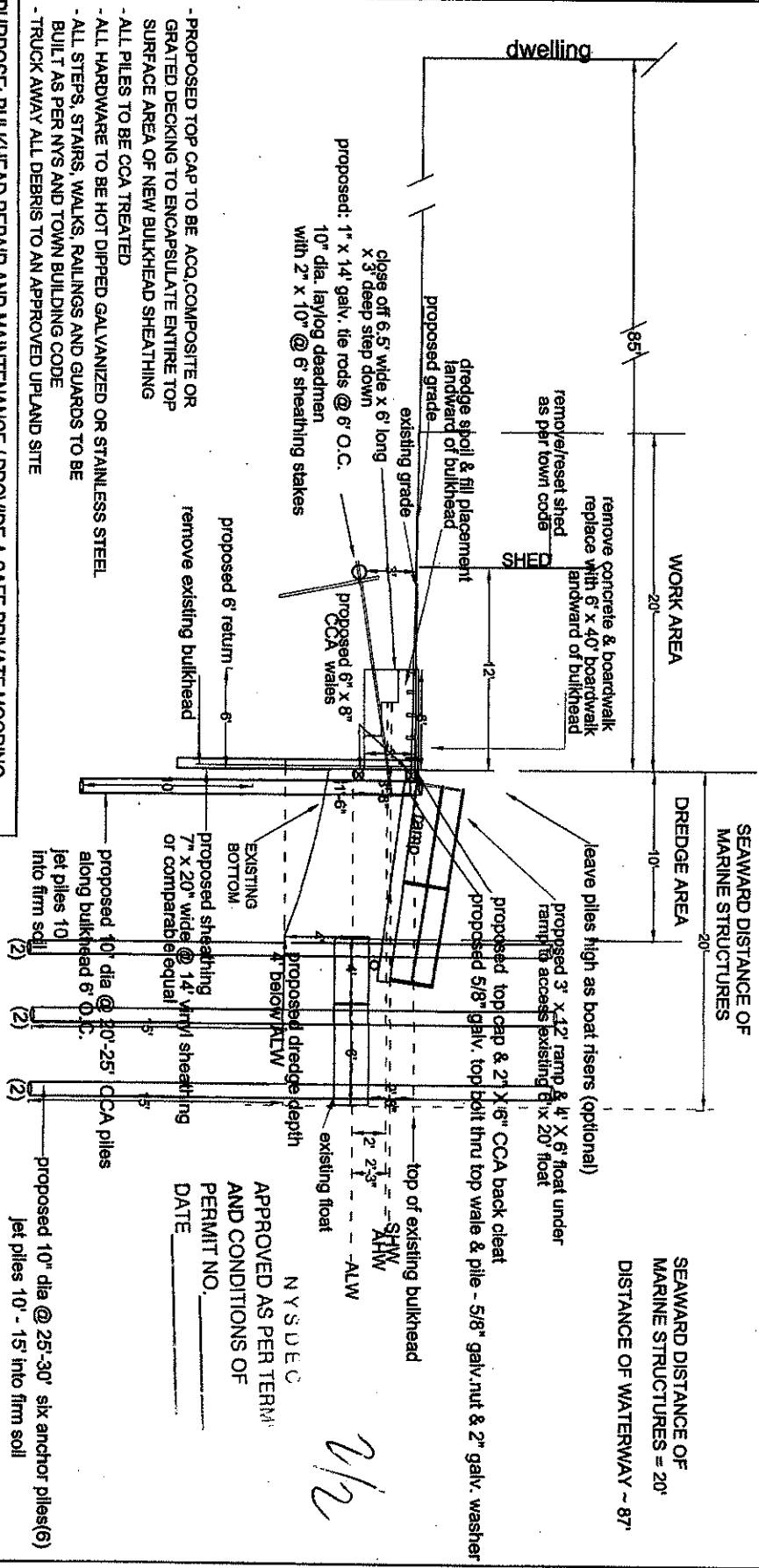
PREPARED 1/16/2019 BY
SHORE SOLUTIONS INC.

ATT: 4 EAST HAMILTON AVENUE
MASSAQUEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: YACHT CHANNEL
FOR: JOHN C. MCSHANE

PROJECT PLAN CROSSVIEW

PROPOSED BOARDWALK CONSTRUCTION:	PROPOSED RAMP	PROPOSED FLOAT CONSTRUCTION:
2" X 6" CCA STRINGERS @ 16" O.C.	2" X 8" CCA STRINGERS	2" X 10" CCA TOP & BOTTOM FRAME
2" X 6" CCA DECKING OR	2" X 6" ACG DECKING	4" X 4" CCA POSTS
2" X 6" CCA STRINGERS @ 1' O.C.	4" X 4" CCA POSTS	FOAM FLOATATION BILLETS
5/4" X 6" COMPOSITE DECKING	2" X 6" CCA RAILINGS	2" X 6" CCA DECKING
	OR ALUMINUM RAMP	

RECOVERY DREDGE : CLAM SHELL BUCKET DREDGE TO 4' DEPTH BELOW ALW AND 10' SEAWARD OF BULKHEAD REMOVING UP TO 25 CY SANDY MATERIAL / TRUCK IN UP TO 5 CY CLEAN FILL / PLACE DREDGE SPOIL & CLEAN FILL UPLAND OF BULKHEAD / BACKFILL TO A LEVEL GRADE TOTAL FILL UP TO 30 CY / UP TO 14 CY FILL BELOW SHW AT STEP DOWN (6.5' X 6' X 3') 400 SQ. FT. DREDGE AREA



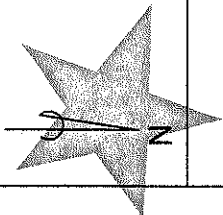
APPROVED AS PER TERM
AND CONDITIONS OF
PERMIT NO. _____
DATE _____
NYS DEC

PURPOSE: BULKHEAD REPAIR AND MAINTENANCE / PROVIDE A SAFE PRIVATE MOORING

PROPOSED: REMOVE/REPLACE 40 LF TIMBER BULKHEAD WITH A VINYL NAVY BULKHEAD -IN PLACE CLOSE OFF 6.5' X 6' X 3' STEP DOWN BY RAISING 6.5' SEC. 3 MAKING ONE CONTINUOUS BULKHEAD AT SAME HEIGHT / REMOVE CONCRETE & BOARDWALK REPLACE WITH 6' X 40' BOARDWALK / INSTALL ONE 6' NORTH RETURN, 3' X 12' RAMP & 4' X 6' FLOAT UNDER RAMP TO ACCESS EXISTING FLOAT / INSTALL SIX FLOAT ANCHOR PILES / RECOVERY DREDGE / TRUCK IN CLEAN FILL

DATUM ALW = 0.00'	LAT 40 39' 34.7898" N	SCALE 1" = 10'	NCTM#S SD 23 / SEC 66 / BLK 127 / LOT 49
AHW = 2.00'	LONG -73 25' 41.937" W		AT: 4 EAST HAMILTON AVENUE
SHW = 2.25'			MASSAPEQUA, NY 11758
			TOWN OF OYSTER BAY / NASSAU COUNTY
			FOR: JOHN C. McSHANE

MARINE VICINITY MAP



NASSAU COUNTY ASSESSORS MAPS

PURPOSE: MARINE VICINITY MAP
MARINE STRUCTURES
ADJACENT HOMEOWNERS
MLW & MHW AT BULKHEAD
AVERAGE RANGE = 2.00'

DATUM: MLW = 0.00'
MHW = 2.00'
SHW = 2.25'

PREPARED BY
SHORE SOLUTIONS INC - DM
32 LINCOLN AVE
MASAPEQUA, NY 11758

NCTM#S SD 23/ SEC 66 / BLK 127
LOT 49

FOR: JOHN C. MCSHANE
AT: 4 EAST HAMILTON AVENUE
MASAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: YACHT CHANNEL

LAT 40° 39' 34.7898 " N
LONG -73° 25' 41.937 " W

300' Radius map for: NCTM# section 66 / block 127 / lot 49
Prepared By: Donna Myers / Shore Solutions 32 Lincoln Ave Massapequa, NY 11758

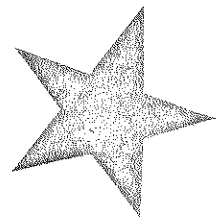
For: John C. McShane
4 East Hamilton Avenue
Massapequa, NY 11758

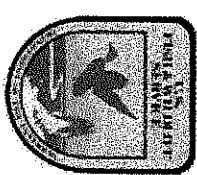
Section 66 / Block 127

	<u>lot</u>	
1	45	Joseph Weller 6 Hamilton Avenue Massapequa, NY 11758
2	47	Jose & Catherine Sanchez 10 Hamilton Avenue Massapequa, NY 11758
3	50	Richard Giordano 2 Hamilton Avenue Massapequa, NY 11758
4	83	Joshua & Norma Thomas 15 East Lincoln Avenue Massapequa, NY 11758

Section 66 / Block 130

5	103	Irene Matthews Trust 17 Riverdale Avenue Massapequa, NY 11758
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U.S. Fish & Wildlife Service

(<https://www.fws.gov/>)

Oyster Bay (https://www.fws.gov/refuge/Oyster_Bay/)

National Wildlife Refuge | New York

Search

All Refuges



A UNIT OF THE
National Wildlife
Refuge System

(<https://www.fws.gov/refuges/>)

Basemap

White Plains

Stamford



- Streets
- Imagery
- Topographic

Fye
Harrison

New Rochelle

Port
Washington

Sea Cliff
Chenwood
Lanfield

Hicksville

New York

Hempstead

Levittown

Massapequa

West Babylon

Valley
Stream

Woodmere

Oceanide

Long Beach



National Wildlife Refuges

Wetland Management Districts

PROPERTY IS NOT LOCATED IN OR
NEAR A FEDERAL FISH AND WILDLIFE REFUGE

Print

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(<http://www.addthis.com/bookmark.php?v=1&pubid=ra-4df0de8a2cdd52c>)

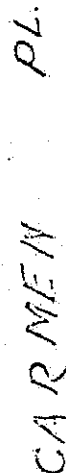
For: John C. McShane
4 East Hamilton Avenue
Massapequa, NY 11758

N/136882

2.50

N. 15°-22' E

Channel



HAMILTON

AVE.

①

T.N. 223 BS.5

MAP OF PROPERTY AT
AMITYVILLE

NASSAU COUNTY - NEW YORK

SURVEYED Aug. 16, 1954. FOR -

GUARANTEED TO

Inter-County Title Guaranty & Mort. Co.
Edward J. Callahan

3 4388 FILE Amityville BOOK L.L. PAGE

DONALD C. VOORHIS
PROFESSIONAL LAND SURVEYOR
WANTAGE
NEW YORK

PER

Donald C. Voorhis
AUTH. SIGNATURE

MEASUREMENTS U. S. STANDARD

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated June 13, 2019, requested that the Town Board authorize Town Wide Senior Trips for September, October, November and December 2019, as listed below, and authorize the Commissioner of the Department of Community and Youth Services to make adjustments, deletions or changes, as needed, provided that in the event of change, participants are permitted to receive a full refund if the change is not to his or her preference:

<u>Date</u>	<u>Place/Event and Cost</u>	<u>Cost Includes</u>
Monday, Sept. 16, 2019	The Lauren Kristy Paddle Boat Cruise on the Great South Bay \$55.00	Hot Buffet Lunch Town or School Bus Transportation
Tuesday, September 17	The Lauren Kristy Paddle Boat Cruise on the Great South Bay \$55.00	Hot Buffet Lunch Town or School Bus Transportation
Wednesday, September 18	The Lauren Kristy Paddle Boat Cruise on the Great South Bay \$55.00	Hot Buffet Lunch Town or School Bus Transportation
Wednesday, October 16, 2019	Broadhollow Theatre 265 East Main St., East Islip \$27.00	Admission to Theatre Town or School Bus transportation
Tuesday, November 12, 2019	NYCB Theatre at Westbury Tony Orlando Show \$60.00	Admission to Theatre Town or School Bus transportation (if required)
Tuesday, June 25, 2019	Crest Hollow Country Club Holiday Luncheon \$42.00	Complete Luncheon Entertainment Town or School Bus transportation (if required) Valet Parking

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and the abovementioned Town Wide Senior Trips for September, October, November and December 2019 are hereby authorized, and are to be conducted pursuant to the Department of Community and Youth Service's procedures for self-sustaining accounts; and be it further

Reviewed By
Office of Town Attorney

Elizabeth A. Taughman

RESOLVED, That the Commissioner of the Department of Community and Youth Services, or her designee, is authorized to make any adjustments, deletions, or changes, as needed, to the above schedule, provided that in the event of any change, each participant is permitted to receive a full refund if the change is not to his or her preference.

-#-

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

X

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

June 13, 2019

TO: Memorandum Docket

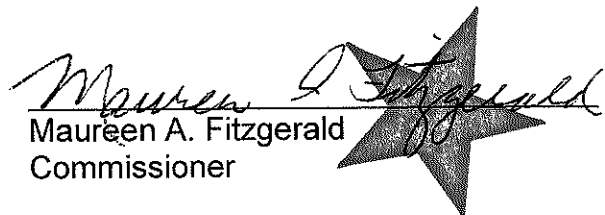
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services

SUBJECT: Listing of Town Wide Senior Trips for September, October, November & December

The Department of Community & Youth Services is requesting Town Board authorization to provide Town Wide Senior Trips September, 2019 through December 2019 (see attachment).

The Department also requests authorization for the Commissioner of Community and Youth Services to make adjustments, deletions or changes, as needed, provided that in the event of change, participants are permitted to receive a full refund if the change is not to his or her preference.

The Town Wide Senior Trips are to be conducted pursuant to the Department of Community and Youth Service's procedures for self-sustaining accounts.

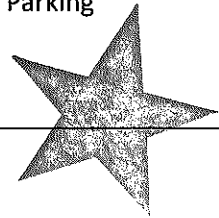

Maureen A. Fitzgerald
Commissioner

MAF:dw
Attachment
cc: Town Attorney (Original +9 copies)

2019
TOWN WIDE SENIOR TRIPS

September, October, November & December

Date	Place & Cost	Includes
Monday, September 16 Tuesday, September 17 Wednesday, September 18	The Lauren Kristy Paddle Boat Cruise on the Great South Bay \$55	<ul style="list-style-type: none">• Transportation Town or School Buses• Hot Buffet Lunch
Wednesday, October 16	Broadhollow Theatre 265 East Main Street, East Islip \$27	<ul style="list-style-type: none">• Admission to Theater• Transportation by Town or School Buses
Tuesday, November 12	NYCB Theatre at Westbury Tony Orlando Show \$60	<ul style="list-style-type: none">• Admission to Theatre• Transportation by Town or School Bus, if required
Thursday, December 12	Crest Hollow Country Club Holiday Luncheon \$42	<ul style="list-style-type: none">• Complete Luncheon• Entertainment• Town Bus transportation, if required• Valet Parking



Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 11, 2019, requested Town Board approval to employ the services of a dedicated judging staff to adjudicate the "2019 Car Show Long Island" event at Tobay Beach on Sunday, September 22, 2019 with a rain date of Sunday, October 13, 2019; and

WHEREAS, judges shall be selected by the Commissioner of Parks or his designee based on their expertise and knowledge of classic, antique and show cars, with the number of judges not to exceed fifteen (15), and each individual judge's fee not to exceed \$150.00,

WHEREAS, in accordance with Guideline 5, Section 6, of the Town's Procurement Policy, the procurement of judges is exempt from the solicitation, written proposal and response requirements of the policy,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved for the "2019 Car Show Long Island event" judges, with the qualifications and fee structure as above noted; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from the Oyster Bay Car Show Trust Account No. TWN TA 0000 00085 438 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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

July 8, 2019

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

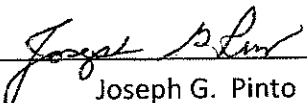
SUBJECT: Car Show Long Island Judges

The Department of Parks requests Town Board authorization to employ the services of a dedicated judging staff to adjudicate for the 2019 Car Show Long Island event at Tobay Beach on Sunday, September 22, 2019 with a rain date of Sunday, October 13, 2019. Judges shall be recognized and chosen based on their expertise and knowledge of classic, antique and show cars and shall be selected at the discretion of the Commissioner of Parks or his designee with an individual fee not to exceed \$150, with the number of judges not to exceed 15.

All judging service fees shall be funded by event registrant fees and shall be drawn from the Oyster Bay Car Show Trust Account TWN TA 0000 00085 438 0000.

In accordance with Guideline 5, section b of the Town Procurement Policy, the judges are exempt from the solicitation, written proposal or requirements of the policy.

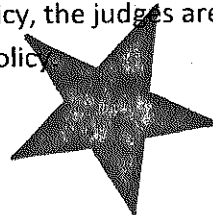
The Department of Parks recommends Town Board approval.



Joseph G. Pinto
Commissioner of Parks

JGP/ew

Town Attorney (+9 copies)



WHEREAS, Dina Juhasz has requested to donate a memorial plaque and a bench, to be located at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of Joseph Juhasz; and

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 6, 2019, 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 Dina Juhasz to be deposited into Account No. PKS A 0001 02770 590 0000, to purchase a plaque and a bench, placed at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of Joseph Juhasz.

-#-

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

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks


SUBJECT: Memorial Plaque and Bench

DATE: June 6, 2019

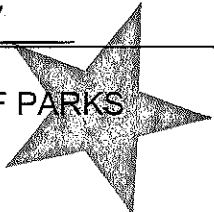
The Department of Parks has received a request from Dina Juhasz (letter attached) requesting to donate a memorial plaque and bench to be placed in Theodore Roosevelt Memorial Park and Beach in memory of Joseph Juhasz.

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

The plaque and bench will be purchased by Dina Juhasz 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 Dina Juhasz. 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

Dina Juhasz

15 Pearl St. Oyster Bay, NY
516 624-7622 (h) 516 554-4607 (c)
dinajuhasz@hotmail.com

June 6, 2019

REQUEST LETTER

Donation: Plaque & new replacement Bench at Theodore Roosevelt Park

Dear Dianne Cosdispodo,

Per our telephone conversation today, please make arrangements for a new bench and plaque in memory of my late husband, Joe Juhasz. Attached is the wording that I would like to have on the plaque.

I understand that I will need to speak to the Park Manager at TR Park to agree upon the spot that I have in mind to replace the old bench with the new bench and that the fee for the new bench and 8"x6" plaque together is \$830.

Thank you for your assistance – I look forward to seeing this to its completion.

Sincerely,

Dina Juhasz



WHEREAS, Anita Watterson has requested to donate a memorial plaque and a bench, to be located in Parklet F5 in Farmingdale, in memory of Ani Yavruoglu; and

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 11, 2019, 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 Anita Watterson to be deposited into Account No. PKS A 0001 02770 590 0000, to purchase a plaque and bench, placed in Parklet F5 in Farmingdale, in memory of Ani Yavruoglu.

-#-

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


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

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Bench
DATE: June 11, 2019

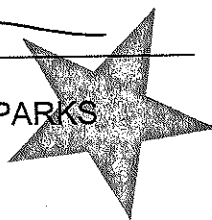
The Department of Parks has received a request from Anita Watterson (letter attached) requesting to donate a memorial plaque and bench to be placed in Parklet F5 in Farmingdale in memory of Ani Yavruoglu.

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

The plaque and bench will be purchased by Anita Watterson 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 Anita Watterson. 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

To The Attention of Diane Codispodo:

Thank you for speaking with me earlier today Diane, I greatly appreciate your help with this process. This will mean so much to the family as they are devastated by her lose and the shock of losing their loved one within 10 days of diagnoses.

Please see below our request for a Memorial Bench in Parklet F5 between Lenore Ln. and Regina Rd off of Boundary Ave in Farmingdale.

We would like to please request a new bench in her honor. If we could please have the larger bench, I believe was 6ft long with 5 line plaque in honor of Ani Yavruoglu.

Memorial Requested Bench and Plaque:

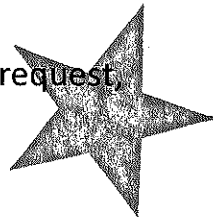
In Honor of Ani Yavruoglu

Parklet F5 (Between Lenore Pl and Regina Rd off of Boundary Ave Farmingdale)

New 6ft Long Bench

5 Line Plaque

Thank you very much for your consideration of our request.



Anita

Anita Watterson



Reviewed By
Office of Town Attorney

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 13, 2019, recommended that the Town Board authorize a refund be paid to Mr. Scott Klein, in the amount of \$285.00, for fees paid for the of Fall 2018 Ice Hockey clinic session fees, at the Ice Skating Center at Bethpage, which his son could not attend, due to injury,

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 to Mr. Scott Klein, in the amount of \$285.00, 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.

-#-

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

19

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 13, 2019

SUBJECT: Youth Hockey Refund


The Department of Parks has received correspondence from Scott Klein requesting a refund for fall 2018 Ice Hockey at Town of Oyster Bay Ice Skating Center at Bethpage. A total of four clinic sessions were utilized, leaving a refund balance of \$285.00. Please see attached for pertinent information regarding this refund request.


The check should be payable to and mailed to:

Scott Klein
133 The Chase
Syosset, NY 11791

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)

Caroline and Scott M. Klein
133 The Chase
Syosset, New York 11791
[REDACTED]

Commissioner Joseph G. Pinto
Commissioner, Parks
Town of Oyster Bay
Town Hall South
977 Hicksville Road
Massapequa, New York 11758

Dear Commissioner:

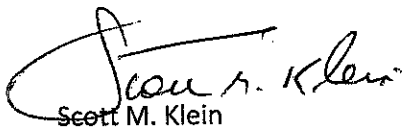
Our son, Michael Klein, (DOB 2/5/03) enrolled in the Fall 2018 15U Division for Youth Ice Hockey at the Bethpage Community Park Skating Center.

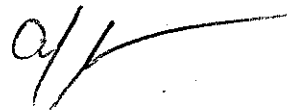
Michael was only able to participate in a few pre-season clinics due to an elbow injury that led to surgery.

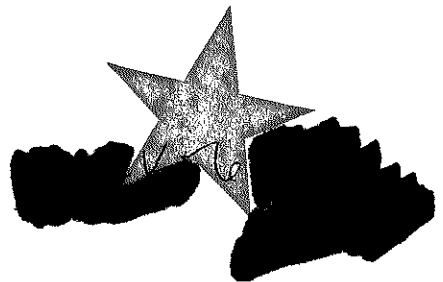
We kindly request a refund for the portion of the season in which he was unable to participate.

Thank you for your consideration.

Regards,


Scott M. Klein







ColumbiaDoctors
In Person/Online/Phone
24/7/365 Care

Reserved for Access Later

Performing Facility
OTHER

Req #: 648469759 Eagle Acct #: 648469759
KLEIN, MICHAEL
133 THE CHASE
SYOSSET, NY 11791

MRN: 8607059
DOB: [REDACTED]
Gender: M

648469759



Collection Date _____
Collection Time _____
Phlebotomist Int _____
No. of Samples Submitted _____

Attending Prov AHMAD, CHRISTOPHER
NPI: 1598785445 UPIN H84095 T

Ordering Prov AHMAD, CHRISTOPHER

ColumbiaDoctors Orthopedics - Bergen County

500 Grand Ave

T (212) 305-5561
F (212) 305-4040

Diagnosis: (Q58.20)

EDWARDS
UNITED
HEALTHCARE EMPIRE PLAN
PO BOX 1600
Post [REDACTED]
WONF No

Name of Insured
KLEIN SCOTT (Dependent Child)

PO BOX 1600
KINGSTON, NY 12402-1600

T. [REDACTED]

Expected Test Date: 29 May 2019

T (877) 642 3210

Group #: [REDACTED]

Guardian
KLEIN SCOTT

133 THE CHASE

SYOSSET, NY 11791

DOB: [REDACTED]

Code Test Name CPT4 Order# ICD-10 Pre-Test

(P777) PHYSICAL RX ELBOW ULNAR NERVE
TRANSPOSITION
Reason: Referral

TW542878845 Q08.20 P

Ref Prod:

Expected Test Date: 29 May 2019

Order Instructions:

Please follow the following instructions except as noted above:

- 3 treatments, all weeks
- Please evaluate and treat
- Therapeutic Exercise: passive/active stretching, passive ROM
- Active-Assisted ROM, Active ROM, Strengthening, Stretching, Home exercise program
- Manual therapy techniques, Therapeutic activities, Modalities as needed
- Reduce Pain/increase endurance/increase ROM/increase strength/improve functional mobility

Annotations:

Physician Signature

C. Ahmad

Date Ordered: 05/29/2019

Ask us about myColumbiaDoctors, our online portal to your test results and more.

Pregúntenos sobre myColumbiaDoctors, nuestro portal del Internet para sus resultados de pruebas

Order Acquisition 05/29/2019 11:00:13AM

Page 1 of 1



TOWN OF OYSTER BAY
Department of Parks
GENERAL RECEIPT

1469 150
#3

Name Michael Klein		Phone [REDACTED]	
Street 133 The Chase		Age 15	
Town Syosset NY	Zip 11791	Day	Hour
Activity Ice Hockey		Location Bethpage	
Mo./ Day/ Year 9/11/18	Received By J Wang	Fee \$ 325.00	

COPY DISTRIBUTION
White - Office
Canary - Accounting
Pink - Program Head
Gold - Registrant

Cash ☐

Check ☐

cc ☒ Visa

Approx. \$10 per session -

4 Sessions Utilized

= \$285 Refund

TOWN OF OYSTER BAY

SUMMARY OF BANK DEPOSIT REPORT

DEPARTMENT: TOB HOOKEY		LOCATION: Bethpage	
DESCRIPTION OF RECEIPTS:		CODE #:	
DATE OF RECEIPTS 9/11/18	DATE OF DEPOSITS 9/11/18	AMOUNT 800⁰⁰	
Dorwick/Kaden Cheng	Credit Card VISA	475	00
Michael Klein	VISA	325	00

NAME OF BANK: **Chase**DO NOT WRITE IN SPACE BELOW.
FOR USE BY DIRECTOR OF FINANCE.

CASH RECEIPT NO.

--

TOTAL AMOUNT OF DEPOSITS	800	00
LAST REPORT YEAR TO DATE		
ADJUSTMENTS		
TOTAL DEPOSITS YEAR TO DATE		


SIGNATURE OF AUTHORIZED EMPLOYEE

Bank ID: 2501
Merchant ID: 5012
Term ID: 003

Sale

Entry Method: Chip

Total: \$ 325.00

09/11/18 12:25:53
Inv #: 000002 Appr Code: 04751C
Apprvd: Online Batch#: 253062
Retrieval Ref: 00000001

I agree to pay above total amount
according to card issuer agreement
(Merchant agreement if credit voucher)

X Carolus Kle
KLEIN, CAROLINE

AID:
 TSI:
 IIR:

Merchant Copy

HAVE A NICE DAY

1968年11月7日
1969年1月14日
1971年1月14日
(1971) 431 (1971)

pg. 11. 16

۱۰۰۰

Term 11. 003
Merchant R. 0001610312
Bank 11: 6001

GATCH INQUIRY REPORT

Sales	1	1	100.00%
Refunds	1	1	100.00%
Total	2	2	100.00%

PKJ181315

[illegible]

125 m. H. 6015,

2017-18

20. 5' 22"

SETTLEMENT REPORT

Date Recd. 2/5/61
 Recd. Name: V. H. H.
 No. of Recd. 1

Refunds	1	100.00
Total	2	200.00

Settlement Successful

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 11, 2019, recommended that the Town Board authorize a refund be paid to Mr. Arthur Reiser, in the amount of \$325.00 for fee paid for Spring Hockey registration, as his son was unable to play,

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 to Mr. Arthur Reiser, in the amount of \$325.00, 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

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

9

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 11, 2019

SUBJECT: Hockey Registration Refund

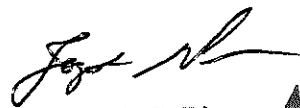
The Department of Parks has received correspondence from Arthur Reiser requesting a refund in the amount of \$325.00. The refund is requested for spring hockey registration at the Town of Oyster Bay Ice Skating Center at Bethpage. Please see attached for pertinent information regarding this refund request.

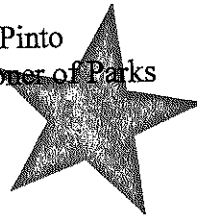
The refund should be mailed to:

Mr. Arthur Reiser
1 Whitmore Avenue
Syosset, NY 11791

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: Monday, June 10, 2019 8:23 AM
To: Liz Carroll
Subject: FW: Spring Hockey
Importance: High

Did NOT PLAY
as per

Buzz - LC

-----Original Message-----

From: Joseph Pinto
Sent: Friday, June 07, 2019 3:09 PM
To: Gabrielle Pontillo
Subject: FW: Spring Hockey
Importance: High

Please follow up

Joe

-----Original Message-----

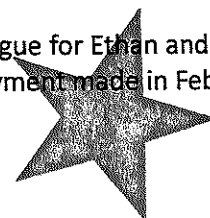
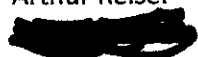
From: Arthur Reiser [<mailto:am.reiser@verizon.net>]
Sent: Friday, June 07, 2019 1:34 PM
To: Joseph Pinto
Subject: re: Spring Hockey
Importance: High

Joe,

I spoke with Buzz yesterday and he said you handle all the refunds. I paid for the spring league for Ethan and since he didn't play and won't be able to play in the summer. We still would like a refund of the payment made in February.

Let me know the easiest way to get this done and how long it will take?

Thank you,
Arthur Reiser



TOWN OF OYSTER BAY

SUMMARY OF BANK DEPOSIT REPORT

DEPARTMENT: TOB Hockey		LOCATION: Betyager	
DESCRIPTION OF RECEIPTS: TOB Spring Hockey 2019		CODE #:	
DATE OF RECEIPTS 1/28/19	DATE OF DEPOSITS 1/29/19	AMOUNT cont'd	
Aidan Wall	credit card visa	425	00
Chris Sawicki	m/c	325	00
Kyle Pawlenko	m/c	425	00
Ethan Reiser	m/c	325	00
Matthew Maran	m/c	325	00
Alexander Roseth	m/c	325	00
Nicholas Giarratano	visa	325	00
Jaden Lo	visa	325	00

NAME OF BANK:

C Chase

DO NOT WRITE IN SPACE BELOW.
FOR USE BY DIRECTOR OF FINANCE.

CASH RECEIPT NO.

--

TOTAL AMOUNT
OF DEPOSITS

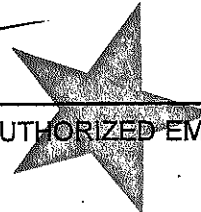
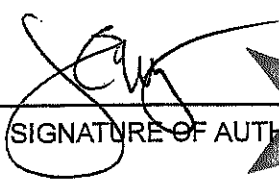
cont'd

LAST REPORT
YEAR TO DATE

ADJUSTMENTS

TOTAL DEPOSITS
YEAR TO DATE

SIGNATURE OF AUTHORIZED EMPLOYEE





TOWN OF OYSTER BAY
Department of Parks
GENERAL RECEIPT

12 u
(?)
4330 confirm

Name <i>Ethan Reisel</i>			Phone <i>[REDACTED]</i>	
Street <i>1 Whitmore Ave</i>			Age	
Town <i>Syosset</i>		Zip <i>NY 11789</i>	Day	Hour
Activity <i>Spring Hockey</i>		Location <i>Bethpage Ice</i>		
Mo./ <i>1/28/19</i>	Day/ <i>19</i>	Year	Received By <i>P. W. [Signature]</i>	Fee <i>\$ 32.50</i>

COPY DISTRIBUTION
White - Office
Canary - Accounting
Pink - Program Head
Gold - Registrant

Cash ☐

Check ☐

cc - M/C

108 HUCKLEY
1801 STEWART AVE
ELIZABETH, NY 11714
(516) 433 7463

108 HUCKLEY
1801 STEWART AVE
ELIZABETH, NY 11714
(516) 433 7463

Bank ID: 0001
Merchant ID: 0012
Term ID: 0001

01-28-19

Term ID: 0001
Merchant ID: 00081610012
Bank ID: 0001

Sale

XXXXXXXXXX
[REDACTED]

Entry Method: Chip

Total: \$

325.00

01/28/19

21:08:13

Inv #: 000004

Appr Code: 035043

Apprvd: Online

Batch#: 028002

Retrieval Ref. #: 50100003

I agree to pay above total amount
according to card issuer agreement
(Merchant agreement if credit voucher)

RETSEK-ARTHUR

CAPITAL
AID:
TSL:
1VR:

Merchant Copy
HAVE A NICE DAY

BATCH INQUIRY REPORT

Sales	9	\$	3,125.00
Refund	0	\$	0.00
Total	9	\$	3,125.00

PK0191026

108 HUCKLEY	32:08
1801 STEWART AVE	Total
ELIZABETH, NY 11714	
(516) 433 7463	
Term ID: 0001	125.00
20	
01-28-19	25.00

SETTLEMENT REPORT

01-28-19	25.00
01-28-19	25.00
01-28-19	25.00
01-28-19	25.00

Settlement Successful

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the New York State Environmental Conservation Law, Division of Materials Management-Bureau of Pest Management, commercial pesticide applicators are required to obtain and maintain a valid Commercial Pesticide Applicator Certification; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 13, 2019, requested Town Board authorization to reimburse Steven J. Vosilla, Equipment Operator II assigned to the Department of Parks, the cost of \$1,050.00 to successfully complete his pesticide certification, ID # T1902061, for the maintenance of Town of Oyster Bay grounds, through April 21, 2022,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town Board authorize reimbursement of \$1,050.00 to Mr. Steven J. Vosilla for his pesticide certification fee, valid through April 21, 2022, with funds available in Account PKS SP 7110 44900 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

10

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

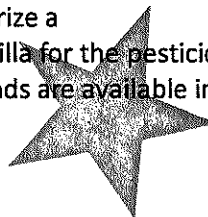
DATE: June 13, 2019

SUBJECT: Certification Reimbursement

The New York State Department of Environmental Conservation, Division of Materials Management- Bureau of Pest Management, requires individuals that apply pesticides in any professional capacity to obtain and maintain a valid "Commercial Pesticide Applicator Certification." This certification is critical because it ensures that pesticides are applied in a safe and environmental sound manner. The application of pesticides is a vital maintenance component of the Department of Parks, Maintenance Division.

Steven J. Vosilla, Equipment Operator II, is assigned to the Department of Parks, Maintenance Division, has successfully completed his pesticide certification (ID # T1902061) and will utilize his training to effectively maintain the grounds. Without Mr. Vosilla's certification, the Department of Parks would have to procure specialized pesticide services at a cost significantly greater than the cost of Mr. Vosilla's license.

The Parks Department respectfully requests that the Town Board authorize a reimbursement of one thousand and fifty dollars (\$1,050.00) to Mr. Vosilla for the pesticide certification fee. This certification is valid through April 21, 2022 and funds are available in account PKS-SP-7110-44900-000-0000.





Joseph G. Pinto
Commissioner

JGP:GS:ld
Attachments
CC: Town Attorney (original + 9 copies)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Pest Management, Region 1
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790
P: (631) 444-0340 | F: (631) 444-0231
www.dec.ny.gov

EXAM ADMISSION INSTRUCTIONS

Dear Applicant:

You have met the eligibility requirements to take the pesticide applicator/technician certification exam. The following is based on the information you provided in the pre-registration process.

Name: Steven Vosilla

Exam(s) To Be Taken: Core/3A

Exam Date & Time: 4-2-19 @ 8:45 am

Exam Location: Region 1 Headquarters, 50 Circle Road, Stony Brook, NY 11790

Exams given in Stony Brook will be graded the same day. Upon successful completion of the exams, please come prepared with a certified check or money order to pay your certification fee of \$450.

No one will be admitted to the exam after 9:00 AM.

The \$100.00 exam fee is non-refundable. "An applicant who fails to attend a scheduled examination session in which a prepaid examination fee is required shall forfeit such fee [6NYCRR Part 325.11(k)]." If the applicant legitimately cannot attend the exam, they must phone the Region 1 Headquarters during regular business hours in advance of taking the exam. The applicant will be allowed to reschedule a new test date and the \$100.00 exam fee will be forwarded to reserve a seat for that exam session.

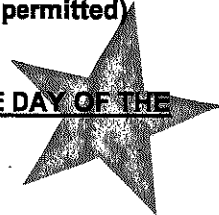
Please bring the following with you OR YOU WILL NOT BE ADMITTED TO THE EXAM

- ▶ Certification Fee (money order)
- ▶ NYS Certification ID and NYS Driver's License or NYS Photo ID
- ▶ All exams may contain questions on ECL Article 33 and 6 NYCRR Part 325.
Copies of the Law and Regulations can be found at www.dec.ny.gov
- ▶ WPS How-To-Comply manual for those taking the Commercial 1A, 2, 11 & Private 21-25
- ▶ Category manual for open book exams
- ▶ Pen and #2 pencils
- ▶ Non-Programmable Calculator (cell phone calculators will not be permitted)
- ▶ Social Security Number

YOU MUST BRING A COPY OF THIS ADMISSION LETTER WITH YOU ON THE DAY OF THE EXAM OR YOU WILL NOT BE ALLOWED TO SIT FOR THE EXAMS.

If you have any questions, feel free to contact this office.

Sincerely,
Eileen M. Kosiorowski
Eileen M. Kosiorowski
Environmental Program Specialist



Arnie Linzer
Pesticide Instructor
1803 Albermarle Ave
East Meadow NY 11554
516-263-7280

February 25, 2019

Confirmation Letter

Steven Vosilla attended
A 30-hour certification training class in category 3a
At
Maxwell Turf in Wyandanch

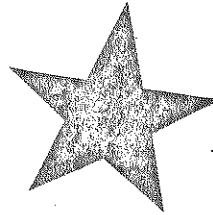
Dates: February 25,26,27,28, 2019

Fee for the class \$500.00
Fee for the tests \$100

Steven paid \$600 check #290

Thank you,

Arnie Linzer



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 12, 2019, requested that the Town Board amend Resolution No. 183-2019, adopted on March 12, 2019, authorizing payment to instructors for fitness classes provided and to be provided at various Town facilities, to add two additional instructors for the following programs:

- 1) Outdoor Yoga: Tracy Jolly, 17 Granada Place, Massapequa, NY 11758;
- 2) Self Defense: Gene Perceval, 2912 Bayview Avenue, Baldwin, NY 11510,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and Resolution No. 183-2019 is hereby amended to add the aforementioned two instructors to the existing list of fitness instructors; 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 payment is to be drawn from Account No. PKSA 7110 47660 000 0000.

-#

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 12, 2019

SUBJECT: Payment for Fitness Instructors

The Department of Parks is requesting Town Board to amend Resolution #183-2019; in addition to the names already approved the Recreation Division would like to add two additional instructors for the following programs:

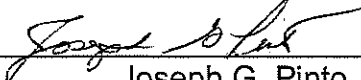
- a) Outdoor Yoga
- b) Self Defense

The Department of Parks followed guideline number 5 to hire the following and requests Town Board authorization to use account number PKSA 7110 47660 000 0000 to pay the related fees.

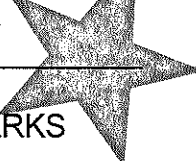
Outdoor Yoga: Tracy Jolly, 17 Granada Place, Massapequa NY 11758

Self Defense: Gene Perceval, 2912 Bayview Avenue, Baldwin 11510

Town Board approval is recommended.



Joseph G. Pinto
COMMISSIONER OF PARKS



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

WHEREAS, by Resolution No. 242-2019, adopted on April 16, 2019, the Town Board awarded Contract No. SE002A-19, Glass Recycling Pilot Program for the Town of Oyster Bay, to EWG Glass Recovery & Recycle Corp., P.O. Box 313005, Jamaica, New York 11431-3005, for the ninety (90) day period, commencing on April 16, 2019; and

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated June 17, 2019, requested Town Board authorization to extend Contract No. SE002A-19, Glass Recycling Pilot Program, with EWG Glass Recovery & Recycle Corp., for an additional ninety (90) days, commencing on July 15, 2019, at the same prices, conditions and terms, provided for in the original contract.

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and Contract No. SE002A-19 with EWG Glass Recovery & Recycle Corp., P.O. Box 313005, Jamaica, New York 11431-3005 is hereby extended for the ninety (90) period, commencing on July 15, 2019, at the same prices, conditions, and terms as provided in the original contract.

-#-

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

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

19

Town of Oyster Bay Inter-Departmental Memo

To: MEMORANDUM DOCKET

From: ERIC TUMAN, COMMISSIONER
GENERAL SERVICES DEPARTMENT

Date: June 17, 2019

Subject: EXTENSION OF CONTRACT SE002A-19, GLASS RECYCLING
PILOT PROGRAM FOR THE TOWN OF OYSTER BAY
Contract Award, M.D. dated 04/02/19, Item 8,
Town Board Resolution No. 242-2019, dated 04/16/19

In connection with the above subject, please be advised that I am in receipt of a letter (see attached) from:

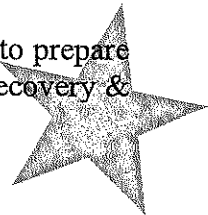
- EWG Glass Recovery & Recycle Corp., Jamaica, New York


the vendor of record for Contract SE002A-19. They are requesting the first 90 day extension, which is provided for in the subject contract specifications and have executed the Disclosure Questionnaire which has been approved by the Town Attorney and is filed with the bid documents.

In accordance with Town Board Resolution No. 242-2019, the contract period for the original award of this contract should be April 16, 2019 through July 14, 2019.

In view of the above, I am recommending that the Town of Oyster Bay extend Contract SE002A-19 with the same prices, conditions and terms provided for in our present contract commencing on July 15, 2019 and continuing through October 12, 2019.

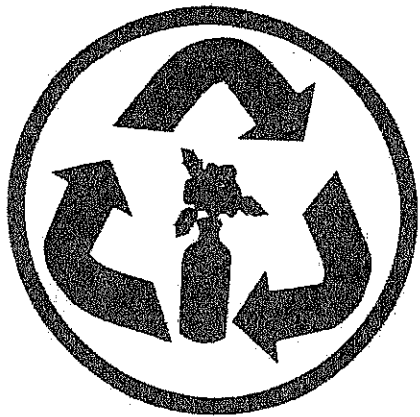
Should the Town Board concur, may the Town Attorney's office be directed to prepare a resolution to extend SE002A-19 for an additional 90 days to EWG Glass Recovery & Recycle Corp., Jamaica, New York.




Eric Tuman, Commissioner
Department of General Services

ET/sc
Attachments

cc: Town Attorney (9)
Comptrollers/Accounts Payable
Department of Public Works/Engineering
Department of Environmental Resources



E.W.G.

Glass Recovery & Recycle Corp.

P.O. Box 313005
Jamaica, N.Y. 11431-3005

718-739-7270
Fax: 718-297-4101

Town Of Oyster Bay
Division of Purchase and Supply
74 Audrey Avenue
Oyster Bay, NY, 11771

June 13, 2019

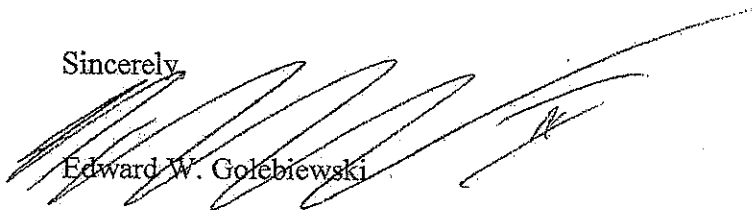
EWG Glass Recovery and Recycle Corporation is hereby requesting to extend SE-002A-19-
Glass Recycling Pilot Program for the Town of Oyster Bay.

After conferral with Town of Oyster Bay Deputy Commissioner of Environmental Resources Daniel M. Pearl, we have agreed to extend this Pilot Program for an additional ninety days. This extension is based on a commitment by the Town of Oyster Bay to further educate town residents on acceptable recyclable glass deposits, attempting to mitigate the deposit of non-accepted materials. (ceramic, pyrex, mirror, porcelain)

There is no change in the information on the Town of Oyster bay Disclosure Questionnaire submitted with the original documents.



Sincerely,



Edward W. Golcbiewski

Contact Louis R. Ventura to send notices regarding future bids.
Louis.ventura@ewgglass.com

INTER DEPARTMENTAL MEMO

essary for this extension.

J. M. L.

Deputy COMMISSIONER

6/13/19

DATE

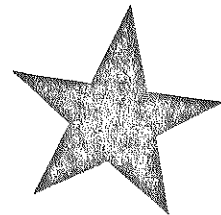
WHEREAS, pursuant to public notice, bids were advertised for Bid Proposal SE002A-19 in Newsday on March 4, 2019, and notice was sent to interested parties identified from the Town's vendor database, for the Glass Recycling Pilot Program for the Town of Oyster Bay; and

WHEREAS, the lowest responsible bid received was from EWG Glass Recovery & Recycle Corp., P.O. Box 313005, Jamaica, New York, 11431; who proposed to pick up recycled glass from the Town's Old Bethpage Solid Waste Disposal Complex in Old Bethpage, for a period of ninety (90) days, at no cost to the Town; and

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated April 1, 2019, recommended that the bid as hereinabove set forth be accepted,

NOW, THEREFORE, BE IT RESOLVED, that the recommendation as hereinabove set forth is accepted, and Bid Proposal SE002A-19 shall be awarded to EWG Glass Recovery & Recycle Corp, for the Glass Recycling Pilot Program for the Town of Oyster Bay, for a period of ninety (90) days, commencing on April 16, 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
General Services

WHEREAS, pursuant to New York State Finance Law Section 162 and the New York State Procurement Bulletin, Preferred Source Guidelines (dated October, 2014) "*All State agencies, political subdivisions and public benefit corporations are required to purchase approved products and services from preferred sources in accordance with the procedures and requirements described herein. Purchases from preferred sources take precedence over all other sources of supply and competitive procurement methods*"; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 14, 2019, has requested an authorization to pay New York State Industries for the Disabled, Inc., a preferred source for New York State, concerning Residential Document Scanning for the Department of Planning and Development, an amount not to exceed \$584,445.00, with funds available in Account No. PAD-H-8997-26000-000-1508-002,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Town Board authorizes payment of an amount not to exceed \$584,445.00 for purposes of payment to New York State Industries for the Disabled, Inc., for Residential Document Scanning for the Department of Planning and Development; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said Residential Document Scanning for Project ID No. 1508TWNTWN-09, upon the submission of a duly certified claim, after audit, with funds available in Account No. PAD-H-8997-26000-000-1508-002.

#

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

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

Reviewed By
Office of Town Attorney


20

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

TO: MEMORANDUM DOCKET

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

DATE: JUNE 14, 2019

**SUBJECT: REQUEST FOR AUTHORIZATION OF EXPENDITURES
FOR RESIDENTIAL DOCUMENT SCANNING FOR THE
DEPARTMENT OF PLANNING AND DEVELOPMENT
PROJECT ID NUMBER 1508TWNTWN-09
ACCOUNT NUMBER PAD-H-8997-26000-000-1508-002**

As per the New York State Finance Law STF Section 162 and the New York State Procurement Bulletin, Preferred Source Guidelines (dated October, 2014):

"All State agencies, political subdivisions and public benefit corporations are required to purchase approved products and services from preferred sources in accordance with the procedures and requirements described herein. Purchased from preferred sources take precedence over all other sources of supply and competitive procurement methods."

In view of the above, it is respectfully requested that the firm New York State Industries for the Disabled, Inc., a preferred source for New York State, be authorized for payment for residential document scanning for the Department of Planning and Development from July 15, 2019 through the project's completion, in an amount of \$584,445.00.

Funds for this request are available in Account Number PAD-H-8997-26000-000-1508-002, Project ID Number 1508TWNTWN-09.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM:tz

cc: Town Attorney (+ 9 copies)

CORPORATE OFFICES

11 Columbia Circle Drive, Albany, NY 12203
Phone: (518) 463-9706 Fax: (518) 463-9708

NEW YORK CITY SALES OFFICE

352 Seventh Avenue, Suite 201, New York, NY 10001
Phone: (212) 889-6618 Fax: (212) 545-1316

June 6, 2019

Ms. Leslie Maccarone
Commissioner, Planning and Development Department
Town of Oyster Bay
Town Hall West

74 Audrey Avenue
Oyster Bay NY 11771

Data Imaging Services for the Planning & Development Department – Residential – Phase 1

Dear Ms. Maccarone,

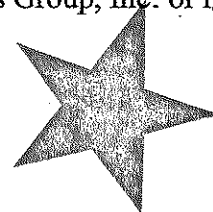
Thank you for allowing NYSID via Seery Systems Group, Inc. (SSG) / Abilities, Partnership the opportunity to provide the Town of Oyster Bay with the following proposal.

I appreciate the time that you spent with Rich Seery to discuss the Planning and Development Department's Residential Roll Plan Files Scanning project.

If you are ready to move forward with this project, you simply need to issue a Purchase Order to NYSID. Please sign and return the enclosed Price Concurrence.

If you should have any questions or concerns, please feel free to contact Seery Systems Group, Inc. or myself.

Thank You,
Angelo Cervone
Account Representative



NYSID/ New York State Industries for the Disabled, Inc
352 Seventh Avenue, Suite 201
New York, NY 10001
Mobile: (631) 655-4416 | Fax: (518) 694-0573
E-mail acervone@nysid.org
Internet: www.nysid.org

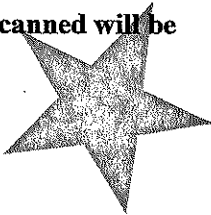
Our Mission is to provide employment for New Yorkers with Disabilities

Section II - Document Conversion Costs

Services	Quantity	Cost Unit	Total
P & D Residential Large Format Folded Plans			
Large Format Scanning & Indexing	230,000	\$ 2.53	\$581,900.00
Pickup and Delivery	8	\$285.00	\$ 2,280.00
Load Images on Hard Drive	1	\$265.00	<u>\$ 265.00</u>
Estimated Total for Project			\$584,445.00

Important Note: The above volume of work is very difficult to estimate because they are Large Format Plans that both vary in size as. Depending on the size of a plan they can be folded up multiple times and could take up the space of 8, 16 or 32 regular size documents based on how many times they are folded.

The above volumes of work to be scanned are only an **ESTIMATE**. Actual number of images scanned will be billed. The above prices include the NYSID 4% fee.



NYSID List of Municipal Customers over the Past 3 Years

Cust #	Customer	Address 1	Address 2	City	State	Zip	Contact Person	Phone 1
20875	ROCKVILLE CENTRE, VILLAGE OF	ACCOUNTS PAYABLE	P.O. BOX 950	ROCKVILLE CENTRE	NY	11571	Anne Sheppard	516-678-9900
11970	BROOKHAVEN, TOWN OF	FINANCE DEPT.	3233 ROUTE 112 BLDG 5	MEDFORD	NY	11763	Kathleen Koppenhoefer	631-451-6252
11741	EAST HAMPTON, TOWN OF		159 PANTIGO ROAD	EAST HAMPTON	NY	11937	Lisa Valcich	631-324-4183
12572	SCARSDALE, VILLAGE OF			SCARSDALE	NY	10583	Jason Marra	914-722-1160
11555	INCORPORATED VILLAGE OF MILL NECK	1001 POST ROAD	PO BOX 351	MILL NECK	NY	11765	Donna Harris	516-922-6722
12465	MAMARONECK, VILLAGE OF	32 FROST MILL ROAD		MAMARONECK	NY	10543	Barry Casterella	914-690-7158
10929	SOUTHAMPTON, TOWN OF	123 MAMARONECK AVENUE		SOUTHAMPTON	NY	11968	John Macdonald	631-283-6000
14950	HEMPSTEAD, TOWN OF	GENERAL SERVICES	116 HAMPTON ROAD	HEMPSTEAD	NY	11550	Gary Patisi	516-489-5000 ext 4500
10227	INCORPORATED VILLAGE OF BABYLON	PURCH. DIV. CLAIMS DESK	350 FRONT ST., RM 105	BABYLON	NY	11702	Jean Marie Parker	631-669-1500
13064	INCORPORATED VILLAGE OF FLOWER HILL	153 WEST MAIN STREET		MANHASSET	NY	11030	Ronnie Shatzkamer	516-627-5000
10796	PATCHOGUE, VILLAGE OF	1 BONNIE HEIGHTS ROAD	14 BAKER STREET	PATCHOGUE	NY	11772	Accounts Payable	(516) 475-4300
14120	FREEPORT, VILLAGE OF	PO BOX 719	46 N OCEAN AVE	FREEPORT	NY	11520	Justin Dantler	516-546-7700 ext4002
11364	LYNBROOK, INC. VILLAGE OF	DEPT OF PURCHASE	1 COLUMBUS DRIVE	LYNBROOK	NY	11563	Brian Stanton	516-599-8828
10202	EAST HAMPTON, VILLAGE OF	MUNICIPAL BUILDING		EAST HAMPTON	NY	11937	Rebecca Molinaro	631-324-4189
20839	GARDEN CITY, VILLAGE OF	86 MAIN STREET		GARDEN CITY	NY	11530	Tim Messner	516-465-4162
10605	BABYLON, TOWN OF GENERAL SVCS	351 STEWART AVE.		LINDENHURST	NY	11757	Cathy Wuertz	631-957-3044
12035	NORTH HILLS, VILLAGE OF	GENERAL SERVICES/DIV. OF PURCH	200 E. SUNRISE HWY	NORTH HILLS	NY	11576	Marianne C. Lobraccaro	516-627-3451
12458	VILLAGE OF HILLBURN	ONE SHELTER ROCK ROAD		HILLBURN	NY	10991	Mary Boone	845-357-4933
12423	SMITHTOWN, TOWN OF	31 Mountain Avenue		SMITHTOWN,	NY	11787	Vincent Puleo	631-360-7620
14120	FREEPORT, VILLAGE OF	TOWN CLERK	99 WEST MAIN STREET	FREEPORT	NY	11520	Kim Waltner	516-377-2304
10212	HICKSVILLE WATER DISTRICT	DEPT OF PURCHASE	46 N OCEAN AVE	HICKSVILLE	NY	11802-9065	Lisa Bifulco	516-931-0184 x 604
12495	VILLAGE OF WEST HAMPTON DUNES	PO BOX 9065	4 ARTHUR STREET	WESTHAMPTON BEACH	NY	11978	Angela Srdeli	631-288-6571
11741	EAST HAMPTON, TOWN OF	PO BOX 728	159 PANTIGO ROAD	EAST HAMPTON	NY	11937	Jeanne Carroza	631-324-2918
15325	INCRP VILLAGE OF FLORAL PARK		1 FLORAL BLVD	FLORAL PARK	NY	11002	Kurt Meyfoht	516-326-0757
10219	MASSAPEQUA PARK, INCORPORATED VILLAGE OF			MASSAPEQUA PARK	NY	11762	Robert Marci	516-798-0214
16301	LONG BEACH, CITY OF	151 FRONT STREET	1 WEST CHESTER STREET	LONG BEACH	NY	11561	David Fraser	516-431-1002
27153	VILLAGE OF PELHAM	CITY HALL		PELHAM	NY	10803	Christopher Scelza	914-231-3318
10899	RIVERHEAD, TOWN OF	195 SPARKS AVENUE	200 Howell Ave.	Riverhead	NY	11901	Diane Wilhelm	631-727-3200 x 260
27157	INCORPORATED VILLAGE OF BROOKVILLE	18 HORSE HILL ROAD		BROOKVILLE	NY	11545	Whnie Citarella	516-626-1792
12610	BRIGHTWATERS, VILLAGE OF	40 SENECA DRIVE		BRIGHTWATERS	NY	11718	Donna Barnett	631-685-1280
12460	incorporated Village of Manorhaven	33 Manorhaven Blvd		Port Washington	NY	11050	Leslie Gross	516-883-7000 x 11
20875	ROCKVILLE CENTRE, VILLAGE OF	ACCOUNTS PAYABLE	P.O. BOX 950	ROCKVILLE CENTRE	NY	11571	Peter Grandazza	516-678-9261



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

RESOLVED, that said hearing be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, July 30, 2019 at 10:00 a.m. o'clock prevailing time; and that the same be advertised in Newsday.

-#-

Reviewed By
Office of Town Attorney

John M. Johnson

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

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

WHEREAS, by Resolution No. 583-2018, adopted on September 18, 2018, this Town Board authorized the Town to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed \$50,000.00 per year, through July 31, 2019, with two (2), one (1) year extension options; and

WHEREAS, Joseph Nocella, Town Attorney, and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated June 13, 2019, recommend Town Board authorization to exercise the first, one (1) year extension option of said agreement through July 31, 2020, in an amount not to exceed \$50,000.00,

NOW, THEREFORE BE IT RESOLVED, That the abovementioned recommendation is hereby approved, and the Town Board hereby ratifies the exercise of the first, one (1) year extension option of the agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed \$50,000.00, through July 31, 2020, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. OTA A 1420 44110 000 0000.

-#-

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

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

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

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : June 13, 2019
SUBJECT : Extension for Leventhal, Mullaney & Blinkoff, LLP

By Resolution No. 583-2018, adopted on September 18, 2018, this Town Board authorized the Town to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed \$50,000.00 per year, through and including July 31, 2019, with two (2), one (1) year extension options.

The Office of the Town Attorney recommends that the first of the two options be exercised through and including July 31, 2020, in an amount not to exceed \$50,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

JOSEPH NOCELLA
TOWN ATTORNEY


Frank M. Scalera
Chief Deputy Town Attorney

FMS:ss
Attachment

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated June 20, 2019, requested Town Board authorization to employ performers to provide entertainment for GAP Program participants, as follows:

Create Dance Center LTD
5687 Merrick Road
Massapequa, New York, 11758
Performance date: Thursday, July 18, 2019
Location: Marjorie R. Post Community Park
Fee: \$14.00 per enrollee

Jester Jim, Inc.
56 Candido Avenue
Shirley, New York, 11967
Location: Marjorie R. Post Community Park
Performance date: Monday, July 29, 2019
Fee: \$400.00

Timothy Aldridge
38 Constable Lane
Levittown, New York, 11756
Location: Syosset-Woodbury Community Center
Performance date: Tuesday, July 30, 2019
Fee: \$300.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is authorized to execute an agreement to employ the aforementioned performers, for the purposes of providing entertainment to GAP Program participants, on the dates set forth above, to be paid by Friends of the Community Services Dept., Inc.

-#-

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

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

4

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

June 20, 2019

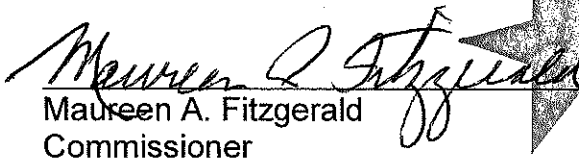
TO: Memorandum Docket


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

SUBJECT: Services for GAP

The Department of Community & Youth Services requests Town Board authorization to employ the services of the performers listed on the attached sheet for the dates and locations noted. They will be providing entertainment for GAP Program participants. These performances will be paid by Friends of the Community Services Dept., Inc.

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


Maureen A. Fitzgerald
Commissioner



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

Name / Check Made Payable To	Address	Performance Date	Performance Location	Fee
Create Dance Center LTD	5687 Merrick Road Massapequa, NY 11758	Thursday, 7/18/19	Marjorie R. Post Community Park	\$14.00 per enrollee
Jester Jim Inc.	56 Candido Avenue Shirley, N.Y. 11967	Monday, 7/29/19	Marjorie R. Post Community Park	\$400.00
Timothy Aldridge	38 Constable Lane Levittown, NY 11756	Tuesday, 7/30/19	Syosset-Woodbury Community Center	\$300.00

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 Create Dance Center Ltd., located at 5687 Merrick Road, Massapequa, New York 11758 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by: Create Dance Center Ltd.
Date: July 18, 2019
Location: Marjorie R. Post Community Park
Amount: To be determined

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

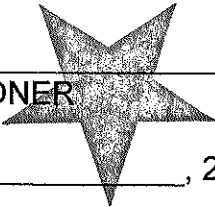
CREATE DANCE CENTER LTD.

CONTRACTOR

DATE: _____, 2019

TOWN OF OYSTER BAY

COMMISSIONER
DATE: _____, 2019



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 19, 2019, recommended that the Town Board authorize a refund be paid to Cassandra Spyropoulos, in the amount of \$600.00 for registration fee paid for the Summer Recreation Program for her two children, who she withdrew from the program, due to a change of plans,

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 Cassandra Spyropoulos, 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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 18, 2019

SUBJECT: Summer Recreation Refund

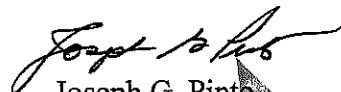
The Department of Parks has received correspondence from Cassandra Spyropoulos requesting a refund in the amount of \$600.00. The refund is requested for registration fees for her two children for Summer Recreation at Syosset-Woodbury Park. Please see attached for pertinent information regarding this refund request.


The refund should be mailed to:

Cassandra Spyropoulos
17 Chauncy Place
Woodbury, NY 11797

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: Monday, June 10, 2019 8:23 AM
To: Liz Carroll
Subject: FW: Town of Oyster Bay Summer Recreation

From: Joseph Pinto
Sent: Friday, June 07, 2019 8:42 AM
To: Jackie Devlin; Gabrielle Pontillo
Subject: RE: Town of Oyster Bay Summer Recreation

Fyi - approved

From: Jackie Devlin
Sent: Friday, June 07, 2019 8:41 AM
To: Joseph Pinto
Subject: FW: Town of Oyster Bay Summer Recreation

From: Cassandra Spyropoulos [<mailto:caspyro10@gmail.com>]
Sent: Friday, June 07, 2019 12:21 AM
To: Jackie Devlin
Subject: Re: Town of Oyster Bay Summer Recreation

June 6, 2019

Dear Commissioner Pinto,

I am writing in reference to the ~~Summer Recreation Camp~~ registration money, I sent.
Unfortunately, my children Stella and Chris Spyropoulos will not be able to attend the camp.
Since my children are off from school, we will be leaving for Florida to care for my ailing Grandmother. We will be in Florida for the entire summer.
If you can kindly refund me as soon as possible, it would be greatly appreciated.

Thanking you in advance,
Mrs. Cassandra Spyropoulos.



On Thu, Jun 6, 2019 at 3:39 PM Jackie Devlin <jdevlin@oysterbay-ny.gov> wrote:

Hi Cassandra,

PKS 191142



**STERLING
NATIONAL BANK**

MASSAPEQUA

Teller 1758
Seq 26

Calendar Date
Business Date

Account Number

DDA Deposit

Cash Back

Available Balance

Till 4
10:38 AM

06/03/19
06/03/19

*****7087

\$10,800.00

\$0.00

Client Services
855-274-2801

<http://www.snb.com>

Summer

Rec

Sysset

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

DEPOSIT TICKET
FOR CLEAR COPY, PRESS FIRMLY

DT878B

DATE 6/3/19

	DOLLARS	CENTS
CURRENCY		
COINS		
CHECKS LIST EACH SEPARATELY		
1 550	400	
2 131	400	
3 217	400	
4 207	400	
5 123	400	
6 1251	400	
7 197	400	
8 1002	600	
9 2137	600	
10 221	600	
11 0347	600	
12 2277	600	
13 229	600	
14 4486	600	
15 373	600	
16 401	800	
17 461	800	
18 125	800	
19 1471	800	
20		
21		
22		
23		
24		
25		
26		
27		
28		
PLEASE RE-ENTER TOTAL HERE	TOTAL	10800

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

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.

5350101091 6700327087 010

\$ 10800.00

TOTAL ITEMS
50-7044/2219


1-2-210

289



IORDANIS SPYROPOULOS
CASSANDRA SPYROPOULOS
 17 CHAUNCEY PLACE
 WOODBURY, NY 11797

May 20, 2018

PAY TO THE ORDER OF Town of Oyster Bay \$ 600.00^{XV/100}
Six hundred dollars ——— DOLLARS  Do not write on this area

JPMORGAN CHASE BANK, N.A.
 NEW YORK, NEW YORK 10017
 WWW.CHASE.COM

FOR Camp Cassandra Spyropoulos ^{MT}

* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

The security features include:
 • **Security Features**
 • **Microprint**
 • **Color-shifting Ink**
 • **Embossed**
 • **Security Thread**
 • **Watermark**
 • **Ultraviolet**
 • **Other**

221970443 STERLING NATIONAL BANK
 451 MASSAPEQUA
 6/3/2019 10:37:01 AM
 1758 0019 111066120044

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE.
 RESERVED FOR FINANCIAL INSTITUTIONS USE *

PAY TO THE ORDER OF
STERLING NATIONAL BANK
FOR DEPOSIT ONLY
TOWN OF OYSTER BAY
 6700327087

 **ENDORSE HERE**

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

Summer Recreation
GENERAL RECREATION RECEIPT

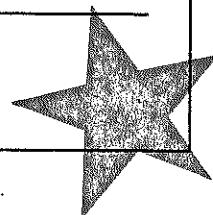
SYOSSET

No. 1255

Last Name	Spyropoulos	First Name	Stella	M. I.	
Address	17 Chauncey Pl.		Town Wordbury		
Age	6+4	Phone	[REDACTED]		
Groups					
Facility	SYOSSET				
Amount	600.00		Check	(X)	No. 289
Addl. Names	CHRIS				
			MM 5/28/19		
			Received By (Print Name) _____ Date		
			Sign _____		

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

This Administrative Fee is Not Refundable





PKS14142

NO. 036

DATE

6/2/19

TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
DAILY OPERATIONS REPORT

PARK:

Syosset

SUMMER RECREATION PROGRAM

	NUMBER	RATE	AMOUNT
1. Child	19	400.00	7600
2. Add-on (each additional child after 2)	16	200.00	3200
TOTAL	35		10800

General Receipt Opening #

1243

Closing #

1261

REMARKS:

Recreation Leader-Print

Recreation Leader-Sign

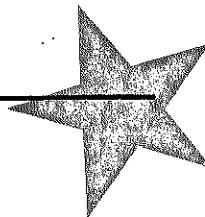
Recreation Supervisor-Print

Recreation Supervisor-Sign

Date

Date

6/2/19



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

Reviewed By
Office of Town Attorney
Elizabeth A. Bayhman

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 18, 2019, requested Town Board authorization to establish the fees for various Town of Oyster Bay sponsored co-ed sports and fitness programs, to be held at the Hicksville Athletic Center, which will be offered to resident and non-resident adults age 18 and older, as follows:

Volleyball and Badminton: \$ 75.00 per resident
\$100.00 per non-resident

Basketball: \$ 25.00 per resident
\$ 40.00 per non-resident

Fitness Classes such as Yoga indoors/outdoors, Ballroom Dancing,
Cardio Kickboxing, Pilates, Self Defense and Zumba:
\$ 60.00 per resident
\$ 70.00 per non-resident; and

WHEREAS, by said memorandum, Commissioner Pinto advised that each program will run for 10 weeks, four (4) times per year, allowing adults to participate in organized sports and exercise classes. Commissioner Pinto further advised, the dates and times for these programs will be established by the Commissioner of the Department of Parks; and

WHEREAS, by said memorandum, Commissioner Pinto advised that the fees will be deposited into Account No. PKS A 0001 02001 510 0000 and will cover the cost of supplies needed to successfully run these programs;

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 establish the fees set forth herein for the co-ed sports and fitness programs detailed herein, to be held at the Hicksville Athletic Center; and be it further

RESOLVED, That the monies collected from workshop registrations will be deposited in Account No. PKS A 0001 02001 510 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	Nay
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 18, 2019

SUBJECT: Hicksville Athletic Center Sports and Fitness programs

The Department of Parks requests Town Board approval to establish fees for the following Town of Oyster Bay sponsored Co-Ed Adult sports and fitness programs:

Co-Ed Adult Sports and Fitness programs:

The following programs will be offered for resident and non-resident adults ages 18 and over. These programs will run for 10 weeks four times a year. The programs will allow adults to participate in organized sports and organized exercise classes. The programs will be administered by the Department of Parks, Division of Recreation. Dates and times are to be established by the Commissioner of Parks.

The fees for the programs will be as follows:

Volleyball and Badminton: \$75.00 per resident
\$100.00 per non-resident

Basketball: \$25.00 per resident
\$40.00 per non-resident

Fitness classes such as: Yoga indoors/outdoors, Ballroom Dancing,
Cardio Kickboxing, Pilates, Self Defense and Zumba

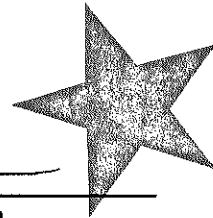
\$60.00 per resident
\$70.00 per non-resident

Fees will be deposited into account PKS A 0001 02001 510 0000 and will cover the cost of supplies 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)

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated June 19, 2019, requested Town Board authorization, for the Department of Intergovernmental Affairs to renew its membership in the New York Association of Training and Employment Professionals, ("NYATEP"), for a period of one year from July 1, 2019 through June 30, 2020, nunc pro tunc, for the amount of \$4,000.00, and;

WHEREAS, NYATEP provides valuable information with regard to relevant legislation and policy issues that affects the Town's Workforce Innovation and Opportunity Act ("WIOA") programs,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Intergovernmental Affairs is hereby authorized to renew its membership in the New York Association of Training and Employment Professionals, for a period of one year from July 1, 2019 through June 30, 2020 nunc pro tunc, for the amount of \$4,000.00; and it is 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 fee shall be paid with WIOA funding at no cost to the Town of Oyster Bay, with funds drawn from Account No. IGA CD 6293 47900 000 CW18.

#

mla
Reviewed By
Office of Town Attorney
B/K

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

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 19, 2019

TO: MEMORANDUM DOCKET

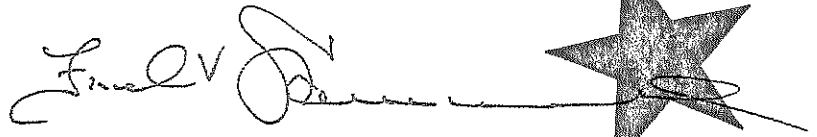
FROM : FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

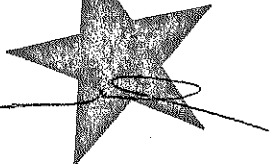
SUBJECT: NEW YORK ASSOCIATION OF TRAINING AND EMPLOYMENT PROFESSIONALS
DIVISION OF EMPLOYMENT AND TRAINING MEMBERSHIP RENEWAL

The Department of Intergovernmental Affairs' Division of Employment and Training maintains membership in the New York Association of Training & Employment Professionals (NYATEP). Town Board Resolution No. 781-2018 dated December 11, 2018 authorized the renewal of this membership for the period July 1, 2018 through June 30, 2019.

NYATEP provides valuable information with regard to relevant legislation and policy issues that affect the Town's Workforce Innovation and Opportunity Act (WIOA) programs.

It is respectfully requested that the Town Board pass a resolution nunc pro tunc authorizing membership with NYATEP at a cost of \$4,000.00 for the period July 1, 2019 through June 30, 2020. This fee will be paid with WIOA funding, and is of no cost to the Town. Funds for this purpose are available in IGA CD 6293 47900 000 CW18.


FRANK V. SAMMARTANO
Commissioner



FVS:js
Attachments
cc: Town Attorney, 9 copies

NYATEP

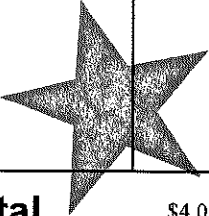
540 Broadway
5th Floor
Albany, NY 12207

E-mail
mhubner@nyatep.org

BILL TO
Oyster Bay Works John Sarcone 977 Hicksville Rd Massapequa, NY 11758

DATE	INVOICE #
7/1/2019	40506

P.O. NO.	TERMS	DUE DATE
	Due on receipt	7/1/2019

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Platinum Level Membership Dues July 1, 2019 - June 30, 2020	4,000.00	4,000.00
			
		Total	\$4,000.00

If you have any questions regarding your invoice, please contact
Melinda Mack at mmack@nyatep.org

WHEREAS, the New York State Office of Community Renewal announced competitive funding through the New York Main Street Program ("NYMSP"), which aims to strengthen the economic vitality of main streets and neighborhoods by providing up to seventy-five (75%) percent of funding for "shovel ready" renovation projects; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated June 24, 2019, indicated that the Town was contacted by the Oyster Bay Main Street Association, an IRS Section 501(c)(3) organization, which communicated its desire to apply for grant funding for the purpose of making physical improvements to the former Snouders Corner Drugstore, Oyster Bay, including, without limitation, structural improvements, plumbing and electrical work, and exterior work; and

WHEREAS, under NYMSP guidelines, any non-profit organization seeking grant funding must obtain endorsement of their project proposal from the municipality in which the project is to be undertaken; and

WHEREAS, the Oyster Bay Main Street Association does not seek any financial or material support from the Town beyond the initial endorsement of the project proposal; and

WHEREAS, Commissioner Sammartano, by the aforementioned memorandum, requested that the Town Board adopt a resolution signifying the Town's support of the Oyster Bay Main Street Association's grant application for the purpose of obtaining funding for the purpose of making physical improvements to the former Snouders Corner Drugstore,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as hereinabove set forth, the Town Board endorses the Oyster Bay Main Street Association's grant application proposal for the physical improvements to the former Snouders Corner Drugstore, Oyster Bay, as a worthwhile community endeavor.

-#-

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

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

Reviewed By
Office of Town Clerk
M. J. [Signature]

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JUNE 24, 2019

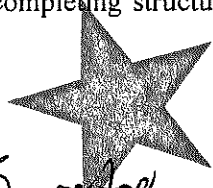
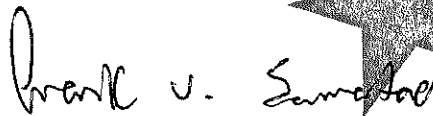
SUBJECT: SUPPORTING APPLICATION OF THE OYSTER BAY MAIN STREET
ASSOCIATION TO THE NEW YORK MAIN STREET PROGRAM FROM
THE NYS OFFICE OF COMMUNITY RENEWAL

The New York State Office of Community Renewal has announced competitive funding through the New York Main Street (NYMS) Program. This program aims to provide financial resources and technical assistance to communities to strengthen the economic vitality of the State's traditional Main Streets and neighborhoods. Specifically, the Downtown Anchor Project grant provides between \$100,000-500,000 (up to 75% of the project's total cost) to assist in a "shovel ready" renovation project that is essential for local revitalization efforts.

The Town of Oyster Bay (Town) has been contacted by the Oyster Bay Main Street Association, a 501(c)(3) non-profit planning to apply for this grant. This association has a goal of creating and promoting a healthy downtown economy while also preserving the historical character and integrity of Oyster Bay (Hamlet). If the grant is awarded, the funds would be used for physical improvements to the building at 108 South Street, Oyster Bay, NY 11771 (formerly Snouders Corner Drugstore), which sits in the heart of the downtown and has long been vacant. These improvements would include, but are not limited to, structural improvements, plumbing and electrical work, and exterior restoration work.

Per NYS NYMS grant guidelines, all non-profit entities submitting applications to the grant program are required to gain endorsements of their projects from the municipalities in which the projects are located. The Oyster Bay Main Street Association proposes to be the administrator of the grant funded project and is therefore not looking for any financial or material support from the Town beyond this initial endorsement.

It is therefore respectfully requested that the Town Board adopt a Resolution signifying the Town of Oyster Bay's support of the Oyster Bay Main Street Associations grant application to the to the New York Main Street Program Downtown Anchor grant program for the purpose of completing structural improvements to 108 South Street, Oyster Bay, NY 11771.



Frank V. Sammartano
Commissioner

cc: Town Attorney w/9 copies

By Colin Bell

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated June 24, 2019, indicated that the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") announced funding for a grant program for the acquisition, development, or planning of parks and recreational facilities to preserve, rehabilitate, or restore lands; and

WHEREAS, Commissioner Sammartano stated that the Trust for Public Land, an IRS Section 501(c)(3) organization contacted the Town and communicated its desire to apply for the grant funding in order to conduct a feasibility study for a 21-mile off-road extension of the Empire State Trail, which would connect Eisenhower Park to Bethpage State Park to the Edgewood Oak Brush Preserve; and

WHEREAS, under OPRHP guidelines, any non-profit organization seeking grant funding must obtain endorsement of their project proposal from the municipality in which the project is to be undertaken; and

WHEREAS, the Trust for Public Land does not seek any financial or material support from the Town beyond the initial endorsement of the project proposal; and

WHEREAS, Commissioner Sammartano, by the aforementioned memorandum, requested that the Town Board adopt a resolution signifying the Town's support of the Trust for Public Land's grant application for the purpose of obtaining funding to complete a feasibility study of an extension of the Empire State Trail,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation hereinabove set forth, the Town Board endorses the grant application proposal of the Trust for Public Land for the completion of a feasibility study relative to the extension of the Empire State Trail as a worthwhile community endeavor.

-#-

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

6071
Reviewed By
Office of Town Affairs
[Signature]

13

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JUNE 24, 2019

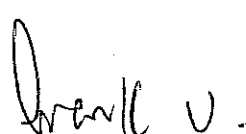
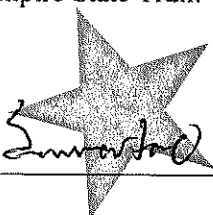
SUBJECT: SUPPORTING APPLICATION OF TRUST FOR PUBLIC LAND TO
ENVIRONMENTAL PROTECTION FUNDS GRANTS PROGRAM FOR
PARKS, PRESERVATION, AND HERITAGE

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has announced funding through the Environmental Protection Funds (EPF) Grant Program for Parks, Preservation, and Heritage. This competitively-awarded grant funds up to 50% of the total project cost for the acquisition, development, or planning of parks and recreational facilities to preserve, rehabilitate, or restore lands.

The Town of Oyster Bay (Town) has been contacted by the Trust for Public Land, a 501(c)(3) non-profit planning to apply for this grant. This organization, which has a mission of creating parks and protecting land for people, ultimately envisions a 175-mile-long Long Island extension of the Empire State Trail running from Manhattan to Montauk. If the grant is awarded, the funds would be used to conduct a detailed feasibility study of a 21-mile off-road pilot trail connecting Eisenhower Park to Bethpage State Park to the Edgewood Oak Brush Preserve.

Per NYS OPRHP grant guidelines, all non-profit entities submitting applications to this grant program are required to gain endorsements of their projects proposals from the municipalities in which the projects are proposed to be undertaken. The Trust for Public Land proposes to be the administrator of the grant funded project and is therefore not looking for any financial or material support from the Town beyond this initial endorsement.

It is therefore respectfully requested that the Town Board adopt a Resolution signifying the Town of Oyster Bay's support of the Trust for Public Land's grant application to the Environmental Protection Fund for the purpose of completing a feasibility study relative to the extension of the Empire State Trail.

Frank V. Sammartano
Commissioner

cc: Town Attorney w/9 copies

B2 Colin Bell

WHEREAS, by Resolution adopted on February 1, 1955, the Town Board approved an application for Change of Zone from a "C" Residence District to an "F" Business District (now known as an "NB" Neighborhood Business District) for the property known as 565 Jericho Turnpike, located on the northerly side of Jericho Turnpike, approximately 1303 feet east of the easterly side of Jackson Avenue, Syosset, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 15, Block F, Lots 845, 1384 and 1469 on the Land and Tax Map of Nassau County; and

WHEREAS, said application was granted contingent upon the installation and maintenance of a twenty-five (25) foot planting screen along the entire perimeter of said premises of sufficient height and density to insulate adjacent residential properties from direct lighting coming from said property, and on January 20, 1955, a written Agreement was entered into between the Town of Oyster Bay and SYOSSET THEATRE CORPORATION, the then fee owner, whereby the owner was obligated to construct and maintain a twenty-five (25) foot planting screen along the entire perimeter of said premises, except the southern property line, of sufficient height and density to insulate adjacent residential properties from direct lighting coming from said property; and

WHEREAS, DARSHAN SINGH BAGGA LLC, the current fee owner, by letter dated May 13, 2019, requested that the Town Board approve a modification of the covenant providing for the planting screen to allow for the construction of a new access area on the northwestern portion of the property that would be set back from the property line approximately sixteen (16) feet; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 20, 2019, advised that the Department of Planning and Development recommended the modification requested, and stated that the new access area as planned will maintain appropriate landscaping in order to shield adjacent properties from any exterior lighting,

NOW, THEREFORE, BE IT RESOLVED, That the request of DARSHAN SINGH BAGGA LLC, fee owner, that the Town Board modify the existing covenant dated January 20, 1955, requiring the maintenance of a twenty-five (25) foot planting screen along the entire perimeter of premises 565 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 15, Block F, Lots 845, 1384 and 1469 on the Land and Tax Map of Nassau County, excepting the southern property line, of sufficient height and density to insulate adjacent residential properties from direct lighting coming from said premises, to allow for the construction of new access area on the northwestern portion of the property that would be set back from the property line approximately sixteen (16) feet is hereby GRANTED.

-#-

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

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

Reviewed By
Office of Town Attorney
7/15/19

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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

DATE: JUNE 20, 2019

SUBJECT: MODIFICATION OF RESTRICTIVE COVENANT
DARSHAN SINGH BAGGA, LLC
BAGGA PLAZA, SYOSSET
SYOSSET, NEW YORK 11791
SECTION 15, BLOCK F, LOT 845, 1384 + 1469

This Department is in receipt of correspondence from the owner of the above mentioned property, Mr. Darshan Singh Bagga (hereinafter referred to as "applicant") dated May 13, 2019 requesting the modification of Restrictive Covenants for the above mentioned property.

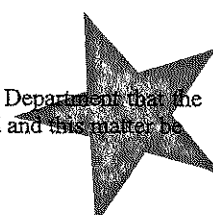
On February 1, 1955, the Town Board approved a change of zone from a "C" Residence District to a "F" Business District (Neighborhood Business) on the entire premises. According to the Declaration of Restrictive Covenants enacted pursuant to the Town Board approval, it is required that a 25 foot planting screen be maintained along the entire perimeter of the premises (except the southern property line). The applicant requests the modification of this restrictive covenant in order to construct new accessible access on the northwestern portion of the property that would be setback from the property line by approximately 16 feet. This area will maintain appropriate landscaping in order to shield adjacent residences from any exterior lighting. It should be noted that these structures will meet current requirements as per Section 246.6 (Site Plan Review) of the Code of the Town of Oyster Bay and the Site Plan will be subject to review and approval by the Town's Planning Advisory Board.

Kindly note, the applicant has met with the current representatives of the Old Oaks Civic Association of Syosset, N.Y. and has presented the Town with a letter from said organization endorsing the project.

Submitted for your review are the following documents:

- 1) Town Board Resolution dated February 2, 1955.
- 2) Letter from Neal Hoffman, AIA dated June 13, 2019
- 3) Letter from Old Oaks Civic Association dated March 2, 2019
- 4) Letter from Mr. Darshan Singh Bagga dated May 13, 2019

Based on the information provided herein, it is the recommendation of this Department that the aforementioned Resolutions' Restrictive Covenants be modified as requested and this matter be



referred to the Town Board for their appropriate action. In this Department's opinion, these plans currently comply with the requirements of Section 246-6 (Site Plan Review) of the Code of the Town of Oyster Bay.


ELIZABETH L. MACCARONE
COMMISSIONER



ELM:jv

Encls.

cc: Legislative Affairs (9 copies w/original)

PUT ON MAP 2-8-55 R/M

RESOLVED, that upon application of SYOSSET THEATRE CORPORATION, the Building Zone Ordinance of the Town of Oyster Bay, as amended and revised, and the boundaries of the use districts therein established be amended and changed by including in Business "P" District the premises situate at Syosset, N.Y., (now in Residential "C" District), being more particularly bounded and described as follows:

ALL those lots or parcels of land, with the buildings and improvements thereon erected, situate, lying and being at Syosset, in the Town of Oyster Bay, County of Nassau, and State of New York, bounded and described as follows:

BEGINNING at the southwest corner of the premises about to be described, which said point is located 200 feet north of the northerly side of Jericho Turnpike on a bearing North 2° 31' 00" West, which said point on Jericho Turnpike is located 1303.71 feet more or less easterly from the corner formed by the intersection of the northerly side of Jericho Turnpike and the easterly side of Jackson Avenue; thence running north 2 degrees 31 minutes 00 seconds west 71.01 feet to an old locust stake; thence continuing along the easterly boundary of Map of Jackson Estate, Section No. 4, Inc., north 1 degree 51 minutes 25 seconds west 167.15 feet to a monument; thence in an easterly direction along the southerly boundary of land now or formerly of Tuttle, north 83 degrees 45 minutes 00 seconds east 407.74 feet to a point; thence in a southerly direction along lands now or formerly of Kogan, south 0 degrees 16 minutes 38 seconds east 208.18 feet to a point; thence north 83 degrees 45 minutes 00 seconds east 10.06 feet to a point; thence continuing south 0 degrees 16 minutes 38 seconds east 51.35 feet to a point; thence running westerly and parallel with Jericho Turnpike south 83 degrees 45 minutes 00 seconds west approximately 401.96 feet to the point or place of beginning.

BEING AND INTENDED TO BE all of the property owned by the petitioner herein lying 200 feet north of Jericho Turnpike.

PROVIDED, however, and contingent upon the installation and maintenance of a 25 foot planting screen along the entire perimeter of said premises of sufficient height and density to insulate adjacent residential properties from direct lighting coming from said property, and further provided and contingent upon the limitation of ingress and egress from said property solely to Jericho Turnpike, and further PROVIDED and contingent upon filing of a declaration, in form suitable for recording in the office of the Nassau County Clerk in the same manner as a deed, of a declaration that the area hereby rezoned shall be used

FEB 5 1955

William S. ...
Building and Zoning Inspector



only as a parking field and only in conjunction with the operation of a theater to be erected, operated and maintained on property immediately adjacent to and abutting the subject property.

The Vote upon the foregoing resolution being as follows:

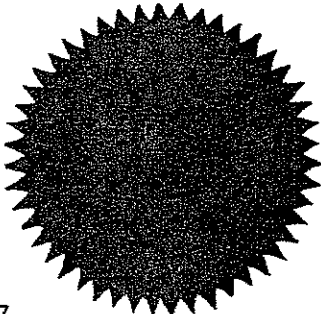
Supervisor Waters	Aye
Councilman Chlunsky	Aye
Councilman McCabe	Aye
Councilman Norman	Aye
Councilman Best	Aye

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

FEB 5 1955
WALSLEBEN
Building at ...

I, ~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
GERTRUDE VON WALSLEBEN, } Deputy Town Clerk of the Town of Oyster Bay, and
custodian of the Records of said Town, DO HEREBY CERTIFY that I have compared the annexed with the original resolution adopted by the Town Board on February 1, 1955 approving the application of Syosset Theatre Corporation for a change of zone at Syosset, N.Y.

filed in the Town Clerk's Office
and that the same is a true transcript thereof, and of the whole of such original.



In Testimony Whereof, I have hereunto signed
my name and affixed the seal of said Town
this 7th day of February, 1955.

Gertrude Von Walsleben
Deputy Town Clerk

THIS AGREEMENT made the 20th day of January, 1955, by and between the TOWN OF OYSTER BAY, a municipal corporation having its principal office at the Town Hall, Oyster Bay, New York, hereinafter referred to as the "Town"; and SYOSSET THEATRE CORPORATION, a domestic corporation having its principal offices at 233 West 49th Street, in the Borough of Manhattan, City, County and State of New York, hereinafter referred to as the "Owner".

WITNESSETH:

WHEREAS, the Owner is the owner in fee of the following described premises:

ALL those lots or parcels of land, with the buildings and improvements thereon erected, situate, lying and being at Syosset, in the Town of Oyster Bay, County of Nassau, and State of New York, bounded and described as follows:

BEGINNING at the Southwest corner of the premises about to be described, which said point is located 200 feet North of the northerly side of Jericho Turnpike on a bearing North 2 degrees 31 minutes 00 seconds west, which said point on Jericho Turnpike is located 1303.71 feet more or less easterly from the corner formed by the intersection of the northerly side of Jericho Turnpike and the easterly side of Jackson Avenue; thence running north 2 degrees 31 minutes 00 seconds west 71.01 feet to an old locust stake; thence continuing along the easterly boundary of Map of Jackson Estate, Section No. 4, Inc., north 1 degree 51 minutes 25 seconds west 187.15 feet to a monument; thence in an easterly direction along the southerly boundary of land now or formerly of Tuttle, north 53 degrees 45 minutes 00 seconds east 407.74 feet to a point; thence in a southerly direction along lands now or formerly of Kogan, south 0 degrees 16 minutes 38 seconds east 203.18 feet to a point; thence north 83 degrees 45 minutes 00 seconds east 10.06 feet to a point; thence continuing South 0 degrees 16 minutes 38 seconds east 51.35 feet to a point; thence running westerly and parallel with Jericho Turnpike south 83 degrees 45 minutes 00 seconds west approximately 401.86 feet to the point or place of beginning.

BEING AND INTENDED TO BE all of the property owned by the Owner herein lying 200 feet north of Jericho Turnpike.

WHEREAS, the Owner has applied to the Town Board of the Town of Oyster Bay, as required by the Building Zone Ordinance of the Town of Oyster Bay, to rezone said hereinabove described property from Residence "C" to Business "B".

WHEREAS, the said Town Board of the Town of Oyster Bay is willing to grant said rezoning only on condition that the Owner consents to the imposition on the above described property of the covenants hereinafter contained,

NOW, THEREFORE, in consideration of the granting of said rezoning as hereinabove set forth, the Owner by these presents does hereby, for itself, its heirs, successors and assigns, covenant and agree with the Town and its successors, as follows:

FIRST: That the said owner shall construct and maintain, prior to exercising the use of said premises as permitted under said rezoning, a 25 foot planting screen along the entire perimeter of said premises (excepting, however, along said southerly boundary of said rezoning property which is adjacent to other business property of the owner,) of sufficient height and density to insulate adjacent residential properties from the direct lighting coming from said property so rezoned.

SECOND: That the Owner shall so construct the ingress and egress to said premises so that it shall be limited solely to Jericho Turnpike, and ingress and egress shall not be permitted on any other side except on the said side leading to said Jericho Turnpike.

THIRD: That the said parking field shall be used only in conjunction with the operation of a theater to be erected, operated and maintained on property immediately adjacent to and abutting the subject property.

IN WITNESS WHEREOF, the Town has caused this instrument to be executed by its duly authorized officers and its seal to be affixed, and a duly authorized representative of said corporation has caused this instrument to be executed, and affixed thereto the seal of said corporation.

(SEAL)

Lewis N. Waters
Supervisor, Town of Oyster Bay

STOSSET THEATRE CORPORATION

By: F.L. BRYAN

Asst. Treas.

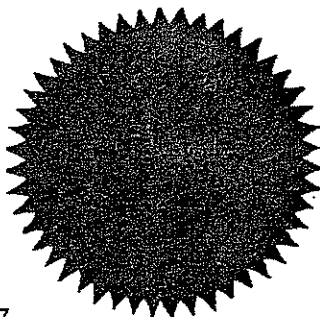
STATE OF NEW YORK, }
COUNTY OF NASSAU, } ss.:
TOWN OF OYSTER BAY }

I, ~~HENRY W. CURRAN, Town Clerk~~
~~HEIDI G. WILSON~~
GERTRUDE VON WALSLEBEN, }

Deputy Town Clerk of the Town of Oyster Bay, and
custodian of the Records of said Town, DO HEREBY CERTIFY that I have compared the an-
nexed with the original declaration between the Town of Oyster Bay and
Syosset Theatre Corporation conformed by the Town
Board on February 1, 1955.

filed in the Town Clerk's Office

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



TC- 7

In Testimony Whereof, I have hereunto signed
my name and affixed the seal of said Town
this 7th day of February, 1955.

Gertrude Von Walsleben
Deputy Town Clerk



STATE OF NEW YORK:

COUNTY OF NASSAU :

On this 1st day of February, 1955, before me personally, appeared LEWIS S. WATERS, Woodbury Way, Syosset, N.Y. Supervisor of the Town of Oyster Bay, the corporation described in and who executed the foregoing instrument, to me known and known to me to be such Supervisor, and he being by me duly sworn did depose and say: That he is the Supervisor of the Town of Oyster Bay, and that he knows the corporate seal of said Town of Oyster Bay; that the seal affixed to said instrument is such corporate seal; that it was thereto affixed pursuant to resolution of the Town Board.

Florence L. Motley
Notary Public, Nassau County
No. 30-8040650
Term Expires March 30, 1956

STATE OF NEW YORK:

ss:

COUNTY :

On the 20th day of January, 1955, before me personally came F.L. Bryan, to me known, who, being by me duly sworn did depose and say that he resides at 66 Werner Place, Teaneck, New Jersey, ; that he is the ASST. ^{Treas.} of SYOSSET THEATRE CORPORATION, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Bessie Goldenberg
Notary Public



June 13, 2019
Town of Oyster Bay
Department of Planning & Development
Attention: Commissioner Leslie Maccarone
74 Audrey Avenue
Oyster Bay, New York 11771

Re: 565-567 Jericho Turnpike, Syosset, NY, 11791 -
Proposed Elevator & Staircase addition

Hoffman Grayson
Architects, LLP
90 High Street
Huntington
New York 11743
T 631 549 4060
F 631 549 4475
hoffmangrayson.com

Dear Commissioner Maccarone,

The shopping center noted above is approximately 80,000 square feet. Two permanent employees work from 8am to 5pm 6 days a week maintaining the grounds and building. 5 dumpsters located on site (Two for Petco use only, 1 for Lias Pizzeria use only and two others supplied for the remaining tenants at the east and west side of the center). When the new site plan is approved the landlord will be removing the dumpster from the west side and adding in a shed on the north side which will contain a trolley with a capacity of 750lb. Every morning at 8am the permanent employees will take the filled garbage trolley from the west side shed to the east side dumpsters. Since the shed is fully enclosed no smell will leave the shed and will prevent any bugs from accessing the garbage

To meet the increased demand on the east side dumpsters the landlord will be adding in a new 8x8 dumpster enclosure on the east side of the parking lot where the next door neighbor is a commercial shopping center not residential. The new dumpster will not effect the existing parking spaces. This should effectively continue the smooth operation of the shopping center. As far as Landlords knowledge there are no complaints from the neighbors in the last 18 years regarding the garbage. It is also to be noted that by removing the west side dumpster from the front face of the shopping center it will improve the look of the whole center which will be a added benefit to the neighbors

Sincerely,

Neal Hoffman, AIA



OLD OAKS CIVIC ASSOCIATION
SYOSSET, NEW YORK

Victor Matthews
Co-President
3 Evergreen Drive
496-3681

Roger Mummert
Co-President
7 Evergreen Drive
364-8022

March 2nd 2019

Town of Oyster Bay
Department of Planning & Development
Attention: Commissioner Leslie MacCarone
74 Audrey Avenue
Oyster Bay, New York 11771

Re: 565 Jericho Turnpike, Syosset, New York
Subject: Improvement in safety of the 565 Jericho turnpike 2nd floor by adding in an Elevator & Enclosed Staircase & Enclosure in front of elevator under existing canopy to prevent vandalism

Dear Commissioner:

Mr. Bagga (Managing Member, Darshan Singh Bagga LLC, the Landlord at the aforementioned property met with the officers of the Old Oaks Civic Association and discussed the following improvements to put in an elevator and an emergency exit staircase for the safety of the customers of the shopping center. These proposed additions will be on the west end of the shopping center adjacent to the Marshalls Space.

The Diagram Provided by Mr. Bagga shows the new addition for the elevator will be put in by removing the existing staircase and adding in an additional 3 feet extension to support the elevator. However the Dumpster and all other equipment will remain in place. The New Extension will be 3x8 Feet blockwork. There will also be another 3x8 feet enclosure in front of the elevator below the existing canopy to prevent vandalism. Mr. Bagga has agreed to the following.


- The exterior of the enclosed staircase on the west side of the building will be of the same/Similar color as the exterior of the current building.
- There will be no illumination or lighting from the West side of the staircase or elevator.
- If any Bushes are removed while construction is completed, they will be replaced.

Mr. Bagga has advised that for any proposed tenant, the terms of the October 12th, 2006 Letter agreement would be a part of their lease agreement.

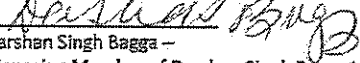
Based on the representations during this meeting as outlined above we have no objections to the proposed Elevator & Enclosed Staircase. Our thanks to you and the landlord for your continued support and cooperation in maintaining high quality standards for our residential community.

Very Truly Yours,


Victor Matthews
Co-President,
Old Oaks Civic Association


Roger Mummert
Co-President,
Old Oaks Civic Association

Signature Indicating agreement with all of the above by the current and future owner(s) of the 565 Jericho Turnpike Property

By: 
Darshan Singh Bagga –
Managing Member of Darshan Singh Bagga LLC

Darshan Singh Bagga LLC
1 Woodfield lane Old Brookville NY 11545
Email - Darshanbagga@gmail.com // Cell - 917-417-4135

Leslie Maccarone
Commissioner
Town of Oyster Bay
Dept. of Planning & Development
54 Audrey Ave
Oyster Bay, NY 11771

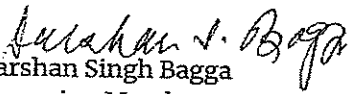
5/13/2019

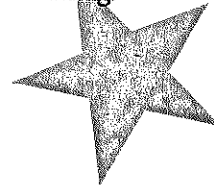
RE: Town Board Resolution Dated February 1st 1955 Paragraph 1

Dear Commissioner:

In Regards to the above referenced resolution, I respectfully request an amendment for the property identified as Section 15, Block F, Lot 845 with regard to the required 25 foot buffer specifically in respect to the western side of the building.

Thank you,


Darshan Singh Bagga
Managing Member



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, the Town Board of the Town of Oyster Bay ("Town Board"), has heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

WHEREAS, Joseph Nocella, Town Attorney, and Samantha A. Goetz, Assistant Town Attorney, by memorandum dated June 17, 2019 advised that Plaintiff, Theresa Kiely, brought suit against the Town, alleging that she sustained personal injuries, including a right fifth metatarsal fracture, as a result of a trip and fall at the Glen Head Long Island Rail Road train station "Parking Field G-2" on December 17, 2014; and

WHEREAS, after extensive settlement negotiations before Hon. Bruce Cozzens, this case settled for \$30,000.00, in full resolution of all claims of Plaintiff against the Town of Oyster Bay, which settlement is in the best interests of the Town according to the memorandum of Mr. Nocella and Ms. Goetz,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of the Town Attorney, payment of the sum of \$30,000.00 is hereby authorized and approved by the Town Board, as full settlement to Plaintiff, Theresa Kiely, with regard to the action entitled Theresa Kiley v. Town of Oyster Bay, *et al.*, Nassau County Index No. 607558/2015, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to "Theresa Kiely and DELL & DEAN, PLLC, as attorneys", in the amount of \$30,000.00 with funds for such payment to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

-#-

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : June 17, 2019
SUBJECT: Settlement of Negligence Claim
Theresa Kiely v. Town of Oyster Bay
Nassau County Index No. 607558/2015
Our Matter No. 2015-4707

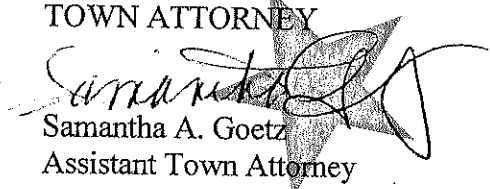
A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

The above referenced claim arose as a result of a trip and fall at the Glen Head parking lot at the Long Island Rail Road train station "Parking Field G-2" on December 17, 2014. Plaintiff alleged that she was caused to trip and fall in a pothole with a partially removed signpost protruding from the ground. Plaintiff sustained injury as a result of this trip and fall. Among other injuries, Plaintiff sustained a fractured fifth metatarsal.

After extensive settlement negotiations before the Hon. Bruce Cozzens, this matter was settled for \$30,000.00. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town given the uncertainties associated with litigation.

Accordingly, we have attached a resolution authorizing payment of \$30,000.00, together with copies of the Stipulation of Settlement, a General Release and Hold Harmless Agreement in favor of the Town and executed by Plaintiff Theresa Kiely. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

JOSEPH NOCELLA
TOWN ATTORNEY


Samantha A. Goetz
Assistant Town Attorney

SAG:sag
Attachment

cc: Town Attorney (with 9 copies)

S:\Attorney\RESOS 2019\MD & RESO\Kiely Settlement SAG.docx

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
THERESA KIELY,

Index No.: 607558/2015

Plaintiff,

-against-

**TENDER - DEMAND FOR
PAYMENT**

TOWN OF OYSTER BAY,

Defendant.
-----X

TO: Office of the Town Attorney
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

(BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED)

Pursuant to CPLR 5003-a, enclosed herewith please find the following documents tendered to you for payment of the settlement in the above matter:

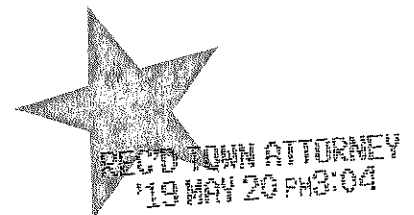
- a) General Release in the amount of \$30,000.00, and
- b) Stipulation of Discontinuance as to all defendants as to Theresa Kiely's action.

Upon your failure to pay the settlement amount within the time limits set forth in CPLR 5003-a, a judgment, without further notice, will be entered against defendants in the sum of \$30,000.00 together with costs, disbursements and interest from the date of tender.

Dated: Garden City, New York
May 8, 2019

Yours, etc.,

Joseph G. Dell
DELL & DEAN, PLLC
Attorney for Plaintiff(s)
Theresa Kiely
1225 Franklin Avenue
Suite 450
Garden City, NY 11530
(516) 880-9700



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
THERESA KIELY,

Index No.: 607558/2015

Plaintiff,

-against-

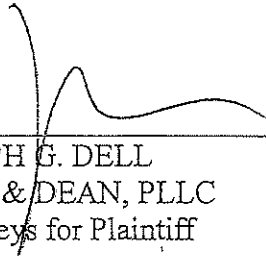
**HOLD HARMLESS
AGREEMENT**

TOWN OF OYSTER BAY,

Defendant.
-----X

Plaintiff, by attorneys, DELL & DEAN, PLLC, hereby agree to hold the defendants herein harmless from any and all potential and/or existing liens including but not limited to medical, Medicare/Medicaid and/or attorney liens.

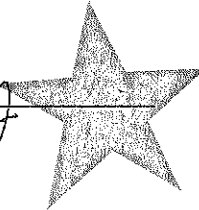
Dated: Garden City, New York
May 8, 2019



JOSEPH G. DELL
DELL & DEAN, PLLC
Attorneys for Plaintiff



Theresa Kiely



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
THERESA KIELY,

Plaintiff,

-against-

TOWN OF OYSTER BAY,

Defendant.
-----X

Index No.: 607558/2015


**STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys of record for all the parties to the above-entitled action, that whereas no party is an infant or an incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above entitled action.

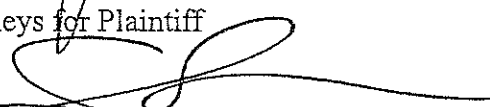
The above captioned matter is discontinued **as to all parties**, including all cross-claims and counterclaims, with prejudice and without cost or disbursement to any party.

A copy of this stipulation shall be deemed an original for all purpose and may be filed with the Clerk of the Court without further notice to any party.

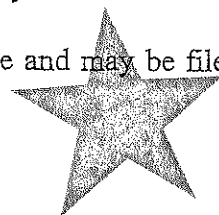
Dated: Garden City, New York
May 15, 2019



DELL & DEAN, PLLC
BY: JOSEPH G. DELL
Attorneys for Plaintiff



OFFICE OF THE TOWN ATTORNEY
BY: SAMANTHA A. GOETZ
Attorneys for Defendants



General Release

BE IT KNOWN, that Theresa Kiely
14 Sprague Drive
Valley Stream, NY 11580

as RELEASOR(S)

and in consideration of the sum of THIRTY THOUSAND DOLLARS (\$30,000.00) received from THE TOWN OF OYSTER BAY as RELEASEE, the receipt of which is hereby acknowledged, releases and forever unconditionally discharges the

TOWN OF OYSTER BAY,

and each and every one of its elected officers, appointed officials (past and present), and each and every one of its employees (past and present), agents, successors and assigns, of and from all manner of actions, causes of action, suits, debts, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands whatsoever, in law or in equity, which against the RELEASEE, either or both RELEASORS, its successors, assigns, heirs, executors, and administrators ever had, now have, or hereafter can, shall or may have, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the date of this RELEASE against the RELEASEE.

RELEASORS hereby, and for his and her heirs, executors, administrators, successors, assigns and next of kin, covenant to promptly indemnify, defend and save harmless the said above-named RELEASEE and their agents, servants and employees, from all claims, actions, causes of action, liens, attachments, subrogation claims, demands, costs, loss of services, expenses, attorney fees and compensation, of any form or description, on account of or in any way growing out of said accident or its results both to person and/or property.

RELEASORS represent and warrant that there are no liens or reimbursement rights by any individual, government agency, business entity, hospital, ambulance service or other medical provider, Medicare, Medicaid, child support lien(s), insurance company or attorney enforceable against the proceeds of this settlement or against the RELEASEE or the persons, firms or corporations making the payment herein. If such a lien or reimbursement right is asserted against the proceeds herein or against the RELEASEE or any person, firm or corporation making payment herein, then, in consideration of the payment made to the undersigned, the undersigned covenants to pay and satisfy such asserted lien or reimbursement right, or to satisfy the same on a compromise basis and to obtain, in any event, a release of the RELEASEE or the persons, firms or corporations making the payment herein and to indemnify and hold harmless said parties from any costs, expenses, attorney fees, claims, actions, judgments, or settlements resulting from the

assertion or enforcement of such lien or reimbursement right by any entity having such lien or reimbursement right.

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

In Witness Whereof, RELEASORS have caused this RELEASE to be executed.

Theresa Kiley
THERESA KILEY

ACKNOWLEDGMENT

State of New York)

) ss.:

County of Nassau OK

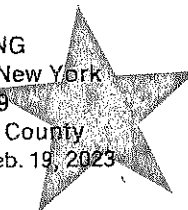
Onondaga

On this 11 day of May, 2019, before me, the undersigned personally appeared Theresa Kiley, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they, executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Courtney K. King

NOTARY PUBLIC

COURTNEY K KING
Notary Public - State of New York
No. 01KI6387609
Qualified in Onondaga County
My Commission Expires Feb. 19, 2023



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 11, 2019, advised that the Department of Parks has received many requests from individuals and groups regarding the Town's numerous parklets, and many offers to assist the Town in updating and beautifying the parklets through donations; and

WHEREAS, Commissioner Pinto by said memorandum requested Town Board authorization for the Department of Parks to create and maintain a program entitled Adopt-A-Spot, which would serve as a vehicle for individuals and organizations to donate materials, including plants and trees, and to assist in beautifying the parklets, without impacting the Town workforce, and for the Department of Parks to accept these donations in kind; and

WHEREAS, Joseph Nocella, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated June 17, 2019, advised that the concept of the Adopt-A-Spot program was discussed with Jarvis Brown, CSEA President, who had no objection to the program provided that it does not diminish work opportunities for Town employees,

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 create and maintain a program entitled Adopt-A-Spot, to serve to coordinate the donations of individuals and organizations to assist in the beautification of Town parklets.

-#-

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

Received By
Office of Town Attorney

18

TOWN OF OYSTER BAY

Inter-Departmental Memo


TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE TOWN ATTORNEY
DATE: June 17, 2019
SUBJECT: Adopt-a-Spot

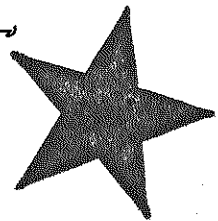
Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 11, 2019, advised that the Town has received many requests from individuals and outside organizations offering to donate materials for local parklets in their communities. Commissioner Pinto stated that these parklets are unmanned are maintained by the Department of Parks.

Commissioner Pinto has requested that the Town Board authorize the Department of Parks to adopt a program, entitled "Adopt-a-Spot", designed to accept the graciousness of those in our community who take pride in their community park. The concept of this program has been discussed with Jarvis Brown, President, CSEA, who had no objection, provided that the program does not diminish work opportunities for Town employees. Commissioner Pinto, by his email, stated that the Adopt-a-Spot program will not have any impact on any Town manpower as the Town will still be responsible for maintaining these parklets.

It is requested that this item be placed on the docket for action at the July 9, 2019 Town Board meeting.

JOSEPH NOCELLA
Town Attorney


Thomas M. Sabellico
Special Counsel



TMS/nb

Enc.

cc: Town Attorney (with 9 copies)

TOWN OF OYSTER BAY

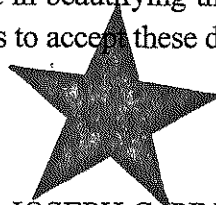
Inter-Departmental Memo

TO: THOMAS M. SABELLICO, Special Counsel
FROM: JOSEPH G. PINTO, Commissioner,
DATE: June 11, 2019
SUBJECT: Adopt-A-Spot

The Department of Parks has received many requests to update and beautify our numerous community parklets. Most of these requests include the planting of flowers and trees and general “sprucing up” of the parklets, which are maintained by our Department but are not manned facilities.

Individuals and organizations have offered to donate materials, plants or trees and to assist in beautifying the parklets. We currently have no method by which to accept these donations and coordinate these efforts.

We are seeking assistance from your office to obtain Town Board authorization for the Department of Parks to create and maintain an Adopt-A-Spot Program for individuals and organizations to donate plants and trees and to assist in beautifying the parklets, without impacting the Town workforce, and for the Department of Parks to accept these donations in kind;



JOSEPH G. PINTO
Commissioner

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Bruce P. Kennedy, Incorporated Village of Sea Cliff Administrator, by letter dated June 6, 2019, requested that the Town Board authorize the Supervisor to enter into an agreement with the Incorporated Village of Sea Cliff to share services, allowing the Town's Department of Parks to use Town equipment to rake Sea Cliff Beach, in exchange for the Incorporated Village of Sea Cliff's maintenance of Town property, which lies north of Harry Tappen Beach and Marina, from July 9, 2019 to July 8, 2021;

WHEREAS, Joseph Nocella, Town Attorney, and Regan U. Lally, Assistant Town Attorney, by memorandum dated June 24, 2019, have advised that the necessary intermunicipal agreement has been prepared, and request and recommend that the Supervisor, or his designee, be authorized to execute the agreement,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Supervisor or his designee is hereby authorized to enter into the annexed agreement with the Incorporated Village of Sea Cliff to share services, allowing the Town's Department of Parks to use Town equipment to rake Sea Cliff Beach, in exchange for the Incorporated Village of Sea Cliff's continued maintenance of Town property, which lies north of Harry Tappen Beach and Marina, from July 9, 2019 to July 8, 2021.

-#

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

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

70

Town of Oyster Bay Inter-Departmental Memo

TO : Memorandum Docket

FROM : Office of the Town Attorney

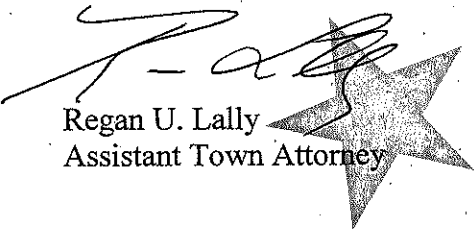
DATE : June 24, 2019

SUBJECT: Agreement for the Use of Beach Rake at the
Sea Cliff Beach in exchange for Maintenance

By letter dated June 6, 2019, Bruce P. Kennedy, Incorporated Village of Sea Cliff Administrator, sought an Agreement, whereby, the Town will clean Sea Cliff Beach, upon request of the Village, and in exchange, the Incorporated Village of Sea Cliff will maintain Town property that is situated west of Prospect Avenue in Sea Cliff and north of Harry Tappen Beach and Marina. The agreement shall begin on July 9, 2019 and end on July 8, 2021. This Office has prepared the agreement, and hereby requests that the Town Supervisor, or his designee, be authorized and directed to execute such agreement.

Kindly place this matter on the July 9, 2019 Town Board action calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Regan U. Lally
Assistant Town Attorney

RUL:ba
Attachment
2019-7169
Town Attorney (w 9/copies)

S:\Attorney\RESOS 2019\MD & RESO\MD Beach Rake Agreement- with Sea Cliff2019rl.doc

Beth Antonelli

From: Joseph Pinto
Sent: Monday, June 24, 2019 2:56 PM
To: Regan Lally; Christine Wiss
Cc: John Bellock; Beth Antonelli; Matthew M. Rozea
Subject: RE: Sea Cliff - Use of Beach Rake

Hi all,

After a discussion with our staff, it was determined that we would prefer doing the work for Seacliff when they need the beach raked. Originally Seacliff had requested use of our equipment. I called Bruce Kennedy, former Mayor and current Administrator to inform him and he was fine with that.

I hope this clears it all up. Call with any questions

Joe

From: Regan Lally
Sent: Monday, June 24, 2019 2:47 PM
To: Christine Wiss
Cc: John Bellock; Beth Antonelli; Joseph Pinto
Subject: Sea Cliff - Use of Beach Rake

Hello,

The Dept. of Parks wants Town labor to operate beach rake.

This was decided after letter.

Any questions, you can call me x6183

INCORPORATED VILLAGE OF SEA CLIFF

Mayor

Edward L. Lieberman, Esq.

Trustees

Kevin McGilloway
Dina Epstein, Esq.
Henriette Rohl
Elena Villafane, Esq.

**Village Administrator**

Bruce P. Kennedy

Village Clerk / Treasurer

Marianne Lennon

Village Justice

Charles E. Parisi

Counsel

Brian S. Stolar, Esq.

June 6, 2019

Commissioner Joseph G. Pinto
Town of Oyster Bay
977 Hicksville Road
Massapequa, NY 11758

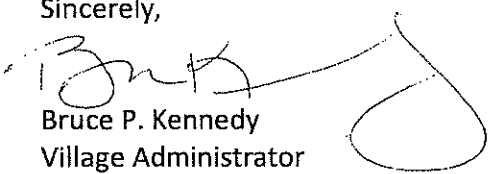
Dear Commissioner Pinto,

The Village of Sea Cliff would like to enter into an Inter-Municipal Agreement with the Town of Oyster Bay in order to be able to utilize the beach rake the town uses at Harry Tappen Beach. Sea Cliff Beach is merely one mile down the road and is in need of the same type of grooming as Tappen Beach.

We have the appropriate crew/workers that could operate the machinery so we are not looking for man power, just the equipment. We would be most grateful to be able to use the beach rake equipment 6 times per year.

Thank you for your consideration.

Sincerely,


Bruce P. Kennedy
Village Administrator

AGREEMENT

DATED: JULY , 2019

PARTIES: THE TOWN OF OYSTER BAY, a municipal corporation of the State of New York, having its principal office and place of business at Town Hall, Audrey Avenue, Oyster Bay, Nassau County, New York, hereinafter referred to as the "TOWN"; and

THE INCORPORATED VILLAGE OF SEA CLIFF, a municipal corporation having its principal place of business located at 300 Sea Cliff Avenue, P.O. Box 340, Sea Cliff, New York 11579, hereinafter referred to as the "VILLAGE",

WITNESSETH:

WHEREAS, the parties desire to establish an agreement, in accordance with applicable statutes, ordinances, rules and regulations, for the TOWN to use its beach rake and labor to clean the VILLAGE beach, in return for the VILLAGE'S maintenance of the TOWN'S property, situated north of Harry Tappen Beach and west of Prospect Avenue, Sea Cliff, N.Y.,

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

FIRST: The TOWN's Department of Parks, or other authorized TOWN personnel, shall rake the VILLAGE beach, by the use of the TOWN'S beach rake, when requested, in exchange for the VILLAGE'S maintenance, by the use of VILLAGE machinery and labor, of TOWN property, Section 21, Block F, Lots 11, 13, 14, 15, 312, 212, 112.

SECOND: The VILLAGE shall not be obligated to bear any expense for the TOWN's labor and operation of the TOWN beach rake to clean VILLAGE beaches, and in exchange, TOWN shall not be obligated to bear any expense for the VILLAGE'S maintenance

of TOWN property, Section 21, Block F, Lots 11, 13, 14, 15, 312, 212, 112, by VILLAGE labor and machinery.

THIRD: This Agreement shall begin on July 9, 2019 and shall expire on July 8, 2021.

FOURTH: This Agreement is the complete and exclusive agreement between the parties, notwithstanding any representations or statements to the contrary heretofore made.

FIFTH: This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any dispute arising hereunder shall be commenced and tried in the Supreme Court of the State of New York, County of Nassau.

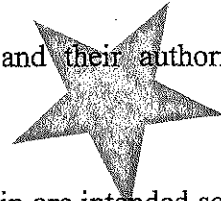
SIXTH: This Agreement is subject to the reasonable rules and regulation set by the DEPARTMENT and/or the TOWN as may be amended from time to time.

SEVENTH: If any term or provision of this Agreement or the application thereof to any party or circumstances shall to any extent be invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to parties or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

EIGHTH: Wherever herein the singular number is used, the same shall include the plural and the masculine gender shall include the feminine gender.

NINTH: The terms, covenants and conditions herein contained shall be binding only upon and inure to the benefit of the respective parties and their authorized successors and assigns, if any.

TENTH: The article, section and margin headings herein are intended solely for the convenience of any individual in locating subject matter, and such headings are not to be



used in determining the intent of the parties to this Agreement, the interpretation of this Agreement, or for any other substantive purpose other than as set forth in this Paragraph.

ELEVENTH: This Agreement contains the entire understanding and agreement by and between the parties, and all prior and contemporaneous understandings, agreements and negotiations are herein merged. This Agreement shall not be modified or terminated (except as expressly provided in this Agreement), nor shall any provision waived except by a writing that is signed by the VILLAGE and the TOWN.

TWELFTH: This Agreement shall be subject to and conditioned upon, and shall not be binding on the TOWN until, the approval and authorization of the TOWN BOARD. This Agreement shall be executed on behalf of the TOWN by the Town of Oyster Bay Supervisor, or his designee, only after having received approval and authorization to so execute from the TOWN BOARD.

THIRTEENTH: Each and every provision of law required to be inserted in this Agreement shall be and is inserted herein. Every such provision is to be deemed to be inserted herein, and if, through mistake or otherwise, any such provision is not inserted, or is not inserted in correct form, then this Agreement shall, forthwith upon the application of either party, be amended by such insertion so as to comply strictly with the law and without prejudice to the rights of either party hereunder.

FOURTEENTH: The VILLAGE hereby agrees to defend, indemnify and hold harmless the TOWN and its agents, representatives, successors and assigns (the "Indemnified Parties") from any and all demands, claims, actions, causes of action, proceedings, liabilities, fines, penalties, damages, losses, judgments and expenses, (including without limitation, reasonable attorney's fees) of whatsoever kind and nature, imposed upon, incurred by, or asserted against any of the Indemnified Parties directly or indirectly arising out of or resulting

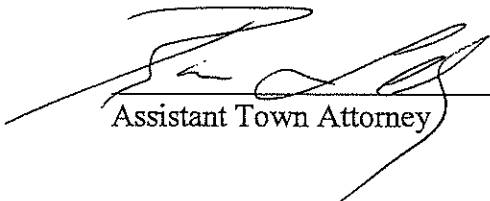
from: (i) the PARTIES' performance under this agreement and/or (ii) the PARTIES' failure to comply with or perform any of the terms, covenants or conditions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this Agreement to be signed by the proper officials thereof, pursuant to resolutions duly adopted by the respective boards of said parties.

TOWN OF OYSTER BAY

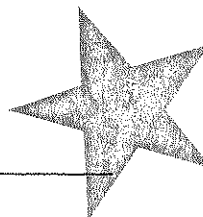
REVIEWED BY:

By: _____
Supervisor


Assistant Town Attorney

INCORPORATED VILLAGE OF
SEA CLIFF

By: _____



COUNTY OF NASSAU) ss:

Notary Public

) ss.:
 COUNTY OF NASSAU)

Notary Public

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated June 20, 2019, and LiRo Engineers, Inc., by Michael Kwaschyn, P.E., Consulting Engineer, 3 Aerial Way, Syosset, New York, by letter dated April 29, 2019, advised that it is necessary and essential to authorize Change Order No. 1, relative to Contract No. DP17-167-PH1, Expansion of Ellsworth W. Allen Park, Phase 1, for a total increase in the amount of \$5,955.66; and

WHEREAS, LiRo Engineers, Inc. also advised that a final inspection has been made of the work performed under Contract No. DP17-167-PH1, and has certified that the Contractor, Pioneer Landscaping & Asphalt Paving, Inc., 168 Townline Rd., Kings Park, NY 11754, has complied with all of the requirements of the Contract, and Commissioner Lenz, by the aforementioned memorandum, has advised that the Department of Public Works concurs with the Consulting Engineer that this Contract be accepted as having been completed, and that final payment be made to the Contractor; that work was scheduled to be completed on November 7, 2018, and was completed on April 7, 2019, and recommended that an extension of time be ratified because the delay was attributable to PSEG delays in installing new electric transformers; and that final construction costs were in the amount of \$2,580,455.96; and

WHEREAS, Change Order No. 1 and various quantity increases and decreases, resulted in a net decrease of \$381,948.39 in contract costs; and

WHEREAS, the Department of Parks, by memorandum dated May 8, 2019, concurs with the recommendation of final acceptance of this project; and

WHEREAS, the Office of the Town Attorney and the Office of the Comptroller, by separate memoranda dated June 5, 2019 and May 8, 2019, respectively, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of final acceptance of this Contract,

NOW THEREFORE IT BE RESOLVED, That upon the recommendation as hereinabove set forth, Change Order No. 1 to Contract No. DP17-167-PH1 is hereby approved, and the Supervisor is hereby authorized to sign Change Order No. 1, setting forth the work required, at a total cost of \$5,955.66; and be it further

RESOLVED, That upon the recommendations as hereinabove set forth, Contract No. DP17-167-PH1 is accepted as being complete, at a final construction cost of \$2,580,455.96, and an extension of time for completion be ratified to April 7, 2019, and the Comptroller is hereby authorized and directed to make final payment for same, in accordance with the applicable terms and provisions of this 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

Reviewed By
Office of Town Attorney
[Signature]

22

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JUNE 20, 2019

TO: MEMORANDUM DOCKET

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

SUBJECT: EXTENSION OF TIME, QUANTITY INCREASE/DECREASE, CHANGE ORDER NO. 1,
AND FINAL ACCEPTANCE
EXPANSION OF ELLSWORTH W. ALLEN PARK PHASE 1
FARMINGDALE, NEW YORK
CONTRACT NO. DP17-167-PH1

The Department of Public Works requests the following regarding Contract No. DP17-167-PH1 Expansion of Ellsworth W. Allen Park Phase 1, Farmingdale:

EXTENSION OF TIME

Attached is a copy of a letter dated April 7, 2019, from Pioneer Landscaping & Asphalt Paving, Inc. requesting an extension of time for this project at no additional construction cost to the Town of Oyster Bay due to delays by PSE&G of Long Island for the installation of new electric transformers on the site.

Attached is a letter from The LiRo Group dated April 29, 2019 recommending an extension of time for eighty four (84) calendar days beyond the original completion date of November 7, 2018. The new completion date will be April 7, 2019.

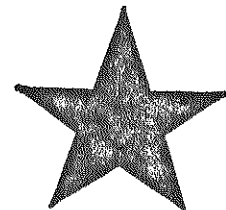
QUANTITY INCREASE/DECREASE

Attached is a letter, with backup, from The LiRo Group, dated April 29, 2019 concerning increases/decreases in quantities with a total net decrease in the amount of \$387,904.05. Said quantity increases and decreases are explained by the consultant in the attached tabulation.

CHANGE ORDER NO.1

Attached is a letter from The LiRo Group, dated April 29, 2019 concerning Change Order No.1 for a total net increase in the amount of \$5,955.66. Said Change Order No. 1 is explained by the consultant in the attached tabulation.

The contractor, Pioneer Landscaping & Asphalt Paving, Inc. has submitted his price quote for the proposed work and the consultant, The LiRo Group reviewed the contractor's price quote and finds the price of \$5,955.66 for the additional work to be fair and reasonable.



FINAL ACCEPTANCE


Also attached herewith are:

1. A letter dated April 29, 2019 from The LiRo Group, recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate dated June 17, 2019.
3. A statement from the Town Attorney's office indicating that there are no legal hindrances.
4. A statement from the Town Comptroller indicating that there are no financial hindrances which would delay the acceptance of this contract.
5. A statement from the Department of Parks concurs with final acceptance.

Work under this contract was directed to proceed as of June 11, 2018 to be completed within 150 calendar days on November 7, 2018, extended to April 7, 2019 in accordance with above-referenced extension of time. The completion date was April 7, 2019.

The above-noted Quantity Increase/Decrease and Change Order No. 1 result in a net decrease to the contract in the total amount of \$381,948.39. Final construction costs amount to \$2,580,455.96.

Therefore, we request the Town Board authorize, by resolution, the above-mentioned Extension of Time, Quantity Increase/Decrease, Change Order No.1, and we hereby concur with The LiRo Group 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.

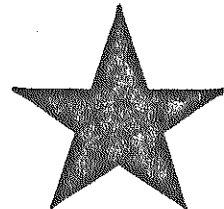


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/DJH
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

DP17-167-PH1 DKT FINAL, CO, EXT, QUANTITY INC & DEC



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: June 5, 2019

SUBJECT: FINAL ACCEPTANCE
EXPANSION OF ELLSWORTH W. ALLEN PARK – PHASE 1
CONTRACT NO. DP17-167-PH1 / PIONEER LANDSCAPING & ASPHALT PAVING, INC.

In reply to your memorandum of May 6, 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.

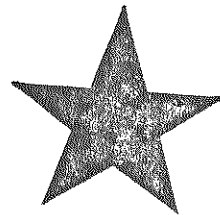
In addition, we have reviewed Maintenance Bond No. 602-117769-6 and have approved same as to form. The original Maintenance Bond was forwarded to the Town Clerk.

JOSEPH NOCELLA, ESQ.
TOWN ATTORNEY

By: _____

Raymond J. Averna
Deputy Town Attorney

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



MAINTENANCE BOND

No. 602-117769-6

KNOW all men by these presents, that we, the undersigned, Pioneer Landscaping & Asphalt Paving, Inc.
_____ as principal, and United States Fire Insurance Company
_____, as sureties, are hereby held and firmly bound unto the
Town of Oyster Bay _____ in the penal sum of (\$ 2,962,404.35)
Two Million Nine Hundred Sixty Two Thousand Four Hundred Four and 35/100 dollars, for the payment
of which well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors,
administrators, successors and assigns.

Signed this 26th day of April, 2019.

The condition of the above obligation is such that whereas, the above-named principal did on the
24th day of April, 2018, enter into a contract with the
Town of Oyster Bay _____ (the "Contract"), which said Contract is
made a part of this bond No. 602-117769-6 the same as though set forth herein;

Now, if the said Pioneer Landscaping & Asphalt Paving, Inc. shall well and
faithfully do and perform all things agreed by Town of Oyster Bay to
be done and performed according to the Articles of the Contract entitled, "Warranty" and "Maintenance
Period"; then this obligation shall be void; otherwise the same shall remain in full force and effect; it
being expressly understood and agreed that the liability of the surety for any and all claims hereunder
shall in no event exceed the penal amount of this obligation as herein stated.

This Maintenance Bond is to remain in effect until the end of the Maintenance Period provided
under the Contract, One year(s) after completion of the project.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to
the terms of the said Contract or in or to the plans or specifications therefore shall in anyway affect the
obligation of said surety on its bond.

IN WITNESS WHEREOF said principal and surety have hereunto set their respective hands and
seals or caused these presents to be signed and sealed by their proper representatives on the day and date
set forth above.

WITNESS/ATTEST

Elsie Wilmer

Pioneer Landscaping & Asphalt Paving, Inc.
Principal

By

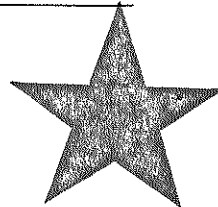
United States Fire Insurance Company
Surety

ATTEST

[Signature]

By

Joseph Tantillo Attorney-In-Fact



POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY

01115404919

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

Joseph Tantillo, Christopher Catera

each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties not exceeding: **Seven Million, Five Hundred Thousand Dollars (\$7,500,000).**

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous Powers of Attorney issued on behalf of the Attorneys-In-Fact named above and expires on January 31, 2020.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 25th day of March, 2019.

UNITED STATES FIRE INSURANCE COMPANY



A.R.R.

Anthony R. Slimowicz, Executive Vice President

State of New Jersey }
County of Morris }

On this 25th day of March 2016, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

SONIA SCALA
NOTARY PUBLIC STATE OF NEW JERSEY
NO. 2163686

Sonia Scala

Sonia Scala

(Notary Public)

MY COMMISSION EXPIRES 3/25/2024

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

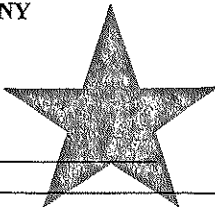
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 26th day of April 2019

UNITED STATES FIRE INSURANCE COMPANY



Al Wright

Al Wright, Senior Vice President



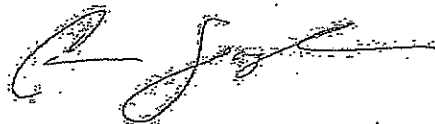
UNITED STATES FIRE INSURANCE COMPANY
1209 ORANGE STREET, WILMINGTON, DELAWARE 19801

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

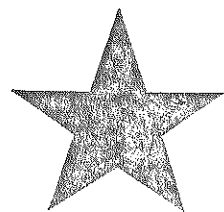
AT DECEMBER 31, 2018

ASSETS	
Bonds (Amortized Value).....	1,575,095,694
Preferred Stocks (Market Value).....	2,500,000
Common Stocks (Market Value).....	1,163,841,710
Mortgage Loans (Market Value).....	3,510,000
Cash, Cash Equivalents, and Short Term Investments.....	477,327,351
Derivatives.....	23,002,739
Other Invested Assets.....	216,475,684
Investment Income Due and Accrued.....	8,006,764
Premiums and Considerations.....	195,195,701
Amounts Recoverable from Reinsurers.....	31,104,247
Funds Held by or Deposited with Reinsured Companies.....	4,482,823
Current Income Taxes Recoverable.....	1,966,565
Net Deferred Tax Asset.....	161,021,872
Electronic Data Processing Equipment.....	4,043,042
Receivables from Parent, Subsidiaries and Affiliates.....	138,140,008
Other Assets.....	80,113,770
TOTAL ASSETS	\$ 4,085,827,970
LIABILITIES, SURPLUS & OTHER FUNDS	
Losses (Reported Losses Net of Reinsurance Ceded and Incurred But Not Reported Losses).....	1,559,822,684
Reinsurance Payable on Paid Losses and Loss Adjustment Expenses.....	41,178,534
Loss Adjustment Expenses.....	386,839,696
Commissions Payable, Contingent Commissions and Other Similar Charges.....	3,516,082
Other Expenses (Excluding Taxes, Licenses and Fees).....	48,794,043
Taxes, Licenses and Fees (Excluding Federal Income Taxes).....	20,335,069
Unearned Premiums.....	517,688,148
Advance Premium.....	5,194,006
Ceded Reinsurance Premiums Payable.....	23,830,611
Funds Held by Company under Reinsurance Treaties.....	20,864,701
Amounts Withheld by Company for Account of Others.....	76,666,809
Provision for Reinsurance.....	627,927
Payable to Parent, Subsidiaries and Affiliates.....	10,488,505
Other Liabilities.....	52,539,781
TOTAL LIABILITIES	\$ 2,768,186,596
Common Capital Stock.....	13,560,000
Gross Paid In and Contributed Surplus.....	1,246,294,940
Unassigned Funds (Surplus).....	57,786,434
Surplus as Regards Policyholders.....	1,317,641,374
TOTAL LIABILITIES, SURPLUS & OTHER FUNDS	\$ 4,085,827,970

I, Carmine Scaglione, Senior Vice President and Controller of UNITED STATES FIRE INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, December 31, 2018, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of Delaware.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 5th day of March, 2019.
UNITED STATES FIRE INSURANCE COMPANY



Individual

Acknowledgement

State of _____ }
County of _____ } ss.

On this _____ day of _____, 20____, before me personally came

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

My commission expires _____

Notary Public

Firm

Acknowledgement

State of _____ }
County of _____ } ss.

On this _____ day of _____, 20____, before me personally came

_____ to be known to me

to be a member of the firm of _____ described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed the same as and for the act and deed of said firm.

My commission expires _____

Notary Public

Corporation

Acknowledgement

State of NY }
County of Suffolk } ss.

On this 26th day of April, 2019, before me personally came

Michael Cox to be known to me

who being by me duly sworn, did depose and say that he is the president

of Pioneer Landscaping & Asphalt Paving, Inc.

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

My commission expires 5/18/2021
Elsie Wilmer
Notary Public, State of New York
No. 01W16206543
Qualified in Suffolk County
Commission Expires May 18, 2021

Elsie Wilmer
Notary Public

Surety

Acknowledgement

State of New York }
County of Suffolk } ss.

On this 26th day of April, 2019, before me personally came

Joseph Tantillo

to be known, who, being by me duly sworn, did depose and say that

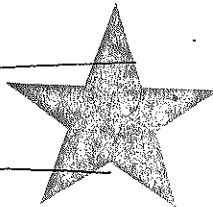
he is attorney-in-fact of United States Fire Insurance Company

the corporation described in and which executed the above instrument; that he knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that he signed the said instrument and affixed the said seal as Attorney-in-Fact by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

Christopher P Catera
Notary Public, State of New York
No. 01CA6176842, Suffolk County
Commission Expires, Nov 5, 2021

My commission expires _____

Notary Public



IF
D.H.

TOWN OF OYSTER BAY
Inter-Departmental Memo

May 08, 2019

TO: RICHARD W. LENZ, COMMISSIONER OF PUBLIC WORKS/HIGHWAY
FROM: STEVEN C. BALLAS, COMPTROLLER
SUBJECT: FINAL ACCEPTANCE – EXPANSION OF ELLSWORTH W. ALLEN PARK
PHASE 1 – CONTRACT NO DP17-167-PH1

In response to your memo dated May 6, 2019, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

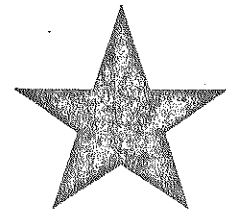


STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/jjb:mj

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



DH.

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: May 8, 2019

SUBJECT: Final Acceptance Contract No. DP17-167-PH1

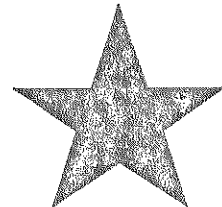
Please be advised that this department has reviewed the Inter-Departmental Memo, dated May 6, 2019, in regard to Final Acceptance of the Expansion of Ellsworth W. Allen Park Phase 1, Contract No. DP17-167-PH1.

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



Joseph G. Pinto
Commissioner

JGP:GS:ld



TOWN OF OYSTER BAY

Page: Page 2 of 2

Engineer's Certificate
DEPARTMENT OF PUBLIC WORKS
150 Miller Place Syosset, New York 11791

DATE: 6/17/19

Contractor Pioneer Landscaping & Asphalt Paving, Inc

Project Name Town of Oyster Bay
Expansion of Ellsworth W. Allen Park - Phase 1

Address 168 Townline Rd
Kings Park, NY 11754

TOB Contract No. DP17-PH-1

Engineer/Architect
The IIRO Group
Three Aerial Way
Syosset, NY 11791

Estimate No. 004 FINAL

Item No.	Quantity	Description	Total Bid Price	Work Performed To Date		
				Unit Price	Quantity	Amount
		See Attached AIA G702 & G703				

Directed Starting Date
Actual Starting Date
Directed Completion Date
Extended Completion Date
Actual Completion Date
The work covered by this estimate was performed prior to

Original Contract Sum: 2,962,404.35
Net Change By Change Orders, Quantity Increase/Decreases: -381,948.39
Contract Sum To Date: -2,580,455.96
Grand Total : 2,580,455.96
(completed and stored to date)
Less 5% Retained: 0.00
Balance: 2,580,455.96
Less Previous Claims: 2,293,698.14
Amount Of This Claim: 286,757.82

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner and that current payment shown herein is now due

Contractor:

Name: Michael Cox

Title: President

Date: 6/26/19

This is to certify that the work covered by this estimate has been performed in accordance with the contract drawings and construction specifications and payment is being made in accordance with the terms and conditions of this contract

Recommended for payment by Engineer/Architect:

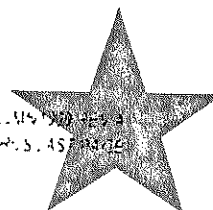
Name: Michael Kraschyn

Title: Vice President

Date: June 28, 2019

NOTARY

6/21/19 10:00 AM
119371040.35 4559406



APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO

PAGES

TO OWNER:

Town of Oyster Bay Dept. of Public Works
150 Miller Place
Syosset, NY 11791

PROJECT:

Town of Oyster Bay
Expansion of Blisworth W. Allen Park - Phase 1
Contract#DP17-PH-1

APPLICATION NO: 004 Final

Distribution to:

☐ OWNER

☐ ARCHITECT

☐ CONTRACTOR

PERIOD TO: 06/17/19 R:6/26/19

INVOICE #:

☐

☐

☐

FROM CONTRACTOR:

Pioneer Landscaping & Asphalt Paving, Inc
168 Townline Road
Kings Park, New York 11754
P-631-269-4300/Fax: 631-528-0080

VIA Engineer:

The LIRO Group
Three Aerial Way
Syosset, NY 11791
Attn: Mr. Thomas Gibbons

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 2,962,404.35
2. Net change by Change Orders \$ (381,948.39)
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 2,580,455.96
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 2,580,455.96

5. RETAINAGE:

a. 0% of Completed Work \$ 0.00
(Column D + E on G703)

b. % of Stored Material \$

(Column F on G703)

Total Retainage (Lines 5a + 5b or Total in Column I of G703)

6. TOTAL EARNED LESS RETAINAGE \$ 2,580,455.96
(Line 4 Less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 2,293,698.14

8. CURRENT PAYMENT DUE \$ 286,757.82

9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month	\$5,955.66	(\$387,904.05)
TOTALS		
NET CHANGES by Change Order		(\$381,948.39)

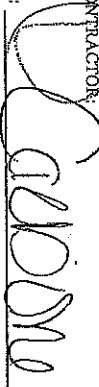
PROJECT NOS: 18-031

CONTRACT DATE:

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:



Date:

6/26/19

State of: NY County of: Suffolk
Subscribed and sworn to before me this 26th day of June, 2019
Notary Public: Elsie Wilmer
My Commission expires: 5/18/21
Notary Public, State of New York
No. 01W6206543
Qualified in Suffolk County
Commission Expires May 18, 2021

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor

Michael Knowledge

AMOUNT CERTIFIED \$286,757.82

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

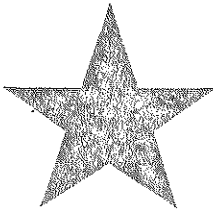
PAGE 2 OF 2 PAGES

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retelage for line items may apply.

APPLICATION NO: 4 Final
APPLICATION DATE: 17-Jun-19 R: 6/26/19
PERIOD TO: 17-Jun-19 R: 6/26/19
OWNERS PROJECT NO:

OWNERS PROJECT NO: 17-001-19 R:6/26/19																	
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	Unit Price	Unit	Bid Quantity	Previous Quantity	Quantity this period	D		E		F	G		H		I
								WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD	MATERIALS PRESENTLY STORED	TOTAL COMPLETED AND STORED TO DATE		% (G + C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE) 0%		
840	Water Service	42,400.00	42,400.00	LS	1	0	0	0.00		\$42,400.00			\$42,400.00	100%		0.00	
	Electric Work					0											
	Trenching and Backfill	24,135.00	24,135.00	LS	1	1	0	24,135.00	\$0.00				\$24,135.00	100%	0.00		0.00
	Light Pole Bases - Parking Lot Light Bases - Musco (Installation Only)	27,365.00	27,365.00	LS	1	1	0	27,365.00	\$0.00				\$27,365.00	100%	0.00		0.00
	Light Pole Bases - Pathway Bases - Sternberg	20,000.00	20,000.00	LS	1	1	0	20,000.00	\$0.00				\$20,000.00	100%	0.00		0.00
	Light Install - Parking Lot Lights - Musco	90,000.00	90,000.00	LS	1	1	0	90,000.00	\$0.00				\$90,000.00	100%	0.00		0.00
	Light Install - Pathway Lights - Sternberg	35,000.00	35,000.00	LS	1	1	0	35,000.00	\$0.00				\$35,000.00	100%	0.00		0.00
	Electric Service to Site (Pole to Site)	50,000.00	50,000.00	LS	1	0	0	0.00	\$50,000.00				\$50,000.00	100%	0.00		0.00
	Building	29,000.00	29,000.00	LS	1	1	0	29,000.00	\$0.00				\$29,000.00	100%	0.00		0.00
	Conduit	27,500.00	27,500.00	LS	1	1	0	27,500.00	\$0.00				\$27,500.00	100%	0.00		0.00
906	Pull Boxes	96,000.00	96,000.00	LS	1	1	0	96,000.00	\$0.00				\$96,000.00	100%	0.00		0.00
	Fiber Optic Conduit Installation	40,950.00	30.00	LF	1,365	1365	0	40,950.00	\$0.00				\$40,950.00	100%	0.00		0.00
907	Fiber Optic Pull Box Installation	6,300.00	700.00	EA	9	9	0	6,300.00	\$0.00				\$6,300.00	100%	0.00		0.00
	Call Box Bases	2,800.00	700.00	EA	4	4	0	2,800.00	\$0.00				\$2,800.00	100%	0.00		0.00
990	Prefabricate Bathroom Building	462,000.00	462,000.00	LS	1	1	0	462,000.00	\$0.00				\$462,000.00	100%	0.00		0.00
	Piles	55,000.00	55,000.00	LS	1	1	0	55,000.00	\$0.00				\$55,000.00	100%	0.00		0.00
1000-T	Foundation	45,000.00	45,000.00	LS	1	1	0	45,000.00	\$0.00				\$45,000.00	100%	0.00		0.00
	Contaminated Materials Removal - Tanks and Drums (Contingency)	2,500.00	500.00	EA	5	0	0	0.00	\$2,500.00				\$2,500.00	100%	0.00		0.00
1000-S	Contaminated Materials Removal - Contaminated Soils (Contingency)	3,000.00	300.00	CY	10	0	0	0.00	\$3,000.00				\$3,000.00	100%	0.00		0.00
	Allowance Item (Forced Bid)	100,000.00	100,000.00	LS	1	0	0	0.00	\$100,000.00				\$100,000.00	100%	0.00		0.00
1001	Notification No.1	(387,904.05)							(\$387,904.05)				(\$387,904.05)	100%	0.00		0.00
	Authorization CO	5,955.66						\$0.00	\$5,955.66				\$5,955.66	100%	\$0.00		0.00
		2,580,455.96						2,414,419.10	166,036.86		0.00	2,580,455.96	100%	0.00		0.00	



CONTINUATION SHEET

AIA DOCUMENT G703

PAGE 2 OF 2 PAGES

AIA Document G703, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4 Final
APPLICATION DATE: 17-Jun-19 R:6/26/19
PERIOD TO: 17-Jun-19 R:6/26/19
OWNERS PROJECT NO:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	Unit Price	Unit	Bid Quantity	Previous Quantity	Quantity this period	D WORK COMPLETED		F MATERIALS PRESENTLY STORED	G TOTAL COMPLETED AND STORED TO DATE		H BALANCE TO FINISH (C-G)	I RETAINAGE (IF VARIABLE RATE) 0%
								FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD		(G+C)	(G+C)		
1M	Cleaning & Grubbing	10,000.00	10,000.00	LS	1	1	0	10,000.00	\$0.00		\$10,000.00	100%	0.00	0.00
2M	Unclassified Excavation	250,000.00	50.00	CY	5,000	4000	0	225,000.00	\$25,000.00		\$250,000.00	100%	0.00	0.00
4A	Removal of Concrete	11,288.00	68.00	CY	166	196	20.24	2,709.12	\$8,578.88		\$11,288.00	100%	0.00	0.00
4C	Saw Cut Existing Concrete Pavement	500.00	5.00	LF	100	0	47	235.00	\$265.00		\$500.00	100%	0.00	0.00
4D	Saw Cut Existing Bituminous Concrete Pavement	1,425.00	5.00	LF	285	0	79.8	399.00	\$1,026.00		\$1,425.00	100%	0.00	0.00
5SM	Drainage Fill	75,000.00	30.00	CY	2,500	271	0	8,130.00	\$66,870.00		\$75,000.00	100%	0.00	0.00
7	Preparing Fine Grade	41,396.10	2.15	SY	19,254	17720	0	38,098.00	\$3,298.10		\$41,396.10	100%	0.00	0.00
9	Topsoil	51,000.00	50.00	CY	1,020	693	31.2	36,210.00	\$14,790.00		\$51,000.00	100%	0.00	0.00
12BM-15CPR	Smooth interior Corrugated Polypropylene Drainage Pipe - 15"	5,940.00	18.00	LF	330	330	0	5,940.00	\$0.00		\$5,940.00	100%	0.00	0.00
12H	Clean Existing Draining System	5,000.00	4.00	LF	1,250	0	0	0.00	\$5,000.00		\$5,000.00	100%	0.00	0.00
12S40-4	Schedule 40PVA Drain Pipe - 4" (for Irrigation Sleeve)	8,520.00	6.00	LF	1,420	1156	0	6,936.00	\$1,584.00		\$8,520.00	100%	0.00	0.00
13A	Catch Basins	10,400.00	2,600.00	EA	4	4	1	13,000.00	(\$2,600.00)		\$10,400.00	100%	0.00	0.00
15NCDPW	Altering County Catch Basin	2,500.00	2,500.00	LS	1	0	1	2,500.00	\$0.00		\$2,500.00	100%	0.00	0.00
15DWM	10" Diameter Diffusion Wells - 10' Depth	50,000.00	10,000.00	BA	5	0	0	0.00	\$50,000.00		\$50,000.00	100%	0.00	0.00
17A	Class A Concrete for Structures	5,000.00	1,000.00	CY	5	0	7.1	7,100.00	(\$2,100.00)		\$5,000.00	100%	0.00	0.00
26	Concrete Curb - 6" Width w/6" reveal	154,100.00	33.50	LF	4,600	3642	130	126,362.00	\$27,738.00		\$154,100.00	100%	0.00	0.00
26M-F8	Clush Concrete Curb - 8" Width	17,325.00	45.00	LF	385	360	0	16,200.00	\$1,125.00		\$17,325.00	100%	0.00	0.00
26M-12	Concrete Mow Strip - 12" width flush w/grade 6" Depth	39,000.00	26.00	LF	1,500	394	416	21,060.00	\$17,940.00		\$39,000.00	100%	0.00	0.00
27	Cement Concrete Sidewalk (5" thick w/white mesh)	156,475.00	5.50	SF	28,450	23110	1072.5	133,003.75	\$23,471.25		\$156,475.00	100%	0.00	0.00
27DW	Embedded Detachable Warning Unit	5,200.00	40.00	SF	130	130	130	10,400.00	(\$5,200.00)		\$5,200.00	100%	0.00	0.00
28	Reinforced Cement Concrete Driveway & Aprons (7" thick)	800.00	20.00	SF	40	40	136	3,520.00	(\$2,720.00)		\$800.00	100%	0.00	0.00
30	Metal Reinforcement for Concrete Pavement	41,210.00	13.00	SY	3,170	2726.2	0	35,440.60	\$5,769.40		\$41,210.00	100%	0.00	0.00
34	Miscellaneous Metals	1,100.00	0.10	LBS	11,000	5500	0	550.00	\$550.00		\$1,100.00	100%	0.00	0.00
36D	Asphalt Concrete Type 1A (Base)	152,625.00	92.50	TN	1,650	1600.5	0	148,046.25	\$4,578.75		\$152,625.00	100%	0.00	0.00
36E	Asphalt Concrete Type 1AC (Top)	104,500.00	95.00	TN	1,100	1100	266.81	104,500.00	(\$160.00)		\$104,500.00	100%	0.00	0.00
50M-4	Vinyl Clad Chain Link Fence & Gates - 4' ht, 2" mesh	8,640.00	32.00	LF	270	275	0	8,800.00			\$8,640.00	100%	0.00	0.00
50M-6	Vinyl Clad Chain Link Fence & Gates - 6' ht, 2" mesh	43,740.00	54.00	LF	810	314	0	16,956.00	\$26,784.00		\$43,740.00	100%	0.00	0.00
50M-6P	Vinyl Clad Chain Link Fence - 6' ht, 2" mesh w/privacy slats	31,200.00	78.00	LF	400	394	0	30,732.00	\$468.00		\$31,200.00	100%	0.00	0.00
50M-20	Vinyl Clad Chain Link Fence - 20ht, 2" mesh	51,900.00	173.00	LF	300	280	0	48,440.00	\$3,460.00		\$51,900.00	100%	0.00	0.00
11S	Maintenance & Protection of Traffic (Reg. C)	70,000.00	70,000.00	1S	1	1	0	70,000.00	\$0.00		\$70,000.00	100%	0.00	0.00



LiRo Engineers, Inc.
Engineers – Architects
Three Aerial Way
Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

Dated: 25 February 2019

Contractor: Pioneer Paving, Inc.
Item No.: As Listed Below
Resident Representative: Sokwon Im

ITEM 12H:	Clean Existing Drainage System	
	Decrease Estimated Quantity From 1,250 LF to 0 LF	
	Decrease in cost of 1,250 LF @ Unit Price Bid of \$4.00 =	\$ (5,000.00)

Reason: The plan does not call for any cleaning of existing drainage pipe.

ITEM 12S40-4:	Schedule 40 PVC Drain Pipe – 4" (for Irrigation sleeve)	
	Decrease Estimated Quantity From 1,420 LF to 1,156 LF	
	Decrease in cost of 264 LF @ Unit Price Bid of \$6.00 =	\$ (1,584.00)

Reason: The item quantity is decreased due to the actual field measurement.

ITEM 15DWM:	10 feet Diameter Diffusion Well – 10 FT depth	
	Decrease Estimated Quantity From 5 EA to 0 EA	
	Decrease in cost of 5 EA @ Unit Price Bid of \$10,000.00 =	\$ (50,000.00)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 26:	Concrete Curb 6 inch width w/ 6 inch Reveal	
	Decrease Estimated Quantity From 4,600 LF to 3,772 LF	
	Decrease in cost of 828 LF @ Unit Price Bid of \$33.50 =	\$ (27,738.00)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 26M-F8:	Flush Concrete Curb – 8 inch Width	
	Decrease Estimated Quantity From 385 LF to 360 LF	
	Decrease in cost of 25 LF @ Unit Price Bid of \$45.00 =	\$ (1,125.00)

Reason: The item quantity was decreased due to the actual field measurement.

ITEM 26M-12:	Concrete Mow Strip 12 inch Width Flush w/ Grade 6 inch Depth	
	Decrease Estimated Quantity From 1,500 LF to 810 LF	
	Decrease in cost of 690 LF @ Unit Price Bid of \$26.00 =	\$ (17,940.00)

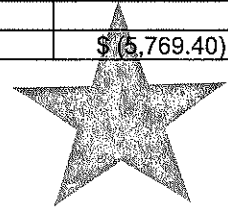
Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 27:	Cement Concrete Sidewalk (5 inch thick w/ Wire Mesh)	
	Decrease Estimated Quantity From 28,450 LF to 24,182.5 LF	
	Decrease in cost of 4,267.5 LF @ Unit Price Bid of \$5.50 =	\$ (23,471.25)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 30:	Metal Reinforcement for Concrete Pavement	
	Decrease Estimated Quantity From 3,170 SY to 2,726.20 SY	
	Decrease in cost of 443.8 SY @ Unit Price Bid of \$13.00 =	\$ (5,769.40)

Reason: The item quantity was decreased due to a reduction of work area in the park.





LiRo Engineers, Inc.
Engineers – Architects
Three Aerial Way
Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

Dated: 25 February 2019

Contractor: Pioneer Paving, Inc.
Item No.: As Listed Below
Resident Representative: Sokwon Im

ITEM 12H:	Clean Existing Drainage System	
	Decrease Estimated Quantity From 1,250 LF to 0 LF	
	Decrease in cost of 1,250 LF @ Unit Price Bid of \$4.00 =	\$ (5,000.00)

Reason: The plan does not call for any cleaning of existing drainage pipe.

ITEM 12S40-4:	Schedule 40 PVC Drain Pipe – 4" (for Irrigation sleeve)	
	Decrease Estimated Quantity From 1,420 LF to 1,156 LF	
	Decrease in cost of 264 LF @ Unit Price Bid of \$6.00 =	\$ (1,584.00)

Reason: The item quantity is decreased due to the actual field measurement.

ITEM 15DWM:	10 feet Diameter Diffusion Well – 10 FT depth	
	Decrease Estimated Quantity From 5 EA to 0 EA	
	Decrease in cost of 5 EA @ Unit Price Bid of \$10,000.00 =	\$ (50,000.00)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 26:	Concrete Curb 6 inch width w/ 6 inch Reveal	
	Decrease Estimated Quantity From 4,600 LF to 3,772 LF	
	Decrease in cost of 828 LF @ Unit Price Bid of \$33.50 =	\$ (27,738.00)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 26M-F8:	Flush Concrete Curb – 8 inch Width	
	Decrease Estimated Quantity From 385 LF to 360 LF	
	Decrease in cost of 25 LF @ Unit Price Bid of \$45.00 =	\$ (1,125.00)

Reason: The item quantity was decreased due to the actual field measurement.

ITEM 26M-12:	Concrete Mow Strip 12 inch Width Flush w/ Grade 6 inch Depth	
	Decrease Estimated Quantity From 1,500 LF to 810 LF	
	Decrease in cost of 690 LF @ Unit Price Bid of \$26.00 =	\$ (17,940.00)

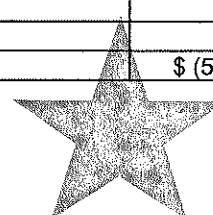
Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 27:	Cement Concrete Sidewalk (5 inch thick w/ Wire Mesh)	
	Decrease Estimated Quantity From 28,450 LF to 24,182.5 LF	
	Decrease in cost of 4,267.5 LF @ Unit Price Bid of \$5.50 =	\$ (23,471.25)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 30:	Metal Reinforcement for Concrete Pavement	
	Decrease Estimated Quantity From 3,170 SY to 2,726.20 SY	
	Decrease in cost of 443.8 SY @ Unit Price Bid of \$13.00 =	\$ (5,769.40)

Reason: The item quantity was decreased due to a reduction of work area in the park.





LiRo Engineers, Inc.
Engineers – Architects
Three Aerial Way
Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

Dated: 25 February 2019

Contractor: Pioneer Paving, Inc.
Item No.: As Listed Below
Resident Representative: Sokwon Im

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	Decrease in cost of 1,250 LF @ Unit Price Bid of \$4.00 =	\$ (5,000.00)

Reason: The plan does not call for any cleaning of existing drainage pipe.

ITEM 12S40-4:	Schedule 40 PVC Drain Pipe – 4" (for Irrigation sleeve)	
	Decrease Estimated Quantity From 1,420 LF to 1,156 LF	
	Decrease in cost of 264 LF @ Unit Price Bid of \$6.00 =	\$ (1,584.00)

Reason: The item quantity is decreased due to the actual field measurement.

ITEM 15DWM:	10 feet Diameter Diffusion Well – 10 FT depth	
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	Decrease in cost of 5 EA @ Unit Price Bid of \$10,000.00 =	\$ (50,000.00)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 26:	Concrete Curb 6 inch width w/ 6 inch Reveal	
	Decrease Estimated Quantity From 4,600 LF to 3,772 LF	
	Decrease in cost of 828 LF @ Unit Price Bid of \$33.50 =	\$ (27,738.00)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 26M-F8:	Flush Concrete Curb – 8 inch Width	
	Decrease Estimated Quantity From 385 LF to 360 LF	
	Decrease in cost of 25 LF @ Unit Price Bid of \$45.00 =	\$ (1,125.00)

Reason: The item quantity was decreased due to the actual field measurement.

ITEM 26M-12:	Concrete Mow Strip 12 inch Width Flush w/ Grade 6 inch Depth	
	Decrease Estimated Quantity From 1,500 LF to 810 LF	
	Decrease in cost of 690 LF @ Unit Price Bid of \$26.00 =	\$ (17,940.00)

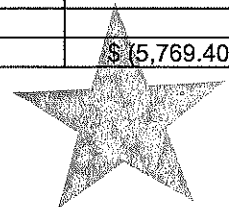
Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 27:	Cement Concrete Sidewalk (5 inch thick w/ Wire Mesh)	
	Decrease Estimated Quantity From 28,450 LF to 24,182.5 LF	
	Decrease in cost of 4,267.5 LF @ Unit Price Bid of \$5.50 =	\$ (23,471.25)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 30:	Metal Reinforcement for Concrete Pavement	
	Decrease Estimated Quantity From 3,170 SY to 2,726.20 SY	
	Decrease in cost of 443.8 SY @ Unit Price Bid of \$13.00 =	\$ (5,769.40)

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Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

Dated: 25 February 2019

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Resident Representative: Sokwon Im

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Reason: The plan does not call for any cleaning of existing drainage pipe.

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Reason: The item quantity is decreased due to the actual field measurement.

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Reason: The item quantity was decreased due to a reduction of work area in the park.

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	Decrease Estimated Quantity From 385 LF to 360 LF	
	Decrease in cost of 25 LF @ Unit Price Bid of \$45.00 =	\$ (1,125.00)

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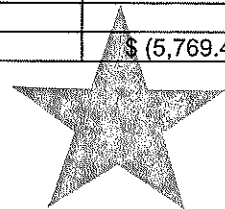
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ITEM 27:	Cement Concrete Sidewalk (5 inch thick w/ Wire Mesh)	
	Decrease Estimated Quantity From 28,450 LF to 24,182.5 LF	
	Decrease in cost of 4,267.5 LF @ Unit Price Bid of \$5.50 =	\$ (23,471.25)

Reason: The item quantity was decreased due to a reduction of work area in the park.

ITEM 30:	Metal Reinforcement for Concrete Pavement	
	Decrease Estimated Quantity From 3,170 SY to 2,726.20 SY	
	Decrease in cost of 443.8 SY @ Unit Price Bid of \$13.00 =	\$ (5,769.40)

Reason: The item quantity was decreased due to a reduction of work area in the park.





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Engineers - Architects
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Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

Dated: 25 February 2019

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Item No.: As Listed Below
Resident Representative: Sokwon Im

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	Decrease in cost of 1,250 LF @ Unit Price Bid of \$4.00 =	\$ (5,000.00)

Reason: The plan does not call for any cleaning of existing drainage pipe.

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	Decrease Estimated Quantity From 385 LF to 360 LF	
	Decrease in cost of 25 LF @ Unit Price Bid of \$45.00 =	\$ (1,125.00)

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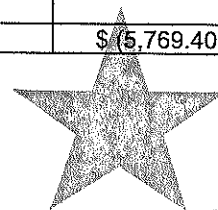
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	Decrease Estimated Quantity From 3,170 SY to 2,726.20 SY	
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Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

Dated: 25 February 2019

Contractor: Pioneer Paving, Inc.
Item No.: As Listed Below
Resident Representative: Sokwon Im

ITEM 12H:	Clean Existing Drainage System	
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Reason: The plan does not call for any cleaning of existing drainage pipe.

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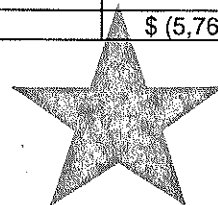
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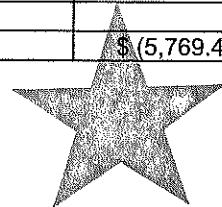
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Engineers – Architects
Three Aerial Way
Syosset, NY 11791-5501

EXPANSION OF ELLSWORTH W. ALLEN PARK- PHASE I

CONTRACT NO. : DP17-167-PH1

QUANTITY INCREASES / DECREASES

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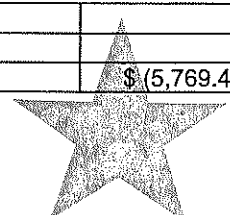
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29 April 2019

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

Re: Town of Oyster Bay
Expansion Ellsworth Allen Park Phase I
Contract No. DP17-167-PH1
Final Acceptance

Dear Commissioner Lenz:

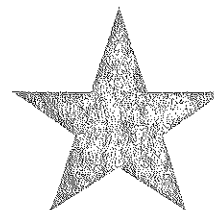
LiRo Engineers, Inc. has performed a final inspection of the Expansion of Ellsworth Allen Park Phase 1 under this contract. All punch list items have been satisfactorily completed by the contractor. LiRo Engineers inspection indicates that the work was constructed in accordance with the approved plans and specifications.

Enclosed find a copy of the Maintenance Bond provided by United States Fire Insurance Company for the one year maintenance period.

The contract included 150 calendar days to complete the work. The start of construction was scheduled for June 11, 2018. A discontinuance was approved with work resuming on January 14, 2019 and completed on April 7, 2019. This additional time of 84 days was required by Pioneer to coordinate and complete work performed by PSEG of Long Island in the installation of electric transformers for the site. Therefore, it is recommend that an extension of time of 84 days be approved.

The original bid amount for this contract was \$2,962,404.35. The final contract quantities were tabulated and provided in the attached increase/decrease notification No.1 for a decrease of \$387,904.05. During construction unforeseen conditions were encountered which required change orders in the amount of \$5,955.66 to be issued as outlined in the attached. Based upon this we recommend the Town accept the credit and approve the change orders as provided. Therefore the final contract value, including Increase/Decrease Notification No. 1 and Change Orders, recommended for approval is \$2,580,455.96.

Integrated Construction, Design, and Technology Solutions





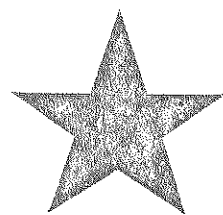
Therefore, this office recommends that the Town of Oyster Bay accept this job as final.
If you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,

LiRo Engineers, Inc.

A handwritten signature in black ink, reading 'Michael Kwaschyn'. The signature is written in a cursive, flowing style.

Michael Kwaschyn, P.E.
Project Manager





Landscaping & Asphalt Paving, Inc.

168 Townline Rd., Kings Park, NY 11754 • Tel: (631) 269-4300 • Fax: (631) 528-0030

April 7, 2019

Town of Oyster Bay Department of Public Works
Division of Engineering
150 Miller Place
Syosset, NY 11791
Attn: Mr. Richard Lenz, P.E. – Commissioner

RE: Expansion of Ellsworth W. Allen Park, Phase 1
Contract # DP17-167-PH1.
"Extension of Time"

Dear Mr. Lenz,

Pioneer is requesting an 84 day extension of time to the above referenced contract. The extension was due to Pioneer's coordination and completion of PSEG's installation of the electrical transformers for the site.

This extension of time has no additional cost impact to the Town of Oyster Bay. Thanks in advance for your consideration.

Very Truly Yours,

Kevin Cox
Vice President

CC: Mr. Dan Haas - TOB



Pioneer Landscaping & Asphalt Paving, Inc.

**TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
ELLSWORTH ALLEN PARK SYNTHETIC TURF REPLACEMENT
PARK IMPROVEMENT
CONTRACT NO. DP18-173
CHANGE ORDERS**

To: Pioneer Paving and Asphalt

Re: Ellsworth W. Allen Park Expansion Phase 01
Contract No. DP17-167-PH1

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay related to the referenced contract:

ADD:

Change Order #1 – Musco Parking Lot Light Pole Base

The Musco parking lot lights that the Town was providing for this contract did not include the bases as part of Musco's quote to the Town. Pioneer Paving was asked to provide a quote for providing the pole bases. The total change order cost is in the amount of \$44,595.00 for the 27 light pole bases required.

Total Credit \$44,595.00

Change Order #2 – Chain Link Fence Fabric Gauge Change Order

The Town of Oyster Bay has verbally approved your cost proposal for changing the chain link fence fabric for all of Phase 1 from 9 gauge to 6 gauge. The total change order cost is in the amount of \$12,753.00 as submitted in a cost break down.

Total Credit \$12,753.00

Change Order #5 – Temporary Construction Fencing

The Town of Oyster Bay has verbally approved your cost proposal for movable temporary construction fencing. The total change order cost is in the amount of \$7,500.00 as submitted in a cost break down.

Total Credit \$7,500.00

Change Order #6 – Future Water Connection Change Order

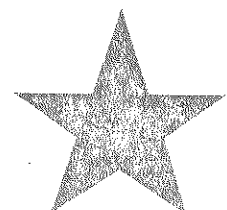
The Town of Oyster Bay has verbally approved your cost proposal for the installation of a stub for future water connection by others in Phase II. The total change order cost is in the amount of \$2,420.00 as submitted in a cost break down.

Total Credit \$2420.00

Change Order #7 – Monitoring Wells Change Order

The Town of Oyster Bay has verbally approved your cost proposal for work required to adjust, cap or abandon monitoring wells on the Phase I site. This work was shown on the plans as done by others. In an effort to expedite the project Pioneer was requested by the Town to perform this work. The total change order cost is in the amount of \$17,835.40 as submitted in a cost break down.

Total Credit \$17,835.40



Change Order #8 – Double Drive Gates Change Order

The Town of Oyster Bay has verbally approved your cost proposal for furnishing and installing Double Drive Gates for the T-Ball field. These gates will provide for a second means of access for maintenance equipment. The total change order cost is in the amount of \$2,418.19 as submitted in a cost break down.

Total Credit \$2,418.19

Change Order #9 – 400A Transformer S Cabinet Change Order

The Town of Oyster Bay has verbally approved your cost proposal for furnishing and installing a new 400A Trans S Cabinet box for the water treatment facility. As part of the transformer installation at Allen Park PSEG of LI field inspector required a separate box for the treatment facility be provided which was not shown on the plans. The total change order cost is in the amount of \$4,479.77 as submitted in a cost break down.

Total Credit \$4,479.77

Change Order #10 – 3" Galvanized Conduit Change Order

The Town of Oyster Bay has verbally approved your cost proposal for furnishing and installing 3" galvanized conduit under the roadway for future traffic signal work. The Town submitted a permit application to Nassau County for a Traffic signal to be located at the new park entrance. The permit was not issued to date and Pioneer was completing there contractual work at the entrance conduit was provided for future signal wiring when the County approves the permit. The total change order cost is in the amount of \$2,617.30 as submitted in a cost break down.

Total Credit \$2,617.30

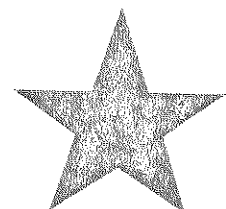
Change Order #11 – Steel Bollards Change Order

The Town of Oyster Bay has verbally approved your cost proposal for furnishing and installing 22 steel bollards to protect the new transformer and meter. As part of the transformer installation at Allen Park PSEG of LI field inspector required steel bollards be provided which was not shown on the plans. The total change order cost is in the amount of \$11,337.00 as submitted in a cost break down

Total Credit \$11,337.00

The total cost for Change Orders is \$105,955.66
Contract Allowance \$100,000.00

Total Cost of this Change Order \$5,955.66



The above work is to be performed in accordance with letters from LiRo Engineers, Inc., and the memorandum of Richard Lenz, Commissioner of Public Works, dated June , 2019, at a total cost to the Town of Oyster Bay not to exceed five thousand nine hundred fifty five dollars and sixty six cents.

The above change order is hereby accepted by the Town of Oyster Bay.

Dated: _____

Joseph Saladino, Supervisor

Recommended by:

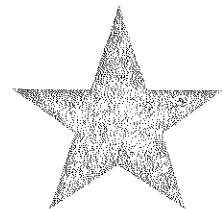
LiRo Engineers, Inc.

Michael Kwaseh
Vice President

The above Change Order is hereby accepted.

Pioneer Paving and Asphalt

Michael Cox
President 6/27/19



Reviewed By
Office of Town Attorney
Elizabeth A. Feughan

WHEREAS, Jaime Aguilar, Pastor, Iglesia Cristiana Manantial Abierto, Inc., 105 Broadway, Hicksville, NY 11801, by letter dated May 30, 2019, requested the use of Municipal Parking Field H-8 in Hicksville, Town of Oyster Bay, New York, on Saturday, June 29, 2019, from 9:00 a.m. until 5:00 p.m., and the posting of "No Parking" signs in said lot for June 29, 2019, for the Iglesia Cristiana Manantial Abierto, Inc.'s community outreach event, and also requested that four (4) complete barricades be delivered on June 28, 2019 for said event; and

WHEREAS, John Bishop, Deputy Commissioner, Highway Department, by memorandum dated June 19, 2019, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing same to Iglesia Cristiana Manantial Abierto, Inc. 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 Public Works, and the Highway Department, are hereby authorized to provide the use of Municipal Parking Field H-8 in Hicksville on Saturday, June 29, 2019, from 9:00 a.m. until 5:00 p.m., nunc pro tunc, and the posting of "No Parking Signs" in said lot for the Iglesia Cristiana Manantial Abierto's community outreach event, as well as four (4) complete barricades delivered on June 28, 2019, nunc pro tunc, 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 each occurrence, and \$2,000,000 general aggregate, naming the Town of Oyster Bay as an additional insured, in connection with the aforementioned activity.

-#-

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

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

23

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 19, 2019,

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: IGLESIA CRISTIANA MANANTIAL ABIERTO INC.
CHURCH COMMUNITY OUTREACH EVENT
NUNC PRO TUNC -JUNE 29TH 2019

Enclosed please find a copy of the letter from Jamie Aguilar, Pastor, from Iglesia Cristiana Manantial Abierto, Inc., requesting our assistance for their church community outreach event on June 29, 2019.

The Highway Department has no objection to the organization utilizing parking lot H-8 from 9:00 A.M. to 5:00 P.M. for the church community outreach event and will be pleased to post "No Parking" signs to close the lot and provide four (4) complete barricades on June 29, 2019.

Also attached are a Certificate of Insurance, Endorsement Sheet and Hold Harmless 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
Justin McCaffrey, Commissioner, Dept. Public Safety
Doug Robalino, General Foreman 002
Peter Brown, Foreman 003
Steve Kelly, Sign Bureau Supervisor
Grace SantaMaria, Highway Administration



IGLESIA CRISTIANA MANANTIAL ABIERTO, INC

THE WELLSPRING OPEN CHRISTIAN CHURCH, INC.

105 Broadway, Hicksville, NY 11801

Kim Z.

REC'D BY HIGHWAY DEPT
MAY 31 11:39 PM 4/42

May 30th, 2019

John Bishop
Deputy Commissioner
Sign Bureau
Public Parking
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

HIGHWAY DEPARTMENT

Good morning Mr Bishop,

I hope this finds you well. I am reaching out to you as we would like to request the use of parking lot H-8 in Hicksville, for an event that our church, Iglesia Cristiana Manantial Abierto, Inc will have on Saturday June 29th, from 9am to 5pm. This event is mostly a community outreach. We would also like to request some barricades (4) for the parking lot if possible, in order to protect the families attending the event.

If you have any questions or concerns, please do not hesitate to call me directly at 516-439-1680.

We appreciate your help.

Sincerely,

Pastor Jaine Aguilar

OFFICES

99 Jerusalem Avenue Hicksville, NY 11801
516 582 6411 516 439 1680
Baptism on Facebook Twitter iglesiamanantialabierto@gmail.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/30/2019

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 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

Church Mutual Insurance Company
3000 Schuster Lane
P.O. Box 357

Merrill

WI 54452

INSURED IGLESIA CRISTIANA MANANTIAL ABIERTO INC

105 N BROADWAY

HICKSVILLE

NY 11801-2907

CONTACT ANDREA L. MARLOWE

PHONE (A/C No. Ext): 1-800-654-2842 Option 1

FAX (A/C No.):

E-MAIL: CustomerService@churchmutual.com

INSURER(S) AFFORDING COVERAGE

INSURER A: Church Mutual Insurance Company

NAIC #

18767

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

PROD LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y	0252636-02-044703	10/31/2017	10/31/2020	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (EA occurrence) \$ 1,000,000
						MED EXP (Any one person) \$ 15,000
						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 3,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$ 1,000,000
	OTHER:					
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (EA accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS					
	<input type="checkbox"/> NON-OWNED AUTOS ONLY					
	UMBRELLA LIAB					EACH OCCURRENCE \$
	EXCESS LIAB					AGGREGATE \$
	<input type="checkbox"/> OCCUR					
	<input type="checkbox"/> CLAIMS-MADE					
	DED. RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					PER STATUTE OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Resident in NY)	Y/N				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				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)
Use of Parking Lot H-8, East Marie Street and Broadway, Hicksville, New York on June 29, 2019. Certificate holder is additional insured. A220 RUAP 232

CERTIFICATE HOLDER

Town of Oyster Bay
Highway Department
150 Miller Place
Syosset

NY 11791-5603

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

Andrea Marlowe

ACORD 25 (2016/03)

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Reviewed By
Office of Town Attorney
[Signature]

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the General Liability Coverage Part.

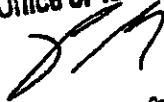
The following is added to the General Liability Additional Provisions Form.

A. ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

1. Paragraph C, Who Is An Insured, is amended to include as an insured the person or organization shown in the applicable schedule in the Declarations Page but only with respect to "bodily injury," "property damage," "personal injury," or "advertising injury" liability arising out of your operations or premises owned by or rented to you.

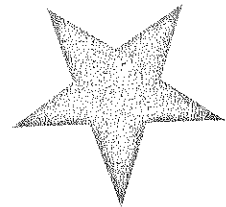
Refer to the Declarations Page to determine the insured person or organization.

Reviewed By
Office of Town Attorney



A 220 (01-98)

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Copyright, Insurance Services Office, Inc., 1995.



Page 1 of 1

Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 12 day of June 2019, by Iglesia Cristiana Evangelical Abierto, 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 6/25/2019 through 7/1/2019. (Barricades) Parking lot to be used on 6/25/2019

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:

Iglesia Cristiana Evangelical Abierto, Inc

Address of Organization:

105 Broadway
Hicksville NY 11801

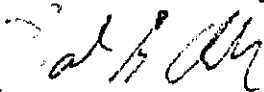
By: 

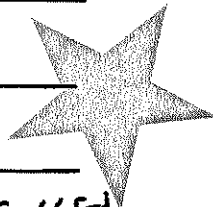
Authorized Representative

Title: Pastor

Telephone Number: 516-435-1680

Reviewed By
Office of Town Attorney





DATE: 6/3/19
TO: HIGHWAY OPERATIONS
SUBJECT: ICMA Church Outreach Day

PLEASE DELIVER TO:
Lot H-8
Hicksville

DATE OF EVENT: 6/29/19

BARRICADES: 4

CONTACT: Jamie Aguilar
516-439-1680

CONES:

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 6/28/19


PICKUP ON: 7/1/19

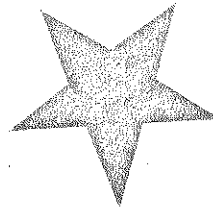
SWEEPING BEFORE AFFAIR IS NEEDED:

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
Peter Brown, General Foreman 003
Joe Piczcatowski, Area Foreman 017
Jeff VanNostrand

Public Safety Division
Dan Kornfeld

WHEREAS, Len Margolis, President, Locust Valley Chamber of Commerce, by letter dated June 6, 2019, requested the closure of the parking area near the railroad crossing between Forest Avenue and Elm Street and Parking Field LV-1 in Locust Valley, Town of Oyster Bay, New York, on Saturday, August 3, 2019, from 10:00 a.m. until 4:00 p.m. (rain date of August 10th), and the use of twelve (12) complete barricades, for the Chamber's 19th Annual Summer Locust Valley Sidewalk Sale; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated June 19, 2019, advised that the Highway Department has no objection to the Locust Valley Chamber of Commerce closing off the island on Birch Hill Drive (near the railroad crossing) and Municipal Parking Field LV-4 in Locust Valley on Saturday, August 3, 2019 from 10:00 a.m. to 4:00 p.m. for their 19th Annual Summer Locust Valley Sidewalk Sale or on August 10, 2019 should it become necessary to utilize the rain date, and has advised that the Highway Department is able to provide twelve (12) complete barricades for the event from Friday, August 2, 2019 through Monday, August 5, 2019, or in the event that the rain date is utilized, from Friday, August 9, 2019 through Monday, August 12, 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,

WHEREAS, since Birch Hill Road is under the jurisdiction of Nassau County, the Town Board's approval must be contingent upon the Locust Valley Chamber of Commerce obtaining prior permission from Nassau County for the above referenced closure of the Island on Birch Hill Road,

NOW, THEREFORE BE IT RESOLVED, that the request as hereinabove set forth is hereby approved, and the Highway Department is authorized to close off the island on Birch Hill Birch Hill Drive (near the railroad crossing) and Municipal Parking Field LV-4 in Locust Valley on Saturday, August 3, 2019 from 10:00 a.m. to 4:00 p.m. for the Locust Valley Chamber of Commerce's 19th Annual Summer Locust Valley Sidewalk Sale or on August 10, 2019 should it become necessary to utilize the rain date, as well as provide twelve (12) complete barricades, to be delivered on Friday, August 2, 2019 and picked up on Monday, August 5, 2019, or, in the event that the rain date is utilized, from Friday, August 9, 2019 through Monday, August 12, 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 Deputy 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;

Reviewed By
Office of Town Attorney

Elizabeth A. Taughman

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 bodily injury and \$2,000,000 general aggregate, naming the Town of Oyster Bay as an additional insured in connection with the aforescribed activity; and

4. The said organization must, prior to the event, satisfactorily document the consent of Nassau County for the above referenced closure of the Island on Birch Hill Road, a County road

#

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

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TOWN OF OYSTER BAY

Inter-Departmental Memo

June 19, 2019

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: LOCUST VALLEY CHAMBER OF COMMERCE
19th ANNUAL SUMMER SIDEWALK SALE
SATURDAY, AUGUST 3RD 2019 (RAIN DATE AUGUST 10TH 2019)

Enclosed please find a copy of a letter from Len Margolis, President, requesting our assistance on behalf of the Locust Valley Chamber of Commerce in conducting their 19th Annual Summer Sidewalk Sale on Saturday, August 3rd, 2019, with a rain date of August 10th, 2019.

The Highway Department has no objection to the Locust Valley Chamber of Commerce closing the parking field LV-1 and closing off the Island on Birch Hill Road (near the Railroad Crossing) in Locust Valley on Saturday, August 3rd, 2019 from 10:00 am until 4:00 pm for their 19th Annual Summer Sidewalk Sale or on August 10th, should it become necessary to utilize the rain date.

Further, since Birch Hill Road in Locust Valley is a County roadway, we are advising you to contact Kenneth G. Arnold, P.E. Commissioner, Nassau County Department of Public Works requesting permission to the Locust Valley Chamber of Commerce to close off the Island on Birch Hill Road in Locust Valley during the 19th Annual Summer Sidewalk Sale on August 3rd, 2019 and possibly on the rain date of August 10th, 2019.

In addition, the Highway Department will be pleased to provide twelve (12) complete barricades for the event.

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


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT



JPB/kaz

C: Town Attorney (9) copies
Doug Robalino, General Foreman 002
Richard Lenz P.E., Commissioner DPW/HWY
Justin McCaffrey, Commissioner, Public Safety Department
Steve Kelly, Sign Bureau Supervisor
Grace SantaMaria, Highway Administration



Mail Log Km 2

DEPUTY COMM/HIGHWAY

Locust Valley Chamber of Commerce

P.O. Box 178

Locust Valley, New York 11560

www.locustvalleychamber.com

REC'D BY HIGHWAY DEPT
JUN 11 11:05 AM '19

June 6th, 2019

Richard Lenz
Commissioner of Highway
150 Miller Place
Syosset, NY 11791

Dear Mr. Lenz,

The Locust Valley Chamber of Commerce will be holding its 19th Annual summer Locust Valley Sidewalk Sale on Saturday, August 3rd, from 10 a.m. until 4 p.m. (rain date of Aug. 10th). This has become a great opportunity for the merchants of the village to come together to celebrate the summer season.

We would like to request the use of 12 barricades to close off the parking area near the Railroad Crossing between Forest Ave & Elm Street) and parking field LV-1.

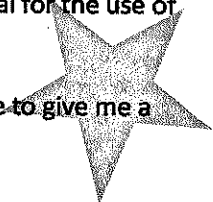
The requisite insurances will be provided to the Town of Oyster Bay and Nassau County for these events and we would very much appreciate your assistance in arranging for a permit for approval for the use of this area.

Should you have any questions or require any further information, please do not hesitate to give me a call.

Thank you for your cooperation in this matter.

Yours Truly,

Len Margolis
President of LVCC
516-759-1133
LV Chamber of Commerce





LOCUS-4

OP ID: MC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/07/2019

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:
BADGE AGENCY, INC.
1000 Woodbury Rd, Suite 207
Woodbury, NY 11797
REARDON RAPLEE LINDNER

516-676-0070

CONTACT REARDON RAPLEE LINDNER

PHONE (LOC No. 516-676-0070)

FAX (LOC No. 516-676-0258)

EMAIL

INSURER A: MT. VERNON INSURANCE CO.

NAIC #

INSURED
Locust Valley Chamber of
Commerce
P.O. Box 178
Locust Valley, NY 11550

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

SHIP TYPE	TYPE OF INSURANCE	AGGREGATE LIMIT (\$)	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: POLICY <input type="checkbox"/> PRO <input type="checkbox"/> SECT <input type="checkbox"/> LOC OTHER:	X	NBP2582891A	05/04/2019	05/04/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PERSONAL & ADV INJURY \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per person) \$ EACH OCCURRENCE \$ AGGREGATE \$
	AUTOMOBILE LIABILITY <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					PER STATUTE <input type="checkbox"/> OR E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			

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

Certificate Holder is additional insured.

Sale under the Sun - Saturday August 3, 2019 (Raindate: August 10, 2019)

CERTIFICATE HOLDER

TOBHWD

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.

TOWN OYSTER BAY
150 MILLER PLACE
SYOSSET, NY 11791

Reviewed By
Office of Town Attorney

AUTHORIZED REPRESENTATIVE

ACORD 25 (2018/03)

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POLICY NUMBER: NBP2552851A

COMMERCIAL GENERAL LIABILITY
CG 20 10 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – SCHEDULED PERSON OR
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
Town of Oyster Bay 150 Miller Place Syosset, NY 11791	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

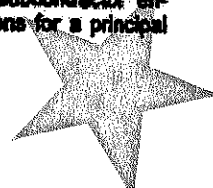
1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.



Reviewed By
Office of Town Attorney

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

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

Town of Oyster Bay
100 Miller Place
Syosset, NY 11791

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney



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

This Agreement is made this 6th day of June 2019, by Locust Valley Chamber of Commerce (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 12 barricades to close off the parking area on Direct Hill Road between Forest Ave + Elm Street. Also parking area
L.V.-1

for the event described as SALE UNDER THE SUN 19TH ANNUAL
The property/equipment is needed from 8/2/19 (End Date 8/2) to 8/5/19 (End Date 8/12).
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

Locust Valley Chamber of Commerce

Address of Organization

P.O. Box 178

Locust Valley NY 11560

By: [Signature]

Authorized Representative

Title: President

Telephone Number: 516-759-1133

Cell 516-642-2436

2:\ATTORNEY\JULY\HOLD HARMLESS AGREEMENT FOR TOWN PROPERTY.DOC

Reviewed By
Office of Town Attorney

[Signature]


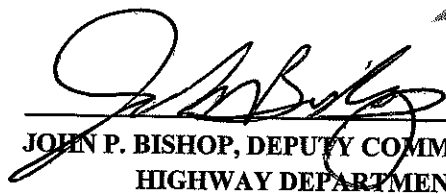
DATE: 6/19/19
TO: HIGHWAY OPERATIONS
SUBJECT: Locust Valley CC 19th Annual Sidewalk Sale

PLEASE DELIVER TO:	DATE OF EVENT:	August 3, 2019 R/D August 10, 2019
LV-1 between Forest Ave and Elm Street	BARRICADES:	12
	CONES:	
CONTACT: Len Margolis 516-759-1133	SORT PAILS:	
	PORTABLE LIGHTS:	
	GENERATOR:	
	PACKER:	
	DELIVER ON:	8/2/19
	PICKUP ON:	8/5/19

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
Peter Brown, Regional Foreman 003
Scott Dade, Area Foreman 011
Jeff VanNostrand
Public Safety Division

Dan Kornfeld

Reviewed By
Office of Town Attorney

WHEREAS, Ryan Schlotter, Chamber President, Oyster Bay-East Norwich Chamber of Commerce, Inc., P.O. Box 21, Oyster Bay, New York 11771, by letter dated June 20, 2019, requested the use of Audrey Avenue from South Street past Spring Street, lower Audrey Avenue to the Railroad Museum, to the corner of Maxwell Avenue and further requests the closure of Spring Street from West Main Street north to lower Audrey Avenue, in Oyster Bay, from 4:00 p.m. until 10:00 p.m., on Thursday evening, July 11, 2019, with a rain date of July 18, 2019, for its Annual Autobahn Car Show Event; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated June 24, 2019, advised that the Highway Department has no objection to the use of Audrey Avenue and the closure of Spring Street as described above; 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 Audrey Avenue from South Street past Spring Street down lower Audrey Avenue to the Railroad Museum, the closure of Spring Street from West Main Street north to lower Audrey Avenue, Oyster Bay, for the Oyster Bay-East Norwich Chamber of Commerce Annual Autobahn Car Show, to be held on Thursday, July 11, 2019, from 4:00 p.m. until 10:00 p.m., with a rain date of July 18, 2019, subject to the following 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 authorized 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 agreement 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

25

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 24, 2019

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: THE OYSTER BAY-EAST NORWICH CHAMBER OF COMMERCE
ANNUAL AUTOBAHN CAR SHOW EVENT
JULY 11TH 2019 – (RAIN DATE JULY 18TH 2019)

Enclosed please find a copy of the letter from Ryan Schlotter, Chamber President, requesting our assistance on behalf of the Oyster Bay-East Norwich Chamber of Commerce in hosting their Annual Autobahn Car Show Event Thursday, July 11th 2019 as well as the rain date of July 18th 2019.

The Highway Department has no objection to the Oyster Bay-East Norwich Chamber of Commerce utilizing Audrey Avenue from South Street past Spring Street, lower Audrey Avenue to the Railroad Museum, to the corner of Maxwell Avenue, and also has no objection to close Spring Street from West Main Street north to lower Audrey Avenue in Oyster Bay on Thursday evening from 4:00 pm until 10:00 pm while hosting their Annual Autobahn Car Show Event, July 11th 2019 and also the rain date of July 18th 2019.

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



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz
Attachments

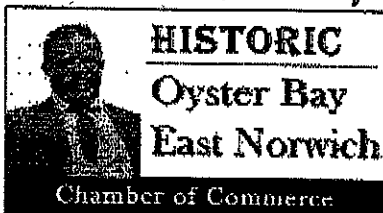
C: Town Attorney (9) copies
Doug Robalino, General Foreman 002
Richard Lenz, Commissioner DPW

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



Attn: Kim Zervos 677-5708

KmZ



DEPUTY COMM/HIGHWAY

REC'D BY HIGHWAY DEPT
JUN 21 10 PM 4:48

2019 BOARD

Officers

Ryan Schlotter- President
Ravin Chatram- Vice President
Susan Dembo- Secretary
Walter Imperatore- Treasurer

Past Presidents

Michele Browner
Alex Gallego
Dottie Simons

Directors

Robert L. Brusca, Esq.
Gabrielle Fumal
Kelly Fuhrmann
Nathaniel Kingsley
Rich LaMarca
Frank Leone
Patrick Lough
Rustan Lundstrum
David Martin
Daniyal Nadeem
Jim Perna
Dawn Riley

Board Members Emeriti

Austin Azzaretto
Paige Dawson
Alex Gallego

June 20, 2019

Justin McCaffrey, Commissioner
Town of Oyster Bay, Department of Public Safety

**RE: Thursday, July 11, 2019 Autobahn Car Show: Rain
date- make-up date: July 18, 2019**

Dear Mr. McCaffrey:

The Oyster Bay-East Norwich Chamber of Commerce will once again be holding its annual Autobahn Car Show. This year the event is scheduled to be held Thursday, July 11, 2019 with a rain date of July 18, 2019. This letter serves to request the presence of two Town of Oyster Bay Public Safety officials between the hours of 4pm to 10pm. If possible, we would like one officer to be available earlier to address the issue of double parking on Audrey Avenue that occurs prior to the event start. Under your advisement, we may find it necessary to contact the NCPD to enforce this issue.

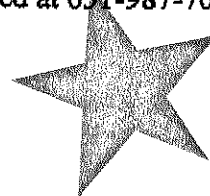
When available, please e-mail confirmation to ATTN: Ryan Schlotter at obenchamber@gmail.com. Thank you for your assistance on this matter. I may be reached at 631-987-7095 should you need to contact me.

Sincerely,



Ryan Schlotter

Chamber President



PO Box 21
Oyster Bay, New York 11771
(516) 922-6464
obenchamber@gmail.com
www.visitoysterbay.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/21/2019

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
BC CONSULTING SERVICES LLC
12128308
35 AUDREY AVENUE
OYSTER BAY NY 11771

CONTACT NAME:

PHONE (866) 467-8730

(A/C, No, Ext):

FAX (888) 443-8112

(A/C, No):

E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC#

INSURER A: Hartford Casualty Insurance Company

28424

INSURER B: Property and Casualty Insurance Company of Hartford

34890

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
OYSTER BAY EAST NORWICH CHAMBER OF
COMMERCE
PO BOX 21
OYSTER BAY NY 11771-0021

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY	X		12 SBM UQ3886	05/10/2019	05/10/2020	EACH OCCURRENCE \$1,000,000
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Per occurrence) \$300,000
	<input checked="" type="checkbox"/> General Liability						MED EXP (Any one person) \$10,000
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER:						PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY			12 SBM UQ3886	05/10/2019	05/10/2020	COMBINED SINGLE LIMIT (Per accident) \$1,000,000
	ANY AUTO						BODILY INJURY (Per person)
	ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/>						BODILY INJURY (Per accident)
							PROPERTY DAMAGE (Per accident)
	UMBRELLA LIAB EXCESS LIAB						EACH OCCURRENCE
							AGGREGATE
	DED RETENTION \$						
B	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	12 WEC AADWN5	04/20/2019	04/20/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
							E.L. EACH ACCIDENT \$1,000,000
							E.L. DISEASE - EA EMPLOYEE \$1,000,000
							E.L. DISEASE - POLICY LIMIT \$1,000,000

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

Those usual to the Insured's Operations. Re: Autobahn Night July 11, 2019 with a rain date of July 18, 2019. Certificate holder is an additional insured per the Business Liability Coverage Form SS0008 attached to this policy.

CERTIFICATE HOLDER

Town of Oyster Bay
150 MILLER PL
SYOSSET NY 11791-5603

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

Susan S. Castaneda

Reviewed By
Office of Town Attorney
MJA

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

This Agreement is made this 21 day of June 2019, by Oyster Bay East Norwich Chamber of Commerce (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Hamlet of Oyster Bay along Aubrey Avenue, Spring Street and Shore Avenue including Town lot along Aubrey Avenue by Gazebo

for the event described as Ashtabula Day

The property/equipment is needed from July 11th 2019 or July 18th 2019

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 damages to persons or property, including its property, arising from its use of Town property and/or equipment.

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

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

Name of Organization

Oyster Bay - East Norwich Chamber of Commerce

Address of Organization

PO Box 21
Oyster Bay, NY 11771

By: [Signature]

Authorized Representative
Walter Imperator

Title: Treasurer - Member Board of Directors

Telephone Number: 516-622-8215

Reviewed By
Office of Town Attorney

[Signature]



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

POLICY CHANGE

This endorsement changes the policy effective on the Inception Date of the policy unless another date is indicated below:

Policy Number: 12 SBMUQ3886 SB

Named Insured and Mailing Address; OYSTER BAY EAST NORWICH CHAMBER OF
COMMERCE
PO BOX 21
OYSTER BAY NY 11771

Policy Change Effective Date: 06/20/19

**Effective hour is the same as stated in the
Declarations Page of the Policy.**

Policy Change Number: 005

Agent Name: BC CONSULTING SERVICES LLC

Code: 128308

POLICY CHANGES:

HARTFORD CASUALTY INSURANCE COMPANY

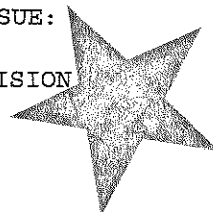
ANY CHANGES IN YOUR PREMIUM WILL BE REFLECTED IN YOUR NEXT BILLING
STATEMENT. IF YOU ARE ENROLLED IN REPETITIVE EFT DRAWS FROM YOUR BANK
ACCOUNT, CHANGES IN PREMIUM WILL CHANGE FUTURE DRAW AMOUNTS.

THIS IS NOT A BILL.

NO PREMIUM DUE AS OF POLICY CHANGE EFFECTIVE DATE

FORM NUMBERS OF ENDORSEMENTS REVISED AT ENDORSEMENT ISSUE:

IH12001185 ADDITIONAL INSURED - STATE/POLITICAL SUBDIVISION



PRO RATA FACTOR: 0.891

THIS ENDORSEMENT DOES NOT CHANGE THE POLICY EXCEPT AS SHOWN.

Form SS 12 11 04 05 T

Process Date: 06/24/19

Page 001

Policy Effective Date: 05/10/19

Policy Expiration Date: 05/10/20

POLICY NUMBER: 12 SBM UQ3886

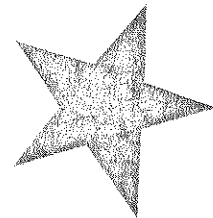


THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - STATE/POLITICAL SUBDIVISION

LOC 001 BLDG 001
TOWN OF OYSTER BAY
150 MILLER PL
SYOSSET, NY 11791
RE: CLASSIC CAR CRUISE NIGHTS MAY 29, 2019 - OCTOBER 1ST, 2019

TOWN OF OYSTER BAY
DEPT OF PUBLIC WORKS/HIGHWAY
150 MILLER PLACE
SYOSSET, NY 11791
RE: AUTOBAHN NIGHT 7/11/19 WITH RAIN DATE OF 7/18/19



Form IH 12 00 11 85 T SEQ. NO. 003 Printed in U.S.A. Page 001

Process Date: 06/24/19

Expiration Date: 05/10/20

WHEREAS, pursuant to New York State Domestic Relations Law Section 11-C, the Town Board is authorized to appoint one or more marriage officers, who shall be authorized to solemnize a marriage in accordance with the provisions of law; and

WHEREAS, Louis B. Imbroto, Town Councilman, by memorandum dated June 24, 2019, requested that the Town Board appoint him to serve as a marriage officer, in order to perform a wedding ceremony without fee, on Sunday, July 14, 2019,

NOW, THEREFORE, BE IT RESOLVED, That pursuant to New York State Domestic Relations Law Section 11-C, the Town Board hereby appoints Town Councilman, Louis B. Imbroto, to serve as a marriage officer of the Town of Oyster Bay on Sunday, July 14, 2019.

-#-

ms
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



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

Date: June 24, 2019

To: Memorandum Docket

From: Councilman Louis B. Imbroto

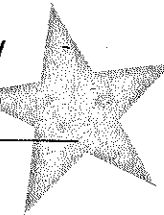
Subject: Marriage Officer

I am seeking Town Board approval to be appointed as a marriage officer so that I may perform a wedding ceremony without fee for Cassandra J. Foley and Corey W. Smith on July 14, 2019.

If any further information is request please feel free to contact my office.

A handwritten signature in cursive script, reading "Louis B. Imbroto".

Louis B. Imbroto
Councilman



LBI/dw

cc: Town Attorney (w/9 copies)

WHEREAS, by Resolution No. 210-2019 adopted March 6, 2019, the Town Board authorized and established the 2019 Fee Schedule, Rules and Regulations for the Town of Oyster Bay beaches, beach parking, launching ramps and the Joseph J. Saladino Memorial Marina at TOBAY; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 24, 2019, requested that the Town Board amend Resolution No. 210-2019, adopted on March 6, 2019, by amending the 2019 Fee Schedule for the Joseph J. Saladino Memorial Marina as follows:

Residents:

"A" Dock – no overnights

Boat under 25 feet \$20.00 per day

Jet Ski/ WaveRunner \$10.00 per day

Non-Residents:

"A" Dock – no overnights

Boat under 25 feet \$25.00 per day

Jet Ski/WaveRunner \$15.00 per day

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and Resolution No. 210-2019 is hereby amended by amending the 2019 Fee Schedule for the Joseph J. Saladino Memorial Marina as detailed above, with all other fees, rules and regulations as established in Resolution No. 210-2019 to remain as adopted.

-#-

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

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

Reviewed By
Office of Town Attorney

Elizabeth A. Taughman

28

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

To: Memorandum Docket

From: Joseph G. Pinto, Commissioner of Parks

Date: June 24, 2019

Subject: Amendment of Resolution 210-2019 -2019 Summer Beach, Ramp and Joseph H. Saladino Memorial Marina at Tobay Operation and Fee Schedule

The Department of Parks requests Town Board approval to amend the 2019 Fee Schedule, Joseph J. Saladino Memorial Marina, as follows:

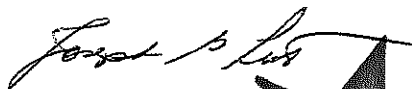
Residents

"A" Dock-no overnights	
Boats under twenty-five feet (25)	\$20.00 per day
Jet Ski/WaveRunner	\$10.00 per day

Non-Residents

"A" Dock-no overnights	
Boats under twenty-five feet (25)	\$25.00 per day
Jet Ski/ WaveRunner	\$15.00 per day

All other fees would remain unchanged.



Joseph G. Pinto
Commissioner of Parks



JGP:gv

cc: Town Attorney (+9 copies)

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on June 19, 2019, for Contract No. DP18-181, Installation of Sidewalk at Theodore Roosevelt Elementary School, located in Oyster Bay, New York, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 24, 2019, advised that in compliance with the Town's Procurement Policy, the Bid Proposals received for Contract No. DP18-181, were reviewed by the Consulting Engineer, H2M architects & engineers; and

WHEREAS, by letter dated June 28, 2019, H2M architects & engineers recommended the award of Contract No. DP18-181 to The Landtek Group, Inc., 235 County Line Road, Amityville, New York 11701, the lowest responsive bidder among the two (2) bids received, for all items excluding: Item 1T-Tree Trimming (\$6,750.00), Item 386B-Tree Removal (\$8,000.00), and Item 535A-Stump Grinding (\$3,000.00), in the amount of \$281,965.00; and

WHEREAS Commissioner Lenz, by said memorandum, concurred with the recommendation of H2M architects & engineers and recommended the award of Contract No. DP18-181, to The Landtek Group, Inc., 235 County Line Road, Amityville, New York 11701, the lowest responsive bidder, in the amount of \$281,965.00; and

WHEREAS, the estimated construction time for completion of the contract is thirty (30) calendar days, and funds are available through Account Nos.

-IGA CD 8662 28800 722 CD16 in the amount of \$31,773.25;
 -IGA CD 8662 28800 722 CD17 in the amount of \$100,000.00;
 -IGA CD 8662 28800 722 CD18 in the amount of \$41,779.58;
 -IGA CD 8662 28800 722 CD19 in the amount of \$108,412.17; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Supervisor or his designee is hereby authorized and directed to sign Contract No. DP18-181, Installation of Sidewalk at Theodore Roosevelt Elementary School, located in Oyster Bay, New York, with The Landtek Group, Inc., in an amount not to exceed \$281,965.00 in accordance with the provisions herein; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$281,965.00, from the Account Nos. indicated above.

-#-

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

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

Reviewed By
Office of Town Attorney

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

June 24, 2019


TO: MEMORANDUM DOCKET


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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT
INSTALLATION OF SIDEWALK AT THEODORE ROOSEVELT ELEMENTARY
SCHOOL LOCATED IN OYSTER BAY
CONTRACT NO. DP18-181
SUPPLEMENTAL MEMO TO FOLLOW

On June 19, 2019, the Division of Purchasing received bids for the subject project. The bids received are currently under review by the Division of Engineering. A formal recommendation of award will be provided by supplemental memorandum docket.

It is therefore requested that a space be reserved at the Town Board meeting of July 9, 2019 for the Town Board to take action on an award of The Installation of Sidewalk at Theodore Roosevelt Elementary School located in Oyster Bay, Contract No. DP18-181.


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



RWL/JCT/MR/BK/ik

cc: Town Attorney (w/9 copies)
Steven Ballas, Comptroller
Kathy Stefanich, Public Works
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/IGA

DP18-181 Docket Hold A Space Award

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

July 1, 2019

TO: MEMORANDUM DOCKET

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


SUBJECT: SUPPLEMENTAL DOCKET MEMO. TO ITEM NO. 21
DOCKET OF JUNE 25, 2019
AWARD OF CONSTRUCTION CONTRACT
INSTALLATION OF SIDEWALK AT THEODORE ROOSEVELT ELEMENTARY SCHOOL
CONTRACT NO. DP18-181
ACCOUNT NO.(S) IGA CD 8662 28800 722 CD16 (\$31,773.25)
IGA CD 8662 28800 722 CD17 (\$100,000.00)
IGA CD 8662 28800 722 CD18 (\$41,779.58)
IGA CD 8662 28800 722 CD19 (\$108,412.17)

In furtherance to item no. 21 of the June 25, 2019 docket, on June 19, 2019, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. The LandTek Group, Inc. of 235 County Line Road, Amityville, NY 11701, Federal Tax ID: 112945683, submitted the lowest responsive bid among two (2) in the amount of \$299,715.00.

Attached is a letter dated June 28, 2019 from the office of H2M Architects & Engineers recommending the award of this contract to The LandTek Group, Inc., for all items excluding: Item 1T -Tree Trimming (\$6,750.00), Item 386B - Tree Removal (\$8,000.00), and Item 535A - Stump Grinding (\$3,000.00).

The estimated construction time for completion of the subject contract is 30 calendar days. Funds are available for the subject contract work in Account No(s). IGA CD 8662 28800 722 CD16 in the amount of \$31,773.25; IGA CD 8662 28800 722 CD17 in the amount of \$100,000.00; IGA CD 8662 28800 722 CD18 in the amount of \$41,779.58; IGA CD 8662 28800 722 CD19 in the amount of \$108,412.17.

We concur with the recommendation of H2M Architects & Engineers and request that Contract No. DP18-181 be awarded to The LandTek Group, Inc. in the total amount of \$281,965.00.


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


RWL/JCT/MR/BK/ik
Attachments

cc: Joseph Nocella, Town Attorney (w/9 copies)
Steven C. Ballas, Comptroller
Kathy Stefanich, Public Works
Eric Tuman, Commissioner/General Services
Colin Bell, Deputy Commissioner/IGA

DP18-181 Docket Supplemental Award



architects + engineers

538 Broad Hollow Road - 4th Floor East
Melville, NY 11747

tel: 631.756.8000
fax: 631.594.4122

June 28, 2019

Mr. Brian Kunzig
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, New York 11791

Re: Town of Oyster Bay
Installation of Sidewalk at Theodore Roosevelt Elementary School
Contract No. DP18-181
Bid No. PW28-19
H2M Project No.: TOBY1901

Dear Mr. Kunzig:

On Tuesday, June 19, 2019, bids were received for the above referenced project. A total of two contractors submitted bids, which ranged from \$299,715.00 to \$340,825.00 and are summarized on the enclosed bid tabulation. The lowest bid was submitted by The Landtek Group, Inc. (Landtek).

Landtek has completed several projects administered by H2M during the past several years and we find them to be responsible contractors. As a result, we recommend that the Town Board award the contract to:

The Landtek Group, Inc.
235 County Line Road
Amityville, NY 11701

Please note the entire project needs to be completed before school commences in September. As a result, the required construction schedule is very aggressive. The Department of Public Works has indicated they can complete some of the work related to tree removal and tree trimming with their own forces while the contractor obtains his bonds and insurance. This will help expedite the schedule so that work is completed before school commences. Therefore, it is in the best interest of the Town to complete this work with their own forces and remove the associated items and scope from the project.

The contract items and associated bid prices submitted by Landtek related to this work include the following:

Item 1T-Tree Trimming	\$6,750.00
Item 386B-Tree Removal	\$8,000.00
Item 535A-Stump Grinding	\$3,000.00
Total	\$17,750.00

The value of these items in the other bid received is \$16,500.00, so the removal of these items will not change the low bidder. If these items are removed from the project scope, the contract value to be awarded to Landtek would be \$281,965.00. If you elect to keep this scope in the contract, the award amount would be \$299,715.00.

Please advise us concerning the award of this contract, so that we may notify the contractor and schedule a kickoff meeting.

h2m.com

Mr. Brian Kunzig
June 28, 2019
Page 2 of 2



If there are any questions concerning our recommendations, the bids, or any aspect of the project, please contact the undersigned at 631-756-8000 ext. 1312.

Very truly yours,

H2M architects + engineers

A handwritten signature in dark ink, appearing to read 'Matthew R. Mohlin', located below the company name.

Matthew R. Mohlin, P.E.
Assistant Vice President
Department Manager-Civil Engineering

Enclosure

X:\TOBY (Town of Oyster Bay) - 10731\TOBY1901 (Larrabee Avenue Sidewalk)\00-Correspondence\Oyster Bay 19-0628 award recommendation.doc



WHEREAS, 550 HICKSVILLE REALTY CORP. and GRAMARCY POINT REALTY CORP., fee owners, and LSC DEVELOPMENT, LLC, contract vendee, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval, to allow for the construction and operation of a self-storage facility on premises located in a "GB" (General Business) District, at 550 West Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 11, Block 484, Lots 42-43 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on May 21, 2019 at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

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

WHEREAS, the Quality Review Report was dated April 4, 2019, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petition and recommending that the conclusions contained therein be accepted, indicating that the proposed actions would not cause significant impacts upon the environment and recommended, accordingly, that the Town Board issue a Negative Declaration; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10313-19, adopted on June 26, 2019, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

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

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 11, 2019, has advised that the Department of Planning and Development has reviewed the following eight (8) plans prepared by Andrew J. Nee, P.E., VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., Hauppauge, New York, two (2) plans prepared by Juan C. Vargas, Jr., P.E., VHB Engineering, Surveying,

Reviewed By
Office of Town Attorney
[Signature]

Landscape Architecture and Geology, P.C., Hauppauge, New York, and eleven (11) plans prepared by Mark J. Sullivan, R.A., SGW Architects, P.C., Chicago, Illinois:

SHEET NO.	TITLE	PREPARED BY	DATE
C-1	LEGEND AND GENERAL NOTES	Andrew J. Nee, P.E.	02/27/19
C-2	LAYOUTS AND MATERIALS PLAN	Andrew J. Nee, P.E.	02/27/19
C-3	GRADING AND DRAINAGE PLAN	Andrew J. Nee, P.E.	02/27/19
C-4	UTILITY PLAN	Andrew J. Nee, P.E.	02/27/19
C-5	EROSION AND SEDIMENT CONTROL PLAN	Andrew J. Nee, P.E.	02/27/19
C-6	SITE DETAILS 1	Andrew J. Nee, P.E.	02/27/19
C-7	SITE DETAILS 2	Andrew J. Nee, P.E.	02/27/19
L-1	PLANTING PLAN	Juan C. Vargas, Jr., P.E.	02/27/19
L-2	PLANTING NOTES AND DETAILS	Juan C. Vargas, Jr., P.E.	02/27/19
PH-1	PHOTOMETRICS PLAN	Andrew J. Nee, P.E.	02/27/19
A101.00	PARTIAL FIRST FLOOR PLAN-WEST	Mark J. Sullivan, R.A.	05/18/18
A102.00	PARTIAL FIRST FLOOR PLAN-EAST	Mark J. Sullivan, R.A.	05/18/18
A103.00	PARTIAL FIRST FLOOR SKYBOX PLAN - WEST	Mark J. Sullivan, R.A.	05/18/18
A104.00	PARTIAL FIRST FLOOR SKYBOX PLAN - EAST	Mark J. Sullivan, R.A.	05/18/18
A105.00	PARTIAL SECOND FLOOR PLAN - WEST	Mark J. Sullivan, R.A.	05/18/18
A106.00	PARTIAL SECOND FLOOR PLAN - EAST	Mark J. Sullivan, R.A.	05/18/18
A107.00	PARTIAL THIRD FLOOR - WEST	Mark J. Sullivan, R.A.	05/18/18
A108.00	PARTIAL THIRD FLOOR - EAST	Mark J. Sullivan, R.A.	05/18/18
A201.00	ELEVATIONS	Mark J. Sullivan, R.A.	05/18/18
A202.00	PERSPECTIVES	Mark J. Sullivan, R.A.	05/18/18
A201.00	BUILDING SECTION	Mark J. Sullivan, R.A.	05/18/18

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the Petition of 550 HICKSVILLE REALTY CORP. and GRAMARCY POINT REALTY CORP., fee owners, and LSC DEVELOPMENT, LLC, contract vendee, for a Special Use Permit and Site Plan Approval, to allow for the construction and operation of a self-storage facility on premises located in a "GB" (General Business) District, at 550 West Old Country Road, Hicksville, Town of Oyster Bay.

County of Nassau, State of New York, and described as Section 11, Block 484, Lots 42-43 on the Land and Tax Map of Nassau County; and it is further

RESOLVED, That the Petition of 550 HICKSVILLE REALTY CORP. and GRAMARCY POINT REALTY CORP., fee owners, and LSC DEVELOPMENT, LLC, contract vendee, for a Special Use Permit and Site Plan Approval, to allow for the construction and operation of a self-storage facility on premises located in a "GB" (General Business) District, at 550 West Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 11, Block 484, Lots 42-43 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

AS TO TAX LOT 42:

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

BEGINNING at a point on the northerly side of Old Country Road, as widened, distant 320.60 feet westerly as measured along the northerly side of Old Country Road from the extreme westerly end of the arc of a curve, which connects the northerly side of Old Country Road with the westerly side of Charlotte Avenue;

RUNNING THENCE along the northerly side of Old Country Road, south 76 degrees 12 minutes 48 seconds West, a distance of 110.03 feet;

THENCE North 7 degrees 16 minutes 56 seconds West, a distance of 345.38 feet;

THENCE North 68 degrees 09 minutes 14 seconds East, a distance of 112.92 feet;

THENCE South 7 degrees 16 minutes 56 seconds East, a distance of 361.30 feet to the northerly side of Old Country Road, to the point or place of BEGINNING;

AND

AS TO TAX LOT 43:

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

BEGINNING at the southeasterly corner of the premises herein conveyed on the new Northerly side of Old Country Road, adjoining the Westerly line of premises now or formerly of Weber, now or formerly of Bonura; said point being distant 592.61 feet Easterly as measured along said new Northerly side of Old Country Road from the extreme Easterly end of the arc of the curve connecting said new Northerly side of Old Country Road with the Easterly side of Duffys Lane;

RUNNING THENCE along the new Northerly side of Old Country Road, South 76 degrees 12 minutes 48 seconds West, 90.56 feet to land now or formerly of Wesnofske;

THENCE along land now or formerly of Wesnofske, North 1 degree 36 minutes 30 seconds West, record (North 7 degrees 16 minutes 56 seconds West, actual), 361.30 feet to property now or formerly of Hoffman;

THENCE along said property of Hoffman, North 73 degrees 49 minutes 40 seconds East, record (North 68 degrees 09 minutes 14 seconds East, actual), 93.03 feet to property now or formerly of Weber, now or formerly of Bonura;

THENCE along same, South 1 degree 36 minutes 30 seconds East, record (South 7 degrees 16 minutes 22 seconds East, actual), 374.46 feet to the new Northerly side of Old Country Road, at the point or place of BEGINNING;

and be it further

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

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated April 11, 2019, the twenty-one (21) plans described herein are hereby approved.

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

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

DECLARATION OF RESTRICTIVE COVENANTS

550 HICKSVILLE REALTY CORP. and GRAMARCY POINT REALTY CORP., fee owners, both having an address at 183-07 Union Turnpike, Flushing, New York 11366, and LSC DEVELOPMENT, LLC, contract vendee, having an address at 777 Lake Zurich Road, #200, Barrington, Illinois 60010, ("the Declarants"), by this declaration, dated July , 2019, declare as follows:

WHEREAS, said Declarants petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to permit the construction and operation of a self-service storage facility at the subject premises; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on May 21, 2019, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, The Town Board, by Resolution No. _____ - 2019, dated July 9, 2019, approved said request subject to the execution and recording of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, do hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as being located at 550 West Old Country Road, Hicksville, Town of Oyster Bay, New York, designated as Section 11, Block 484, Lots 42 and 43 on the Land and Tax Map of Nassau County, with the following covenants and restrictions, which will run with the land and be binding upon said Declarants, their successors and/or assigns,

NOW, THEREFORE, said Declarants, do hereby covenant and declare as follows:

1. That the subject property shall not be used for any purposes other than for the operation of a three-story self-storage facility.
2. That the hours of operation for the subject facility shall be Monday through Thursday from 7:00 a.m. until 7:00 p.m., Friday from 7:00 a.m. until 8:00 p.m., Saturday from 7:00 a.m. until 7:00 p.m., and Sunday from 9:00 a.m. until 5:00 p.m., unless exigent circumstances require deliveries or retrieval of stored items outside the aforementioned time frame.
3. That there shall be no parking of commercial vehicles on the subject property except when such vehicles are making deliveries or retrievals of stored items; and

Reviewed By
Office of Town Attorney

except those commercial vehicles related to the use of the subject property as set forth in paragraph 1 hereinabove.

4. That there shall be no backing of delivery trucks onto adjacent streets.
5. That the engines of all trucks shall shut down during the delivery or retrieval of storage items.
6. That no mechanical games of amusement shall be permitted on the subject premises.
7. That the entire subject property shall be effectively policed to eliminate litter, papers and trash and shall be policed to remove oil cans, grease spots, etcetera, so as to present an overall clean and neat appearance.
8. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present or future laws or ordinances of the Town of Oyster Bay, unless such signage is granted variance relief by the Town of Oyster Bay Board of Zoning Appeals.
9. That all exterior lights shall be located, positioned and directed so as not to interfere with or cause annoyance or inconvenience to vehicular traffic or the surrounding areas, and shall be of shielded design to minimize impacts.
10. That any external audio communication system utilized shall be checked, monitored and maintained so as to be inaudible along any of the subject property lot lines.
11. That there shall be no exterior television monitors at any location on the subject property.
12. That all garbage and rubbish shall be kept in closed containers and disposed in accordance with applicable statutes, ordinances and laws.
13. That the exterior of all structures, parking areas, planting of shrubs or other installations visible to the public, shall be continually monitored, repaired when necessary and kept neat and clean and that any and all plantings along the street frontage shall be less than 30 inches in height in order to maintain driver visibility.
14. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the eight (8) plans prepared by Andrew J. Nee, P.E., VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., Hauppauge, New York, two (2) plans prepared by Juan C. Vargas, Jr., P.E., VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., Hauppauge, New York, and eleven (11) plans prepared by Mark J. Sullivan, R.A., SGW Architects, P.C., Chicago, Illinois, reviewed in

accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by the Department of Planning and Development, by memorandum dated April 11, 2019, approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. In the event Declarants seek permission to make a change to the subject structure or property after the date of the granting resolution, the Department of Planning and Development shall determine whether the proposed change is a major or minor modification. If a proposed modification is deemed minor, the Department of Planning and Development shall have final approval of same. Any major modifications to said plans shall require Town Board approval. The plans approved by the granting resolution are as follows:

SHEET NO.	TITLE	PREPARED BY	DATE
C-1	LEGEND AND GENERAL NOTES	Andrew J. Nee, P.E.	02/27/19
C-2	LAYOUTS AND MATERIALS PLAN	Andrew J. Nee, P.E.	02/27/19
C-3	GRADING AND DRAINAGE PLAN	Andrew J. Nee, P.E.	02/27/19
C-4	UTILITY PLAN	Andrew J. Nee, P.E.	02/27/19
C-5	EROSION AND SEDIMENT CONTROL PLAN	Andrew J. Nee, P.E.	02/27/19
C-6	SITE DETAILS 1	Andrew J. Nee, P.E.	02/27/19
C-7	SITE DETAILS 2	Andrew J. Nee, P.E.	02/27/19
L-1	PLANTING PLAN	Juan C. Vargas, Jr., P.E.	02/27/19
L-2	PLANTING NOTES AND DETAILS	Juan C. Vargas, Jr., P.E.	02/27/19
PH-1	PHOTOMETRICS PLAN	Andrew J. Nee, P.E.	02/27/19
A101.00	PARTIAL FIRST FLOOR PLAN-WEST	Mark J. Sullivan, R.A.	05/18/18
A102.00	PARTIAL FIRST FLOOR PLAN-EAST	Mark J. Sullivan, R.A.	05/18/18
A103.00	PARTIAL FIRST FLOOR SKYBOX PLAN - WEST	Mark J. Sullivan, R.A.	05/18/18
A104.00	PARTIAL FIRST FLOOR SKYBOX PLAN - EAST	Mark J. Sullivan, R.A.	05/18/18
A105.00	PARTIAL SECOND FLOOR PLAN - WEST	Mark J. Sullivan, R.A.	05/18/18
A106.00	PARTIAL SECOND FLOOR PLAN - EAST	Mark J. Sullivan, R.A.	05/18/18
A107.00	PARTIAL THIRD FLOOR -WEST	Mark J. Sullivan, R.A.	05/18/18
A108.00	PARTIAL THIRD FLOOR - EAST	Mark J. Sullivan, R.A.	05/18/18
A201.00	ELEVATIONS	Mark J. Sullivan, R.A.	05/18/18
A202.00	PERSPECTIVES	Mark J. Sullivan, R.A.	05/18/18
A201.00	BUILDING SECTION	Mark J. Sullivan, R.A.	05/18/18

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

16. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

17. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

AS TO TAX LOT 42:

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

BEGINNING at a point on the northerly side of Old Country Road, as widened, distant 320.60 feet westerly as measured along the northerly side of Old Country Road from the extreme westerly end of the arc of a curve, which connects the northerly side of Old Country Road with the westerly side of Charlotte Avenue;

RUNNING THENCE along the northerly side of Old Country Road, south 76 degrees 12 minutes 48 seconds West, a distance of 110.03 feet;

THENCE North 7 degrees 16 minutes 56 seconds West, a distance of 345.38 feet;

THENCE North 68 degrees 09 minutes 14 seconds East, a distance of 112.92 feet;

THENCE South 7 degrees 16 minutes 56 seconds East, a distance of 361.30 feet to the northerly side of Old Country Road, to the point or place of BEGINNING;

AND

AS TO TAX LOT 43:

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

BEGINNING at the southeasterly corner of the premises herein conveyed on the new Northerly side of Old Country Road, adjoining the Westerly line of premises now or formerly of Weber, now or formerly of Bonura; said point being distant 592.61 feet Easterly as measured along said new Northerly side of Old Country Road from the extreme Easterly end of the arc of the curve connecting said new Northerly side of Old Country Road with the Easterly side of Duffys Lane;

RUNNING THENCE along the new Northerly side of Old Country Road, South 76 degrees 12 minutes 48 seconds West, 90.56 feet to land now or formerly of Wesnofske;

THENCE along land now or formerly of Wesnofske, North 1 degree 36 minutes 30 seconds West, record (North 7 degrees 16 minutes 56 seconds West, actual), 361.30 feet to property now or formerly of Hoffman;

THENCE along said property of Hoffman, North 73 degrees 49 minutes 40 seconds East, record (North 68 degrees 09 minutes 14 seconds East, actual), 93.03 feet to property now or formerly of Weber, now or formerly of Bonura;

THENCE along same, South 1 degree 36 minutes 30 seconds East, record (South 7 degrees 16 minutes 22 seconds East, actual), 374.46 feet to the new Northerly side of Old Country Road, at the point or place of BEGINNING;

IN WITNESS WHEREOF, the Declarants have hereunto set its hand and seal the day
and year first above written.

550 HICKSVILLE REALTY CORP.

By: _____

GRAMARCY POINT REALTY CORP.

By: _____

LSC DEVELOPMENT, LLC

By: _____

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

On the day of in the year 2019 before me, the undersigned,
personally appeared , personally known to me or proved to me
on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed
to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the
instrument.

Notary Public

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

On the day of in the year 2019 before me, the undersigned,
personally appeared , personally known to me or proved to me
on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed
to the within instrument and acknowledged to me that he/she/they executed the same in
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individual(s), or the person upon behalf of which the individual(s) acted, executed the
instrument.

Notary Public

DECLARATION OF RESTRICTIVE COVENANTS

550 HICKSVILLE REALTY CORP. and GRAMARCY POINT REALTY CORP., fee owners, both having an address at 183-07 Union Turnpike, Flushing, New York 11366, and LSC DEVELOPMENT, LLC, contract vendee, having an address at 777 Lake Zurich Road, #200, Barrington, Illinois 60010, ("the Declarants"), by this declaration, dated July , 2019, declare as follows:

WHEREAS, said Declarants petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to permit the construction and operation of a self-service storage facility at the subject premises; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on May 21, 2019, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, The Town Board, by Resolution No. _____ - 2019, dated July 9, 2019, approved said request subject to the execution and recording of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, do hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as being located at 550 West Old Country Road, Hicksville, Town of Oyster Bay, New York, designated as Section 11, Block 484, Lots 42 and 43 on the Land and Tax Map of Nassau County, with the following covenants and restrictions, which will run with the land and be binding upon said Declarants, their successors and/or assigns,

NOW, THEREFORE, said Declarants, do hereby covenant and declare as follows:

1. That the subject property shall not be used for any purposes other than for the operation of a three-story self-storage facility.
2. That the hours of operation for the subject facility shall be Monday through Thursday from 7:00 a.m. until 7:00 p.m., Friday from 7:00 a.m. until 8:00 p.m., Saturday from 7:00 a.m. until 7:00 p.m., and Sunday from 9:00 a.m. until 5:00 p.m., unless exigent circumstances require deliveries or retrieval of stored items outside the aforementioned time frame.
3. That there shall be no parking of commercial vehicles on the subject property except when such vehicles are making deliveries or retrievals of stored items, and

except those commercial vehicles related to the use of the subject property as set forth in paragraph 1 hereinabove.

4. That there shall be no backing of delivery trucks onto adjacent streets.
5. That the engines of all trucks shall shut down during the delivery or retrieval of storage items.
6. That no mechanical games of amusement shall be permitted on the subject premises.
7. That the entire subject property shall be effectively policed to eliminate litter, papers and trash and shall be policed to remove oil cans, grease spots, etcetera, so as to present an overall clean and neat appearance.
8. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present or future laws or ordinances of the Town of Oyster Bay, unless such signage is granted variance relief by the Town of Oyster Bay Board of Zoning Appeals.
9. That all exterior lights shall be located, positioned and directed so as not to interfere with or cause annoyance or inconvenience to vehicular traffic or the surrounding areas, and shall be of shielded design to minimize impacts.
10. That any external audio communication system utilized shall be checked, monitored and maintained so as to be inaudible along any of the subject property lot lines.
11. That there shall be no exterior television monitors at any location on the subject property.
12. That all garbage and rubbish shall be kept in closed containers and disposed in accordance with applicable statutes, ordinances and laws.
13. That the exterior of all structures, parking areas, planting of shrubs or other installations visible to the public, shall be continually monitored, repaired when necessary and kept neat and clean and that any and all plantings along the street frontage shall be less than 30 inches in height in order to maintain driver visibility.
14. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the eight (8) plans prepared by Andrew J. Nee, P.E., VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., Hauppauge, New York, two (2) plans prepared by Juan C. Vargas, Jr., P.E., VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., Hauppauge, New York, and eleven (11) plans prepared by Mark J. Sullivan, R.A., SGW Architects, P.C., Chicago, Illinois, reviewed in

accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by the Department of Planning and Development, by memorandum dated April 11, 2019, approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. In the event Declarants seek permission to make a change to the subject structure or property after the date of the granting resolution, the Department of Planning and Development shall determine whether the proposed change is a major or minor modification. If a proposed modification is deemed minor, the Department of Planning and Development shall have final approval of same. Any major modifications to said plans shall require Town Board approval. The plans approved by the granting resolution are as follows:

SHEET NO.	TITLE	PREPARED BY	DATE
C-1	LEGEND AND GENERAL NOTES	Andrew J. Nee, P.E.	02/27/19
C-2	LAYOUTS AND MATERIALS PLAN	Andrew J. Nee, P.E.	02/27/19
C-3	GRADING AND DRAINAGE PLAN	Andrew J. Nee, P.E.	02/27/19
C-4	UTILITY PLAN	Andrew J. Nee, P.E.	02/27/19
C-5	EROSION AND SEDIMENT CONTROL PLAN	Andrew J. Nee, P.E.	02/27/19
C-6	SITE DETAILS 1	Andrew J. Nee, P.E.	02/27/19
C-7	SITE DETAILS 2	Andrew J. Nee, P.E.	02/27/19
L-1	PLANTING PLAN	Juan C. Vargas, Jr., P.E.	02/27/19
L-2	PLANTING NOTES AND DETAILS	Juan C. Vargas, Jr., P.E.	02/27/19
PH-1	PHOTOMETRICS PLAN	Andrew J. Nee, P.E.	02/27/19
A101.00	PARTIAL FIRST FLOOR PLAN-WEST	Mark J. Sullivan, R.A.	05/18/18
A102.00	PARTIAL FIRST FLOOR PLAN-EAST	Mark J. Sullivan, R.A.	05/18/18
A103.00	PARTIAL FIRST FLOOR SKYBOX PLAN - WEST	Mark J. Sullivan, R.A.	05/18/18
A104.00	PARTIAL FIRST FLOOR SKYBOX PLAN - EAST	Mark J. Sullivan, R.A.	05/18/18
A105.00	PARTIAL SECOND FLOOR PLAN - WEST	Mark J. Sullivan, R.A.	05/18/18
A106.00	PARTIAL SECOND FLOOR PLAN - EAST	Mark J. Sullivan, R.A.	05/18/18
A107.00	PARTIAL THIRD FLOOR - WEST	Mark J. Sullivan, R.A.	05/18/18
A108.00	PARTIAL THIRD FLOOR - EAST	Mark J. Sullivan, R.A.	05/18/18
A201.00	ELEVATIONS	Mark J. Sullivan, R.A.	05/18/18
A202.00	PERSPECTIVES	Mark J. Sullivan, R.A.	05/18/18
A201.00	BUILDING SECTION	Mark J. Sullivan, R.A.	05/18/18

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

16. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

17. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

AS TO TAX LOT 42:

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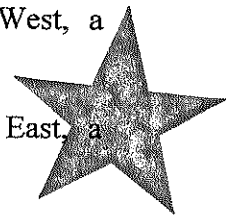
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THENCE North 68 degrees 09 minutes 14 seconds East, a distance of 112.92 feet;

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AND

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IN WITNESS WHEREOF, the Declarants have hereunto set its hand and seal the day and year first above written.

550 HICKSVILLE REALTY CORP.

By: _____

GRAMARCY POINT REALTY CORP.

By: _____

LSC DEVELOPMENT, LLC

By: _____

