

John Canning by
John Smith, Deputy
Commissioner of HR.

APPROVED

COMMISSIONER OF HUMAN RESOURCES

Meeting of July 11, 2017 RESOLUTION P-17 -17

WHEREAS, The 2017 Budget, adopted November 15, 2016 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 2017 Budget, on November 15, 2016, 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	Nay
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor (2)
Town Attorney
Comptroller (2)
Town Clerk
Town Board
Human Resources
Payroll

Meeting of July 11, 2017

RESOLUTION NO. TF-10-2017

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

ITEM NO.	DEPT.	AMOUNT	DECREASE
028-17	DPW	\$ 10,000.00	DPW A 1640 41280 000 0000
			INCREASE
		\$ 10,000.00	DPW A 1640 41600 000 0000
			#

Reviewed By
Office of Town Attorney


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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

JA

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

June 26, 2017

TO : MEMORANDUM DOCKET
FROM : RICHARD W. LENZ, P.E., COMMISSIONER OF PUBLIC WORKS
SUBJECT : AMENDMENT TO OPERATING BUDGET

Kindly arrange to transfer funds for the C.V.M. Division as follows:

<u>ACCOUNT NO.</u>	<u>OBJECT DESCRIPTION</u>	<u>AMOUNT</u>
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INCREASE:

DPW A-1640-41600-000-0000	MATERIALS & SUPPLIES	\$10,000.00
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DECREASE:

DPW A-1640-41280-000-0000	COMPRESS NATURAL GAS	\$10,000.00
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This transfer is necessary to provide sufficient funds in order to purchase materials & supplies needed to maintain the repair operation of the Town fleet.

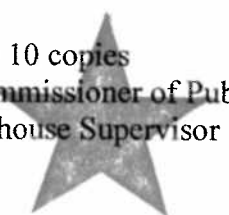

RICHARD W. LENZ, P.E.
COMMISSIONER OF DPW

RWL/sb

C: Town Attorney – Original and 10 copies

Michael Cipriano, Deputy Commissioner of Public Works

Raymond Swierkowski, Warehouse Supervisor



File

Actual expenditures

Revised budget

Encumbrances

Pre-encumbrances

Select

Budget cycle: 2017

Dimension values

Main account:

Budget model: 2017 Adopt

/-A-1640-41280-000-0000-

Budget group

View by

Balance detail

Balance type

By fiscal period

By budget cycle

Show net change

Show accumulated

Include carry-forward amounts in totals

Period	Budget funds available	Total revised b...	Total actual expe...	Budget reservations for encumbr...	Budget reservations for pre-encumbranc...
1/1/2017	252,959.56	332,642.00	62,322.44	17,360.00	0.00

Total revised budget

Original budget: 362,342.0

Completed revisions: 0.0

Draft revisions: 0.0

Completed budget transfers: -29,700.0

Draft budget transfers in: 0.0

Draft budget transfers out: 0.0

Preliminary budget: 0.0

Total actual expenditures

Actual expenditures: 62,322.4

Unposted actual expenditures: 0.0

Carry-forward amounts

Budget: 950.0

Reservations for encumbrances: 950.0

Actual expenditures: 0.0

Unposted actual expenditures: 0.0

Budget reservations for encumbrances

Budget reservations for pre-encumbrances

Budget reservations for pre-encumbrances: 0

Budget reservations for unconfirmed pre-encumbrances: 0

Budget funds available = (Original budget + Carry-forward budget + Budget revisions + Draft budget revisions + Budget transfers + Draft budget transfers in + Draft budget transfers out) - (Actual expenditures + Carry-forward actual expenditures + Unposted actual expenditures + Budget reservations for encumbrances + Budget reservations for carry-forward encumbrances + Budget reservations for unconfirmed encumbrances + Reduction to budget reservations for unconfirmed encumbrances + Budget reservations for pre-encumbrances + Budget reservations for unconfirmed pre-encumbrances)

View budget amounts by fiscal period or budget cycle. Fiscal period is a more detailed view.

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development by the emergency powers granted to the Deputy Commissioner of the Department of Planning and Development, authorized the Highway Department to boardup the basement at the premises located at 4336 Hicksville Road, Bethpage, New York, also known as Section 52, Block 310, Lot 43 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated May 24, 2017, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on March 15, 2016, in the amount of \$357.74, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated May 24, 2017, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$357.74 may be assessed by the Legislature of the County of Nassau against the parcel known as 4336 Hicksville Road, Bethpage, New York, also known as Section 52, Block 310, Lot 43 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

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

Reviewed By
Office of Town Attorney
[Signature]

13

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: May 24, 2017

SUBJECT: Property Cleanup Assessment
4336 Hicksville Road, Bethpage, New York 11714
Section 52, Block 310, Lot 43

By the emergency powers granted to the Deputy Commissioner of the Department of Planning and Development, the Highway Department was directed to boardup the basement of the premises located at 4336 Hicksville Road, Bethpage, New York 11714, also known as Section 52, Block 310, Lot 43 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated March 21, 2016, advised that the property was secured by a crew from the Highway Department on March 15, 2016. The cost incurred by the Town of Oyster Bay was \$357.74.

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

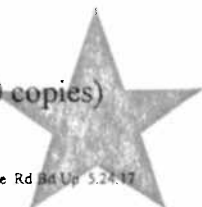
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY



Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/10 copies)



2016-5466
Nurul H

DEPARTMENT OF PLANNING AND DEVELOPMENT

TOWN HALL WEST, 74 AUDREY AVENUE, OYSTER BAY, NY 11771
TEL. 516-624-6200 FAX 516-624-6240



OFFICE OF THE COMMISSIONER

COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

March 2, 2016

Hand Delivered and Via Certified Mail, RRR

Rajeshwari Singh
4336 Hicksville Road
Bethpage, NY 11714

RE: Premises: 4336 Hicksville Road, Bethpage, NY
Section 52 Block 310 Lot 43

NOTICE OF DANGEROUS PREMISES

Pursuant to Chapter 96 of the Code of the Town of Oyster Bay

Dear Ms. Singh:

The reports and photographs of the inspection performed by a representative of the Building Department and Code Enforcement Official have been thoroughly reviewed. The conditions observed present a danger to the health, safety and general welfare of the public. Based on this review, it has been determined that the basement portion of the Premises present an imminent danger to the occupants.

Be advised that, pursuant to the emergency powers granted to the Department of Planning and Development, under Section 96-20 of the Code of the Town of Oyster Bay ("Town Code"), the Premises are deemed to contain a dangerous condition and that, for the protection and safety of the public, the basement portion of the Premises are ordered to be secured, boarded, fenced, sealed or otherwise made safe.

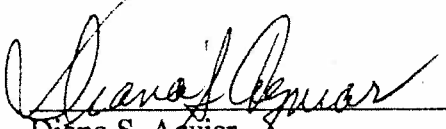
No entry into the basement portion of the Premises is permitted by any person without the consent of the Department of Planning and Development.



Interference with this Order may be considered an obstruction of governmental authority and an action of gross negligence.

Pursuant to Chapter 96 of the Town Code, you have seventy-two (72) hours to commence the abatement of the dangerous conditions (§96-9) or seven (7) days to reject the emergency findings (§96-8). The abatement of the condition is the basement is to be vacated immediately, to submit an application for a building permit to maintain and/or remove any interior alterations, structures, construction, additions, illegal habitable spaces, within your tenancy etc. You will have to work in conjunction with the owner of the property, who must prepare the site plan and application for approval.

BY ORDER OF:


Diana S. Aquiar
Deputy Commissioner

DSA:wgm

**Cc: Justin McCaffrey, Commissioner
Department of Public Safety**

**Richard Betz, Commissioner
Department of Public Works**

**Kevin Hanifan, Commissioner
Department of Highways**



TOWN OF OYSTER BAY

SECTION
52
BLOCK
C10
LOT
43

0710691-N

THIS INSTRUMENT, made the 14th day of August, in the year two thousand seven
BETWEEN

SENKUN SHI PING LI AND KONG CHING LEE, AS TO A LIFE
ESTATE, residing at 17 Sida Drive, Bayside, NY 11354

party of the first part, and
RAJESHWARI SENGH, residing at 131 River Road, Rockville Centre, NY 11550

party of the second part,
WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable
consideration paid by the party of the second part, does hereby grant and release as to the party of
the second part, the heirs or successors and assigns of the party of the second part forever,
ALL that certain piece, piece or parcel of land, with the building and improvements thereon
situated, lying and being

SEE DESCRIPTION ATTACHED HERETO

Said premises being commonly known as: 4336 Hicksville Road, Bayside, NY 11354

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by
Deed dated 9/24/91 and recorded in the Office of the Clerk of the County of Nassau in Liber
00181 up 12

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any
stairs and roads abutting the above described premises to the center lines thereof, TOGETHER
with the appurtenances and all the estate and rights of the party of the first part in and to said
premises, TO HAVE AND TO HOLD the premises herein granted unto the party of the second
part, the heirs or successors and assigns of the party of the second part forever.
And the party of the first part covenants that the party of the first part has not done or suffered
anything whereby the said premises have been encumbered in any way whatever, except as
aforesaid.

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

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

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

IN PRESENCE OF:

Michael J. Long

SENKUN SHI PING LI
KONG CHING LEE
KONG CHING LEE

DBS

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

March 21, 2016

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: 4336 HICKSVILLE ROAD, BETHPAGE
Board-Up

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

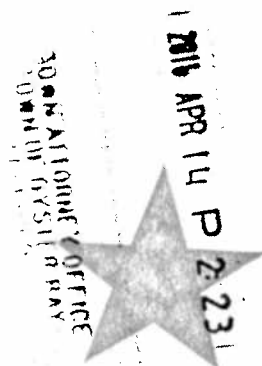
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$357.74.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.


KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet



Board-up 4336 HICKSVILLE ROAD, BETHPAGE to P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (52-310-43) 4336 HICKSVILLE RD BETHPAGE 11714

Date Mar 15, 2016

Work Order # 24628

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RUBEN FOURNIER	General Maintenance	02:00	\$35.70	00:00	0	\$71.40
JEFFREY VAN NOSTRAND	General Maintenance	02:00	\$44.03	00:00	0	\$88.06
Total Labor						\$159.46

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	02:00	\$158.00
Total Equipment				\$158.00

Materials

Material	Cost Per Unit	Units	Line Cost
Plywood 4'X8'X1/2"	\$20.65	1	\$20.65
Locks	\$12.39	1	\$12.39
Hasps	\$7.24	1	\$7.24
Total Materials			\$40.28

Grand Total \$357.74

Description of Work:

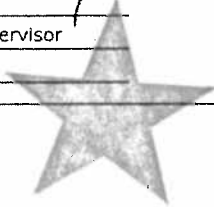
board up the basement at 4336 Hicksville Road, Bethpage to Rich

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: Mar 16, 2016



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Deputy Commissioner of the Department of Planning and Development, by memorandum dated March 8, 2016, authorized the Highway Department to clean up the premises located at 310 North Baldwin Drive, Massapequa, New York 11758, also known as Section 52, Block 37, Lots 1 through 5 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated June 5, 2017, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on March 14, 2016, in the total amount of \$579.90, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated June 5, 2017, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$579.90 may be assessed by the Legislature of the County of Nassau against the parcel known as 310 North Baldwin Drive, Massapequa, New York 11758, also known as Section 52, Block 37, Lots 1 through 5 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

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

7/14
Reviewed By
Office of Town Attorney
Donna B. Swanson

14

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 5, 2017

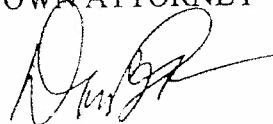
SUBJECT: Property Cleanup Assessment
310 North Baldwin Drive, Massapequa, New York 11758
Section 52, Block 37, Lots 1 through 5

The Department of Planning and Development, by memorandum dated March 8, 2016, directed the Highway Department to clean the premises located at 310 North Baldwin Drive, Massapequa, New York 11758 also known as Section 52, Block 37, Lots 1 through 5 on the Land and Tax Map of the County of Nassau. (See copy of deed attached). The Highway Department has, by memorandum dated March 30, 2016, advised that the property was cleaned by a crew from the Highway Department on March 14, 2016. The total cost incurred by the Town of Oyster Bay was \$579.90.

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

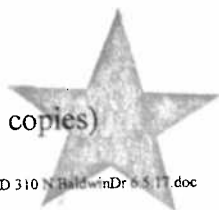
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY



Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachment
Town Attorney (10 copies)



S:\Attys\DBS\Cleanups MD&Reso\MD 310 N Baldwin Dr 6.5.17.doc

2017-5878
Need for

TOWN OF OYSTER BAY

Inter-Departmental Memo

March 8, 2016

To: KEVIN M. HANIFAN, COMMISSIONER HIGHWAY DEPT.

From: MICHAEL ESPOSITO -DIVISION HEAD CODE COMPLIANCE

**Through: DEPUTY COMMISSIONER
PLANNING AND DEVELOPMENT**

**Subject: 310 N. Baldwin Dr. Massapequa, NY 11758
SBL: 52-37-1 - 5**

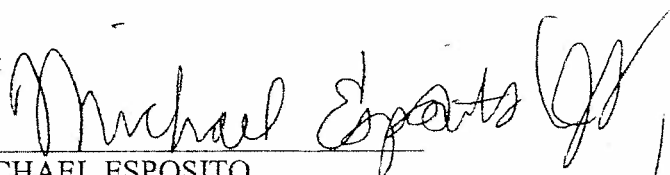
Notice of Violation (No.15589) was issued to the owner of the above-referenced premises on 03/01/2015 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass and remove all litter and debris.**

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

DEPUTY
COMMISSIONER

BY:


MICHAEL ESPOSITO
DIVISION HEAD /CODE ENFORCEMENT

ME/js
cc: Leonard Genova, Town Attorney



600-N-21071.

KC

4
455.00
MS CLERK

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

THIS INDENTURE, made the 15th day of DECEMBER, 2008 ✓

BETWEEN

TRI STATE SOLUTIONS INC., WITH OFFICES at 8811 Jamaica Ave, Woodhaven

party of the first part, and

ZENAIDA F. MARIANO residing at 310 N. Baldwin Drive, N. Massapequa.

party of the second part,

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

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

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

SEE SCHEDULE A ANNEXED HERETO

SAID PREMISES BEING KNOWN AS

310 NORTH BALDWIN PLACE
N. MASSAPEQUA, NY

SEC 52
BLOCK 37
LOT 1 TO 5 ✓

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

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

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

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

IN PRESENCE OF:

Thilotha Sathyan

TRI STATE SOLUTIONS INC.

By: Kamal Zafar (President)

KAMAL ZAFAR - PRESIDENT.

D/B

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

March 30, 2016

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: 310 NORTH BALDWIN DRIVE, MASSAPEQUA
Clean-Up

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$579.90.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.



KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT



KMH/kjb

Enc. T & M sheet

CLEAN-UP 310 NORTH BALDWIN DRIVE, MASSAPEQUA to P & D

2016 APR 10 10:29 AM
TOWN OF OYSTER BAY
DEPARTMENT OF HIGHWAYS

2016 APR 10 10:29 AM
TOWN OF OYSTER BAY
DEPARTMENT OF HIGHWAYS



**MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION**

Location (52-37-1) 310 NORTH BALDWIN DR MASSAPEQUA 11758

Date Mar 14, 2016

Work Order # 24630

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JOSEPH CARECCIA	General Maintenance	02:00	\$52.98	00:00	0	\$105.96
CHRISTOPHER MOORE	General Maintenance	02:00	\$24.76	00:00	0	\$49.52
JAMES ROMANO	General Maintenance	02:00	\$28.21	00:00	0	\$56.42
Total Labor						\$211.90

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$0.00	02:00	\$0.00
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	02:00	\$158.00
TD683	TRUCK DUMP 2010 FORD F-350 YW (T-225) - Power Wagons	\$105.00	02:00	\$210.00
Total Equipment				\$368.00

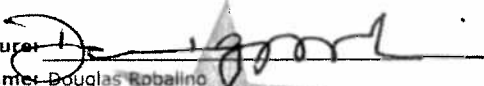
Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$579.90

Description of Work:

clean up 310 N. Baldwin Drive, MS to Doug

Signature: 
Name: Douglas Robalino
Title: Storeyard Supervisor
Date: Mar 25, 2016

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Deputy Commissioner of the Department of Planning and Development, by memorandum dated June 21, 2016, authorized the Highway Department to clean up the premises located at 214 Blueberry Lane, Hicksville, New York 11801, also known as Section 45, Block 376, Lot 14 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney and Donna B. Swanson, Deputy Town Attorney, by memorandum dated May 31, 2017, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on June 29, 2016, in the amount of \$567.15, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated May 31, 2017, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$567.15 may be assessed by the Legislature of the County of Nassau against the parcel known as 214 Blueberry Lane, Hicksville, New York 11801, also known as Section 45, Block 376, Lot 14 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

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

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

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

Reviewed By
Office of Town Attorney
[Signature]

15

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: May 31, 2017

SUBJECT: Property Cleanup Assessment
214 Blueberry Lane, Hicksville, New York 11801
Section 45, Block 376, Lot 14

The Department of Planning and Development, by memorandum dated June 21, 2016, directed the Highway Department to clean the premises located at 214 Blueberry Lane, Hicksville, New York 11801, also known as Section 45, Block 376, Lot 14 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 6, 2016, advised that the property was cleaned by a crew from the Highway Department on June 29, 2016. The cost incurred by the Town of Oyster Bay was \$567.15.

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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY



Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
cc: Town Attorney (w/10 copies)

S:\DBS\Cleanups MD & Reso\MD 214 Blueberry L 5.31.17.doc



2017-5886

MSD JTA

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 21, 2016

To: KEVIN HANIFAN, COMMISIONER/HIGHWAY DEPT.

From: MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT

Through: DEPUTY COMMISSIONER

PLANNING AND DEVELOPMENT

Subject: 214 Blueberry Lane Hicksville, NY 11801

SBL: 45-376-14

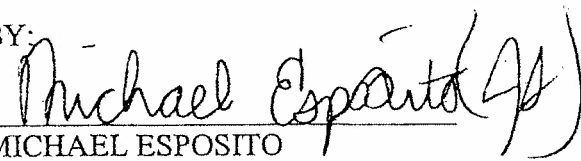
Notice of Violation (No.15317) was issued to the owner of the above-referenced premises 06/16/2016 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, I am directing that cut the grass, trim the bushes, and remove the litter and debris.

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

DEPUTY COMMISSIONER

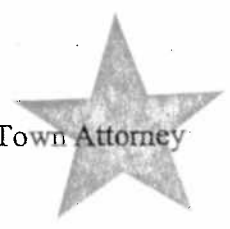
BY:



MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

ME/js

cc: Leonard Genova, Town Attorney



THIS DEED, made September 17, 2015

BETWEEN Karen Grant Esq., 137 Willis Avenue, Suite 400, Mineola, NY 11501 Referee duly appointed in the action hereinafter mentioned, Grantor, and

Fannie Mae aka Federal National Mortgage Association, 14221 Dallas Parkway, Suite 1000, Dallas, TX 75240 Grantee,

WITNESSETH that the grantor, the referee appointed in an action between FEDERAL NATIONAL MORTGAGE ASSOCIATION and MADELINE R STRICKLAND; et al., Defendants under Index No. 4234-13, Nassau County Supreme Court, 100 Supreme Court Drive, Mineola, NY 11501, foreclosing a mortgage recorded on May 22, 2006, in the Office of the Clerk of the County of Nassau, in Liber M30519 of Mortgages, at Page 291, in pursuance of a judgment entered at an IAS Term, of the Supreme Court, on April 16, 2015, and in consideration of Three Hundred Twenty Thousand Dollars and No Cents (\$320,000.00) paid by the grantee, being the highest sum bid at the sale under said judgment, does hereby grant and convey unto the grantee.

The foreclosure sale was held on June 9, 2015.

Said premises known as and by the street address: 214 BLUEBERRY LANE, HICKSVILLE, NY 11801.

SEE SCHEDULE "A" ANNEXED HERETO AND MADE A PART HEREOF.

Said premises being and intended to be the same premises conveyed by Deed dated February 16, 2002 from Thomas P. Howell and Madeline R. Strickland, formerly known as Madeline R. Howell, who acquired title as husband and wife and are now divorced, to Lee Thomas Strickland and Madeline R. Strickland, husband and wife, recorded May 1, 2002 in Liber D11467 at page 915.



DBS

Town of Oyster Bay
Inter- Departmental Memo

July 6, 2016

TO: DIANA S. AQUAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

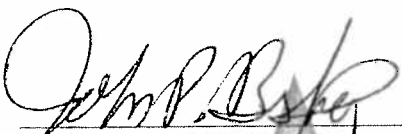
FROM: JOHN P. BISHOP
HIGHWAY DEPARTMENT

SUBJECT: 214 BLUEBERRY LANE, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$567.15.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.


JOHN P. BISHOP
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 MAR 16 A 8:51
TOWN OF OYSTER BAY
DEPARTMENT OF PLANNING AND DEVELOPMENT

2017 MAR 16 A 8:51

CLEAN-UP 214 BLUEBERRY LANE, HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (45-376-14) 214 BLUEBERRY LN HICKSVILLE 11801

Date Jun 29, 2016

Work Order # 28192

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
FRANK MANKIEWICZ	General Maintenance	01:15	\$40.00	00:00	0	\$50.00
MICHAEL RICCARDO	General Maintenance	01:15	\$47.03	00:00	0	\$58.79
PHILIP BADOME	General Maintenance	01:15	\$26.93	00:00	0	\$33.66
DONALD BRUWER	General Maintenance	01:15	\$24.76	00:00	0	\$30.95
Total Labor						\$173.40

Tools/Vehicle

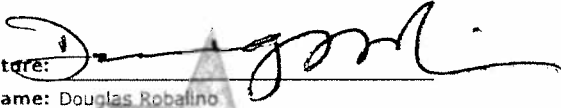
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD568	TRUCK DUMP 2005 FORD F-350 YW (HP925) - Power Wagons	\$105.00	01:15	\$131.25
TD624	PICK-UP TRUCK 2008 FORD F-250 YW (23 / 018)	\$79.00	01:15	\$98.75
TD700	TRUCK DUMP 2011 INTER 7300 YW (T-181)- 6 Wheeler	\$131.00	01:15	\$163.75
Total Equipment				\$393.75

Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$567.15

Description of Work:
CLEAN UP 214 BLUEBERRY LANE HV TO DOUG

Signature: 
Name: Douglas Robalino
Title: Storeyard Supervisor
Date: Jul 6, 2016

146
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 708-2016, adopted on December 13, 2016, the Town Board authorized the retention of the law firm of Milber, Makris, Plousadis & Seiden, LLP, 1000 Woodbury Road, Suite 402, Woodbury, New York 11797, to provide legal services in connection with the action *Romano, et al. v. Town of Oyster Bay, et al., United State District Court, Eastern District of New York, 16-CV-5760*; and

WHEREAS, Joseph Nocella, Town Attorney, and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated June 5, 2017, have requested that Resolution No. 708-2016 be amended, to provide an additional amount not to exceed \$15,000.00, to continue the legal services of Milber, Makris, Plousadis & Seiden, LLP,

NOW, THEREFORE, BE IT RESOLVED, That Town Board Resolution No. 708-2016 be amended to increase the authorized fees of Milber, Makris, Plousadis & Seiden, LLP, in an amount not to exceed \$15,000.00, including expenses and disbursements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

17

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE TOWN ATTORNEY

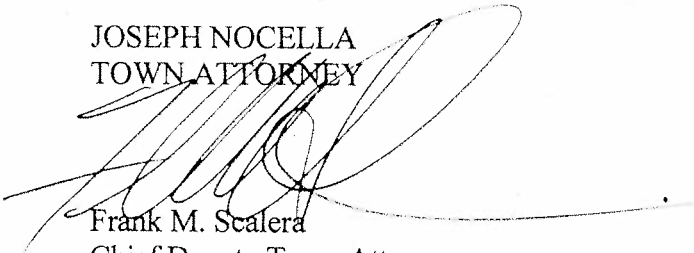
DATE: June 5, 2017

SUBJECT: Outside Counsel for Romano, et al. v. Town of Oyster Bay, et al.

The Town Board has previously adopted Resolution No. 708-2016, retaining the law firm of Milber, Makris, Plousadis & Seiden, LLP, 1000 Woodbury Road, Suite 402, Woodbury, New York 11797, to provide legal services in connection with the action *Romano, et al. v. Town of Oyster Bay, et al.*, United State District Court, Eastern District of New York, 16-CV-5760. Said matter requires additional funds to continue work, and therefore, it is necessary to authorize additional funds, in the amount of \$15,000.00, to cover legal fees and expenses in connection therewith, to be paid from Account No. OTA A 1420 44110 000 0000.

Submitted herewith is the Resolution for the foregoing request.

JOSEPH NOCELLA
TOWN ATTORNEY



Frank M. Scalera
Chief Deputy Town Attorney

Attachment
Town Attorney (w/10 copies)

S:\Attorney\RESOS 2017\MD & RESO\Milber MakrisIncreaseFees.doc



Meeting of December 13, 2016

Resolution No. 708-2016

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated November 30, 2016 and December 5, 2016, have advised that pursuant to the Town's Procurement Policy, law firms were recently solicited to assist the Office of the Town Attorney with respect to a civil action entitled *Romano, et al. v. Town of Oyster Bay, et al.* that was commenced in the United States District Court for the Eastern District of New York; and

WHEREAS, after a review of the responding firms' qualifications, experience, and references, the Office of the Town Attorney recommends that Milber Makris Plousadis & Seiden, LLP, 1000 Woodbury Road, Suite 402 Woodbury, New York 11797 be retained to assist the Office of the Town Attorney with said litigation; and

WHEREAS, by the same memoranda, the Office of the Town Attorney indicated that partners and senior attorneys shall bill the Town at a rate of \$200.00 per hour, junior associates shall bill at a rate of \$185.00 per hour, and paralegals at a rate of \$85.00 per hour. Any appearance in connection with discovery or other pre-trial matters shall be billed at a flat rate of \$250.00 per appearance, with trial work to be billed at the rate of \$1,500.00 per day of trial, with funds to be drawn from Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and Milber Makris Plousadis & Seiden, LLP, 1000 Woodbury Road, Suite 402 Woodbury, New York 11797 is hereby authorized to provide legal services for the Town in connection with the action entitled *Romano, et al. v. Town of Oyster Bay, et al.*, in an amount not to exceed \$15,000.00 at a rate of \$200.00 per hour for partners and senior attorneys, \$185.00 per hour for junior associates \$85.00 per hour for paralegals, a flat rate of \$250.00 for discovery and pre-trial court appearances, and trial appearances at a flat rate of \$1,500.00 per day of trial; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

Supervisor Venditto
Councilman Muscarella
Councilman Macagnone
Councilman Coschignano
Councilman Pinto
Councilwoman Alesia
Councilwoman Johnson

Aye
Aye
Aye
Aye
Aye
Abstain
Aye

cc: Supervisor
Town Attorney
Comptroller (2)

WHEREAS, this Town Board had heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

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

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by Memorandum dated June 2, 2017, have advised that Plaintiffs, Tonilynn Connor and Constance Connor allege that Tonilynn Connor sustained personal injuries, including significant permanent scarring, following an attack by a Cane Corso dog adopted from the Town of Oyster Bay Animal Shelter; and

WHEREAS, after extensive settlement negotiations, this case settled on May 11, 2017 for \$20,000.00,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, payment of the sum of \$20,000.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to Plaintiffs, Tonilynn Connor and Constance Connor, with regard to Matter No. 2014-4322, and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to Tonilynn Connor and Elovich & Adell, Esqs., as attorneys, in the amount of \$20,000.00; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

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Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : June 2, 2017

SUBJECT: Settlement of Negligence Claim
Tonilynn Connor v. Town of Oyster Bay
Nassau County Index No. 6929/2014
Our Matter No. 2014-4322

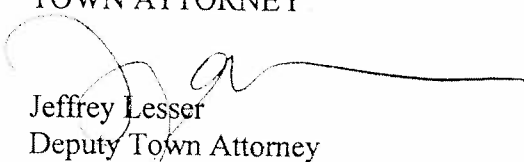
A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

The above referenced claim arose as a result of an incident following the adoption of a dog at the Town of Oyster Bay Animal Shelter on November 13, 2013. The Connors adopted a Cane Corso, a dog of over 100 pounds. Shortly after adoption, the dog attacked Tonilynn Connor, then 14 years of age. The dog left scars on Miss. Connor's face. The scarring has formed a hardened area on Miss Connor's cheek, clearly visible. Claimant further had corrective surgery involving excision of the scar of left eyebrow and removal of scar tissue of the lower lip involving closure of the flap of the lip, resulting in significant scarring. The dog was euthanized on November 19, 2013.

The trial of this matter commenced in May 2017, resulting in the selection of a jury. At a conference prior to opening statements, this case settled for \$20,000.00. This settlement takes into consideration the significant damages value of this matter and the liability defenses of the Town. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000. This Office received settlement documents, including a Release and Stipulation of Discontinuance on June 2, 2017.

Accordingly, we have attached a resolution authorizing payment of \$20,000.00, together with copies of the closing documents including the Stipulation of Discontinuance and General Release executed by the claimant on May 24, 2017.


JOSEPH NOCELLA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JAL:jl

Attachment

cc: Town Attorney (with 10 copies)



ELOVICH & ADELL

ATTORNEYS AT LAW

164 WEST PARK AVENUE
LONG BEACH, NEW YORK 11561

516-432-6263
FAX 516-432-4897
EANDALAW@LIVE.COM

LAWRENCE E. ELOVICH*

A. TRUDY ADELL

MITCHEL SOMMER

GLENN L. SABELLE

DARRYN SOLOTOFF

*DECEASED 2012

May 25, 2017

ALAN J. REARDON
LAW OFFICES
19 Park Avenue
E. Williston, NY 11596

Attention: Alan J. Reardon, Esq.

Re: Connor vs. Town of Oyster Bay
D/A: 11/18/2013
File No: PSM 15847

Dear Mr. Reardon:

Pursuant to settlement entered into, please find a General Release duly executed by the above named claimant as well as a copy of Tonilynn Connor's Birth Certificate.

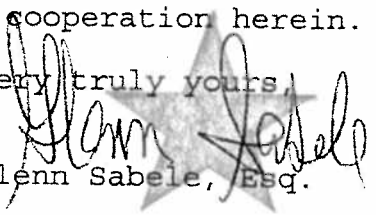
Kindly issue your draft in the sum of \$20,000.00 payable to Tonilynn Connor and ELOVICH & ADELL, ESQS., AS ATTORNEYS. Also enclosed is a Stipulation Discontinuing Action which I request that you have signed and returned to the undersigned.

I would like to call your attention to the fact that prompt payment of this settlement must be made in accordance with CPLR Section 5003-a. In the event that payment is not received within twenty-one (21) days from this tender, judgment will be entered against your insured, without further notice, for the amount set forth in the release, with interest thereon from the date of tender, plus costs and disbursements.

Please note that the tax identification number is 11-329-7613.

Thank you for your courtesy and cooperation herein.

Very truly yours,


Glenn Sabele, Esq.

GS/ol
Encl.

ELOVICH & ADELL

ATTORNEYS AT LAW

164 WEST PARK AVENUE
LONG BEACH, NEW YORK 11561

516-432-6263
FAX 516-432-4897
EANDALAW@LIVE.COM

LAWRENCE E. ELOVICH*
A. TRUDY ADELL
MITCHEL SOMMER
GLENN L. SABELLE
DARRYN SOLOTOFF

*DECEASED 2012

May 30, 2017

ALAN J. REARDON
LAW OFFICES
19 Park Avenue
E. Williston, NY 11596

Attention: Alan J. Reardon, Esq.

Re: Connor vs. Town of Oyster Bay
D/A: 11/18/2013
File No: PSM 15847

Dear Mr. Reardon:

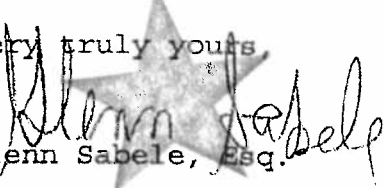
Pursuant to settlement entered into, please find a General Release duly executed by the above named claimant as well as a copy of Tonilynn Connor's Birth Certificate.

Kindly issue your draft in the sum of \$20,000.00 payable to Tonilynn Connor and ELOVICH & ADELL, ESQS., AS ATTORNEYS. Also enclosed is a Stipulation Discontinuing Action which I request that you have signed and returned to the undersigned.

As per our settlement agreement of May 11, 2017, Plaintiffs' and their attorneys agree to waive the CPLR 5003-a provision, and have extended the Town of Oyster Bay up to 60 days to issue the settlement check. If more time is required, kindly contact the undersigned.

Thank you for your courtesy and cooperation herein.

Very truly yours,


Glenn Sabele, Esq.

GS/ol
Encl.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
TONILYNN CONNOR, an infant under the
age of 14 years, by her mother and
natural guardian, CONSTANCE CONNOR,
and CONSTANCE CONNOR, individually,

Index No: 006926/14

Plaintiffs,

- against -

STIPULATION OF
DISCONTINUANCE

TOWN OF OYSTER BAY


Defendant.

-----X

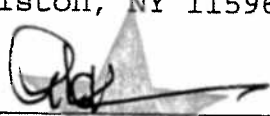
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant, incompetent person for who a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, with prejudice and without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Nassau New York
May 25, 2017

ELOVICH & ADELL, ESQS.
Attorneys for Plaintiffs
164 West Park Avenue
Long Beach, NY 11561

By: 
Glenn Sabele, Esq.

BURNS, RUSSO, TAMIGI & REARDON,
Attorneys for Defendant
19 Park Avenue
E. Williston, NY 11596

By: 
Alan J. Reardon, Esq.

GENERAL RELEASE

To all to whom these Presents shall come or may Concern,
Know That:

TONILYNN CONNOR
CONSTANCE CONNOR
312 N. Virginia Avenue
Massapequa, New York 11758

as RELEASORS,

in consideration of the sum of ***TWENTY THOUSAND AND NO/DOLLARS*** (\$20,000.00)

received from TOWN OF OYSTER BAY, as RELEASEE, receipt whereof is hereby acknowledged, release and discharge THE TOWN OF OYSTER BAY, the RELEASEE, RELEASEE'S heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE.

Nothing in this release should be construed to release any health care provider, or any insurance company from its obligation to provide underinsured/uninsured motorist benefits, personal injury protection benefits, medical payments coverage, health insurance coverage, major medical insurance coverage, disability insurance coverage or life insurance coverage from any claims arising out of the above described incident.

Plaintiff, TONILYNN CONNOR AND CONSTANCE CONNOR, agree to indemnify and hold harmless the defendant(s), TOWN OF OYSTER BAY, ("Releasees"), for any and all claims and liens asserted therein.

The words "RELEASOR" and "RELEASEE" include all releasors and all releasees under this RELEASE.
This RELEASE may not be changed orally.

In Witness Whereof, the RELEASOR has hereunto set RELEASOR'S hand and seal on the 24th day of May, 2017.

In presence of

Tony Connor
TONILYNN CONNOR

Constance Connor
CONSTANCE CONNOR

State of New York, County of Nassau ss.: ACKNOWLEDGMENT RPL309-a (Do not use outside New York State)

On May 24, 2017, before me, the undersigned, personally appeared, TONILYNN CONNOR AND CONSTANCE CONNOR, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individuals, or the persons upon behalf of which the individual acted, executed the instrument.

[Signature]
(Signature and office of individual taking acknowledgment)

ONISE LINARES
Notary Public, State of New York
No. 0116155878
Qualified in Nassau County
Commission Expires Nov. 20, 2018

**Request for Taxpayer
Identification Number and Certification**

**Give Form to the
requester. Do not
send to the IRS.**

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. ELOVICH & ADELL, ESQS.		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ <input type="checkbox"/> Other (see instructions) ▶ <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) 164 West Park Avenue	Requester's name and address (optional) Alan J. Reardon	
6 City, state, and ZIP code Long Beach, New York 11561		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-			-		
or								
Employer identification number								
1	1	-	3	2	9	7	6	1 3

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification Instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here

Signature of U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

WHEREAS, by Resolution No. 716-2016, adopted on December 13, 2016, the Town Board authorized the Office of Town Clerk to retain On-Time Court Reporting, Inc. to provide stenographic services to the Town for transcription of Town Board meetings and hearings from January 1, 2017 through and including December 31, 2017, with two (2) one (1) year extension options; and

WHEREAS, by memorandum dated June 8, 2017, James Altadonna, Jr., Town Clerk has advised that it is necessary to increase the "not to exceed" authorization set forth in Resolution No. 716-2016 from \$17,000.00 to \$34,000.00, so to cover the costs of stenographic services for Town Board meetings and hearings provided by On-Time Court Reporting for the year 2017;

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 716-2016 is hereby amended to increase the "not to exceed" authorization set forth in Resolution No. 716-2016 from \$17,000.00 to \$34,000.00, to cover the costs of stenographic services for Town Board meetings and hearings provided by On-Time Court Reporting for the year 2017, with funds available for said increase in Account No. OTC A 1410 44120 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Town Clerk

Reviewed By
Office of Town Attorney

19

TOWN OF OYSTER BAY

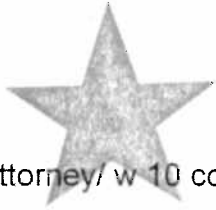
Inter-Office Memorandum

TO: MEMORANDUM DOCKET
FROM: JAMES ALTADONNA JR., TOWN CLERK
DATE: JUNE 8, 2017
SUBJECT: ON TIME COURT REPORTING, INC. - 2017

The Office of the Town Clerk respectfully requests Town Board approval to amend Resolution 716-2016 to increase the "not to exceed" amount from \$17,000 to \$34,000 to cover the costs of stenographic services for Town Board meetings and hearings provided by On Time Court Reporting, Inc., 263 Brown Street, Mineola, New York 11501, for the year 2017.

Funds are available in Account No. OTC A 1410 44120 000 0000.

JA/rts
cc: Town Attorney/ w 10 copies





JAMES ALTADONNA JR.
TOWN CLERK

WHEREAS, Resolution No. 741-2015, adopted on December 15, 2015, authorized D & B Engineers and Architects, P.C., to provide Tank Management services to the Town under Contract No. PWC20-16, On-Call Engineering Services Relative to Environmental Engineering; and

WHEREAS, Michael Cipriano, Deputy Commissioner of the Department of Public Works, by memorandum dated June 8, 2017, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$7,447.97, under Contract No. PWC20-16, for engineering services for environmental engineering relative to Tank Management, with funds to be drawn from Account No. DPW A 1640 46340 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$7,447.97, and to pay D & B Engineers and Architects, P.C., for services rendered under Contract No. PWC 2016, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. DPW A 1640 46340 000 0000, for Contract No. PWC20-16.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

Reviewed By
Office of Town Attorney

20

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

JUNE 8, 2017

TO: MEMORANDUM DOCKET

FROM: MICHAEL CIPRIANO, DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO TANK MANAGEMENT
CONTRACT NO. PWC20-16
ACCOUNT NO.: DPW A 1640 46340 000 0000

The consultant, D & B Engineers & Architects, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC20-16 by Resolution No. 741-2015 for the subject project.

Attached is a letter dated April 24, 2017 from D & B Engineers & Architects, P.C. regarding the scope of work performed in an amount not to exceed \$7,447.97. Services performed include project management services and Nassau County Department of Health and New York State Department of Environmental Conservation required operator certification.

Attached is an availability of funds in the amount of \$7,447.97 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DPW A 1640 46340 000 0000.

It is hereby requested that the Town Board authorize by Resolution D & B Engineers & Architects, P.C. under Contract No. PWC20-16, On-Call Engineering Services Relative to Tank Management, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


MICHAEL CIPRIANO
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MC/MR/SC

Attachment

cc: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
Raymond Swierkowski, CVM

PWC20-16 D&B DOCKET CVM FUNDS



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

330 Crossways Park Drive, Woodbury, New York 11797

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

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Olga Mubarak
Adam Remick, P.E.
Daniel Shabat, P.E.

Associates

Meredith A. Byers
Anthony M. Caniano
Rudolph F. Cannavale
James J. Magda
Michele Mastrangelo
Robbin A. Petrella
Swaroop C. Puchalapali, P.E.
Edward J. Reilly
Michael G. Savarese, P.E.
Stephen E. Tauss, P.G.

April 24, 2017

Mr. Matthew Russo, P.E.
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Re: Tank Management Program CVM
TOB PWC 20-16
D&B 3490-03

Dear Mr. Russo:

The firm has been providing engineering services in support of the Town of Oyster Bay's Tank Management Program since 1995. Over the last 20 years D&B Engineers and Architects, P.C. (D&B) has assisted in keeping the Town's underground storage tanks (UST) up to New York Department of Environmental Conservation (NYDEC) and Nassau County Department of Health (NCDH) standards. These services include documentation compliance, proper UST operator training, and facility UST operator designations. Highlighted below are the tasks completed as part of the CVM Tank Management Program.

Task 1: Project Management

D&B assisted in compiling and delivering as-builts, O&M manuals, specifications, and inspection documents from the Carmen Mill and TOBAY Beach fueling stations as requested by the TOBAY DPW Engineering division.

Task 2: NYSDEC and NCDH Underground Storage Tank Operator Certification

In 2016, the NYDEC required all registered underground storage tanks (UST) to have properly trained and designated operators. In conjunction with TOBAY staff, D&B set up and administered the required A, B, and A/B tank operator certification courses and exams.

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

Mr. Matthew Russo, P.E.
Department of Public Works
Town of Oyster Bay
April 24, 2017

Page Two

Task 3: NYSDEC and NCDH Underground Storage Tank Operator Designation

Additionally, D&B, at the request of the Town, compiled and submitted the necessary operator documentation and registration applications for all registered UST tanks to the NCDH and Nassau County Fire Marshal

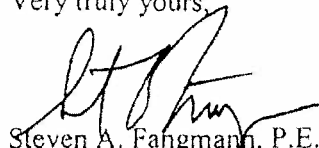
D&B's direct labor costs for the above tasks are provided in the table below:

<u>Tasks</u>	<u>Cost</u>
1. Project Management	\$1,998.10
2. NYSDEC and NCDH Underground Storage Tank Operator Certification	\$3,439.49
3. NYSDEC and NCDH Underground Storage Tank Operator Designation	<u>\$2,010.38</u>
Total Tank Management CVM Cost	\$7,447.97

D&B respectfully requests authorization for the fee of \$7,447.97 for the CVM Tank Management Services rendered.

If you have any questions or comments, please do not hesitate to contact Robert Adamo at (516) 346-9890

Very truly yours,


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

SAF/RAt/kap
cc: M. Russo (TOB-DPW)
♦3490\SAF17LTR-11





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



Requesting Division/Department

CVM

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

Contract Number PWC 20-16

Contract Period 01/01/16 - 12/31/17

Consultant/Contractor D & B Engineers and Architects, P.C.

Discipline Tank Management

Total Authorization \$58,043.89

Resolution No. 741-2015 Date 12/15/2015

Funded To Date \$50,595.92

Amount Requested \$7,447.97

Account To Be Used DPW-A-1640-46340-000-0000

If Capital Account, State The Related Contract Number: _____

Description Of Work

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

Tank Management Program

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$ _____

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Deputy Commissioner DPW

Title Deputy Commissioner of Public Works

Date 5-19-17

Date 5-19-17

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 7,447.97

Unencumbered Balance 12,000.00

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

Yes ☒ No ☐

Signature [Signature]

Date 5/19/17



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC 20-16

Contract End 12/31/2017

Commencement Date _____

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

Vendor Name and Address

D & B Engineers and Architects, P.C.

330 Crossways Park Drive

Woodbury, NY, 11797

Requesting Town Department Parks

Contact Sunita Chakraborti

Phone (516) 677 - 5725

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

Tank Management Program

This work order shall not exceed \$ 7,447.97

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

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Deputy Commissioner DPW

Deputy
Commissioner of Public Works

Date 5-19-17

Date 5-19-17

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 19, 2017

TO: MEMORANDUM DOCKET

FROM: MIKE CIPRIANO
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 20-16
TANK MANAGEMENT
D & B ENGINEERS AND ARCHITECTS, P.C.

The consultant, D & B Engineers and Architects, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. 20-16 by Resolution No. 741-2015 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated April 24, 2017 from D & B Engineers and Architects, P.C. regarding the scope of work to be performed in an amount not to exceed \$7,447.97. Services to be performed include project management, NYSDEC and NCDH Underground Storage Tank Operator Certification and Designation related to tank management.

Attached is an availability of funds in the amount of \$7,447.97 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DPW A 1640 46340 000 0000.

It is hereby requested that the Town Board authorize by Resolution D & B Engineers and Architects, P.C. under Contract No. PWC 20-16, On-Call Engineering Services Relative to Tank Management and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


MIKE CIPRIANO
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MC/SC

Attachment

cc: Town Attorney (w/10 copies)
Christine Wiss, Deputy Comptroller
Kathy Stefanich, Public Works
Eric Tuman, Commissioner/General Services
Mike Cipriano, Deputy Commissioner/CVM

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 17, 2017

TO : MIKE CIPRIANO, DEPUTY COMMISSIONER
DEPARTMENT OF CENTRAL VEHICLE MAINTENANCE

FROM : MATTHEW RUSSO, P.E.
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

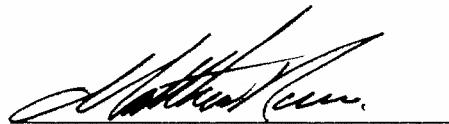
SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC 20-16
TANK MANAGEMENT
D & B ENGINEERS AND ARCHITECTS, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$7,447.97.

Funds are required for project management, NYSDEC and NCDH Underground Storage Tank Operator Certification and Designation related to tank management, as per the attached letter from D & B Engineers and Architects, P.C., dated April 24, 2017.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$7,447.97 and Resolution No. 741-2015 authorizing D & B Engineers and Architects, P.C. for on-call services.

If you have any questions, please contact Sunita Chakraborti, Division of Engineering, at extension 5725.



MATTHEW RUSSO, P.E.
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

MR:SC
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC 20-16 D&B - REQUEST FOR FUNDS_7 447.97



Meeting of December 15, 2015

Resolution No. 741-2015

Reviewed By
Office of Town Attorney

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, request and recommend that D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc., and LiRo Engineers, Inc. be authorized to provide on-call engineering services in connection with Contract No. PWC20-16, On-Call Engineering Services Relative to Tank Management, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc., and LiRo Engineers, Inc. have an open-ended service agreement with the Town under which the services will be provided; and

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc. and LiRo Engineers, Inc. be authorized to provide on-call engineering services in connection with Contract No. PWC20-16, On-Call Engineering Services Relative to Tank Management, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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 Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesin	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

WHEREAS, Resolution No. 741-2015, adopted on December 15, 2015, authorized D & B Engineers and Architects, P.C., to provide Tank Management services under Contract No. PWC20-16, On-Call Engineering Services Relative to Environmental Engineering; and

WHEREAS, Michael Cipriano, Deputy Commissioner of the Department of Public Works, by memorandum dated June 8, 2017 has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$6,695.92, under Contract No. PWC20-16, for engineering services for environmental engineering relative to Tank Management, with funds to be drawn from Account No. PKS A 7110 44900 000 0000; and

WHEREAS, Michael Cipriano, Deputy Commissioner of the Department of Public Works, by memorandum dated June 8, 2017, and Steven A. Fangmann, P.E., BCEE, Executive Vice President, D & B Engineers and Architects, P.C., by letter dated April 24, 2017, requested to utilize, as sub-consultants, G&M Dege, Inc., for electrical inspections and Henrich, Inc., for pressure testing services, relative to this project,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$6,695.92, and to make payment for services upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. PKS A 7110 44900 000 0000, for Contract No. PWC20-16, in connection with the abovementioned Project.

-#-

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

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

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

Reviewed By
Office of Town Attorney

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

JUNE 8, 2017

TO: MEMORANDUM DOCKET

FROM: MICHAEL CIPRIANO, DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST AND USE OF SUB-CONSULTANTS
RELATIVE TO TANK MANAGEMENT
CONTRACT NO. PWC20-16
ACCOUNT NO.: PKS A 7110 44900 000 0000


The consultant, D & B Engineers & Architects, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC20-16 by Resolution No. 741-2015 for the subject project.

Attached is a letter dated April 25, 2017 from D & B Engineers & Architects, P.C. regarding the scope of work performed in an amount not to exceed \$6,695.92. Services performed include tank systems inspections and tightness testing.

Attached is an availability of funds in the amount of \$6,695.92 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS A 7110 44900 000 0000.

Further, it is requested that D & B Engineers & Architects, P.C. be authorized to use, as sub-consultants, G&M Dege, Inc. for electrical inspections, and Henrich, Inc. for pressure testing services.

It is hereby requested that the Town Board authorize by Resolution D & B Engineers & Architects, P.C. under Contract No. PWC20-16, On-Call Engineering Services Relative to Tank Management, and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and that G&M Dege, Inc. and Henrich, Inc. be authorized as sub-consultants.


MICHAEL CIPRIANO
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MC/MR/SC

Attachment

cc: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
Joseph Pinto, Commissioner/Parks

PWC20-16 D&B DOCKET PARKS TANK FUNDS

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 17, 2017

TO : JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

FROM : MATTHEW RUSSO, P.E. MIKE CIPRIANO
DIVISION OF ENGINEERING DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS DEPARTMENT OF PUBLIC WORKS

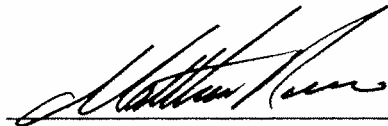
SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC 20-16
TANK MANAGEMENT
D & B ENGINEERS AND ARCHITECTS, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$6,695.92.

Funds are required for Tank Alarm System Control Panel Inspection and tank tightness testing related to tank management, as per the attached letter from D & B Engineers and Architects, P.C., dated April 25, 2017.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$6,695.92 and Resolution No. 741-2015 authorizing D & B Engineers and Architects, P.C. for on-call services.

If you have any questions, please contact Sunita Chakraborti, Division of Engineering, at extension 5725.



MATTHEW RUSSO, P.E.
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS



MIKE CIPRIANO
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MC:MR:SC
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC 20-16 D&B - REQUEST FOR FUNDS_6,695.92





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



Requesting Division/Department

Parks

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

Contract Number PWC 20-16

Contract Period 01/01/16 - 12/31/17

Consultant/Contractor D & B Engineers and Architects, P.C.

Discipline Tank Management

Total Authorization \$50,595.92

Resolution No. 741-2015 Date 12/15/2015

Funded To Date \$43,900.00

Amount Requested \$6,695.92

Account To Be Used PKS A 7110 44900 000 0000

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

Description Of Work

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

Tank Management Program

Work To Be Completed In Contract Period: Yes ☒ No ☐

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$

Requesting Division/Department

Signature [Signature]

Title COMMISSIONER OF PARKS

Date 5/18/17

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Deputy Commissioner of Public Works

Date 5-19-17

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 6,695.92

Unencumbered Balance 138,253.50

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

Signature [Signature]

Date 5/19/17



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC 20-16

Contract End 12/31/2017

Commencement Date _____

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

Vendor Name and Address

D & B Engineers and Architects, P.C.

330 Crossways Park Drive

Woodbury, NY, 11797

Requesting Town Department Parks

Contact Sunita Chakraborti Phone (516) 677 - 5725

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

Tank Management Program

This work order shall not exceed \$ 6,695.92

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

Requesting Division/Department

Signature [Signature]

Title Commissioner of Parks

Date 5/18/17

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Deputy Commissioner of Public Works

Date 5-19-17



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

330 Crossways Park Drive, Woodbury, New York 11797

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

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Steven A. Fangmann, P.E., BCEE
Executive Vice President
Robert L. Raab, P.E., BCEE, CCM
Senior Vice President

Vice Presidents

Rob J. DeGiorgio, P.E., CFESC
Senior Vice President
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Olga Mubarak
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Daniel Shabat, P.E.

Associates

Meredith A. Byers
Anthony M. Caniano
Rudolph F. Cannavale
James J. Magda
Michele Mastrangelo
Robbin A. Petrella
Swaroop C. Puthalapally, P.E.
Edward J. Reilly
Michael G. Savarese, P.E.
Stephen E. Tauss, P.G.

April 24, 2017

Mr. Matthew Russo, P.E.
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Re: Tank Management Program Parks
TOB PWC 20-16
D&B 3490-04

Dear Mr. Russo:

The firm has been providing engineering services in support of the Town of Oyster Bay's Tank Management Program since 1995. Over the last 20 years D&B Engineers and Architects, P.C. (D&B) has assisted in keeping the Town's underground storage tanks (UST) up to New York Department of Environmental Conservation (NYDEC) and Nassau County Department of Health (NCDH) standards. These services include tank tightness testing and alarm testing/inspection. Highlighted below are the tasks completed as part of the Parks Tank Management Program.

Task 1: Tank Alarm System Control Panel Inspection

Staff from D&B and G&M Dege, Inc. visited seven (7) Park Department facilities. The facilities inspected consisted of Tobay Beach and Boat Basin Park, Marjorie Post Community Park, John J. Burns Community Park, Bethpage Community Park, Plainview-Old Bethpage Community Park, Syosset-Woodbury Community Park, and Tappan Beach and Boat Basin Park. Control panel and electronic tank alarm inspections were provided at each facility for all heating oil and chlorine tanks present. All tanks, including chlorine containment tanks, were visually inspected for general condition and upkeep, water infiltration, proper tank labeling, fill-port tags, overfill caution signs, and weekly tank inspection checklists. All inspection finding and recommendations were included in the submitted 2016 Tank Tightness and Tank Alarm Inspection report.

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

Mr. Matthew Russo, P.E.
Department of Public Works
Town of Oyster Bay
April 24, 2017

Page Two

Task 2: Tank Tightness Testing

D&B and Henrich, Inc. (formerly Dry As a Bone Inc.) preformed the required five-year Nassau County Department of Health (NCDH) approved Tank Tightness Testing at Bethpage Community Park. One fuel oil tank was tested and the results were included in the 2016 Inspection Report.

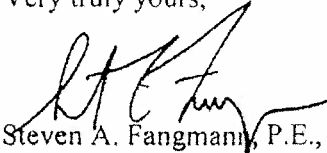
D&B's direct labor costs and subcontractor costs for the above tasks are provided in the table below:

<u>Tasks</u>	<u>Cost</u>
1. Tank Alarm System Control Panel Inspection	
D&B Staff	\$2,604.92
Subcontractor Cost: G&M Dege, Inc.	<u>\$1,200.00</u>
	\$3,804.92
2. Tank Tightness Testing	
D&B Staff	\$2,000.00
Subcontractor Cost: Henrich, Inc. (formerly Dry as a Bone, Inc.)	<u>\$891.00</u>
	\$2,891.00
Total Tank Management Parks Cost	\$6,695.92

D&B respectfully requests authorization for the fee of \$6,695.92 for the Parks Tank Management Services rendered.

If you have any questions or comments, please do not hesitate to contact Robert Adamo at (516) 346-9890

Very truly yours,


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

SAF/RAI/kp
cc: M. Russo (TOB-DPW)
♦3490\SAFI7LTR-09





D&B ENGINEERS AND ARCHITECTS, P.C.

330 Crossways Park Drive, Woodbury, New York 11797

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

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Stephen E. Tauss, P.G.

Mr. Matthew Russo
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Re: On-Call Engineering Services Relative to Tank Management
TOB Contract No. PWC 20-16
D&B No. 3490

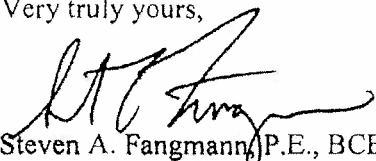
Dear Mr. Russo:

D&B Engineers and Architects, P.C. (D&B) respectfully requests approval of the following subcontractors to provide needed support relative to the above referenced contract:

- Henrich Inc., formerly Dry As A Bone (DAAB) – Tank Tightness Testing
- G&M Dege, Inc. – Tank Alarm System Inspection/Repair/Replacement

If you have any questions or comments, please do not hesitate to contact me at (516) 364-9890, Ext. 3981.

Very truly yours,


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



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

Meeting of December 15, 2015

Resolution No. 741-2015

Reviewed By
Office of Town Attorney

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccaroné, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, request and recommend that D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc., and LiRo Engineers, Inc. be authorized to provide on-call engineering services in connection with Contract No. PWC20-16, On-Call Engineering Services Relative to Tank Management, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc., and LiRo Engineers, Inc. have an open-ended service agreement with the Town under which the services will be provided; and

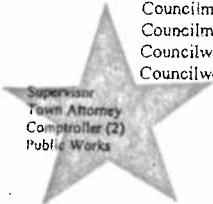
NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc. and LiRo Engineers, Inc. be authorized to provide on-call engineering services in connection with Contract No. PWC20-16, On-Call Engineering Services Relative to Tank Management, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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 Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works



WHEREAS, Resolution No. 739-2015, adopted on December 15, 2015, authorized David Swift Architect, P.C., to provide the Town of Oyster Bay Golf Course C.V.M. Building Roof Reconstruction services under Contract No. PWC22-16, On-Call Engineering Services Relative to Architecture; and

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated June 9, 2017 has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$25,400.00, under Contract No. PWC22-16, for engineering services for architecture relative to the Town of Oyster Bay Golf Course C.V.M. Building Roof Reconstruction, with funds to be drawn from Account No. PKS H 7197 20000 000 1502 001,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$25,400.00, and to make payment for services upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. PKS H 7197 20000 000 1502 001, for Contract No. PWC22-16, in connection with the abovementioned Project.

-#-

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

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

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

Reviewed By
Office of Town Attorney

22

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

JUNE 9, 2017

TO: MEMORANDUM DOCKET

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


SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ARCHITECTURE
CONTRACT NO. PWC22-16
ACCOUNT NO.: PKS H 7197 20000 000 1502 001
PROJECT ID NO. 1502 PKSA 05

The consultant, David Swift Architect, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC22-16 by Resolution No. 739-2015 for the subject project.

Attached is a letter dated May 19, 2017 from David Swift Architect, P.C. regarding the scope of work to be performed in an amount not to exceed \$25,400.00. Services to be performed include construction inspection services for the Golf Course CVM Roof Replacement.

Attached is an availability of funds in the amount of \$25,400.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1502 001.

It is hereby requested that the Town Board authorize by Resolution, David Swift Architect, P.C. under Contract No. PWC22-16, On-Call Engineering Services Relative to Architecture and requests that the Comptroller be directed to issue an encumbrance order for this purpose.



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


RWL/MR/BK/dz

Attachment

cc: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
Joseph Pinto, Commissioner of Parks

PWC22-16 DOCKET 25400 D-SWIFT



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



Requesting Division/Department

Parks

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

Contract Number PWC22-16

Contract Period January 1, 2016 through December 31, 2017

Consultant/Contractor David Swift Architect, P.C.

Discipline Architecture

Total Authorization \$59,340

Resolution No. 739-2015 Date 12/15/2015

Funded To Date \$33,940

Amount Requested \$25,400.00

Account To Be Used PKS-H7197-20000-000-1502-001-1502 PKSA-05

If Capital Account, State The Related Contract Number: _____

Description Of Work

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

Funds are required for construction inspection services regarding the

Town of Oyster Bay Golf Course C.V.M. Building Roof Reconstruction Contract.

Work To Be Completed In Contract Period: Yes ☒ No ☐

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$ _____

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Commissioner

Title Commissioner of Public Works

Date 6-6-17

Date 5/2/17

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 25,400.00

Unencumbered Balance 51,479.00

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

Signature [Signature]

Date 6/9/17



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC22-16

Contract End 12/31/2017

Commencement Date _____

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

Vendor Name and Address

DAVID SWIFT ARCHITECT, P.C.

P.O. BOX 725

NORTHPORT, NY 11768

Requesting Town Department PARKS

Contact Brian Kunzig Phone 677-5741

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

Funds are required for construction inspection services regarding the

Town of Oyster Bay Golf Course C.V.M. Building Roof Reconstruction Contract.

This work order shall not exceed \$ 25,400.00

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

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Commissioner

Commissioner of Public Works

Date 6-6-17

Date 5/2/17

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

May 31, 2017

TO : JOSEPH PINTO, COMMISSIONER
DEPARTMENT OF PARKS

FROM : MATTHEW RUSSO, P.E., DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

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

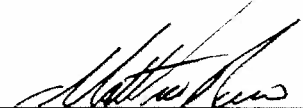
SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC22-16
ON-CALL SERVICES RELATIVE TO ARCHITECTURE
DAVID SWIFT ARCHITECT, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$25,400.00.

Funds are required for construction inspection services, as per the attached letter from David Swift Architect, P.C., dated May 19, 2017.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$25,400.00 and Resolution No. 739-2015 authorizing David Swift Architect, P.C. for on-call services.

If you have any questions, please contact Brian Kunzig, Division of Engineering, at extension 5741.



MATTHEW RUSSO, P.E.
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

BK
RWL:MR:BK:dz

Attachments

c: Kathleen Stefanich, Administration/DPW

PWC22-16 AVAIL 25400 SWIFT


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



MR



DSA, LLC - Architect

P.O. Box 725
Northport, NY 11768

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

May 19, 2017

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

Attention: Matt Russo, PE, Engineering Division

Reference: Central Vehicle Maintenance Building
Roof Reconstruction Project
Oyster Bay Golf Course, Woodbury, NY
On-Call Engineering Services relative to Architecture - Contract No.: PWC22-16

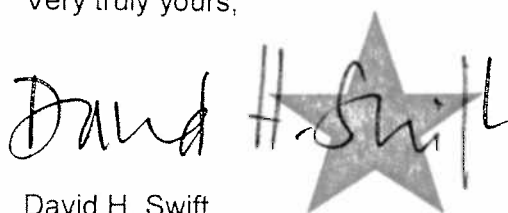
Request for Authorization of Construction Phase Services

Dear Mr. Russo,

We request authorization to provide construction phase services for this project as described in our proposal for engineering services, revision dated March 18, 2016 (copy attached).
The fee for construction phase services is \$25,400.00.

Please call if you require any additional information.

Thank you
Very truly yours,

A handwritten signature in cursive script that reads 'David H. Swift'. The signature is written in dark ink and is positioned over a large, light gray star graphic.

David H. Swift



David Swift Architect, LLC

P.O. Box 725
Northport, NY 11768

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

March 8, 2016
Revised March 18, 2016

Commissioner Richard T. Betz,
Town of Oyster Bay
Department of Public Works
150 Miller Place, Syosset, NY 11791

Attention: Matthew Russo, P.E.
Division of Engineering

Reference: Proposal for Engineering Services relative to Architecture
for:
Preparation of Construction Documents, Assistance with Public Bidding Process and
Administration Services during Construction
For Central Vehicle Maintenance Building Roof Reconstruction
Town of Oyster Bay Golf Course, Woodbury, NY
On-Call Engineering Services relative to Architecture - Contract No.: PWC22-16

Dear Commissioner Betz:

We are pleased to submit our proposal for the following scope of work:

Scope of Work:

All services will be provided in accordance with our Agreement for On-Call Engineering Services
Relative to Architecture.

Design Phase:

Provide Construction Documents for public bidding with all necessary information to repair all
structural damage, repair the roof envelope and provide new asphalt shingle roofing to the entire
CVM Building.

Sampling and Testing for ACM and Lead Paint:

We shall include the services of a specialist sub-consultant to take samples of materials, within the
specific work areas. Samples will be tested for the presence of asbestos containing material and
lead. Construction documents will include specifications for abatement. Air monitoring during
construction, if required, will be performed by the Town's specialist contractor, independent from
this contract.

Bidding Phase:

Provide multiple sets of the construction drawings and specifications, including the Town's Project
Manual, Bid Form and Contract Format.

Conduct a pre-bid meeting and walk-through with prospective bidders and Town Representatives.
Answer bidder's questions and issue addenda if necessary.

Review received bids and make recommendations for award of contract

Commissioner Richard T. Betz,
Town of Oyster Bay
Department of Public Works
Proposal for Engineering Services relative to Architecture
Preparation of Construction Documents, Assistance with Public Bidding Process and
Administration Services during Construction at
CVM Building Roof, Town of Oyster Bay Golf Course, Woodbury, NY
On-Call Engineering Services relative to Architecture - Contract No.: PWC22-16

March 8, 2016
Revised March 18, 2016

Construction Phase:

Conform required copies of the contract and bid documents

Provide necessary copies of the construction contract documents for use by the contractor.

Act as the Town's representative during construction:

- Issue instructions to the contractor
- Maintain daily log of work performed and contractor personnel on site
- Prepare written change orders as required
- Make periodic site visits to observe work in progress as required throughout construction
- Disapprove contractor's work that fails to conform with the contract documents
- Hold periodic meetings with the contractor, record and distribute minutes
- Notify utility and government agencies when work is to commence
- Prepare supplementary sketches as necessary to address actual field conditions encountered
- Review shop drawings and submittals
- Review laboratory reports, mill and shop tests of materials and equipment
- Establish set-out points in the field from which contractor can accurately lay out his work.
- Review contractor's labor affidavits and applications for payment.
- Provide Engineer's Approval Certification Form, based on our on-site observations and experience and certify that the work has progressed as indicated and certify that the amount approved for the contractor is fair and reasonable and in accordance with the terms of the contractor's contract
- Prepare periodic punch lists of work to be corrected or completed.
- Conduct a final inspection, with a representative of the Town, to insure that all work has been completed in accordance with the contract documents. Provide final approval of work and payment in writing to The Town
- Submit a written report of the completed project to the Town
- Re-inspect the project during the warranty period and prepare a written report listing discrepancies between guarantees and performance.

Proposed Fee and Man-Hour Breakdown:

Design Phase: \$28,240.00

David Swift, Principal Architect:

40 hours x \$175.00 per hr = \$7,000.00

Senior Staff Architect

100 hours x \$120.00 per hr. = \$12,000.00

CAD Drafting

80 hours x \$75.00 per hr. = \$6,000.00

Sampling and Testing

24 hours x \$135.00 per hr. = \$3,240.00

Commissioner Richard T. Betz,
Town of Oyster Bay
Department of Public Works
Proposal for Engineering Services relative to Architecture
Preparation of Construction Documents, Assistance with Public Bidding Process and
Administration Services during Construction at
CVM Building Roof, Town of Oyster Bay Golf Course, Woodbury, NY
On-Call Engineering Services relative to Architecture - Contract No.: PWC22-16

March 8, 2016
Revised March 18, 2016

Bidding Phase: \$5,700.00

David Swift, Principal Architect:
24 hours x \$175.00 per hr = \$4,200.00

Documents for Bidding = \$1,500.00

Construction Phase: \$25,400.00

David Swift, Principal Architect:
56 hours x \$175.00 per hr = \$9,800.00

Senior Staff Architect
120 hours x \$120.00 per hr. = \$14,400.00

CAD Drafting
16 hours x \$75.00 per hr. = \$1,200.00

Total Fee: \$59,340.00

Please let me know if you have any questions or require any additional information.

Thank you

Very truly yours

David A. Swift

David Swift, R.A., LEED AP

cc. Brian Kunzig, DPW Engineering

Reviewed By
Office of Town Attorney
Matthew Alesia

Meeting of December 15, 2015

Resolution No. 739-2015

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, have requested that Angelo Francis Corva & Associates, Architects, Douglas A. Wilke, Architects & Engineers, LiRo Engineers, Inc., Nassau Suffolk Engineering & Architecture, PLLC, Lucchesi Engineering, PC, David Swift Architect, PC, John A. Grillo Architect, PC and BBS Architects, Landscape Architects & Engineers, P.C., be authorized to provide on-call engineering services in connection with Contract No. PWC 22-16 On-Call Engineering Services Relative to Architecture, for a two-year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, the abovementioned firms have an open-ended service Agreement with the Town under which the services will be provided,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, Angelo Francis Corva & Associates, Architects, Douglas A. Wilke, Architects & Engineers, LiRo Engineers, Inc., Nassau Suffolk Engineering & Architecture, PLLC, Lucchesi Engineering, PC, David Swift Architect, PC, John A. Grillo Architect, PC and BBS Architects, Landscape Architects & Engineers, P.C., are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture, for a two-year contract term, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreements with the Town, 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 Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works



WHEREAS, Christopher Diehl, School Board Member, Saint Rose of Lima, 2 Bayview Avenue, Massapequa, New York 11758, by letter dated April 20, 2017, has requested the use of one hundred (100) complete barricades, sixty (60) traffic cones and two (2) temporary handicap signs, for its Annual Family Festival, to be held from July 13, 2017 through July 22, 2017; and

WHEREAS, John P. Bishop, Acting Deputy Commissioner of the Highway Department, by memorandum dated June 1, 2017, has advised that the Highway Department has no objection to providing Saint Rose of Lima Church with one hundred (100) complete barricades, sixty (60) traffic cones and two (2) temporary handicap signs for its Annual Family Festival, *nunc pro tunc* from July 10, 2017 through July 24, 2017; with said equipment to be delivered on July 10, 2017 and collected on June 26, 2017; and

WHEREAS, Christopher Diehl, by letter dated April 20, 2017, further requested the placement, no later than Monday, July 10, 2017, of temporary "No Parking" signs for Saint Rose of Lima's Annual Family Festival, in the following areas, *nunc pro tunc* from July 17, 2014 through July 23, 2017:

Bayview Avenue - East Side - Starting at the South C/L of Merrick Road, South to the North C/L of Harbor Lane;

Morton Avenue - North Side - Starting at the West C/L of Bayview Avenue, West to the East C/L of Biltmore Boulevard;

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Highway Department is hereby authorized and directed to provide Saint Rose of Lima Church one hundred (100) complete barricades, sixty (60) traffic cones and two (2) temporary handicap signs, for its Annual Family Festival, to be held from July 13, 2017 through July 22, 2017, and the placement of temporary "No Parking" signs for its Annual Family Festival in the aforementioned areas, no later than Monday, July 10, 2017, *nunc pro tunc* from July 10, 2017 through July 24, 2017, with said barricades to be delivered on July 10, 2017 and collected on July 23, 2017; and be it further

RESOLVED, That the use of the abovementioned Town equipment shall be subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of the Highway Department, or his duly designated representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town equipment, and in the conduct of the aforesaid activity; and

Reviewed By
Office of Town Attorney
8/14/17

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 \$500,000 property damage and naming the Town of Oyster Bay as an additional insured, in connection with the aforescribed activity.

#

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

	Supervisor Saladino	Aye
	Councilman Muscarella	Aye
	Councilman Macagnone	Aye
	Councilwoman Alesia	Aye
	Councilwoman Johnson	Aye
	Councilman Imbroto	Aye
	Councilman Hand	Aye
cc:	Supervisor	
	Town Attorney	
	Comptroller (2)	
	Public Works	
	Parks	
	Highway	
	Public Safety	

23
TOWN OF OYSTER BAY

Inter-Departmental Memo

June 1, 2017

TO: MEMORANDUM DOCKET
FROM: JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT
SUBJECT: CHURCH OF ST. ROSE OF LIMA, MASSAPEQUA
FAMILY FESTIVAL – TO BE HELD JULY 13th – JULY 22nd, 2017

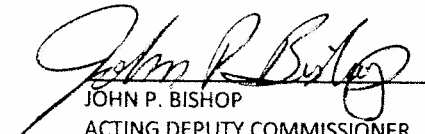
Enclosed please find a copy of the letter from Christopher Diehl, Church of St. Rose of Lima School Board Member, requesting our assistance on behalf of Church of St. Rose of Lima in Massapequa in conducting their family festival from July 13th through Saturday July 22nd, 2017.

The Highway Department can readily supply one hundred (100) complete barricades, sixty (60) traffic cones, and two (2) temporary handicap signs for this worthwhile event to be utilized between Monday, July 10, 2017 through Monday, July 24th, 2017.

In addition, the committee is requesting "No Parking Anytime" signs be posted no later than Monday, July 10, 2017 as follows:

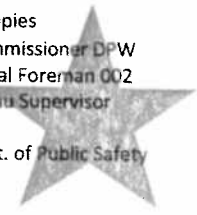
BAYVIEW AVENUE – EAST SIDE – STARTING AT THE SOUTH C/L
OF MERRICK ROAD, SOUTH TO THE NORTH C/L OF HARBOUR LANE.
MORTON AVENUE – NORTH SIDE – STARTING AT THE WEST C/L OF
BAYVIEW AVENUE, WEST TO THE EAST C/L OF BILTMORE BLVD.

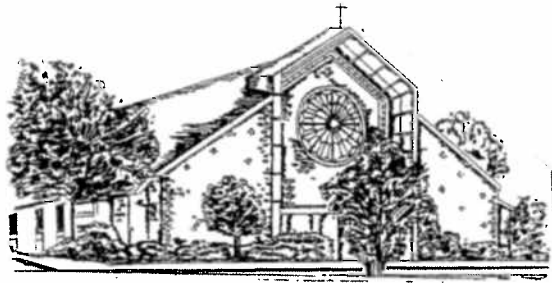
Also attached are a Certificate of Insurance, Endorsement Sheet and Hold Harmless to cover the event. Therefore, Town Board approval is requested.


JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw

C: Town Attorney (10) copies
Richard Lenz P.E., Commissioner DPW
Doug Robalino, General Foreman 002
Steve Kelly, Sign Bureau Supervisor
Parks Department
Justin McCaffrey, Dept. of Public Safety





Church of St. Rose of Lima
2 Bayview Avenue, Massapequa, New York 11758
(516) 798-4992 Fax: (516) 795-7836 Website: <http://www.stroseoflimaparish.org>

John Bishop
Mr. Kevin Hanifan
Highway Department
150 Miller Place
Syosset, New York 11791

April 20, 2017

Dear Mr. Hanifan,

The St. Rose of Lima Family Festival will be taking place this year from Thursday, July 13 through Saturday, July 22, 2016.

Your department's assistance in arranging for the use of the following equipment once again this year will be greatly appreciated:

- 100 barricades and posts (or as close to this as possible)
- 60 traffic cones (or as close to this as possible)
- 2 temporary handicap signs

I will forward to you a copy of the Certificate of Insurance and Endorsement issued to the Town of Oyster Bay Department of Public Works-Highway to cover this equipment as soon as I receive it. **If at all possible, we would appreciate delivery of this equipment on Monday July 10.**

In addition, we would like to request "No Parking Signs" be erected during the Festival on Bayview Avenue from Merrick Road two thirds of the way down Bayview (to the new homes) and on Morton Avenue one block south and one block west. This is the same area that was covered last year. **If possible we would like to request that the signs be erected also no later than Monday July 10, 2017.** Please email confirmation to me at cdiehl11@gmail.com.

Thank you for your assistance and consideration of this request. You can reach me at (516) 456-0443 if you have any questions.

Sincerely,

(electronically signed)

Christopher Diehl, St. Rose of Lima School Board Member





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/21/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Ecclesia Assurance Company c/o Porter & Curtis, LLC 225 State Road Media, PA 19063	CONTACT NAME	Garrett Gabriele
		PHONE (A/C, No. Ext.)	
		FAX (A/C, No.)	
		E-MAIL ADDRESS	GGabriele@PorterCurtis.com
		INSURER(S) AFFORDING COVERAGE	
		INSURER A:	ECCLESIA ASSURANCE COMPANY
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 378851

Account: 000037

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.

INSURER	TYPE OF INSURANCE	ADDL. INSUR.	SUBR. W/O	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			PKG-2016-1	11/01/2016	11/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ Included MED EXP (Any one person) \$ Not Covered PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ None Applicable PRODUCTS - COM/PROP AGG \$ None Applicable
	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						COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per accident) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			EX-LIAB-2016-1	11/01/2016	11/01/2017	EACH OCCURRENCE \$ 14,000,000 AGGREGATE \$ None Applicable
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory to NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N					PER STATE <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

The limits include applicable retentions. The certificate holder is included as an Additional Insured if required by written contract with respect to the St. Rose Family Festival to be held 07/19/2017 - 07/24/2017.

CERTIFICATE HOLDER

TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS-HIGHWAY
150 MILLER PLACE
SYOSSET, NY 11791

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

Garrett Gabriele

ACORD 25 (2016/03)

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Reviewed By
Office of Town Attorney

Michael J. Longo

Policy
Number:

PKG-2016-1

Endorsement Number: 29

Date Effective: 11/1/2016

ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies the insurance provided under the following Coverage Part(s):
GENERAL LIABILITY

SCHEDULE

Town of Oyster Bay-Department of Parks, Department of Public Works (Highway and Sanitation), Department of Buildings (Town Hall), 150 Miller Place, Syosset, New York 11971

The definition of "insured" expressly includes the person or organization shown in the Schedule above as respects tort liability assumed under an "insured contract".

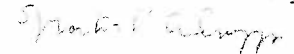
All other terms and conditions remain unchanged.

In witness whereof, this Endorsement has been executed in Rockville Centre, New York by the Company's authorized officer as set forth below.

ECCLESIA ASSURANCE COMPANY


Authorized Representative's Signature

10/31/2016
Date

Reviewed By
Office of Town Attorney




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

This Agreement is made this 5 day of May 2017, by Christopher Dick
(Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or
equipment located at and/or described as 2 Bay View Ave Massapequa NY
100 barricades

60 cones
2 temp handicapped signs
For the event described as St. Rose of Lima Family Festival
The property/equipment is need from July 10 2017 to July 24 2017
The event for which the property and/or equipment is requested () is (☒) is not a not a profit making
event.

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

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

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

Name of Organization:

St Rose of Lima RC Church

Address of Organization:

2 Bay View Ave
Massapequa NY

By Christopher Dick
Authorized Representative

Title: Family Festival Coordinator

Telephone Number: 516 456-0443

Reviewed By
Office of Town Attorney

[Signature]

Scanned by CamScanner

DATE: 5/4/17

TO: HIGHWAY OPERATIONS

SUBJECT: Church of St. Rose of Lima, Massapequa

PLEASE DELIVER TO:

Church Grounds
2 Bayview Ave Massapequa

CONTACT: Chris Diehl
516-456-0443

DATE OF EVENT: 7/13/17-7/22/17

HANDICAP SIGNS: 2

BARRICADES: 100

CONES: 60

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 7/10/17

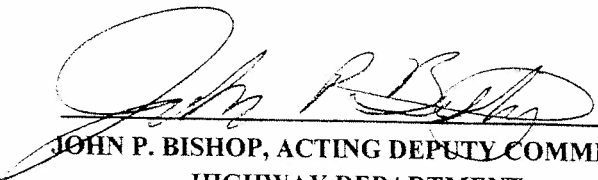
PICKUP ON: 7/24/17

SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/taw


JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Jack Grandine, Area Foreman 007
Don Chandler, Area Foreman, 022

Dan Kornfeld
Jeff VanNostrand
Public Safety Division

WHEREAS, Carmine Serravalli, Business Manager, Our Lady of Mercy Church, 500 South Oyster Bay Road, Hicksville, New York 11801, by letter dated April 20, 2017, has requested the use of seventy five (75) complete barricades and forty (40) yellow recycling pails for its 10th Annual Summer Fair to be held from July 26, 2017 through July 30, 2017; and

WHEREAS, John P. Bishop, Acting Deputy Commissioner of the Highway Department, by memorandum dated June 1, 2017, has advised that the abovementioned Town equipment will not be required for use by the Town at that time and that the Highway Department has no objection to providing Our Lady of Mercy Church with the use of seventy five (75) complete barricades and forty (40) yellow recycling pails, for its summer fair, with said barricades to be delivered on July 24, 2017 and collected on July 31, 2017; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Highway Department is hereby authorized and directed to provide Our Lady of Mercy Church with the use of seventy five (75) complete barricades and forty (40) yellow recycling pails for its summer fair, with said barricades and pails to be delivered on July 24, 2017 and collected on July 31, 2017, subject to the following conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Acting Commissioner of the Highway Department, or his duly designated representative;

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the aforesaid activity; and

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amount of \$1,000,000.00 bodily injury and \$500,000.00 property damage, and naming the Town of Oyster Bay as an additional insured in connection with the aforescribed activity.

#

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
Highway
Parks
Public Safety

Reviewed By
Office of Town Attorney

24

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 1, 2017

TO: MEMORANDUM DOCKET

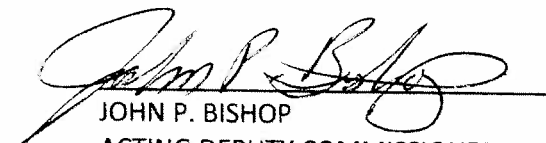
FROM: JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: OUR LADY OF MERCY 10th ANNUAL SUMMER FAIR
JULY 26th - JULY 30th 2017

Enclosed please find a copy of the letter from Carmine Serravalli, Business Manager, requesting our assistance on behalf of Our Lady of Mercy Church in Hicksville in conducting their 10th Annual Summer Fair. The fair is to be held at the church from July 26th through July 30th, 2017.

The Highway Department will be pleased to provide seventy five (75) complete barricades and forty (40) yellow recycling pails for the fair, from July 24th thru July 31st, 2017

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


JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw
Attachments

C: Town Attorney (10) copies
Richard Lenz P.E., Commissioner DPW
Doug Robalino, General Foreman 002
Parks Department
Justin McCaffrey, Commissioner
Department of Public Safety



OUR LADY OF MERCY CHURCH
800 SOUTH OYSTER BAY ROAD
HICKSVILLE, NEW YORK 11801-3501
TEL. NO.: (516) 931-4351
FAX: (516) 433-8702

April 20, 2017

Town of Oyster Bay
150 Miller Place
Syosset, NY. 11791
Attention: Mr. John Bishop Highway Acting Deputy Commissioner

Dear Mr. Bishop,

Our Lady of Mercy is planning on their 10th Annual Summer Fair and would kindly like to request, if the Town of Oyster Bay kindly would provide us with the following equipment. We again are truly indebted for your past support and are very grateful for that you have provided for our community. Details related to our Summer Fair are as follows:

EVENT: Our Lady of Mercy Church Summer Fair

DATES: July 26th to July 30th.

TIME: 7/26 to 7/28 Wednesday to Friday 6:00PM to 11:00PM, 7/29 Saturday 5:00PM to 11:00PM and Sunday July 30th 5:00PM to 10:00PM

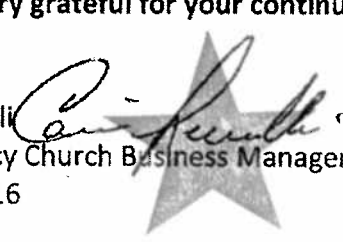
LOCATION: Our Lady of Mercy Church Grounds – 500 South Oyster Bay Road Hicksville, NY 11801

EQUIPMENT REQUEST: 75 Barricades and 40 Sort Pails

Kindly requesting equipment can be delivered on Monday July 24th and Picked Up on Monday July 31st.

Again, we are very grateful for your continued support and cooperation.

Sincerely,
Carmine Serravalle
Our Lady of Mercy Church Business Manager
516 931-4351X216





OUR LADY OF MERCY
April 2, 2017

OUR LADY OF MERCY CHURCH
500 SOUTH OYSTER BAY ROAD
HICKSVILLE, NEW YORK 11801-3501
TEL. NO.: (516) 931-4351
FAX: (516) 433-8702

Town of Oyster Bay
977 Hicksville Road
Massapequa, NY. 11758
Attention: Commissioner of Parks: Mr. Joe Pinto
Highway Acting Deputy Commissioner: Mr. John Bishop

Re: Waiver of Rental Fees for St. Pius X, Our Lady of Mercy, and Holy Family Churches

Dear Commissioner Pinto,

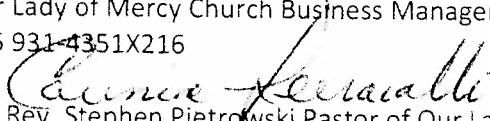
I am writing this letter to formally inform you due to our budget restraints for St. Pius X, Our Lady of Mercy, and Holy Family Churches, we presently won't be able to afford the new rental pricing structure, for equipment rentals for this year's summer festivals. The summer festivals are fundraisers that help generate the necessary funds, needed to operate each year, for our church ministries and communities. The new fee structure will cost our churches thousands of dollars of which we don't have.

The Town of Oyster Bay Department of Parks, Highway, and Sanitation have always been so gracious and grateful to all of us. We have always been truly indebted for all your past support. We have been very thankful that the Department of Parks was able to provide our community and all of our churches with all the equipment necessary for the set up of our festivities each summer over the last 9 years at no cost.

On behalf of our Pastors Rev. Valentine Rebello of St. Pius X Church, Rev. Stephen Pietrowski of Our Lady of Mercy Church, and Rev. Gerard Gentleman of Holy Family Church and the parishioners and constituents within our communities, we are asking if those fees for the rental of equipment for the show mobile and portable lights continue at no cost. Please kindly consider relieving the burdens of these costs as it would be an unaffordable expense to our churches.

Again, we are grateful for your continued support and cooperation. I thank you for your patience and consideration. Please feel free to contact me at anytime.

Sincerely and Respectfully,
Carmine Serravalli
Our Lady of Mercy Church Business Manager
516 931-4351X216


CC: Rev. Stephen Pietrowski Pastor of Our Lady of Mercy Church, Hicksville NY
Rev. Valentine Rebello of St. Pius X RC Church, Plainview, NY
Rev. Gerard Gentleman of Holy Family Church, Hicksville NY





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/21/2017

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 SURRENDER IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).)

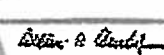
PRODUCER	Ecclesia Assurance Company c/o Porter & Curtis, LLC 225 State Road Meda, PA 19063	CONTACT NAME	GGabriela
		PHONE (A/R, H, S, etc)	
		FAX (A/R, H, S, etc)	
		EMAIL ADDRESS	GGabriela@PorterCurtis.com
		INSURER(S) AFFORDING COVERAGE	
		INSURER A:	ECCLESIA ASSURANCE COMPANY
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES CERTIFICATE NUMBER: 379308 Account: 000025 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.

TYPE	TYPE OF INSURANCE	ACORD	START	END	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PKG-2016-1	11/01/2016	11/01/2017	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR		DAMAGE TO RENTED PREMISES (Excluded)	\$ Included					
			USED AUT (Any one person)	\$ Not Covered					
			PERSONAL & ADVERTISING	\$ Included					
	GENERAL AGGREGATE LIMIT APPLIES PER							GENERAL AGGREGATE	\$ 2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							PRODUCTS - COMP/PROP AGG	\$ None Applicable
	OTHER:								\$
	AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT (Excluded)	\$
	<input type="checkbox"/> ANY AUTO							BODILY INJURY (Per	\$
	<input type="checkbox"/> OWNED							BODILY INJURY (Excluded)	\$
	<input type="checkbox"/> AUTOS ONLY	<input type="checkbox"/> SCHEDULED						PROPERTY DAMAGE (Excluded)	\$
	<input type="checkbox"/> RENTED	<input type="checkbox"/> AUTOS							
	<input type="checkbox"/> AUTOS ONLY	<input type="checkbox"/> NON-OWNED							
	<input type="checkbox"/> AUTOS ONLY	<input type="checkbox"/> AUTOS ONLY							
	UMBRELLA LIA	<input type="checkbox"/> OCCUR						EACH OCCURRENCE	\$
	<input type="checkbox"/> EXCESS LIA	<input type="checkbox"/> CLAIMS-MADE						AGGREGATE	\$
	<input type="checkbox"/> RETENTION \$								\$
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY							PER STATE	OTH
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED?	<input type="checkbox"/>						EL EACH ACCIDENT	\$
	(Mandatory in NJ)							EL DISEASE - EA EMPLOYEE	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below							EL DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Endorsements Schedule, if more space is required)
The Sales include applicable retailers. The Town of Oyster Bay, its officers, employees, servants, agents and authorized volunteers are included as Additional Insureds if required by written contract with respect to use of the 76 banners and 40 seat pads from 07/24/2017 - 07/31/2017 and the Summer Fair from 07/28/2017 - 07/30/2017.

CERTIFICATE HOLDER	CANCELLATION
TOWN OF OYSTER BAY HIGHWAY DEPARTMENT 150 MILLER PLACE SYOSSET, NY 11791	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

Reviewed By
Office of Town Attorney
Joseph A. Calabrese

Policy
Number:

PKG-2016-1

Endorsement Number: 29

Date Effective: 11/1/2016

ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies the insurance provided under the following Coverage Part(s):
GENERAL LIABILITY

SCHEDULE

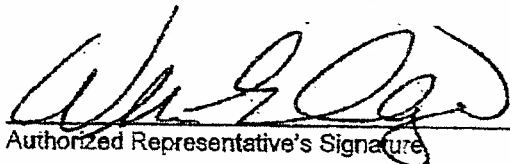
Town of Oyster Bay-Department of Parks, Department of Public Works (Highway and Sanitation), Department of Buildings (Town Hall), 150 Miller Place, Syosset, New York 11971

The definition of "insured" expressly includes the person or organization shown in the Schedule above as respects tort liability assumed under an "insured contract".

All other terms and conditions remain unchanged.

In witness whereof, this Endorsement has been executed in Rockville Centre, New York by the Company's authorized officer as set forth below.

ECCLESIA ASSURANCE COMPANY




Authorized Representative's Signature

10/31/2016

Date

Reviewed By
Office of Town Attorney



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

This Agreement is made this 20 day of April 2017, by Our Lady of Mercy Church
(Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or
equipment located at and/or described as 75 BARRICADES AND 40 LARGE
SORT PAILS

For the event described as Our Lady of Mercy Church Summer Fair
The property/equipment is need from July 24th to July 31st.
The event for which the property and/or equipment is requested (☒) is (☐) is not a not a profit making
event.

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

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

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

Name of Organization:

Our Lady of Mercy Church

Address of Organization:

500 South Oyster Bay Rd
Hicksville, NY 11801

By: Carmin Pennavelli
Authorized Representative

Title: Business Manager

Telephone Number 516 931-4351 x216

Reviewed By
Office of Town Attorney


Frank J. Murphy

DATE: 5/15/17
TO: HIGHWAY OPERATIONS
SUBJECT: OLM 10th Annual Summer Fair

PLEASE DELIVER TO:	DATE OF EVENT:	July 26-30, 2017
Our Lady of Mercy Grounds 500 South Oyster Bay Road Hicksville	SNOW FENCE:	
	BARRICADES:	75
CONTACT: Carmine Serravalli 516-931-4351	CONES:	
	SHORT PAILS:	40
	PORTABLE LIGHTS:	
	GENERATOR:	
	PACKER:	
	DELIVER ON:	7/24/17
	PICKUP ON:	7/31/17

SWEEPING BEFORE AFFAIR IS NEEDED:	XX
	<u>YES NO</u>

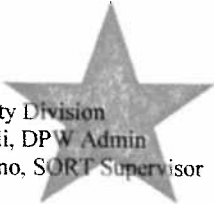
Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.



JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw

CC: Doug Robalino, General Foreman 002
Scott Dade, Area Foreman 016
Jeff VanNostrand
Dan Kornfeld


Public Safety Division
Rob Porcelli, DPW Admin
John Guarino, SORT Supervisor

WHEREAS, Meredith Maus, Executive Director, Oyster Bay Main Street Association, 21 West Main Street, Oyster Bay, New York 11771, by letter dated May 25, 2017, has requested the use of twelve (12) complete barricades and sixteen (16) traffic cones, as well as the closing of Audrey Avenue in Oyster Bay, between Town Hall and Townsend Park and the Audrey Avenue Extension, with the installation of "No Parking" signs from 5:30 p.m. through 9:30 p.m., *nunc pro tunc* for the Dancing in the Street event, being held on July 7, 14, 21 and 28, 2017, from 7:00 p.m. until 9:00 p.m.; and

WHEREAS, John P. Bishop, Acting Deputy Commissioner of the Highway Department, by memorandum dated June 1, 2017, has advised that the abovementioned property and equipment will not be required for use by the Town at those times, and that the Highway Department has no objection to providing same to the Oyster Bay Main Street Association, and to closing Audrey Avenue, for the Dancing in the Street event; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Highway Department is hereby authorized to provide the use of twelve (12) complete barricades and sixteen (16) traffic cones, as well as the closing of Audrey Avenue in Oyster Bay, between Town Hall and Townsend Park and the Audrey Avenue Extension, with the installation of "No Parking" signs from 5:30 p.m. through 9:30 p.m., *nunc pro tunc* for the Dancing in the Street event, being held on July 7, 14, 21 and 28, 2017, from 7:00 p.m. until 9:00 p.m., subject to the following terms and conditions:

1. The use of all Town property shall be in conformance with the direction of the Acting 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 Town property and equipment and in the conduct of the abovementioned 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 bodily injury and \$500,000 property damage and naming the Town of Oyster Bay as an additional insured in connection with the abovementioned 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
Highway
Parks
Public Safety

Reviewed By
Office of Town Attorney
7/11/17

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 1, 2017

TO: MEMORANDUM DOCKET

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


SUBJECT: OYSTER BAY MAIN STREET ASSOCIATION
DANCING IN THE STREETS
TO BE HELD FRIDAY EVENINGS – AUDREY AVENUE, OYSTER BAY
JULY 7th, 14th, 21st, & 28th 2017

Enclosed please find a copy of the letter from Meredith Maus, Executive Director, requesting our assistance on behalf of the Oyster Bay Main Street Association in conducting the 7th season of the "Dancing in the Street" events on Audrey Avenue in Oyster Bay on Friday evenings July 7th, 14th, 21st, and 28th 2017.

The Highway Department has no objection to the Oyster Bay Main Street Association utilizing the portion of Audrey Avenue in the Oyster Bay hamlet between Town Hall and the (Gazebo area) Townsend Park and Audrey Avenue which is located across the street from 20th Century Bikes for the "Dancing in the Street" events on Friday evenings from July 7th through July 28th, 2017. The area will be closed from 5:30 p.m. until 9:30 p.m. to allow for set-up and break-down. The actual hours of the events will be from 7:00 p.m. until 9:00 p.m.

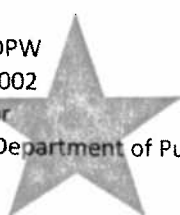
Further, the Highway Department will be pleased to provide twelve (12) complete barricades and sixteen (16) traffic cones and "No Parking" signs which will state the dates and times of the events to help traffic control and to keep cars off the street for the events, from July 7th thru July 28th, 2017.

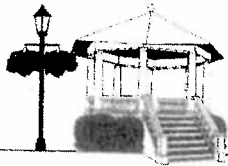
Also attached is the Certificate of Insurance, Endorsement Sheet, and Hold Harmless Agreement to cover the events. Therefore, Town Board approval is requested.


JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw

C: Town Attorney (10) copies
Richard Lenz, P.E. Commissioner DPW
Doug Robalino, General Foreman 002
Steve Kelly, Sign Bureau Supervisor
Justin McCaffrey, Commissioner, Department of Public Safety





OYSTER BAY

MAIN STREET ASSOCIATION

Officers

President

Sandra Conderit Graham

Vice-President

John Bonifacio

Treasurer

Alex Urdea

Secretary

Antonius Heijmen

Board of Directors

Claude Bahnik

Linda Cassola

Henry C. Clark

Kevin Curry

Timothy DiPietro

Mario Gallo

Diane Meltzer

Alexis Pagano

Kyle Piechucki

Advisory Board

Roger Bahnik

Jack Bernstein

Matthew Bradley

John Collins

Harriet Gerard Clark

Kelly Fuhrmann

Billy Joel

Hunt & Betsy Lawrence

Hon. Carl Marcellino

Colleen McKean

Nancy Murton-Melius

Bob Santos

Dr. Laura Seinfeld

William Sheeline

Dottie Simons

John Speece

Donald Zoeller

Honorary Trustee

George O'Neill

Staff

Executive Director

Meredith Maus

Project Manager

Sasha Freedman

May 5, 2017

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

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

Dear Mr. Bishop,

The Oyster Bay Main Street Association is hereby requesting that Audrey Avenue in the hamlet of Oyster Bay, between Town Hall and the municipal parking lot be closed for the 7th season of the "Dancing in the Street" events organized by the Oyster Bay Main Street Association.

We are requesting this closure for the following dates:

Friday, July 7, 2017

Friday, July 14, 2017

Friday, July 21, 2017

Friday, July 28, 2017

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

To assist with traffic control for the event, we are requesting the use of 12 barricades, 16 cones, and additionally some "No Parking" signage to be placed in the area. The cones and barricades will need to be delivered on every event day, by 5 pm, to the parking lot on Audrey Avenue Extension that serves the Town Hall and is located across the street from 20th Century Cycles. The Oyster Bay Main Street Association will be responsible for the equipment from July 7, 2017 through to July 31, 2017. To clarify specifics regarding the no parking signage, we are requesting that Mr. Kelly of the sign department contact us at his convenience.

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

Sincerely,

Meredith Maus
Executive Director

mamaus@oysterbaymainstreet.org



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/8/2017

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	CONTACT NAME: Erica DiRubbio
Bullen Insurance Group	PHONE (A/C No. Ext.): (516) 482-7200
3333 New Hyde Park Road	FAX (A/C No.): (516) 439-4341
Suite 300	E-MAIL ADDRESS: edirubbio@gvbullen.com
New Hyde Park NY 11042	INSURER(S) AFFORDING COVERAGE
INSURED	INSURER A: Continental Cas Co
Oyster Bay Main Street Association Inc.	INSURER B:
PO Box 116	INSURER C:
Oyster Bay NY 11771	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: CL175808122 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR (NSD) (WVD)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		B4025932305	6/3/2017	6/3/2018	EACH OCCURRENCE \$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 900,000
						MED EXP (Any one person) \$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					GENERAL AGGREGATE \$ 2,000,000
	OTHER:					PRODUCTS - COMP/OP AGG \$ 2,000,000
						Hired/Non-Owned Auto \$ 1,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				\$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$
	DED RETENTION \$					AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					\$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A			PER STATUTE OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below					EL EACH ACCIDENT \$
						EL DISEASE - EA EMPLOYEE \$
						EL DISEASE - POLICY LIMIT \$

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

RZ: The Event of Dancing in the Street

The Town of Oyster Bay is included as an Additional Insured where required by written contract and as per policy terms and conditions.

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

ACORD 25 (2014/01)
INS025 (2014/01)

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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 following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

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

Town of Oyster Bay Highway Dept.
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 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

Thomas J. Kelly

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

This Agreement is made this 5th day of May 2017, by The Oyster Bay Main Street Association (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 12 barricades, 16 cones for traffic control. These will need to be delivered on every event day, by 5 pm, to the parking lot on Audrey Avenue Extension that serves the Town Hall and is located across the street from 20th Century Cycles.

For the event described as Dancing in the Street.

The property/equipment is needed on 7/7; 7/14; 7/21; 7/28 from 5:00pm to 9:30 pm.

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

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

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

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

Name of Organization:

Oyster Bay Main Street Association

Address of Organization:

P.O. Box 116

Oyster Bay, NY 11771

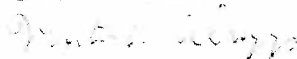
By: 

Authorized Representative

Title: Executive Director

Telephone Number: 516.922.6982

Reviewed By
Office of Town Attorney



DATE: 5/15/17
TO: HIGHWAY OPERATIONS
SUBJECT: OBMSA Dancing in the Streets

PLEASE DELIVER TO:	DATE OF EVENT:	7/7/17 every Friday thru 7/28/17
the parking lot on Audrey Avenue across from 20 th Century Bikes	SNOW FENCE:	
	BARRICADES:	12
CONTACT: Diane Meltzer 516-313-1683	CONES:	16
	SHORT PAILS:	
	PORTABLE LIGHTS:	
	GENERATOR:	
	PACKER:	
	DELIVER ON:	July 7, 2017
	PICKUP ON:	July 31, 2017

SWEEPING BEFORE AFFAIR IS NEEDED:		XX
	YES	NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/taw


JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Peter Brown, Regional Foreman 009
Peter Brown, Area Foreman 013
Jeff VanNostrand

Public Safety Division
Dan Keinfeld

WHEREAS, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board of the Town of Oyster Bay, by Resolution No. 203-2017, adopted on April 25, 2017, directed the Town Clerk to advertise notice of the application of JOE OLIVEIRA, to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring at 87 Fairway Avenue, Massapequa, New York 11758, known and designated as Section 66, Block 74, Lot 148-151, on the Nassau County Land and Tax Map, in compliance with Section 241-33; and

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

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated March 21, 2017, has advised that the Division has reviewed the relevant environmental factors affected by the uses proposed in the subject application, and has determined that said application warrants a Negative Declaration, thus having no significant impact on the environment, in accordance with the Environmental Conservation Law of the State of New York, and the applicable regulations thereof; and

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

WHEREAS, Carol Ann Strafford, Director of Legislative Affairs, by memorandum dated June 19, 2017, has requested a calendar date of July 11, 2017, for Town Board action, in connection with the aforementioned application,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby determine that the aforementioned dock application will not have a significant impact on the environment, that the proposed action in said application constitutes a Negative Declaration in accordance with the New York State Environmental Conservation Law and the applicable regulations thereof, and that the Town Board hereby adopts the Town of Oyster Bay Environmental Quality Review Division Report, dated March 21, 2017; and be it further

RESOLVED, That the application of JOE OLIVEIRA, to erect, maintain, alter or improve a dock, float, pier, bulkhead or other mooring, at 87 Fairwater Avenue, Massapequa, New York 11758, known and designated as Section 66, Block 74, Lot 148-151 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

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

MS
Reviewed By
Office of Town Attorney

10

T O W N O F O Y S T E R
I N T E R - D E P A R T M E N T A L M E M O

DATE: June 19, 2017

TO: MEMORANDUM DOCKET

FROM: CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS

THRU: JOSEPH NOCELLA, TOWN ATTORNEY

SUBJECT: APPLICATION OF JOE OLIVEIRA TO ERECT, MAINTAIN,
IMPROVE, AND/OR REPAIR A DOCK, FLOAT, BULKHEAD OR
OTHER MOORING,
87 FAIRWATER AVENUE, MASSAPEQUA, NY
FILE # D-1-2017
SEC. 66 BLK 74 LOTS 148-151

I hereby request that the Town Board set a calendar date to render a decision on the above referenced application for July 11, 2017 in compliance with the 30 day notification period to Town Board.

JOSEPH NOCELLA
TOWN ATTORNEY


CAROL ANN STRAFFORD
DIRECTOR-LEGISLATIVE AFFAIRS

CAS:dr
Cc: TA +10

WHEREAS, by Resolution No. 939-2013, adopted on December 17, 2013, Bracken Margolin Besunder LLP, was duly appointed as special and appellate counsel to the Town of Oyster Bay, in the litigation entitled: "In the Matter of the Application of the Town of Oyster Bay to acquire title to certain real property located at the Liberty Industrial Finishing Site, 55 Motor Avenue, Farmingdale, New York," (Condemnation I and Condemnation II); and

WHEREAS, Joseph Nocella, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated June 13, 2017, have advised that legal fees and disbursements have exceeded the previously authorized sum, and it is now necessary to request an additional sum, not to exceed \$12,251.16; and

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

NOW, THEREFORE, BE IT RESOLVED, That Town Board does hereby approve the authorization of an additional sum not to exceed \$12,251.16 for purposes of payment to the law firm of Bracken Margolin Besunder LLP, for legal fees and disbursements as special and appellate counsel, which sum is to be paid at the predetermined rate; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said Special Counsel for legal fees and disbursements rendered upon the submission of a duly certified claim, after audit by the Comptroller, with the funds 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY


DATE : June 13, 2017

SUBJECT: Special Counsel for Condemnation Matters:
In the Matter of the Application of the Town of Oyster Bay to acquire
title to certain real property located at the Liberty Industrial Finishing Site,
55 Motor Avenue, Farmingdale, New York (Condemnation I and Condemnation II)

The Town Board has previously adopted Resolution No. 939-2013, retaining the law firm of Bracken Margolin Besunder LLP, as special and appellate counsel for the Town of Oyster Bay, in connection with the above referenced matter. Said matter requires additional funds to continue to work on the litigation related thereto. Therefore, it is necessary to authorize additional funds, in the amount of \$12,251.16, to cover legal fees and expenses in connection therewith, to be paid from Account No. OTA A 1420 44110 000 0000.

Submitted herewith is the Resolution for the foregoing request.

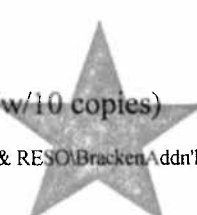
JOSEPH NOCELLA
TOWN ATTORNEY


Donna B. Swanson
Deputy Town Attorney

DBS:kah
Attachment
File No. GS 4551.4

cc: Town Attorney (w/10 copies)

S:\Attorney\RESOS 2017\MD & RESO\Bracken\Addn'l Funds.3.docx





Meeting of July 11, 2017

Resolution No. 388-2017

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed rental of hydrants for the 2017 Calendar Year by the Town of Oyster Bay from New York American Water Company, Inc., said Hearing to be held in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on August 15, 2017 at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the ~~Locust Valley Leader and the Glen Cove Record Pilot~~ newspapers of general circulation in the Town of Oyster Bay, pursuant to the provisions of law.

-#-

 Reviewed By
Office of Town Attorney


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

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

cc: Supervisor
Town Attorney
Comptroller (2)

**PUBLIC NOTICE
ON PROPOSED CONTRACT FOR FIRE HYDRANT RENTAL**

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, Oyster Bay, New York, on Tuesday, _____, 2017, at _____ o'clock _____ .m., prevailing time, at which Hearing residents and parties interested will have an opportunity to be heard on the proposed rental from New York American Water Company, Inc. of two hundred twenty-four (224) hydrants at an agreed per annum rental fee of \$167,690.88, for the period from January 1, 2017 to December 31, 2017, for the benefit of the Glenwood-Glen Head Fire Protection District. Any recognized and established fire company, companies or department, which, from time to time, may furnish fire protection to the inhabitants within the Glenwood-Glen Head Fire Protection District, or to persons having property located therein, shall be allowed to use said fire hydrants, and all necessary water which can be drawn therefrom, for the fighting and control of fires and such other purposes as are generally customarily used for fire fighting and control. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
JAMES ALTADONNA, JR., Town Clerk. Dated: _____ 2017, Oyster Bay, New York.



12

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : June 7, 2017

SUBJECT: 2017 Hydrant Rental – New York American Water Company, Inc.
Glenwood-Glen Head Fire Protection District

It is requested that the Town Clerk be authorized to advertise a Notice of Hearing in connection with the above referenced matter.

JOSEPH NOCELLA
TOWN ATTORNEY



Donna B. Swanson
Deputy Town Attorney

DBS:ba
Enclosure
File 3079



S:\Attorney\RESOS 2017\MD & RESO\2017 Hydrant Rental-GH ACC.doc

Meeting of July 11, 2017

Resolution No. 389-2017

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated June 20, 2017, recommended that the Town Board authorize a refund in the amount of \$75.00 to Ms. Samra Hussain, for her payment of a picnic permit, which she had to cancel due to inclement weather,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms. Samra Hussain, in the amount of \$75.00, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 523 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Reviewed By
Office of Town Attorney

4/

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 20, 2017

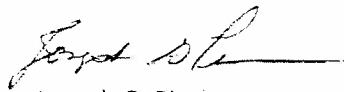
SUBJECT: Resident Refund

The Department of Parks has received correspondence from Samra Hussain requesting a \$75 refund for her Picnic Permit which was to be held at the Syosset-Woodbury Community Park. There was inclement weather on the day of the picnic and Ms. Hussain was unable to use the park. In light of the circumstances, the Parks Department believes a refund is in order.

Based on the circumstances outlined above, the Department of Parks requests that the Town Board authorize a refund of \$75 waiving a 5% administration fee.

Picnic Permit	\$ 75.00
5% Administration Fee waived	- \$ 0.00
Total Refund	<u>\$ 75.00</u>

Kindly debit account PKS A 0001 02025 523 0000.


Joseph G. Pinto
Commissioner of Parks

JGP:dim
Attachments
Cc: Office of the Town Attorney (original +10 copies)



05/05/2017

Dear Mr. Pinto,

My wife and I requested a permit for the picnic area at Syosset Woodbury Park to have a birthday party for our daughter. Unfortunately, on that day it was raining and we had to cancel the party and did not use the park at all.

We spoke to Gina the day before the event and she was nice enough to allow us to choose an alternate date but the birthday took place in our home already and we are now requesting a refund of the \$75 we paid.

Please provide a refund as we did not use the park facility that day due to rain. Thank you!

I've attached the cashed check as reference as well as a copy of the permit.

Thank you very much!

Sincerely,



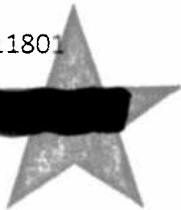
Irteza & Samra Hussain

65 Ketcham Road

Hicksville, NY 11801

Phone # -

[REDACTED]



Joseph G. Pinto
Commissioner



Town of Oyster Bay
Department of Parks
977 Hicksville Road
Massapequa, New York 11758
(516) 797-4128 Fax: (516) 797-4145
www.oysterbaytown.com

PKS F7105Z

PICNIC PERMIT

April 17, 2017

ISSUED TO: Samra Hussain

FEE: \$75.00 check # 3369

WHO RESIDES AT: 65 Ketcham Road, Hicksville

HOME#:

CELL#:

ORGANIZATION:

PERMISSION TO USE FACILITIES AT: Syosset-Woodbury Community Park AREA: A

DATE: April 30, 2017

TIME: 12:00 pm to 6:00 pm

NO. OF PEOPLE: 25

FACILITY PHONE NO. 677-5990

SPECIAL NOTES:

IN CASE OF A PROBLEM OR EMERGENCY, PLEASE CONTACT PUBLIC SAFETY AT (516) 677-5350

TOWN OF OYSTER BAY RULES, REGULATIONS AND FEE PAYMENT (POOL FEES AND PARKING FEES, ETC.), WHEN APPLICABLE, MUST BE ADHERED TO. FAILURE TO DO SO MAY RESULT IN THE IMMEDIATE CANCELLATION OF THIS PERMIT AND RE-EVALUATION OF ALL SUBSEQUENT REQUESTS. RULES AND REGULATIONS ARE LISTED ON THE APPLICATION FOR THE USE OF A TOWN FACILITY. THIS FORM MUST BE PRESENTED TO THE PARK SUPERVISOR OR HIS REPRESENTATIVE UPON REQUEST. PLEASE BE SURE THAT A "CLEAN - UP" COMMITTEE IS FORMED TO ENSURE THAT THE AREA IS FREE OF DEBRIS AT THE END OF YOUR FUNCTION. SAFETY REASONS MANDATE THAT NO GLASS OF ANY SORT (BOTTLES, DRINKING GLASSES, ETC.) BE BROUGHT ONTO THE PREMISES.

THE COMMISSIONER OF PARKS HAS THE AUTHORITY TO CANCEL OR AMEND ANY PERMIT ISSUED BY THIS OFFICE AT ANY TIME HE DEEMS NECESSARY

Joseph G. Pinto
Commissioner of Parks

Distribution:
Permit Holder
Facility Manager
Main Office
Public Safety
Accounting

Picnic area should be clean and set up with picnic tables for your organization's convenience. If the area was not found in satisfactory condition please notify the Commissioner of Parks. We encourage and appreciate your comments so we may be able to better serve you. Thank you.

Park _____ Date of Picnic _____

- ☐ The facility was not found in satisfactory condition
☐ The facility was found in satisfactory condition

Please Comment _____

Name: _____ Address: _____ Phone # _____
(optional)

DEPOSIT RECORD COPY 210

TOWN OF OYSTER BAY

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

DATE 11-1-68
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL
LIST CHECKS SINGLY OR ATTACH LIST
DOLLARS CENTS

My Transaction Summary

Transaction #161
Account Number Ending In: 0206
Checking Deposit \$1,125.00

Further review may result in delayed availability of this deposit

JPMorgan Chase Bank, N.A.
North Massachusetts Branch 000200
1-800-935-9535
Member FDIC, Equal Housing Lender
Please keep your receipt
04/18/2017 11:24

Business Date 04/18/2017
Session #52

Thank you - Sherine
Cashbox #03

PKS 171052

5

2011

PLEASE ENTER TOTAL HERE

Check and other items are received for deposit
subject to the provisions of the Uniform Commercial
Code or any applicable collection agreement.

Meeting of July 11, 2017

Resolution No. 390-2017

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated June 20, 2017, recommended that the Town Board authorize a refund in the amount of \$75.00 to Ms. Cyndi Leventhal, for her payment of a picnic permit, which she had to cancel prior to the date of her picnic, due to construction of the tennis courts,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms. Cyndi Leventhal, in the amount of \$75.00, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 523 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

7/11/17
Reviewed By
Office of Town Attorney

6

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 20, 2017

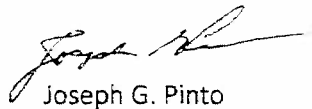
SUBJECT: Resident Refund

The Department of Parks has received correspondence from Cyndi Leventhal requesting a \$75 refund for her Picnic Permit which was to be held at the Syosset-Woodbury Community Park. Ms. Leventhal hoped to use the tennis courts at the facility during her picnic. Ms. Leventhal was alerted the courts were under construction and cancelled her permit prior to the date of the picnic. In light of the circumstances, the Parks Department believes a refund is in order.

Based on the circumstances outlined above, the Department of Parks requests that the Town Board authorize a refund of \$75 waiving a 5% administration fee.

Picnic Permit	\$ 75.00
5% Administration Fee waived	- \$ 0.00
Total Refund	<u>\$ 75.00</u>

Kindly debit account PKS A 0001 02025 523 0000.


Joseph G. Pinto
Commissioner of Parks

JGP:dim
Attachments
Cc: Office of the Town Attorney (original +10 copies)



Cyndi Leventhal
HTA Tennis Association
4 Woodland Drive
Woodbury, New York 11797


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

June 5, 2017

Dear Mr. Pinto:

We requested to reserve for the HTA Tennis Association which is a not for profit orgaization the picnic area and possible use of the tennis courts fpr May 29, 2017. Originally, we wanted the courts at Woodbury Park but one of our members alerted the board that there was construction going on with the tennis courts so we rescheduled for Plainview-Old Bethpage Community Park. We realized on May 25 that the weather would not be good for a picnic so we called Gina and cancelled the picnic. There is no other date this summer that works well for the board members of HTA so we can not reschedule the picnic. Please refund our \$75 check we gave to use the facility. We appreciate your help and support. Thanks for all your efforts. Have a great day!!

Best Regards,
Cyndi Leventhal
HTA Tennis Association
516 [REDACTED]

Joseph G. Pinto
Commissioner



Town of Oyster Bay
Department of Parks
977 Hicksville Road
Massapequa, New York 11758
(516) 797-4128 Fax: (516) 797-4145
www.oysterbaytown.com

PKS 171054

PICNIC PERMIT

April 17, 2017

ISSUED TO: Cindy Leventhal

FEE: \$75.00 check # 1455

WHO RESIDES AT: 4 Woodland Drive, Woodbury

HOME#:

CELL#:

ORGANIZATION:

PERMISSION TO USE FACILITIES AT: Syosset-Woodbury Community Park AREA: A

DATE: May 29, 2017

TIME: 12:00 pm to 4:00 pm

NO. OF PEOPLE: 35

FACILITY PHONE NO. 677-5990

SPECIAL NOTES:

IN CASE OF A PROBLEM OR EMERGENCY, PLEASE CONTACT PUBLIC SAFETY AT (516) 677-5350

TOWN OF OYSTER BAY RULES, REGULATIONS AND FEE PAYMENT (POOL FEES AND PARKING FEES, ETC.), WHEN APPLICABLE, MUST BE ADHERED TO. FAILURE TO DO SO MAY RESULT IN THE IMMEDIATE CANCELLATION OF THIS PERMIT AND RE-EVALUATION OF ALL SUBSEQUENT REQUESTS. RULES AND REGULATIONS ARE LISTED ON THE APPLICATION FOR THE USE OF A TOWN FACILITY. THIS FORM MUST BE PRESENTED TO THE PARK SUPERVISOR OR HIS REPRESENTATIVE UPON REQUEST. PLEASE BE SURE THAT A "CLEAN - UP" COMMITTEE IS FORMED TO ENSURE THAT THE AREA IS FREE OF DEBRIS AT THE END OF YOUR FUNCTION. SAFETY REASONS MANDATE THAT NO GLASS OF ANY SORT (BOTTLES, DRINKING GLASSES, ETC.) BE BROUGHT ONTO THE PREMISES.

THE COMMISSIONER OF PARKS HAS THE AUTHORITY TO CANCEL OR AMEND ANY PERMIT ISSUED BY THIS OFFICE AT ANY TIME HE DEEMS NECESSARY

Joseph G. Pinto
Commissioner of Parks

Distribution:
Permit Holder
Facility Manager
Main Office
Public Safety
Accounting

Picnic area should be clean and set up with picnic tables for your organization's convenience. If the area was not found in satisfactory condition please notify the Commissioner of Parks. We encourage and appreciate your comments so we may be able to better serve you. Thank you.

Park _____ Date of Picnic _____

- ☐ The facility was not found in satisfactory condition
☐ The facility was found in satisfactory condition

Please Comment _____

Name: _____ Address: _____ Phone # _____
(optional)

CHASE

CHASE

CHASE

CHASE

Picnic Permit
PKS 171094

Deposit cash or checks at a
Chase Deposit Friendly (SM) ATM.
An image of your check can
be printed on your receipt.

My Transaction Summary

Transaction #167
Account Number Ending In: 0206
Checking Deposit \$750.00

Further review may result in delayed
availability of this deposit

JPMorgan Chase Bank, N.A.
North Massapequa, Branch 000200
1-800-935-9935
Member FDIC, Equal Housing Lender
Please keep your receipt
05/02/2017 11:23

Business Date 05/02/2017
Session #69

Thank you - Sherine
Cashbox #03

Picnics

DEPOSIT RECORD COPY 2/210

TOWN OF OYSTER BAY

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

DATE 5/2/17

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.
LIST CHECKS SINGLY OR ATTACH LIST

DOLLARS CENTS

CURRENCY		
COIN		
CHECK #		
163	150	00
1455	75	00
128	75	00
315	75	00
309	75	00
1320	75	00
278	75	00
177	75	00
1035	75	00

PKS 171094

\$

750.00

\$

750.00

PLEASE ENTER TOTAL HERE

Checks and other items are received for deposit
subject to the provisions of the Uniform Commercial
Code or any applicable collection agreement

<p>MITCHELL LEVENTHAL CYNTHIA L. LEVENTHAL 4 WOODLAND DR. WOODBURY, NY 11797</p> <p>DATE <u>4/14/17</u> 1455</p> <p><u>Town of Oyster Bay</u> \$ 75.00 <u>seventy five</u> DOLLARS</p> <p>CHASE JPMorgan Chase Bank, N.A. www.Chase.com</p> <p>MEMO <u>5/29 PNC</u> <u>Cynthia Leventhal</u></p>		<p>Posting Date: 05/02/2017</p> <p>Sequence Number: 5570473082</p> <p>Amount: 75.00</p> <p>Account: [REDACTED]</p> <p>Routing Transit Number: 02100002</p> <p>Check/Serial Number: 000000001455</p> <p>Bank Number: 802</p> <p>IRD Indicator: 0</p> <p>Image type: P</p> <p>BOFD: 074909962</p> <p>Cost Center: 200</p> <p>Teller Number: 3</p> <p>Teller Sequence Number: 167</p> <p>Capture Source: BY</p> <p>Entry Number: 0000004021</p> <p>UDK: 802170502005570473082</p> <p>ICLR: No</p>
<p>FOR DEPOSIT ONLY Town of Oyster Bay</p>		

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Meeting of July 11, 2017

Resolution No. 391-2017

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated June 20, 2017, recommended that the Town Board authorize a refund in the amount of \$1,560.00 to Mr. Michael Decosimo, 12 Revillo Road, Bayville, N.Y. 11709, for his boat registration fee at the Town of Oyster Bay Harry Tappen Marina, due to his inability to use the slip, which was successfully leased to another resident for the 2017 season,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Mr. Michael Decosimo, in the amount of \$1,560.00 and payment of said refund is to be made upon presentation of a duly certified claim therefore, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 526 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

7/11/17
Reviewed By
Office of Town Attorney

4

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 20, 2017

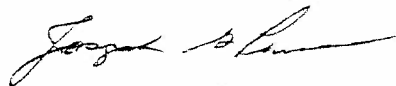
SUBJECT: Resident Refund

The Department of Parks has received correspondence from Michael Decosimo requesting a \$1,560 refund for boat slip C20 at the Harry Tappen Marina. There was a problem with Mr. Decosimo's boat and he was unable to take ownership of the slip. Slip C20 was then successfully sold to another resident, Frank Cassisi (attached). In light of the circumstances, the Parks Department believes a refund is in order.

Based on the circumstances outlined above, the Department of Parks requests that the Town Board authorize a refund of \$1,560 waiving a 5% administration fee.

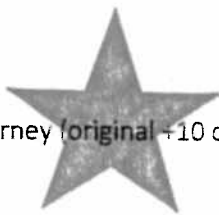
Slip C20 at Tappen Marina	\$ 1560.00
5% Administration Fee waived	- \$ 0.00
Total Refund	<u>\$ 1560.00</u>

Kindly debit account PKS A 0001 02025 526 0000.



Joseph G. Pinto
Commissioner of Parks

JGP:dim
Attachments
Cc: Office of the Town Attorney (original +10 copies)



Request for Refund

5/9/17

Michael DeCosimo
12 Revillo Road
Bayville NY 11709

To whom it may concern:

I am hereby requesting
a refund of \$1560.00 for the
boat slip at Tappan beach that I
unfortunately will not need due
to the fact there was a problem
with the boat I had purchased.
I appreciate your understanding
in this matter.

Thank you,

Michael DeCosimo

Please credit my credit card

[REDACTED]

exp. 9/19

[REDACTED]

PARKS BEACH ADMIN
977 HICKSVILLE RD
MASSAPEQUA, NY 11756
(516) 757 7876

Bank ID: 6001
Merchant ID: 000016163216
Term ID: 003

Sale

XXXXXXXXXXXX1050

VISA

Entry Method: Chip

Total: \$ 1,560.00

04/20/17

10:16:44

Inv #: 000001

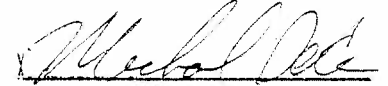
Appr Code: 052050

Apprvd: Online

Batch#: 110001

Retrieval Ref #: 70100001

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



DECLINING MICHAEL

VISA CREDIT
AID: 0000000000000000
TSI: 0000
IVR: 0000000000

Merchant Copy

DATE: 04/20/17



Joseph G. Pinto

TOWN OF OYSTER BAY
Department of Parks

Joseph S. Saladino
Town Supervisor

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

SUMMER 2017 MARINA FULL RECEIPT

Michael Decosimo
12 Revillo Road
Bayville, NY 11709

Receipt #: 14649

Slip No.: Tappen Beach C20

Vessel: _____

Birthdate: 9/27/1965 Payment Type: Visa

Reg. #: _____

Amount Received: \$1,560.00 Check #: _____

LOA: 24'

Date: 4/20/2017 11:27:13 AM

Payment Received By: LSHEA

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 10, 2017 and end on Sunday, Nov 12, 2017.

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division.
6. A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
 - a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
 - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
7. A tenant may not:
 - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
 - b. Trade up or down in vessel size that takes him/her out of his/her category size.
 - c. Transfer ownership to other persons (full or part) and maintain current slip space.
8. All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
9. The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone, and slips shall at all times remain under the full control of the Town of Oyster Bay.
10. All requests for refunds must be made in writing and received at the Parks Department main office.
11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
13. No refunds of fees upon revocation of assigned slip.
14. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to said manager by Sunday, Nov 5, 2017 as to the date of which licensee shall vacate assigned slip.
15. Any vessel remaining at a marina after Sunday, Nov 12, 2017, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Present to Dockmaster Prior to Occupying Slip

PARKS BEACH ADMIN
977 HICKSVILLE RD
MASSAPEQUA, NY 11758
(516) 737-7876

Bank ID: 6801
Merchant ID: 000016163216
Term ID: 003

Sale

XXXXXXXXXX2664

VISA

Entry Method: Chip

Total: \$ 1,430.00

05/23/17

Inv #: 0000003

11:27:22

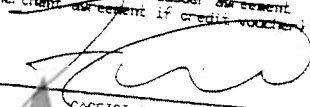
Approved: OnLine

Appr Code: 320248

Batch#: 143001

Retrieval Ref. #: 00100002

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

V
A 
CACSISL-TPAW C

Visa Credit
ATD: 0000000000000000
TTL: 0000
INV: 0000000000000000

Merchant Copy
HAVE A NICE DAY



TOWN OF OYSTER BAY
Department of Parks

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

Joseph G. Pinto

Joseph S. Saladino
Town Supervisor

SUMMER 2017 MARINA FULL RECEIPT

Frank Cassisi
5 Tappentown Lane
Brookville, NY 11543

Receipt #: 14696

Slip No.: Tappen Beach C20

Vessel: _____

Birthdate: 10/11/1997 Payment Type: Visa Reg. #: NY 1383 MC

Amount Received: \$1,430.00 Check #: _____ LOA: 22'

Date: 5/23/2017 12:41:13 PM

Payment Received By: GVALLI

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 10, 2017 and end on Sunday, Nov 12, 2017.

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division.
6. A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
 - a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
 - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
7. A tenant may not:
 - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
 - b. Trade up or down in vessel size that takes him/her out of his/her category size
 - c. Transfer ownership to other persons (full or part) and maintain current slip space
8. All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
9. The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone, and slips shall at all times remain under the full control of the Town of Oyster Bay.
10. All requests for refunds must be made in writing and received at the Parks Department main office.
11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
13. No refunds of fees upon revocation of assigned slip.
14. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to said manager by Sunday, Nov 5, 2017 as to the date of which licensee shall vacate assigned slip.
15. Any vessel remaining at a marina after Sunday, Nov 12, 2017, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Present to Dockmaster Prior to Occupying Slip

Meeting of July 11, 2017

Resolution No. 392-2017

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated June 20, 2017, recommended that the Town Board authorize a partial refund in the amount of \$270.00, to Mr. William Schafer, 9 Columbia Road, Hicksville, N.Y. 11801, for his boat registration fee at the Town of Oyster Bay Theodore Roosevelt Marina, due to his downsizing his boat from 25 feet to 22 feet after purchasing the slip at the 25 foot rate,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Mr. William Schafer, in the amount of \$270.00 and payment of said refund is to be made upon presentation of a duly certified claim therefore, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 526 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Reviewed By
Office of Town Attorney

1

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 20, 2017


SUBJECT: Resident Refund

The Department of Parks has received correspondence from William A. Schafer requesting a partial refund for his boat slip at the Theodore Roosevelt Marina. Mr. Schafer downgraded the size of his boat, from 25 feet to 22 feet, after purchasing the slip at the 25 foot rate. In light of the circumstances, the Parks Department believes a refund is in order.

Based on the circumstances outlined above, the Department of Parks requests that the Town Board authorize a refund of \$270 waiving a 5% administration fee.

Difference between 22' and 25' for slip at TR	\$ 270.00
5% Administration Fee waived	- \$ 0.00
Total Refund	<u>\$ 270.00</u>

Kindly debit account PKS A 0001 02025 526 0000.


Joseph G. Pinto
Commissioner of Parks

JGP:dim
Attachments
Cc: Office of the Town Attorney (original +10 copies)



Name, Address & Phone Number

William A. Schaker
9 Columbia Rd
Hicksville, NY 11801
516 - [REDACTED]



Date 6-1-17

Reason for Refund Request

Purchased smaller Boat, from 25' to 22'.

Signature

Mail to:

Department of Parks

977 Hicksville Road

Massapequa, NY 11758

For Office Use Only

Approved ☒

Denied ☐

Commissioner's Initial *JS*

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

Bank ID: 6001
Merchant ID: 000016163216
Term ID: 003

Sale

XXXXXXXXXXXX0026

VISA

Entry Method: Swiped

Total: \$ 2,050.00

02/28/17

10:39:00

Inv #: 000001

Appr Code: 07787C

Apprvd: Online

Batch#: 059001

Retrieval Ref #: 00160001

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

SCHAFER-WILLIAM

Merchant Copy

HAVE A NICE DAY

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

Bank ID: 6001
Merchant ID: 000016163216
Term ID: 003

Sale

XXXXXXXXXXXX0026

VISA

Entry Method: Chip

Total: \$ 200.00

02/23/17

13:04:19

Inv #: 000005

Appr Code: 03136C

Apprvd: Online

Batch#: 054001

Retrieval Ref #: 00160001

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

SCHAFER-JANET

CHASE VISA
AID: 00000000000000000000
TSI: F000
EXP: 00/00/0000

Merchant Copy

HAVE A NICE DAY



TOWN OF OYSTER BAY
Department of Parks

Frank A. Nocerino

Joseph S. Saladino
Town Supervisor

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

SUMMER 2017 MARINA DEPOSIT RECEIPT

William Schafer
9 Columbia Road
Hicksville, NY 11801

Receipt #: 14337

Slip No.: Roosevelt 63

Vessel: Buster

Birthdate: 7/22/1958 Payment Type: Visa

Reg. #: NY8757GF

Amount Received: \$200.00 Check #: _____

LOA: 25'

Balance Due - With Electric: \$2,237.50

Date: 2/23/2017 1:15:30 PM

Balance Due - No Electric: \$2,050.00

Payment Received By: LSHEA

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 10, 2017 and end on Sunday, Nov 12, 2017.

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division.
6. A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
 - a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
 - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
7. A tenant may not:
 - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
 - b. Trade up or down in vessel size that takes him/her out of his/her category size
 - c. Transfer ownership to other persons (full or part) and maintain current slip space
8. All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
9. The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone, and slips shall at all times remain under the full control of the Town of Oyster Bay.
10. All requests for refunds must be made in writing and received at the Parks Department main office.
11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
13. No refunds of fees upon revocation of assigned slip.
14. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to said manager by Sunday, Nov 5, 2017 as to the date of which licensee shall vacate assigned slip.
15. Any vessel remaining at a marina after Sunday, Nov 12, 2017, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Final Payment Must be Received by Friday, Mar 24, 2017



Frank A. Nocerino

TOWN OF OYSTER BAY
Department of Parks

Joseph S. Saladino
Town Supervisor

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

SUMMER 2017 MARINA FINAL RECEIPT

William Schafer
9 Columbia Road
Hicksville, NY 11801

Receipt #: 14383

Slip No.: Roosevelt 63

Vessel: Buster

Birthdate: 7/22/1958 Payment Type: Visa

Reg. #: NY8757GF

Amount Received: \$2,050.00 Check #: _____

LOA: 25'

Date: 2/28/2017 10:43:32 AM

Payment Received By: KSKRYNECKI

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 10, 2017 and end on Sunday, Nov 12, 2017.

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division.
6. A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
 - a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
 - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
7. A tenant may not:
 - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
 - b. Trade up or down in vessel size that takes him/her out of his/her category size
 - c. Transfer ownership to other persons (full or part) and maintain current slip space
8. All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
9. The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone, and slips shall at all times remain under the full control of the Town of Oyster Bay.
10. All requests for refunds must be made in writing and received at the Parks Department main office.
11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
13. No refunds of fees upon revocation of assigned slip.
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15. Any vessel remaining at a marina after Sunday, Nov 12, 2017, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Present to Dockmaster Prior to Occupying Slip



Joseph G. Pinto

TOWN OF OYSTER BAY
Department of Parks

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

Joseph S. Saladino
Town Supervisor

SUMMER 2017 MARINA FULL RECEIPT

William Schafer
9 Columbia Road
Hicksville, NY 11801

Receipt #: 14708

Slip No.: Roosevelt 63

Vessel: _____

Birthdate: 7/22/1958 Payment Type: Combined

Reg. #: NY 5816 FT

Amount Received: \$1,980.00 Check #: _____

LOA: 22'

Date: 6/1/2017 10:25:37 AM

Payment Received By: LSHEA

TERMS AND CONDITIONS

The season shall begin on Monday, Apr 10, 2017 and end on Sunday, Nov 12, 2017.

1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or accident to his/her property.
3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to another vessel.
5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division.
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10. All requests for refunds must be made in writing and received at the Parks Department main office.
11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
13. No refunds of fees upon revocation of assigned slip.
14. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to said manager by Sunday, Nov 5, 2017 as to the date of which licensee shall vacate assigned slip.
15. Any vessel remaining at a marina after Sunday, Nov 12, 2017, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Present to Dockmaster Prior to Occupying Slip

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated June 20, 2017, recommended that the Town Board authorize a refund in the amount of \$57.00 (after applying an administrative fee of \$3.00), to be authorized to Ms. Frances McTiernan, for her full price seasonal beach sticker, because she is entitled to a Senior Citizen Beach Permit,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms. Frances McTiernan, in the amount of \$57.00, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 523 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Reviewed By
Office of Town Attorney

8

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

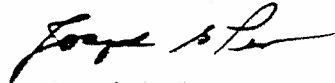
TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
DATE: June 20, 2017
SUBJECT: Resident Refund

The Department of Parks has received correspondence from Frances S. McTiernan requesting a \$60 refund for her Resident Season Beach Permit. After purchasing her Resident Season Beach Permit, Ms. McTiernan became aware that she was eligible for a senior ID and a Resident Senior Citizen Season Beach Permit. Ms. McTiernan has since purchased her senior ID and received her Resident Senior Citizen Season Beach Permit. In light of the circumstances, the Parks Department believes a refund is in order.

Based on the circumstances outlined above, the Department of Parks requests that the Town Board authorize a refund of \$57 after applying a 5% administration fee.

Resident Season Beach Permit	\$ 60.00
5% Administration Fee	- \$ <u>3.00</u>
Total Refund	<u>\$ 57.00</u>

Kindly debit account PKS A 0001 02025 523 0000.



Joseph G. Pinto
Commissioner of Parks

JGP:dim
Attachments
Cc: Office of the Town Attorney (original +10 copies)



5/31/17

To Whom It May Concern,

I found out after the fact of paying for a Florence Beach beach pass for \$60 that I could get a discount as a senior over 60 years of age.

Please accept the return of this sticker knowing I will purchase the correct senior ID that will allow me to access the beach for \$32. I paid with a credit card - see attached. Please credit the \$60 back to me.

Frances S. McTiernan
63 Pennsylvania Ave
Massapequa, NY 11758

5/6

att ✓

Florence Beach
Sticker

ROOSEVELT MARINA
3 BAY AVENUE OYSTER BAY
OYSTER BAY, NY 11771
(516) 797-7876

Bank ID: 6001
Merchant ID: 000015919898
Term ID: 0004

Sale

XXXXXXXXXXXX7501

VISA

Entry Method: Chip

Total: \$

60.00

05/27/17

12:59:26

Inv #: 000014

Appr Code: 03691C

Approved: Online

Batch#: 147001

Retrieval Ref. #: 001000017

CAPITAL ONE VISA
AID: 00000000000000000000000000000000
TSI: F800
IVR: 0000000000





TOWN
OF
OYSTER BAY

No. 34111

FRANCES MCTIERNAN

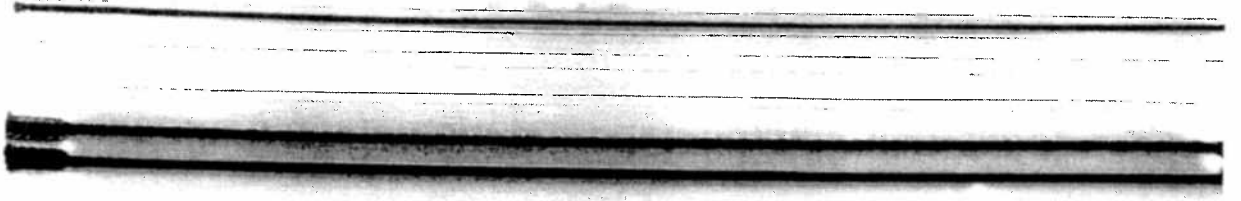
SENIOR CITIZEN

BEACH PERMIT

LIFETIME 2017

James Altadonna Jr.
Town Clerk





WHEREAS, Frank V. Sammartano, Commissioner of the Department of Intergovernmental Affairs, by memorandum dated June 21, 2017, requested Town Board authorization for the Supervisor and/or Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, as the Supervisor's authorized designee to execute all forms necessary in pursuit of the New York State Department of Labor (NYSDOL) grant funding for occupational skills training of employed, underemployed and unemployed individuals, commensurate with Regional Economic Development Council (REDC) priorities. Grant funds are offered through the Workforce Innovation and Opportunity Act (WIOA) to provide occupational skills training. This program is of no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Supervisor and/or Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, as the Supervisor's authorized designee are authorized to execute all forms necessary in pursuit of the NYSDOL funding for occupational skills training of employed, underemployed and unemployed individuals.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs

Reviewed By
Office of Town Attorney

9

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER OF
INTERGOVERNMENTAL AFFAIRS

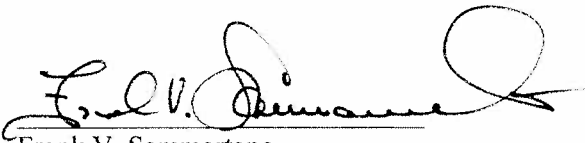
DATE: JUNE 21, 2017

SUBJECT: NEW YORK STATE DEPARTMENT OF LABOR – WORKFORCE
DEVELOPMENT

The New York State Department of Labor (NYSDOL) has announced unemployed worker training funding to provide grants on a competitive basis for occupational skills training of employed, underemployed and unemployed individuals, commensurate with Regional Economic Development Council (REDC) priorities. Funding through this program may not exceed \$100,000 per applicant. Funds are offered through the Workforce Innovation and Opportunity Act to provide occupational skills training to unemployed and/or underemployed workers.

The Town's Department of Intergovernmental Affairs is proposing to submit a grant application relative to the NYSDOL funding. This grant funding is intended to provide occupational skills training to priority populations.

We therefore respectfully request a Town Board resolution authorizing the Supervisor and Colin Bell as the Supervisor's authorized designee to execute all forms necessary in the pursuit of the NYSDOL funding.


Frank V. Sammartano,
Commissioner

FVS:LS

cc: Town Attorney w/10 copies

WHEREAS, the Oyster Bay Fire Company No. 1 is the process of acquiring a new fire fighting vehicle through a tax-exempt lease/purchase agreement; and

WHEREAS, Town Board approval of the tax-exempt financing is required pursuant to the Internal Revenue Code; and

WHEREAS, Joseph Nocella, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memo dated June 20, 2017, request that a public hearing be held in connection with this matter,

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing as to the approval of the proposed tax-exempt lease/purchase agreement, said Hearing to be held in the Hearing Room, Town Hall, East Building, Audrey avenue, Oyster Bay, New York on Tuesday, July 25, 2017, at 10:00 a.m., prevailing time, said Notice to be advertised in ~~OB Ent. Pilot~~ ~~OB Guardian~~ newspapers of general circulation in the Town of Oyster Bay, pursuant to provisions of law.

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of Oyster Bay (the "Town"), in the County of Nassau, State of New York, will hold a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), to be held in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, at 10:00 a.m. (Local Time), on Tuesday, _____, 2017, on the proposed plan of financing by the Oyster Bay Fire Department, a New York not-for-profit corporation, also known as Oyster Bay Fire Company Number 1, (the "Department") for the purchase of a Ferrara Tower Ladder Apparatus (the "Apparatus"), which will be located at 188 South Street, Oyster Bay, New York 11771, and which will be owned and operated by the Department and used throughout its service area. The purpose of such purchase is to replace an obsolete apparatus. As part of the proposed plan of financing for the Apparatus, the Department proposes to enter into a tax-exempt obligation (the "Lease") and to use the proceeds of the Lease to purchase the apparatus. The Lease will be a general obligation of the Department payable from the Department's general revenues. The maximum aggregate face amount of the Lease is \$1,304,556.00.

At the hearing, members of the public may appear in person to make or give oral or written comments in favor of or in opposition to the financial assistance described herein or the location and nature of the Project. Handicapped persons who require assistance in attending the hearing or in furnishing comments, should contact the Town at (516) 624-6332 to request such assistance.

Approval of the Lease by the Supervisor of the Town is necessary in order for the interest on the Lease to be excluded from gross income for federal income tax purposes and in satisfaction of the requirements of Section 147(f) of the Code. A copy of such report will be filed in the Office of the Town Clerk, and will be available as a public record for inspection by all interested persons. TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor, JAMES ALTADONNA JR., Town Clerk. Dated: _____, 2017.

Reviewed By
Office of Town Attorney

NOTICE OF PUBLIC HEARING
THE TOWN OF OYSTER BAY,
IN THE COUNTY OF NASSAU,
NEW YORK
_____, 2017

NOTICE IS HEREBY GIVEN that the Town of Oyster Bay (the "Town"), in the County of Nassau, State of New York, will hold a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") at 10:00 A.M. (Local Time) on the proposed plan of financing by the Oyster Bay Fire Department, a New York not-for-profit corporation, also known as Oyster Bay Fire Company Number 1, (the "Department") for the Department's purchase of a Ferrara Fire Truck (the "Apparatus"), which will be located at 188 South Street, Oyster Bay, New York 11771, and which will be owned and operated by the Department and used throughout its service area. The purpose of such purchase is to replace an obsolete apparatus. As part of the proposed plan of financing for the Apparatus, the Department proposes to enter into a tax-exempt obligation (the "Lease") and to use the proceeds of the Lease to purchase the apparatus. The Lease will be a general obligation of the Department payable from the Department's general revenues. The maximum aggregate face amount of the Lease is \$1,304,556.00.

At the hearing, members of the public may appear in person to make or give oral or written comments in favor of or in opposition to the assistance described herein or the location and nature of the Project. Handicapped persons who require assistance in attending the hearing or in furnishing comments, should contact the Town at (516) 624-6332 to request such assistance.

Approval of the Lease by the Supervisor of the Town is necessary in order for the interest on the Lease to be excluded from gross income for federal income tax purposes and in satisfaction of the requirements of Section 147(f) of the Code.

By order of the Town Board of the Town.

DATED: May ____ 2017

James Alradonna, Jr.
Town Clerk



Meeting of November 27, 2012

Resolution No. 1038-2012

WHEREAS, the Oyster Bay Fire Company No. 1 is in the process of acquiring a new fire fighting vehicle through a lease/purchase agreement; and

WHEREAS, Town Board approval of the financing is required to maintain tax-exempt status of same; and

WHEREAS, Leonard Genova, Town Attorney, and Frederick E. Mei, Deputy Town Attorney, by memo dated November 9, 2012, request that a public hearing be held in connection with this matter,

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing as the proposed lease/purchase agreement, said Hearing to be held in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York on Tuesday, December 18, 2012, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in Oyster Bay Guardian newspapers of general circulation in the Town of Oyster Bay, pursuant to provisions of law.

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Finance

Reviewed By
Office of Town Attorney

FMS

Law Offices of James Cammarata

Attorneys at Law

53 East Main Street

2017 MAY 16 10:55 AM
Oyster Bay, New York 11771

(516) 922-4660

Fax: (516) 922-2787

cammaratalaw@verizon.net

MARK ATTORNEY OFFICE
TOWN OF OYSTER BAY

May 15, 2017

By Facsimile and First Class Mail 516-624-6196

Anthony Cursio, Esq.
Assistant Town Attorney
Town of Oyster Bay Town Hall
54 Audrey Avenue
Oyster Bay, New York 11771

Re: Oyster Bay Fire Department Tax Exempt Financing Resolution and Public Notice Request.

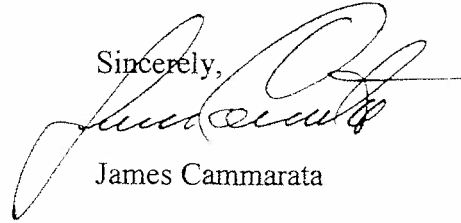
Dear Mr. Cursio:

As we discussed, my client, the Oyster Bay Fire Department is preparing to enter a Lease Purchase Agreement for the purposes of purchasing a replacement tower ladder truck. The truck will replace obsolete equipment. As in the past the Department is seeking tax exempt financing in connection with the purchase. Under the IRS Code, the Department is permitted to make application to the United States Internal Revenue Service as a qualified tax exempt borrower. The Town has no financial obligation concerning the purchase, however the Statute requires that Special Not for Profit Fire Corporations must obtain approval to enter into such tax exempt financing from the municipality where the Corporation does business. The required resolution language is virtually identical to previous resolution requests brought before the Town Board by the Fire Company.

I have attached proposed drafts of the Public Notice; Corporate Resolution; Lease Purchase Agreement; and my attorney opinion letter regarding, among other matters, that the transaction is tax exempt. Therefore, I am respectfully requesting that the Town place this matter on the Town Board Calendar for the appropriate notice and subsequent hearing. The IRS requires proof of publication of the Public Notice; therefore please forward me a copy. I would appreciate if we could place the matter on the calendar this month, since all the documents are drafted with a May effective date and are time sensitive due to changing interest rates.

As in the past I will attend the Town Board Meeting and be available to speak about the purpose of the Resolution, the Town not having any financial obligation under the Resolution, and the need for the truck replacement. Please contact me if you have any questions or require further information.

Sincerely,



James Cammarata

Enclosures

cc: Wayne Baratta, Chief Officer Oyster Bay Fire Department
William Ferris, Treasurer, Oyster Bay Fire Department



Law Offices of James Cammarata

Attorneys at Law
53 East Main Street
Oyster Bay, New York 11771

(516) 922-4660
Fax: (516) 922-2787
cammaratalaw@verizon.net

May 15, 2017

To: Anthony Curcio, Esq.
Assistant Town Attorney
Town of Oyster Bay Town Hall
54 Audrey Avenue
Oyster Bay, New York 11771

Community First National Bank
215 South Seth Child Road
Manhattan, Kansas 66502

Richard Klenkel, CPA
51 Forest Avenue, Unit A
Glen Cove, New York 11542

William Ferris, Treasurer
Oyster Bay Fire Department
188 South Street
Oyster Bay, New York 11771

Re: Memorandum - Eligibility for Private Activity Financing Under the Internal Revenue Service Code §103. Purchase and Financing of Firefighting Equipment/Apparatus

In connection with the Fire Department's proposed Private Activity Financing application the following Memorandum has been prepared for the Corporation's Accountants, will be kept on file with the Secretary of the Corporation, and provided to the holder of the financing obligation, Community First National Bank and serve as evidence that the Corporation is an eligible entity under §103 of the United States Internal Revenue Service Code.

The Oyster Bay Fire Department is a New York Special Not-for-Profit Fire Protection Corporation organized in 1888. The Department has been providing fire protection to the greater Oyster Bay community since it was organized over one hundred twenty five (125) years ago. New York Special Not-for-Profit Fire Protection Corporations are not taxing authorities, and contract with municipalities they serve. The

Department contracts with each of the municipalities lying within the Oyster Bay Fire Protection Area (hereinafter the "Protection Area"). The Protection Area contains the unincorporated areas of the Town of Oyster Bay, and the Incorporated Villages of Mill Neck, Cove Neck, Oyster Bay Cove, and Laurel Hollow, and covers approximately 28 square miles of territory.

As a Special Not-for-Profit Fire Protection Corporation, New York Statute requires that the Department be under the supervision of the municipality where the Department's Headquarters are physically located. The Department is located at 188 South Street in the unincorporated hamlet of Oyster Bay, therefore, the Town of Oyster Bay, pursuant to the New York State Municipal Law, has regulatory authority regarding aspects of the operation of the Department, including authorizing the Department to participate in IRS§103 Tax Exempt Financing.

The proposed financing is only an obligation of the Fire Corporation, and the Town is not, under any circumstances, a participant, guarantor, assignee, or otherwise obligated for the underlying debt. The Corporation can proceed as a matter of law, in purchasing the apparatus and entering into the necessary financing without utilizing the provisions of the IRS Code. However, in an effort to reduce its cost of operations, it is seeking municipal authorization for §103 Tax Exempt Financing. The interest rate reduction associated with Tax Exempt Financing is one (1%) percentage point less than conventional interest rates, thereby allowing the Department to finance the apparatus, as of this writing at 2.92%¹.

Proposed Use of Private Activity Funding

To adequately protect the lives and property within the Protection Area the Corporation requires a tower ladder truck that is capable of supporting the particular attributes of the Communities it serves. The current tower ladder apparatus is a 1996 model and it has been less reliable and more costly to maintain as it ages. The Corporation's Board of Directors has determined that the expense and time associated with retrofitting the apparatus to bring it within regulatory compliance, as well as the expense of current and anticipated future maintenance is not a cost effective strategy. The Corporation, in order to conform with OSHA, other Federal/State regulations, and insurance standards mandates, has thoroughly investigated such expenses and has determined that such efforts are not in the best interest of the Corporation, or the Communities it serves.

Analysis of Department Resources

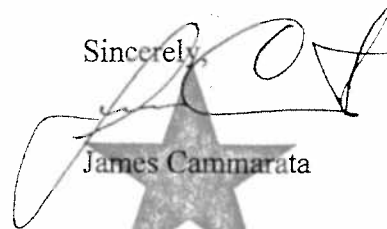
Financial Resources

¹ As of April 13, 2017 the Corporation has determined that the best available §103 Tax Exempt Interest Financing is 2.92%. The rate is subject to change based on the anticipated delivery date of the apparatus. The estimated delivery date of the apparatus is August 1, 2017.



The Corporation is financial stable and solvent. The Corporation's Board of Directors has determined that the proposed financing for the apparatus is in the best fiscal interest of the Corporation. Further, that the current apparatus has exceeded its projected service life, and the cost of retrofitting, as well as allocating increased annual funding, to carry out necessary repairs, is no longer cost effective. The Corporation has adequate funding to meet this proposed obligation, as well as the Corporation's other short and long term fiscal obligations.

Sincerely,



James Cammarata

10

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 20, 2017

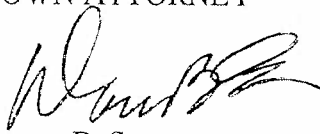
SUBJECT: Oyster Bay Fire Company No. 1
Tax Exempt Financing

Attached herewith is a letter dated May 15, 2017 from James Cammarata, Esq., wherein he advises that the Oyster Bay Fire Department is preparing to enter into a tax-exempt lease/purchase agreement for the purpose of purchasing a replacement tower ladder truck. Pursuant to the U.S. Internal Revenue Code the fire department is permitted to enter into tax-exempt financing, upon the approval of the municipality where the corporation does business.

The Town has no financial obligation concerning this purchase.

In this regard, attached here to is a Public Notice calling for a public hearing and a proposed Town of Oyster Bay Resolution authorizing same.

JOSEPH NOCELLA
TOWN ATTORNEY


Donna B. Swanson
Deputy Town Attorney

DBS:aml
Enclosure
cc: Town Attorney (w/10 copies)

S:\Attorney\RESOS 2017\MD & RESO\OB Fire Co. 1 Lease Purchase.docx



Law Offices of James Cammarata

Attorneys at Law
53 East Main Street
Oyster Bay, New York 11771

DRAFT

(516) 922-4660
Fax: (516) 922-2787
cammaratalaw@verizon.net

May 15, 2017

Community Leasing Partners
Community First National Bank
215 South Seth Child Road
Manhattan, Kansas 66502

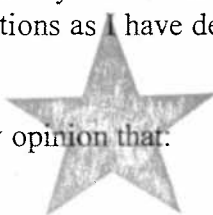
Re: Equipment Lease Purchase Agreement dated as of May 15, 2017
Community Leasing Partners as Lessor, and Oyster Bay Fire
Department, Inc., as Lessee

Gentlemen:

I am counsel to the Oyster Bay Fire Department, Inc, a New York Not-for-Profit Fire Protection Corporation, organized under the Article 14 of the New York Not-for-Profit Corporations Law (the "Borrower"). In connection with this opinion, I have reviewed the subject Equipment Lease Purchase Agreement, (the "Lease"), with a maximum amount of indebtedness in the principal amount of One Million Three Hundred Four Thousand Five Hundred Fifty Six (\$1,304,556.00) Dollars; the Agreement to provide services by and between my Client and the Town of Oyster Bay for firefighting services, to an area known as the Oyster Bay Fire Protection Area; the Escrow Agreement dated as of May 15, 2017, among the Borrower, Community Leasing Partners and Community First National Bank, as escrow agent; all Resolutions and proceedings of the Borrower and the Town of Oyster Bay Board relating to the issuance of the obligation, and all related documents, all dated of even date herewith (collectively, the Lease Purchase Documents).

I have also reviewed the constitution and laws of the State of New York and such applicable court decisions as I have deemed necessary or relevant for purposes of rendering the opinions set forth below, the organization and existence of the Borrower and the proceedings of the Borrower in relation to the Lease Purchase Documents and such other matters as I have deemed necessary or relevant as a basis for this opinion and made such further inquiries and investigations as I have deemed necessary or appropriate for purposes of rendering such opinion.

Based upon the foregoing, it is my opinion that:



1. The Borrower, the Oyster Bay Fire Department, Inc. is the true and correct name of the Organization, and is duly organized as a not-for-profit corporation, and is in good standing under the laws of the State of New York and a "qualified volunteer fire department" as defined under Section 150(e) of the Internal Revenue Code of 1986, as amended, and has the power, authority and legal right to own its properties and to transact the business in which it is engaged.

2. The signatures and representations of the Borrower's Officers have been examined by Counsel, and are the true and accurate signatures of such Officers, and each have the power, authority and full and legal right to execute, deliver and carry out the terms and provisions of the Lease Purchase Documents and has taken all necessary action to obtain all necessary consents and approvals and to authorize the execution, delivery and performance of the Lease Purchase Documents.

3. The execution and delivery of the Lease Purchase Documents and compliance with the respective provisions thereof will not (i) violate any provision of the organization documents of the Borrower, or (ii) violate any law or regulation or any order or decree of any court or governmental instrumentality, or (iii) to my knowledge, conflict with, or result in the breach of, or constitute a default under any indenture, mortgage, deed of trust, agreement or other instrument to which the Borrower is a party or by which it might be bound, or (iv) result in the creation or imposition of any lien, charge or encumbrance of any nature whatsoever upon any property or assets of the Borrower except as contemplated by the Lease Purchase Documents.

4. There are no actions, suits or proceedings pending or threatened against or affecting the Borrower before any Court, arbitrator or governmental or administrative body or agency which might result in any material adverse change in the business, operations, properties or assets or in the condition, financial or otherwise, of the Borrower.

5. No action of, or filing with any governmental or public body or authority is required to authorize, or is otherwise required in connection with, the execution, delivery and performance of the Lease Purchase Documents, except those proceedings held by the Town Board of the Town of Oyster Bay, New York (the "Town"), on the ___ day of May, 2017, wherein the Town Board authorized the Lease Purchase Documents and evidenced by a Town Board Resolution dated _____, 2017. That such proceedings have been conducted and are in compliance with §147(f) of the Internal Revenue Service Code.

6. The Lease Purchase Documents have been duly executed and delivered by the Borrower, and constitute the valid and binding obligations of the Borrower, enforceable in accordance with its respective terms subject to bankruptcy, reorganization and other similar laws affecting the enforcement of creditors' rights generally. There are no bankruptcy proceedings (voluntary or involuntary) pending against the Borrower.

7. The Borrower is the only organizations that provide firefighting services within the Oyster Bay Fire Protection Area in the jurisdiction of the Town and have been continuously and exclusively providing firefighting services in such area pursuant to written agreements between the Town and the Borrower since a date prior to January 1, 1981.

8. The Equipment to be leased pursuant to the Lease constitutes personal property and when subjected to use by the Borrowers will not become a fixture under applicable law.

9. The Leasing of the equipment is exempt from all local and state taxes inclusive of any sales and use taxes as to the Lessee and the Lessor.

10. The authorization, approval and execution of the Lease Purchase Documents and all other proceedings of the Borrower relating to the transactions contemplated thereby have been performed in accordance with all open meeting laws, public bidding laws, and all other applicable state and federal laws.

11. This opinion is rendered to, and may be relied upon by Community Leasing Partners and its successors and assigns and any counsel rendering an opinion relating to the tax exempt status of the obligation of the Borrower with respect to the Lease.

Very truly yours,

James Cammarata

.cc Wayne Baratta, Chief Officer Oyster Bay Fire Department



**CERTIFICATE AS TO CORPORATE RESOLUTIONS
OF THE BOARD OF DIRECTORS
OF
OYSTER BAY FIRE DEPARTMENT, INCORPORATED**

1. The undersigned, the Secretary of the OYSTER BAY FIRE DEPARTMENT, a not-for-profit corporation, duly organized and validly existing under the laws of the State of New York (the "Corporation"), does hereby certify that the following resolutions were duly voted upon by the Membership of the Corporation at a Meeting held for that purpose on July 12, 2016, and pursuant to the By-Laws of the Corporation a quorum was present and the Membership by a vote greater than two-thirds (2/3) approved such resolution and the Board of Directors of the Corporation at a Meeting thereof duly called and held on March 21, 2017, at which time a quorum was present and acted throughout, unanimously voted upon and adopted such resolutions and that said resolutions have not been amended, modified or rescinded, and that they are in full force and effect::

RESOLVED, that the Corporation hereby covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the obligation issued to finance the purchase of a Ferrara Tower Ladder Apparatus to be located at the Departments Headquarters located at 188 South Street, Oyster Bay, New York 11771 (the "Loan") as an obligation described in Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation; and it be further

RESOLVED, that the Corporation hereby empowers, authorizes and directs Wayne Baratta, the Chief Officer of the Corporation to execute and deliver, in the name and on behalf of the Corporation, an Arbitrage and Use of Proceeds Certificate that contains, among others, certifications as to its reasonable expectations regarding the amount and use of the proceeds of the Lease Purchase Agreement, actions and procedures to evidence compliance with all applicable requirements of the Code, including but not

limited to Sections 103, 141, 147(f), 148, 149(d) and 150(e) of the Code and any Treasury Regulations relating thereto, so long as the Loan is outstanding and as shall be necessary or proper for carrying out, giving effect to and consummating the financing and transaction contemplated by this resolution; and it be further

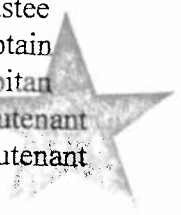
RESOLVED, that Wayne Baratta, the Chief Officer of the Corporation is hereby empowered, authorized and directed to execute and deliver, in the name and on behalf of the Corporation, the document authorized pursuant to the foregoing, and such other and further agreements, instruments, information returns and documents, in connection with the Lease Purchase Agreement, or other interested parties, may require; and it be further

RESOLVED, that any officer of this Corporation be, and each is, authorized and directed to certify, attest to and deliver copies of these resolutions to any interested party.

2. I further certify that the requirements of the by-laws with respect to this transaction have been complied with, including the required two-thirds consent of the Corporation's Membership.

3. I further certify that the following officers have been duly elected as officers of this Corporation and are now qualified and currently serving as such and that their respective titles are as follows:

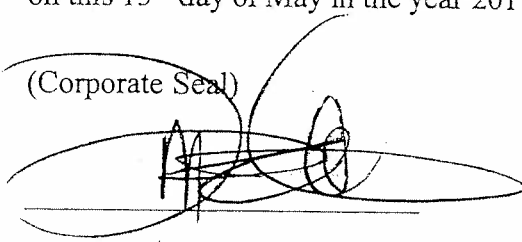
<u>Name</u>	<u>Office</u>
Wayne Baratta	Chief Officer
Frank Mantegari III	Assistant Chief Officer
John Hambrook	Assistant Chief Officer
William Ferris	Treasurer
Anthony DeCarolis	Secretary
Kris Kilgor	Financial Secretary
Sasson Mesbah.	Trustee
Francesco Zangari	Trustee
William Kelly	Trustee
Daryl Ranaldo	Trustee
Cody Exum	Captain
Tracy Kelly	Capitan
Craig Barber	Lieutenant
Joseph Siciliano	Lieutenant



4. I further certify that the execution and delivery by the Corporation of any of the agreements, instruments, information returns or documents authorized in the foregoing resolutions, the consummation of the transactions therein contemplated, and the compliance with the terms and provisions thereof, will not (a) conflict with, constitute a default under, or result in a breach of any (i) terms, conditions or provisions of the Charter or By-Laws of the Corporation(ii) law, regulation, order, writ, injunction or decree of any court or governmental instrumentality, or (iii) agreement or instrument to which the Corporation is a party or by which it is bound to or which it is subject.

IN WITNESS WHEREOF, I have set my hand and the seal of the Corporation on this 15th day of May in the year 2017.

(Corporate Seal)



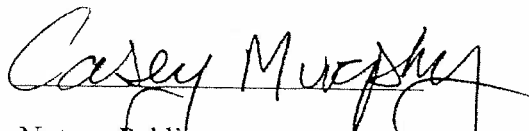
STATE OF NEW YORK

) ss.:

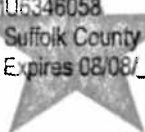
COUNTY OF NASSAU

)

On this 15th day of May in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony DeCarolus, Esq., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Casey Elizabeth Murphy
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6346058
Qualified in Suffolk County
My Commission Expires 08/08/2020



OYSTER BAY FIRE DEPARTMENT, INC.
TAX-EXEMPT FINANCING COMPLIANCE PROCEDURE

Dated as of March 21, 2017

March 21, 2017

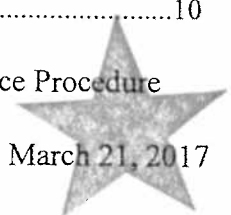


TAX-EXEMPT FINANCING COMPLIANCE PROCEDURE

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March 21, 2017



TAX-EXEMPT FINANCING COMPLIANCE PROCEDURE

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. Capitalized words and terms used in this Compliance Procedure have the following meanings:

“Annual Compliance Checklist” means a questionnaire and/or checklist described in **Section 6.1** hereof that is completed each year for the Tax-Exempt Bonds.

“Annual Report” means the Issuer’s audited financial statements (or unaudited financial statements as permitted by the Continuing Disclosure Undertaking for the Tax-Exempt Bonds) and certain other financial information and operating data required to be filed annually with the MSRB for the Tax-Exempt Bonds.

“Bond Compliance Officer” means the Issuer’s Treasurer or, if the position of Treasurer is vacant, the person filling the responsibilities of the Treasurer for the Issuer.

“Bond Counsel” means a law firm selected by the Issuer to provide a legal opinion regarding the tax status of interest on the Tax-Exempt Bonds as of the issue date or the law firm selected to advise the Issuer on matters referenced in this Compliance Procedure.

“Bond Restricted Funds” means the funds, accounts, and investments that are subject to arbitrage rebate and/or yield restriction rules that have been identified in the Tax Compliance Agreement for the Tax-Exempt Bonds.

“Bond Transcript” means the “transcript of proceedings” or other similarly titled set of transaction documents assembled by Bond Counsel following the issuance of the Tax-Exempt Bonds.

“Code” means the Internal Revenue Code of 1986, as amended.

“Compliance Procedure” means this Tax-Exempt Financing Compliance Procedure.

“Continuing Disclosure Undertaking” means the Continuing Disclosure Agreement(s), Continuing Disclosure Undertaking(s), Continuing Disclosure Instructions or other written certification(s) and agreements of the Issuer setting out covenants for satisfying the Issuer’s requirements for providing information to the MSRB pursuant to SEC Rule 15c2-12 on an ongoing basis for one or more Tax-Exempt Bond issues.

“Cost” or “Costs” means all costs and expenses paid for the acquisition, design, construction, equipping or improvement of a Project Facility or costs of issuing Tax-Exempt Bonds for a Project Facility.

“EMMA” means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at www.emma.msrb.org.

“Final Written Allocation” means the Final Written Allocation of Tax-Exempt Bond proceeds prepared pursuant to **Section 5.4** of this Compliance Procedure.

“Financed Assets” means that part of a Project Facility treated as financed with Tax-Exempt Bond proceeds as reflected in a Final Written Allocation or, if no Final Written Allocation was prepared, the accounting records of the Issuer and the Tax Compliance Agreement for the Tax-Exempt Bonds.

“Governing Body” means the Board of Directors of the Issuer.

“Intent Resolution” means a resolution of the Issuer stating (1) the intent of the Issuer to finance all or a portion of the Project Facility; (2) the expected maximum size of the financing and (3) the intent of the Issuer to reimburse Costs of the Project Facility paid by the Issuer from proceeds of the Tax-Exempt Bonds.

“IRS” means the Internal Revenue Service.

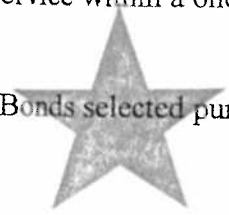
“Issuer” means the Oyster Bay Fire Department Inc.

“MSRB” means the Municipal Securities Rulemaking Board, or any successor repository designated as such by the Securities and Exchange Commission in accordance with Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“Placed In Service” means that date (as determined by the Bond Compliance Officer) when the Project Facility is substantially complete and in operation at substantially its design level.

“Project Facility” means all tangible or intangible property financed in whole or in part with Tax-Exempt Bonds that are (1) functionally related or integrated in use, (2) located on the same physical site or proximate sites, and (3) expected to be Placed In Service within a one-year period of each other.

“Rebate Analyst” means the rebate analyst for the Tax-Exempt Bonds selected pursuant to the Tax Compliance Agreement.



“Regulations” means all regulations issued by the U.S. Treasury Department to implement the provisions of Code §§ 103 and 141 through 150 and applicable to tax-exempt obligations.

“Tax Compliance Agreement” means the Federal Tax Certificate, Tax Compliance Agreement, Arbitrage Agreement, or other written certification or agreement of the Issuer setting out representations and covenants for satisfying the post-issuance tax compliance requirements for the Tax-Exempt Bonds.

“Tax-Exempt Bonds” means any bond, note, installment sale agreement, lease or certificate intended to be a debt obligation of the Issuer or another political subdivision or government instrumentality, the proceeds of which are to be loaned or otherwise made available to the Issuer, and the interest on which is excludable from gross income for federal income tax purposes. A list of all Tax-Exempt Bonds outstanding and subject to this Compliance Procedure as of April 13, 2017, is attached as **Exhibit A**.

“Tax-Exempt Bond File” means documents and records which may consist of paper and electronic medium, maintained for the Tax-Exempt Bonds. Each Tax-Exempt Bond File will include the following information if applicable:

- (a) Intent Resolution.
- (b) Bond Transcript.
- (c) Final Written Allocation and/or all available accounting records related to the Project Facility showing expenditures allocated to the proceeds of the Tax-Exempt Bonds and expenditures (if any) allocated to other sources of funds.
- (d) All rebate and yield reduction payment calculations performed by the Rebate Analyst and all investment records provided to the Rebate Analyst for purposes of preparing the calculations.
- (e) Forms 8038-T together with proof of filing and payment of rebate.
- (f) Investment agreement bid documents (unless included in the Bond Transcript) including:
 - (1) bid solicitation, bid responses, certificate of broker;
 - (2) written summary of reasons for deviations from the terms of the solicitation that are incorporated into the investment agreement; and
 - (3) copies of the investment agreement and any amendments.
- (g) Any item required to be maintained by the terms of the Tax Compliance Agreement involving the use of the Project Facility or expenditures related to tax compliance for the Tax-Exempt Bonds.
- (h) Any opinion of Bond Counsel regarding the Tax-Exempt Bonds not included in the Bond Transcript.
- (i) Amendments, modifications or substitute agreements to any agreement contained in the Bond Transcript.
- (j) Any correspondence with the IRS relating to the Tax-Exempt Bonds including all correspondence relating to an audit by the IRS of the Tax-

- Exempt Bonds or any proceedings under the Tax-Exempt Bonds Voluntary Closing Agreement Program (VCAP).
- (k) Any available questionnaires or correspondence substantiating the use of the Project Facility in accordance with the terms of the Tax Compliance Agreement for the Tax-Exempt Bonds.
 - (l) For refunding bond issues, the Tax-Exempt Bond File for the refunded Tax-Exempt Bonds.

ARTICLE II

PURPOSE AND SCOPE

Section 2.1. Purpose of Compliance Procedure.

(a) Issuer's Use of Tax-Exempt Bonds. The Issuer uses Tax-Exempt Bonds to fund Costs of a Project Facility Project. The Issuer understands that in exchange for the right to issue Tax-Exempt Bonds at favorable interest rates and terms, the Code and Regulations impose ongoing requirements related to the proceeds of the Tax-Exempt Bonds and the Project Facility financed by the Tax-Exempt Bonds. These requirements focus on the investment, use and expenditure of proceeds of the Tax-Exempt Bonds and related funds as well as restrictions on the use of the Project Facility.

(b) IRS Recommends Separate Written Procedures. The Issuer recognizes that the IRS has stated that all issuers of Tax-Exempt Bonds should have separate written procedures regarding ongoing compliance with the federal tax requirements for Tax-Exempt Bonds.

(c) Continuing Disclosure Undertaking; Issuer Commitment. The Issuer is required under the Continuing Disclosure Undertaking to provide disclosures of certain financial information and operating data and to file notices of certain material events to the marketplace to facilitate informed secondary market trading in Tax-Exempt Bonds issued by the Issuer. The Issuer is committed to full compliance with the federal tax and securities law requirements for all of its outstanding and future tax-exempt financings. This Compliance Procedure is adopted by the Governing Body to comply with the IRS and Securities and Exchange Commission directives and to improve tax and securities law compliance and documentation.

Section 2.2. Scope of Compliance Procedure; Conflicts. This Compliance Procedure applies to all Tax-Exempt Bonds currently outstanding and all Tax-Exempt Bonds issued in the future. If the provisions of this Compliance Procedure conflict with a Tax Compliance Agreement, the Continuing Disclosure Undertaking or any other specific written instructions of Bond Counsel, the terms of the Tax Compliance Agreement, Continuing Disclosure Undertaking or specific written instructions of Bond Counsel will supersede and govern in lieu of this Compliance Procedure. Any exception to this Compliance Procedure required by Bond Counsel as part of a future issue of Tax-Exempt Bonds will be incorporated in the Tax Compliance Agreement for the future issue. Any requirements imposed on the Issuer in the Tax Compliance Agreement, will be noted by the Bond Compliance Officer and incorporated into the Annual

Compliance Checklist. The Issuer acknowledges that the Continuing Disclosure Undertaking may also apply to one or more issues of taxable securities issued by the Issuer.

Section 2.3. Amendments and Publication of Compliance Procedure. This Compliance Procedure may be amended from time-to-time by the Governing Body. Copies of this Compliance Procedure and any amendments will be included in the permanent records of the Issuer.

ARTICLE III

BOND COMPLIANCE OFFICER; TRAINING

Section 3.1. Bond Compliance Officer Duties. The Bond Compliance Officer is responsible for implementing this Compliance Procedure. The Bond Compliance Officer will work with other employees that use the Project Facility to assist in implementing this Compliance Procedure. The Bond Compliance Officer will consult with Bond Counsel, legal counsel to the Issuer, accountants, tax return preparers and other outside experts to the extent necessary to carry out the purposes of this Compliance Procedure. The Bond Compliance Officer will report to the Governing Body as necessary, and at least annually, regarding implementation of this Compliance Procedure and any recommended changes or amendments to this Compliance Procedure.

Section 3.2. Training.

(a) Training Programs. When appropriate, the Bond Compliance Officer and/or other employees of the Issuer under the direction of the Bond Compliance Officer will attend training programs offered by the IRS or other industry professionals regarding Tax-Exempt Bonds that are relevant to the Issuer.

(b) Change in Bond Compliance Officer. Any time an individual acting as the Bond Compliance Officer passes the responsibilities for carrying out the provisions of this Compliance Procedure to another individual, the Issuer will ensure the incoming individual acting as Bond Compliance Officer is trained on how to implement the policies and procedures included in this Compliance Procedure to ensure the Issuer's continued compliance with the provisions of this Compliance Procedure and all Tax Compliance Agreements for any outstanding Tax-Exempt Bonds.

ARTICLE IV

TAX-EXEMPT BONDS CURRENTLY OUTSTANDING

Section 4.1. Tax-Exempt Bonds Covered by Article IV Procedures. This Article IV applies to all Tax-Exempt Bonds issued prior to the date of this Compliance Procedure that are currently outstanding. These Tax-Exempt Bonds are listed on **Exhibit A**.

Section 4.2. Tax-Exempt Bond File. As soon as practical, the Bond Compliance Officer will attempt to assemble as much of the Tax-Exempt Bond File as is available for the Tax-Exempt Bonds listed on **Exhibit A**.

Section 4.3. Annual Compliance Checklists. As soon as practical following the adoption of this Compliance Procedure, the Bond Compliance Officer will work with Bond Counsel and/or legal counsel to the Issuer and cause Annual Compliance Checklists to be completed for all outstanding Tax-Exempt Bonds and will follow the procedures specified in Article VI to complete the Annual Compliance Checklists and thereafter include each completed Annual Compliance Checklist in the Tax-Exempt Bond File.

Section 4.4. Correcting Prior Deficiencies in Compliance. In the event the Bond Compliance Officer determines any deficiency in compliance with a Tax Compliance Agreement for an outstanding Tax-Exempt Bond listed on **Exhibit A**, the Bond Compliance Officer will consult with Bond Counsel and, as necessary, follow the procedures described in the Regulations or the Tax-Exempt Bonds Voluntary Closing Agreement Program (VCAP) to remediate the noncompliance. If remediation of the noncompliance requires the Issuer to submit a request under VCAP, the Bond Compliance Officer will undertake this step only after reporting the violation to the Governing Body and obtaining its approval.

ARTICLE V

COMPLIANCE PROCEDURE FOR NEW TAX-EXEMPT BOND ISSUES

Section 5.1. Application. This Article V applies to Tax-Exempt Bonds issued on or after the date of this Compliance Procedure.

Section 5.2. Prior to Issuance of Tax-Exempt Bonds.

(a) Intent Resolution. The Governing Body will authorize and approve the issuance of Tax-Exempt Bonds. Prior to or as a part of the authorizing resolution or ordinance, the Governing Body may adopt an Intent Resolution.

(b) Directions to Bond Counsel. The Bond Compliance Officer will provide a copy of this Compliance Procedure to Bond Counsel with directions for Bond Counsel to structure the documentation and procedural steps taken prior to issuing the Tax-Exempt Bonds so that they conform to the requirements of this Compliance Procedure, except to the extent Bond Counsel determines that different procedures are required. The Bond Compliance Officer will consult with Bond Counsel so that appropriate provisions are made to fund or reimburse the Issuer's costs and expenses incurred to implement this Compliance Procedure.

(c) Tax Compliance Agreement. For each issuance of Tax-Exempt Bonds, a Tax Compliance Agreement will be signed by the Bond Compliance Officer. The Tax Compliance Agreement will (1) describe the Project Facility and the anticipated Financed Assets, (2) identify

all Bond Restricted Funds and provide for arbitrage and rebate compliance, (3) for new money financings, require a Final Written Allocation, and (4) contain a form of the Annual Compliance Checklist for the Tax-Exempt Bonds. The Bond Compliance Officer will confer with Bond Counsel and the Issuer's counsel regarding the meaning and scope of each representation and covenant contained in the Tax Compliance Agreement.

(d) Preliminary Cost Allocations. For each issuance of Tax-Exempt Bonds, the Bond Compliance Officer in consultation with Bond Counsel, will prepare a preliminary cost allocation plan for the Project Facility. The preliminary cost allocation plan will identify the assets and expected costs for the Project Facility, and when necessary, will break-out the portions of Costs that are expected to be financed with proceeds of the Tax-Exempt Bonds (the "Financed Assets") and the portions, if any, expected to be financed from other sources.

(e) Tax Review with Bond Counsel. Prior to the sale of Tax-Exempt Bonds, the Bond Compliance Officer and Bond Counsel will review this Compliance Procedure together with the draft Tax Compliance Agreement to ensure that any tax compliance issues in the new financing are adequately addressed by this Compliance Procedure and/or the Tax Compliance Agreement. If Bond Counsel determines that this Compliance Procedure conflicts with the Tax Compliance Agreement, or must be supplemented to account for special issues or requirements for the Tax-Exempt Bonds, the Bond Compliance Officer will ask Bond Counsel to include the written modifications or additions in the final Tax Compliance Agreement. The Bond Compliance Officer will request Bond Counsel to prepare a form of Annual Compliance Checklist for use in monitoring the ongoing compliance requirements for the Tax-Exempt Bonds.

Section 5.3. Accounting and Recordkeeping

(a) Accounting for New Money Projects. The Bond Compliance Officer will be responsible for accounting for the investment and allocation of proceeds of the Tax-Exempt Bonds. The Bond Compliance Officer will establish separate accounts or subaccounts to record expenditures for Costs of the Project Facility. Where appropriate, the Bond Compliance Officer may use accounts established as part of the Issuer's financial records for this purpose. In recording Costs for the Project Facility, the Bond Compliance Officer will ensure that the accounting system will include the following information: (1) identity of person or business paid, along with any other available narrative description of the purpose for the payment, (2) date of payment, (3) amount paid, and (4) invoice number or other identifying reference.

(b) Accounting for Refunded Bonds and Related Refunded Bond Accounts. For Tax-Exempt Bonds that are issued to refund prior Tax-Exempt Bonds, the Tax Compliance Agreement will set out special accounting and allocation procedures for the proceeds of the financing, and if necessary proceeds of the refinanced Tax-Exempt Bonds.

(c) Tax-Exempt Bond File. The Bond Compliance Officer will be responsible for assembling and maintaining the Tax-Exempt Bond File. The Annual Reports, other reports and notices of certain material events filed by the Issuer with the MSRB will be publicly available on EMMA and need not be separately maintained in the Tax-Exempt Bond File.

Section 5.4. Final Allocation of Bond Proceeds.

(a) Preparation of Final Written Allocation; Timing. The Bond Compliance Officer is responsible for making a written allocation of proceeds of Tax-Exempt Bonds to expenditures and identifying the Financed Assets. This process will be memorialized in the Final Written Allocation. For a new money financing, the Bond Compliance Officer will commence this process as of the earliest of (1) the requisition of all Tax-Exempt Bond proceeds from any segregated Tax-Exempt Bond funded account, (2) the date the Project Facility has been substantially completed or (3) four and one-half years following the issue date of the Tax-Exempt Bonds. For Tax-Exempt Bonds issued only to refund a prior issue of Tax-Exempt Bonds, the Bond Compliance Officer will work with Bond Counsel to prepare and/or document the Final Written Allocation for the Project Facility financed by the refunded Tax-Exempt Bonds and include it in the Tax Compliance Agreement.

(b) Contents and Procedure. The Bond Compliance Officer will consult the Tax Compliance Agreement and, if necessary, contact Bond Counsel to seek advice regarding any special allocation of Tax-Exempt Bond proceeds and other money of the Issuer to the Costs of the Project Facility. If no special allocation is required or recommended, the Bond Compliance Officer will allocate Costs of the Project Facility to the proceeds of the Tax-Exempt Bonds in accordance with the Issuer's accounting records. Each Final Written Allocation will contain the following: (1) a reconciliation of the actual sources and uses to Costs of the Project Facility, (2) the percentage of the cost of the Project Facility financed with proceeds of the Tax-Exempt Bonds (sale proceeds plus any investment earnings on those sale proceeds), (3) the Project Facility's Placed in Service date, (4) the estimated economic useful life of the Project Facility, and (5) any special procedures to be followed in completing the Annual Compliance Checklist (e.g., limiting the Annual Compliance Checklist to specific areas of the Project Facility that the Final Written Allocation or the Tax Compliance Agreement treats as having been financed by Tax-Exempt Bonds).

(c) Finalize Annual Compliance Checklist. As part of the preparation of the Final Written Allocation, the Bond Compliance Officer will update the draft Annual Compliance Checklist contained in the relevant Tax Compliance Agreement. The Bond Compliance Officer will include reminders for all subsequent arbitrage rebate computations required for the Tax-Exempt Bonds in the Annual Compliance Checklist.

(d) Review of Final Written Allocation and Annual Compliance Checklist. Each Final Written Allocation and Annual Compliance Checklist will be reviewed by legal counsel to the Issuer or Bond Counsel for sufficiency and compliance with the Tax Compliance Agreement and this Compliance Procedure. Following the completion of the review, the Bond Compliance Officer will execute the Final Written Allocation.

ARTICLE VI

ONGOING MONITORING PROCEDURES

Section 6.1. Annual Compliance Checklist. An Annual Compliance Checklist will be completed by the Bond Compliance Officer each year following completion of the Final Written Allocation. Each Annual Compliance Checklist will be designed and completed for the purpose of identifying potential noncompliance with the terms of the Tax Compliance Agreement or this Compliance Procedure and obtaining documents (such as investment records, arbitrage calculations, or other documentation for the Project Facility) that are required to be incorporated in the Tax-Exempt Bond File. The Bond Compliance Officer will refer any responses indicating a violation of the terms of the Tax Compliance Agreement to legal counsel to the Issuer or Bond Counsel and, if recommended by counsel, will follow the procedure set out in **Section 4.4** hereof to remediate the non-compliance.

Section 6.2. Arbitrage and Rebate Compliance. The Bond Compliance Officer will monitor the investment of Bond Restricted Funds and provide investment records to the Rebate Analyst on a timely basis. The Bond Compliance Officer will follow the directions of the Rebate Analyst with respect to the preparation of and the timing of rebate or yield reduction computations.

ARTICLE VII

CONTINUING DISCLOSURE

Section 7.1. Annual Disclosure Filings. For each issuance of Tax-Exempt Bonds, the Bond Compliance Officer will review the Continuing Disclosure Undertaking to determine the financial information and operating data required to be included in the Annual Report to be filed by the Issuer with the MSRB on EMMA. The Bond Compliance Officer will cause the Annual Report to be filed with the MSRB on EMMA within the time limits provided in the Continuing Disclosure Undertaking for the Tax-Exempt Bonds.

Section 7.2. Material Event Disclosure Filings. For each outstanding issue of Tax-Exempt Bonds, the Bond Compliance Officer will review the Continuing Disclosure Undertaking to determine the “material events” that require prompt notice to be filed with the MSRB. Generally, the occurrence of any of the following events with respect to the Tax-Exempt Bonds represents a “material event:”

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;

- (6) adverse tax opinions, the issuance by the IRS of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Tax-Exempt Bonds, or other material events affecting the tax status of the Tax-Exempt Bonds;
- (7) modifications to rights of bondholders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of property securing repayment of the Tax-Exempt Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) the consummation of a merger, consolidation, or acquisition involving the obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) appointment of a successor or additional trustee or the change of name of the trustee, if material.

After obtaining actual knowledge of the occurrence of any event that the Bond Compliance Officer believes may constitute an event requiring disclosure, the Bond Compliance Officer will contact Bond Counsel to determine if notice of the event is required to be given to the MSRB under the Continuing Disclosure Undertaking. If it is determined that notice should be provided to the MSRB or is required to be provided to the MSRB by the Continuing Disclosure Undertaking, the Bond Compliance Officer will cause the appropriate notice to be filed with the MSRB on EMMA within 10 business days after the occurrence of the event or as otherwise directed by Bond Counsel.

ADOPTED BY THE OYSTER BAY FIRE DEPARTMENT INC.
March 21, 2017



EXHIBIT A

**LIST OF TAX-EXEMPT BONDS COVERED BY THIS COMPLIANCE
PROCEDURE**

1. Volunteer Fire Department



WHEREAS, Neil O. Bergin, Commissioner of Environmental Resources, by memorandum dated June 22, 2017, requests and recommends Town Board authorization to waive adoption fees of \$80.00 for a dog and \$84.00 for a cat at the Town of Oyster Bay Animal Shelter for the week of August 14, 2017 through August 19, 2017, in recognition of International Homeless Animals' Day on August 19, 2017 which, since 1992, has grown to a worldwide movement celebrated in all 50 states and 6 continents around the world to increase awareness of pet overpopulation, and in an effort of the Town to increase adoptions at the Animal Shelter,

WHEREAS, this Town Board deems such waiver to be a worthwhile endeavor, which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and Neil O. Bergin, Commissioner of the Department of Environmental Resources is authorized to waive adoption fees of \$80.00 for a dog and \$84.00 for a cat for the week of August 14, 2017 through August 19, 2017, in recognition of International Homeless Animals' Day with all services to be provided with adoption including spay or neuter, vaccination and microchipping on the abovementioned dates.

#

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources

Reviewed By
Office of Town Attorney

15

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

June 22, 2017

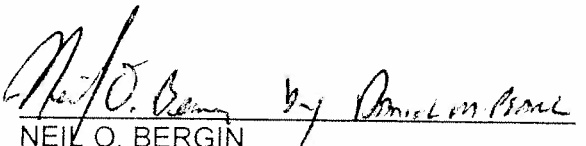
TO: The Memorandum Docket

FROM: Neil O. Bergin, Commissioner of Environmental Resources

SUBJECT: FREE ADOPTIONS FOR THE WEEK OF AUGUST 14th
THROUGH AUGUST 19th, 2017

Saturday August 19th 2017 is International Homeless Animals' Day. The objective of this day is to increase awareness of pet overpopulation. The third Saturday of August was first recognized as International Homeless Animals' Day in 1992 and has since grown to a worldwide movement that is celebrated in all 50 states and 6 continents around the world.

In recognition of this day and in an effort to increase adoptions at the Animal Shelter, The Town of Oyster Bay Animal Shelter is requesting Town Board approval to waive adoption fees of \$80.00 for a dog and \$84.00 for a cat for the week of August 14th through August 19th, 2017. All services provided with adoption including spay or neuter, vaccination and microchipping will still be given.


NEIL O. BERGIN
Commissioner of Environmental Resources



NOB/bp
Copy: Town Attorney - w/ 10 copies
Daniel M. Pearl, Deputy Commissioner of Environmental Resources
Christine Wiss, Deputy Comptroller



WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated June 22, 2017, requested authorization for the Town of Oyster Bay Animal Shelter to accept a donation of \$250.00 donated by Highway Safety Protection Corp., said gift would benefit the Town by adding to the funds needed to purchase equipment and supplies for the Animal Shelter,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Board hereby authorizes the Department of Environmental Resources to accept the above stated donation, and that said donation be deposited in Account No. DER A 3510 41600 000 0000.

-#-


Reviewed By
Office of Town Attorney


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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources

110

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 22, 2017

TO: The Memorandum Docket

FROM: Neil O. Bergin, Commissioner of Environmental Resources

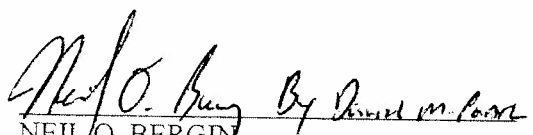
SUBJECT: ACCEPTANCE OF GIFTS TO THE ANIMAL SHELTER:
Donations to the Animal Shelter

The Department of Environmental Resources requests the Town Board approval to accept the following donation presented to the Animal Shelter:

\$250.00 donated by Highway Safety Protection Corp.

This gift would benefit the Town by adding to the funds needed to purchase equipment and supplies for the shelter.

We respectfully request that the Town approve this donation, and that it be deposited in account DER A 3510 41600 000 0000.


NEIL O. BERGIN
Commissioner of Environmental Resources

NOB/bp

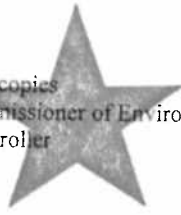
Attachment

Copy: Town Attorney - w/ 10 copies

Daniel M. Pearl, Deputy Commissioner of Environmental Resources

Christine Wiss, Deputy Comptroller

DER File no. G500



HIGHWAY SAFETY PROTECTION CORP

12-10

P. O. BOX 677
SYOSSET, NY 11791

TD BANK
AMERICA'S MOST CONVENIENT BANK

9183

1-1367/260

159
CHECK ARMOR

6/10/17

PAY TO THE
ORDER OF

Town of Oyster Bay Animal Center

\$ 250⁰⁰/₁₀₀

Two hundred & FIFTY

DOLLARS

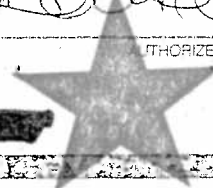
MEMO

Donation

[Handwritten Signature]

AUTHORIZED SIGNATURE

009183



WHEREAS, Len Margolis, President, Locust Valley Chamber of Commerce, by letter dated May 31, 2017, has requested the closure of the parking area near the railroad crossing between Forest Ave. and Elm Street and parking field LV-1 in Locust Valley, on Saturday August 5th from 10:00 a.m. until 4:00 p.m. (rain date of August 12th), and the use of twelve (12) complete barricades, for the Chamber's 18th Annual Summer Locust Valley Sidewalk Sale; and

WHEREAS, John P. Bishop, Acting Deputy Commissioner of the Highway Department, by memorandum dated June 23, 2017, has advised that he 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 5, 2017 from 10:00 a.m. to 4:00 p.m. for their 18th Annual Summer Locust Valley Sidewalk Sale or on August 12, 2017 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 4, 2017 through Monday August 7, 2017, or in the event that the rain date is utilized, from Friday August 11, 2017 through Monday August 14, 2017; 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, 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; and

NOW, THEREFORE BE IT RESOLVED, that the request as hereinabove stated 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 5, 2017 from 10:00 a.m. to 4:00 p.m. for the Locust Valley Chamber of Commerce's 18th Annual summer Locust Valley Sidewalk Sale or on August 12, 2017 should it become necessary to utilize the rain date, as well as provide twelve (12) complete barricades, to be delivered on Friday August 4, 2017 and picked up on Monday August 7, 2017, or, in the event that the rain date is utilized, from Friday August 11, 2017 through Monday August 14, 2017, subject to the following terms and conditions:

7/11/17
Reviewed By
Office of Town Attorney
[Signature]

- 1. The use of all Town property and equipment shall be in conformance with the direction of the Acting 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;
- 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Highway

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 23, 2017

TO: MEMORANDUM DOCKET

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

SUBJECT: LOCUST VALLEY CHAMBER OF COMMERCE
18th ANNUAL SUMMER LOCUST VALLEY SIDEWALK SALE
AUGUST 5th, 2017 (RAIN DATE AUGUST 12th 2017)

Enclosed please find a copy of the letter from Len Margolis, President of Locust Valley Chamber of Commerce, requesting our assistance on behalf of the Locust Valley Chamber of Commerce in conducting their 18th Annual summer Locust Valley Sidewalk Sale on Saturday, August 5th, 2017 (Rain Date August 12th 2017).

The Highway Department has no objection to the Locust Valley Chamber of Commerce closing off the island on Birch Hill Road (near the Railroad Crossing) and parking field LV-1 in Locust Valley on Saturday, August 5th, 2017 from 10:00 A.M. until 4:00 P.M. for their sidewalk sale or on August 12th, 2017 should it become necessary to utilize the Rain Date.

Further, since Birch Hill Road in Locust Valley is a County roadway, we are requesting a letter be sent to Shila Shah Gavnoudias, P.E. Commissioner, Nassau County Department of Public Works requesting permission for Locust Valley Chamber of Commerce to close off the island on Birch Hill Road in Locust Valley during the 18th Annual summer Locust Valley Sidewalk Sale on August 5th, 2017 and possibly on the Rain Date of August 12th 2017.

In addition, the Highway Department will be pleased to provide twelve (12) complete barricades for the event from Friday, August 4, 2017 through Monday, August 7, 2017, or in the event the rain date is utilized then Friday, August 11, 2017 through Monday, August 14, 2017.

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, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw

C: Town Attorney (10) copies
Richard Lenz, P.E., Commissioner DPW
Doug Robalino, General Foreman
Justin McCaffrey, Commissioner, Public Safety Department



Locust Valley Chamber of Commerce

P.O. Box 178
Locust Valley, New York 11560
www.locustvalleychamber.com

May 31, 2017

John Bishop
Acting Deputy Commissioner of Highway
150 Miller Place
Syosset, NY 11791

Dear Mr. Bishop,

The Locust Valley Chamber of Commerce will be holding its 18th Annual summer Locust Valley Sidewalk Sale on Saturday, August 5th, from 10 a.m. until 4 p.m. (rain date of Aug. 12th). 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-
LV Chamber of Commerce

DATE (MM/DD/YYYY)
05/10/2017

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.
500 North Broadway, Suite 231
Jericho, NY 11753
REARDON RAPLEE LINDNER

518-676-0070

CONTACT REARDON RAPLEE LINDNER

PHONE (Apt. No.) 516-676-0070

FAX 516-676-0258

100, No. 1
 E-MAIL
 ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAME

INSURER A: MT. VERNON INSURANCE CO.

INCLUDES:

INSURER G:

INFLUENZA D:

INSURER E:

ENCLOSURE #:

INSURED **Locust Valley Chamber of
Commerce
P O Box 178
Locust Valley, NY 11560**

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR		TYPE OF INSURANCE		ADDL SUBR WRD		POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY							EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/>	CLAIMS-MADE	<input checked="" type="checkbox"/> OCCUR	X		NBP2552266	05/04/2017	05/04/2018	DAMAGE TO RENTED PREMISES (EA OCCURRENCE)	\$ 100,000
	<input type="checkbox"/>								MED EXP (Any one person)	\$ 5,000
	<input type="checkbox"/>								PERSONAL & ADY INJURY	\$
	<input type="checkbox"/>								GENERAL AGGREGATE	\$ 1,000,000
	<input type="checkbox"/>								PRODUCTS - COMPROP AGG	\$
	<input type="checkbox"/>									\$
	<input type="checkbox"/>	GEN'L AGGREGATE LIMIT APPLIES PER:							COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/>	POLICY	<input type="checkbox"/> PRO-JECT	<input type="checkbox"/> LOC					BODILY INJURY (Per person)	\$
	<input type="checkbox"/>	OTHER:							BODILY INJURY (Per accident)	\$
	<input type="checkbox"/>								PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/>									\$
	<input type="checkbox"/>	AUTOMOBILE LIABILITY							EACH OCCURRENCE	\$
	<input type="checkbox"/>	ANY AUTO OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS						AGGREGATE	\$
	<input type="checkbox"/>	HIRE AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY							\$
	<input type="checkbox"/>									\$
	<input type="checkbox"/>	UMBRELLA LIAB	<input type="checkbox"/> OCCUR							\$
	<input type="checkbox"/>	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE							\$
	<input type="checkbox"/>	DED	RETENTION \$							\$
	<input type="checkbox"/>	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							PER STATUTE	Oth-ER
	<input type="checkbox"/>	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NH)		Y/N		N/A			E.L. EACH ACCIDENT	\$
	<input type="checkbox"/>								E.L. DISEASE - EA EMPLOYEE	\$
	<input type="checkbox"/>								E.L. DISEASE - POLICY LIMIT	\$
	<input type="checkbox"/>	If yes, describe under DESCRIPTION OF OPERATIONS below.								

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

re: August 5, 2017 (raindate August 14, 2017)
Sale under the Sun

CERTIFICATE HOLDER

TOWN0Y2

**TOWN OF OYSTER BAY
74 AUDREY AVENUE
OYSTER BAY, NY 11771**

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Mikhail Ventsian

ACORD 25 (2016/03)

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Office of Town Attorney

Locust Valley Chamber of Commerce
Policy # NBP2552266
POLICY NUMBER: 05/04/17 - 05/04/18
Mt Vernon Fire Insurance Company
COMMERCIAL GENERAL LIABILITY
CG 20 26 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s): Town of Oyster Bay 74 Audrey Ave Oyster Bay, NY 11771
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

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

This Agreement is made this 30th day of May 2017, by Lacust 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 Baricades needed to close off Roadway

for the event described as Sale Under The Sun Sidewalk Sale
The property/equipment is needed from Aug. 4th 2017 (End Date 8/11/17) Aug 7th 2017 (End Date
The event for which the property and/or equipment is requested ☐ is ☒ is not a profit making event. 8/14/17

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 - [REDACTED]

Reviewed By
Office of Town Attorney

 **Bill K. Smith**
Mayor

DATE: 6/1/17
TO: HIGHWAY OPERATIONS
SUBJECT: Locust Valley CC 18th Annual Sidewalk Sale

PLEASE DELIVER TO: DATE OF EVENT: August 5, 2017

LV-1 between Forest Ave and
Elm Street

BARRICADES: 12

CONES:

CONTACT: Len Margolis
516- [REDACTED]

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 8/4/17

PICKUP ON: 8/7/17

SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/taw


JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Peter Brown, Regional Foreman 009
Jim Ajamian, Area Foreman 011
Jeff VanNostrand
Public Safety Division
Dan Kornfeld

Reviewed By
Office of Town Attorney


WHEREAS, Janet Muller, Co-Chair, Hicksville Chamber of Commerce, by letter dated March 1, 2017, requested the use of Municipal Parking Fields H-5 and H-6 in Hicksville, Town of Oyster Bay, on Sunday June 4, 2017 from 8 AM until 8 PM, and the posting of "No Parking" signs in said lots for June 4, 2017, for the Hicksville Chamber of Commerce's 15th Annual Hicksville Summer Street Fair, as well as ten (10) complete barricades and fifteen (15) yellow SORT pails; and

WHEREAS, at its meeting on May 23, 2017, the Town Board adopted Resolution No. 296-2017, thereby approving this request; and

WHEREAS, due to rain forecast for subject weekend, the Hicksville Chamber of Commerce cancelled the event;

WHEREAS, the Hicksville Chamber of Commerce, by letter dated June 2, 2017, has requested that the event be rescheduled to July 16, 2017; and

WHEREAS, John Bishop, Acting Deputy Commissioner of the Highway Department, by memoranda dated June 23, 2017 and May 15, 2007, has advised that the aforementioned 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 the Hicksville Chamber of Commerce; and,

NOW, THEREFORE BE IT RESOLVED, that the request previously set forth and approved in Resolution No. 296-2017, is hereby approved, and the Highway Department is authorized to provide the use of Municipal Parking Fields H-5 and H-6 in Hicksville on Sunday July 16, 2017 from 8 A.M. until 8 P.M., and the posting of "No Parking" signs in said lots for the Hicksville Chamber of Commerce's 15th Annual Hicksville Summer Street Fair, as well as provide ten (10) complete barricades and fifteen (15) yellow SORT pails, to be delivered on Friday July 14, 2017 and picked up on Monday July 17, 2017, 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 Acting 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; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amount of \$1,000,000 bodily injury and \$2,000,000 general aggregate, naming the Town of Oyster Bay as an additional insured in connection with the aforesaid 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Highway

Reviewed By
Office of Town Attorney
[Signature]

12

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 23, 2017

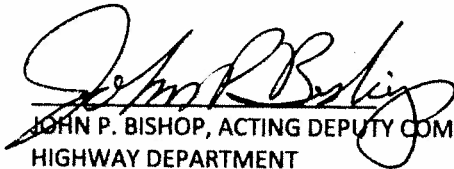
TO: MEMORANDUM DOCKET

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

SUBJECT: CORRECTION OF RESOLUTION 296-2017 PASSED May 23, 2017 to reflect NEW DATE
HICKSVILLE CHAMBER OF COMMERCE
15TH ANNUAL SUMMER STREET FAIR
TO BE HELD JULY 16TH 2017 DUE TO RAIN

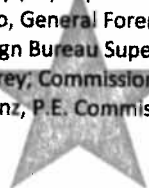
Resolution #296-2017 was passed on May 23, 2017, for Hicksville Chamber of Commerce to hold their annual summer street fair on June 4, 2017. Due to rain forecasted for that weekend, the chamber cancelled the event. A new request was made to hold the event on July 16, 2017. This memo is a request to correct resolution 296-2017 to reflect the new date of July 16, 2017.

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


JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw

C: Town Attorney (10) copies
Doug Robalino, General Foreman 002
Steve Kelly, Sign Bureau Supervisor
Justin McCaffrey, Commissioner, Dept. of Public Safety
Richard W. Lenz, P.E. Commissioner of DPW





HICKSVILLE CHAMBER OF COMMERCE

Po Box 7- Hicksville, New York 11802
Phone- 516- 931-7170 Fax- 516- 931-8546

HIGHWAY DEPARTMENT

6/2/17

Town of Oyster Bay
Department of Public Works- Public Parking Bureau
150 Miller Place
Syosset, New York 11791

ATT: Terry Wulforst

RE: Hicksville Chamber of Commerce- 15th Annual Summer Street Fair- July 16, 2017
Location- West John Street to Herzog Place, Hicksville

Dear Terry,

We are looking to secure our permits for the above location for our 15th Annual Summer Street Fair (Kennedy Memorial Park) from 8:00 am to 8:00 pm in Parking Lot #H6- the west side of Broadway and the south side of Kennedy Memorial Park and Lot #H5 which is immediately west of H6- across Jerusalem Avenue and to obtain approval for the temporary closing of the above mentioned streets.

Please forward your Hold Harmless Agreement as soon as possible so I can get that signed and returned with our Insurance Certificate.

Respectfully,

JANET MULLER- Co-chair

PO Box 7- Hicksville, NY 11802
www.hickvillechamber.com

Phone- 516-931-7170

Fax- 516-931-8546
info@hickvillechamber.com



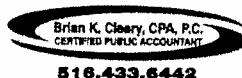
[Home](#)[Chamber Members](#)[Events Calendar](#)[Coupons](#)[Contact Us](#)**15th Annual Summer Street Fair 2017** - Add to Outlook Calendar

Date: 7/16/2017

Hours: 11:00 AM - 6:00 PM

Address: Intersection of Jerusalem Ave. West John Street & Broadway - Just north of the LIRR Train Trestle, Hicksville, NY 11801

**DATE CHANGE!!
THE HICKSVILLE STREET FAIR IS
RESCHEDULED FOR SUNDAY
JULY 16th**

**Special Thanks To Our Sponsors!!****SCROLL DOWN FOR VENDOR SET-UP & INSTRUCTIONS****[CLICK HERE TO DOWNLOAD STREET FAIR APPLICATION](#)****SPONSORSHIP OPPORTUNITIES STILL AVAILABLE**

HICKS-1
CERTIFICATE OF LIABILITY INSURANCE

QP ID: DD

DATE (MM/DD/YYYY)
06/02/2017

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 Montana Agency Inc. 115 North Broadway Hicksville, NY 11801 Montana Agency Inc.	516-938-3600	CONTACT Montana Agency Inc. PHONE (A/C No. Ext): 516-938-3600 FAX (A/C No.): 516-935-3535 ADDRESS:
INSURED Hicksville Chamber Of Commerce P O Box 7 Hicksville, NY 11802	INSURER'S AFFORDING COVERAGE INSURER A: PHILADELPHIA INS CO INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 230850

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	TYPE OF INSURANCE	ADD. INSR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
1/28		1/28		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	EV15241	07/14/2017	07/19/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMPROP AGG \$ 3,000,000
	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					COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMERSON EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
SPECIAL EVENT 7-14-2017
CERTIFICATE HOLDER IS INCLUDED AS ADDITIONAL INSURED - PER ENDORSEMENT
PIA3010 ATTACHED.

CERTIFICATE HOLDER

CANCELLATION

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

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2018/03)

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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
54 Audrey Avenue
Oyster Bay, NY 11771

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney



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

This Agreement is made this 6th day of June 2017, by The Hicksville Chamber of Commerce (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as the showmobile, 10 barricades, 15 garbage pails For the event described as the 15th Annual Summer Street Fair. The property/equipment is need from 8:00 am July 16th to 8:00 pm on July 16th, 2017. July 14, 2017 - July 17, 2017
The event for which the property and/or equipment is requested () is (☒) is not a not a profit making event.

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

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

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

Name of Organization:

Hicksville Chamber of Commerce

Address of Organization:

PO Box 7

Hicksville, New York 11802

Authorized Representative

Title: David J. [Signature] President

Telephone Number: 516 [Redacted]

Reviewed By
Office of Town Attorney

[Signature]

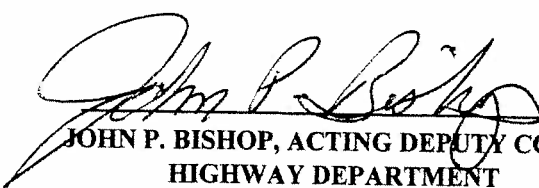
DATE: 6/7/17
TO: HIGHWAY OPERATIONS
SUBJECT: Hicksville CC 15th Annual Summer Street Fair

PLEASE DELIVER TO:	DATE OF EVENT:	7/16/17
Lot H-5	SNOW FENCE:	
Lot H-6, Kennedy Memorial Park	BARRICADES:	10
Hicksville	CONES:	
CONTACT: Janet Muller	SHORT PAILS:	15
516- [REDACTED]	PORTABLE LIGHTS:	
	GENERATOR:	
	PACKER:	
	DELIVER ON:	7/14/17
	PICKUP ON:	7/17/17

SWEEPING BEFORE AFFAIR IS NEEDED:	XX	
	YES	NO

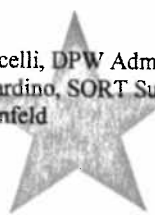
Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/taw


JOHN P. BISHOP, ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 002
Greg Marchese, Area Foreman 012
Jeff VanNostrand
Public Safety Division

Rich Porcelli, DPW Admin
John Guardino, SORT Supervisor
Dan Kornfeld



Meeting of July 11, 2017

Resolution No. 400-2017

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated June 23, 2017, recommended that a refund in the amount of \$400.00 be authorized to Mr. Robert Young, 42 Perry Avenue, Bayville, New York 11709, from account number PAD B 0001 02555 000 0000, for two extension of time fees paid under Building Permit Nos. R17001833 and R17001834, because the construction of a dormer and coal burning stove did not occur as verified by the building inspector,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Planning and Development is hereby authorized to issue Mr. Robert Young a refund in the amount of \$400.00, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 0001 02555 000 0000.

-#-

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

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

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

Reviewed By
Office of Town Attorney

17
TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 23, 2017

TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
SUBJECT: RESIDENT REFUND

Pursuant to the Code of the Town of Oyster Bay, this department granted two extensions of time in the amount of \$400.00, for two (2) open permits, Building Permit Numbers R17001833 and R17001834, on April 26, 2017. A building inspector verified on May 2, 2017 that the two open permits were never constructed and therefore, the amount of \$400.00 is being refunded.

Therefore, in light of the aforementioned facts, a four hundred dollar (\$400.00) refund for the building permit extension of time fees associated with Building Permit Numbers R17001833 and R17001834 should be refunded to Mr. Robert Young, 42 Perry Avenue, Bayville, New York 11709 under account number PAD B 0001 02555 000 0000.


ELIZABETH L. M. CARBONE
COMMISSIONER



ELM:EL

6/23/2017 10:00 AM

NANCY L YOUNG 17040463*
 ROBERT J. YOUNG 17040464*
 60 WILLETS DR.
 SYOSSET, NY 11791-3918 17040462

1-759172-4

920

DATE 4/26/17

PAY TO
 THE ORDER OF

Town of Oyster Bay

\$ 600

Six Hundred

DOLLARS A

ASTORIA
 BANK

www.astoriabank.com

100 ASTORIA

MEMO 576 864 0471

[Signature]

DEF

VOID IF COPY

DEPOSIT ONLY
 Town of Oyster Bay
 5429000764

PAY TO THE ORDER OF
 CAPITAL ONE BANK

FOR DEPOSIT ONLY
 TOWN OF OYSTER BAY

>065000090<

CAPITAL ONE, NA

042620

RICHMOND, VA 075 23

Deposit



TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY # ☐

129-28-3729

CLAIMANT'S NAME

Robert Young

CONTRACT #

ORDER #

CLAIMANT'S ADDRESS

60 Willets Drive Syosset New York 11791

CONTRACT NAME

TOWN DEPARTMENT

Planning & Development

CLAIMANT INVOICE #

RESO /

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

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

[illegible]

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

REPLY: CONNOR and above articles were valid and delivered under the above service rendered to the favor of the states and for the progress of humanity, that the above bills just, true and correct, that is, and that the bills of the except is stated therein, and that the balance is stated in the appendix of the last page of the same and except is stated therein and that the above bills are stated in the appendix of the last page of the same and except is stated therein and that the above bills are stated in the appendix of the last page of the same and except is stated therein.

1000

CASH ON HAND

191 185 180

[Signature]

[illegible]

Building Permit

R17001833

Town of Oyster Bay
Department of Planning and Development
Phone: 516-624-6200



74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

How District	Section/Block/Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
	A-87-53	R1-7	17040463			01000429300
Contractor		MAINTAIN				
Plumber						
Electrician						
Tenant						
Estimated Cost of Construction \$0						

Vac Permit

GA 5-27

The Town of Oyster Bay is not responsible for the construction or maintenance of the improvement listed hereon. The issuance of this Permit shall not be deemed to be an acknowledgment by the Town of Oyster Bay of the responsibility of any other party for the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvement listed hereon is conditioned upon the issuance of a building permit and Certificate of Occupancy for any and all other improvements to the subject premises.

A building permit is required to be placed on file prior to issuance of a Certificate of Occupancy/Approval/Completion.

PAID	FEET	OF	Post Office
			STOSSET
PAID	BALANCE		
200.00	0.00		
200.00	0.00		

TOTAL DUE \$200.00

Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.

INSPECTIONS

Inspections that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

FOUNDING INSPECTIONS

- * Underground plumbing - before backfilling
- * Rough plumbing - before closed and ready for test
- * Final inspection when all fixtures are set
- * Sewer connection
- * Sanitary systems (Exhaust and precipitation)
- * Installation or replacement of boilers (oil, gas, electric)
- * All Tanks in ground or above ground with Building Division for required testing and inspection
- * Pressure tests are required for any natural or propane gas installation
- * Alteration or replacement
- * Hydrostatic pressure testing must be witnessed by a plumbing inspector for all fire sprinkler systems

DRAINAGE, SITE WORK, & RETAINING WALLS:

Contact Planning and Development site engineer

ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW

Final approval will not be issued for this project until all of the required landscaping has been installed and inspected satisfactorily. Bond in the amount of \$_____ has been posted with the Town of Oyster Bay

04/26/2017

Work Must Start By:

This permit will expire unless renewed prior to expiration.

This permit is valid for all inspections.

Permit #

TOWN OF OYSTER BAY

ITEM 1 OF 3

PERMIT RECEIPT

OPERATOR: sgerber
COPY # : 1Sec:15 Twp:Oyster B Rng: Sub: Blk:57 Lot:52
SBL : 15-57-52DATE ISSUED: 04/26/2017
RECEIPT #: 01000429360
REFERENCE ID #: 17040463Permit Num : R17001833
SITE ADDRESS : 60 WILLETS DR
SUBDIVISION :
CITY : SYOSSET
IMPACT AREA :OWNER : YOUNG ROBERT & NANCY
ADDRESS : 60 WILLETS DR
CITY/STATE/ZIP : SYOSSET, NY 11791RECEIVED FROM : RECEIPT INTERFACE
CONTRACTOR : MAINTAIN LIC # MAINTAIN
COMPANY : MAINTAIN
ADDRESS :
CITY/STATE/ZIP :
TELEPHONE :

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-REISSUER FLAT RATE		1.00	200.00	0.00	200.00	0.00
TOTAL PERMIT :			200.00	0.00	200.00	0.00

Building Permit

R17001834

Town of Oyster Bay

Department of Planning and Development

Phone 516-624-6200



74 Audrey Avenue

Town Hall, Oyster Bay, NY 11771

Fax 516-624-6240

Project Address

Section/Block/Lot

Zone

Application No.

ZBA Number

ZBA Date

Receipt No.

025752

R17

17040464

01000429160

Contractor MAINTAIN

Plumber

Electrician

Tenant

Estimated Cost of Construction \$0

Address of Action Construction

Project IS On

Project IS At

Construction Started On

Project IS For

Project IS For

This is a Building Permit issued for the construction or maintenance of the improvement listed hereon. The issuance of this Permit shall not be deemed to be an acknowledgement by the Town of Oyster Bay and the legality of any other improvements on the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvement listed hereon is conditioned upon the issuance of a Building Permit and Certificate of Occupancy for any and all other improvements to the subject premises.

This permit is valid for 180 days from the date of issuance and must be placed on file prior to issuance of a Certificate of Occupancy/Approval/Completion.

Project IS On

Project IS For

Feet

Of

Post Office

SYOSSET

FILE

PAID

BALANCE

FILE

200.00

0.00

FILE

200.00

0.00

Project IS For \$200.00

Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.

Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.

INSPECTIONS

Inspections shall be made at intervals that vary according to the type of structure built or maintained. Some of the required inspections follow:

PLUMBING INSPECTIONS

- *Underground plumbing - before backfilling
- *Rough plumbing - before closing up walls and floors for test
- *Final inspection when ready for occupancy
- *Sewer connection - before backfilling
- *Sanitary systems - (if kitchen, bathroom, etc.)
- *Installation or replacement of boiler, furnace, gas, electrical
- *Hot tanks - in-ground or above ground - to Building Division for required testing and inspection
- *Pressure tests are required for any natural or propane gas installation, alteration or replacement
- *Hydrostatic pressure testing must be witnessed by a plumbing inspector for all fire sprinkler systems

DRAINAGE, SITE WORK, & RETAINING WALLS

Contact Planning and Development site engineer.

ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW

Final Approval will not be issued for this project until all of the required landscaping has been installed and inspected. A performance bond in the amount of \$_____ has been posted with the Town of Oyster Bay.

Project IS For

04/26/2017

Work Must Start By:

Project IS For

Project IS For

Project IS For

Project IS For

Project IS For

Project IS For

Project IS For

Project IS For

Building Inspector's Report

TOWN OF CISTER BAY

OPERATOR: Sgarber
COPY # : 1

PRE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B RELEASER	PLAT RATE	1.00	200.00	0.00	200.00	0.00



~~AS SUPPLIED BY THE BUILDING DIVISION~~

Meeting of July 11, 2017

Resolution No. 401-2017

WHEREAS, pursuant to Contract PWC07-16, Hirani Engineering & Land Surveying, P.C. ("Hirani") was directed to perform a structural investigation of the Hicksville Parking Facility ("Garage") in order to determine the current condition of the Garage and the need for repairs; and

WHEREAS, on March 17, 2017, Hirani issued a recommendation that the Town immediately install reinforcement at certain locations in the lower decks of the Garage in order to be protective of the public; and

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated March 17, 2017, requested a waiver of the Town procurement policy in order to secure a contractor to perform the services recommended by Hirani, under the direction of Hirani; and

WHEREAS, by memo dated March 20, 2017, the Office of the Town Attorney concurred with the Department of Public Works that the repairs were of an emergency nature and that the provisions of the Town's Procurement Policy may be waived in this instance to allow the Department of Public Works to secure a contractor to make the necessary repairs; and

WHEREAS, the Department of Public Works and Hirani retained Structural Preservation Systems, LLC ("Structural") of Hawthorne, New Jersey and authorized Structural to begin work immediately; due to the emergency nature of the project, additional manpower and services were requested of Structural during the course of this project; and

WHEREAS, pursuant to Hirani's obligations to the Town, Hirani reviewed Structural's original proposal as well as Structural's Change Order regarding additional labor. Hirani found the submitted additional cost to be fair and reasonable. By letter dated June 28, 2017, Hirani recommended acceptance of Structural's initial proposal of \$66,675.00 and the Change Order in the amount of \$15,000.00; and

WHEREAS, Commissioner Lenz and Hirani negotiated a separate discounted monthly rental cost of \$6,630.00 for the temporary shoring system that is now installed in the Garage. Commissioner Lenz and Hirani recommend that sufficient funding be allocated to allow the system remain in place for eight months, in an amount not to exceed \$53,040.00; and

WHEREAS, Commissioner Lenz has requested Town Board authorization for the Comptroller to issue an encumbrance order in an amount not to exceed \$134,715.00, under Contract No. PWC07-16, for engineering services for the aforesaid emergency engineering services and temporary shoring at the Hicksville Parking Facility. Funds are available from Account No. HWY H 5997 20000 000 0811 016;

7MS
Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth, are hereby approved, *nunc pro tunc*, and the Department of Public Works is hereby authorized to utilize the services of Structural Preservation Systems, LLC to provide emergency repair services at the Hicksville Parking Facility and to provide a temporary shoring system at the facility for eight months (in an amount not to exceed \$53,040.00) as a subcontractor to Hirani Engineering and Land Surveying, PC, under Contract No. PWC 07-16, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$134,715 upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016; and it is further

RESOLVED, that with respect to the aforementioned requests, the Town procurement policy is hereby waived, to allow full payment to Structural Preservation Systems, LLC.

-#-

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

	Supervisor Saladino	Aye
	Councilman Muscarella	Aye
	Councilman Macagnone	Aye
	Councilwoman Alesia	Aye
	Councilwoman Johnson	Aye
	Councilman Imbroto	Aye
	Councilman Hand	Aye
cc:	Supervisor	
	Town Attorney	
	Comptroller (2)	
	Public Works	
	Highway	

13 4P

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JUNE 30, 2017

TO : MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL MEMO TO ITEM NO. 13
DOCKET OF JUNE 27, 2017
AUTHORIZATION OF EMERGENCY CONSTRUCTION SERVICES
AT THE HICKSVILLE PARKING FACILITY
CONTRACT NO. H17-153
ACCOUNT NO. HWY H 5997 20000 000 0811 016
PROJECT ID NO. 0811 HWYST 01

In furtherance to Item No. 13 of the docket of June 27, 2017, the Department of Public Works authorized Hirani Engineering & Land Surveying, P.C. ("Hirani") under Contract PWC07-16 to perform a structural investigation of the Hicksville Parking Facility ("Garage") in order to determine the current condition of the Garage and as to the need for repairs.


On March 17, 2017, Hirani issued a recommendation to the Town, based upon their initial investigation, to immediately install reinforcement at certain locations in the lower decks of the Garage in order to be protective of the public. The Department of Public Works submitted a request to the Office of the Town Attorney, dated March 17, 2017, for a waiver of the procurement policy in order to immediately secure a contractor to perform the services recommended by Hirani. By memo dated March 20, 2017, the Office of the Town Attorney concurred with the Department of Public Works that the repairs are of an emergency nature and that the Town's Procurement Policy may be waived to allow the office to secure a contractor to make the necessary repairs.

On the night of March 17, 2017, the Department of Public Works and Hirani received two cost proposals for the scope of work developed by Hirani, which included the installation of a shoring system at designated locations. Arsenal Scaffold of West Babylon, New York provided a cost of \$90,000.00 and Structural Preservation Systems, LLC ("Structural") of Hawthorne, New York provided a cost of \$66,675.00. The Department of Public Works authorized Structural, on the night of March 17, 2017, to begin work immediately.

During the course of work additional manpower and services were requested of Structural, for which a Change Order in the amount of \$15,000.00 was submitted to the Town. Hirani reviewed this Change Order and found that this submitted additional cost to be fair and reasonable.


Attached is a letter dated June 28, 2017, from Hirani Engineering & Land Surveying, P.C., recommending acceptance of the initial quote of the contractor in the amount of \$66,675.00 and Change Order in the amount of \$15,000.00.

Total cost for the initial installation amounts to \$81,675.00. A separate fee for a discounted monthly rental for the shoring system was also negotiated in the amount of \$6,630.00. It is recommended that sufficient funding be authorized to allow for this system to remain in place for an eight month period, in



an amount not to exceed \$53,040.00. Funds are available for this purpose in the total amount of \$134,715.00 from Account No. HWY H 5997 20000 000 0811 016.

Therefore, we request the Town Board authorize, by resolution, the above-mentioned Waiver of the Procurement Policy to authorize Structural Preservation Systems, LLC for the installation of an emergency shoring system at the Hicksville Parking Facility in the total amount of \$134,715.00 and that payment be issued by the Office of the Comptroller upon submission of a proper claim.


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

RWL/MR/DJH

Attachments:

c: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
John Bishop, Deputy Commissioner/Highways

DKT HICKSVILLE PARKING FACILITY EMERGENCY CONDITION



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

MARCH 17, 2017

TO : JOSEPH NOCELLA, TOWN ATTORNEY
OFFICE OF THE TOWN ATTORNEY

FROM : MATTHEW RUSSO, P.E., DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

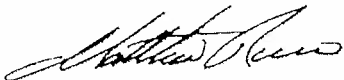
THROUGH : RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: REQUEST FOR A WAIVER OF THE TOWN OF OYSTER BAY
PROCUREMENT POLICY DUE TO AN EMERGENCY CONDITION
HICKSVILLE PARKING FACILITY

The Department of Public Works, utilizing the services of Hirani Engineering & Land Surveying, P.C. ("Hirani") under Contract No. PWC07-16 has been conducting a structural evaluation of the Hicksville Parking Facility due to significant cracking issues. Based upon the initial analysis of Hirani, as documented in their attached correspondence dated March 17, 2017, the Hicksville Parking Facility has significant structural issues that must be remedied immediately to be protective of the public.

It is the intention of the Department of Public Works to retain the services of a contractor who can perform the necessary temporary repairs, under the direction of Hirani, until such time that a permanent solution can be determined.

As this work must happen immediately due to a dangerous condition, it is requested that your office provide a determination that a waiver of the Town of Oyster Bay Procurement Policy is warranted. With your determination, a qualified contractor will be selected and a formal request will be submitted to the Town Board.



MATTHEW RUSSO, P.E.
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS



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

RWL/MR/mr

Attachment

TA HIX GARAGE SHORING WAIVER

Matt Russo

From: Jim Hirani <jhirani@hiranigroup.com>
Sent: Friday, March 17, 2017 3:33 PM
To: Matt Russo; rbetz@oysterbay-ny.gov; Daniel Midgette
Cc: Latif Muqtadir; Alexey Leonichev; Norman Coleman; Leonard LaSala
Subject: RE: Garage
Attachments: Hicksville Garage Summary.docx

Commissioner, After discussions with the structural engineers and Town representative attached a revised statement which is more conclusive.

Jim Hirani
President



Hirani Group

10 Jericho

Executive Plaza, Suite 200C

Jericho, NY 11753

516-248-1010 X3005

Fax: 516-248-9018

421 Seventh Avenue, Suite 808

New York, NY 10001

646-273-5000

jhirani@hiranigroup.com

hiraingroup.com, www.hiranigrp.com

Surveying & Mapping
Transportation/Traffic
Remedial/Sign Structure Inspection
Civil Engineering/Architecture

Construction Inspection
Construction Management
Site Safety/OSHA
Scheduling
Environmental

Hicksville Parking Garage

Based on our visual inspection and study of available design drawings of the Hicksville Parking Garage structure, we report the following:

1. There are two major through cracks in the filigree and topping slab decks perpendicular to the slab span propagating the entire length on the lower three levels between bays 7 & 8 and 12 & 13.
2. The slabs with through cracks are displaced vertically at a few locations. Concrete is spalling and debris falling at some locations.
3. The slab reinforcement where visually observed is corroded and rebars are missing.
4. Vibration effects during vehicular movements in and around the cracked slabs was observed.

Based on our preliminary analysis and findings, we conclude that the lower three level decks with the continuous through cracks (bays 7 & 8 and 12 & 13) are structurally compromised and therefore should be shored immediately for public safety as it is dangerous.

We recommend that the Town get contractors to shore the bays with crack immediately for safety.



Town of Oyster Bay
Inter-Departmental Memo

TO : RICHARD W. LENZ, COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : March 20, 2017

SUBJECT: Waiver of Procurement Policy
Emergency Repairs – Hicksville Parking Facility

In response to your memorandum dated March 17, 2017 regarding the proposed repairs to be made at the Hicksville Parking Facility, this office concurs that the repairs are of an emergency nature and that accordingly the provisions of the Town's Procurement Policy may be waived in this instance to allow you to secure a contractor to make the necessary repairs.

JOSEPH NOCELLA
TOWN ATTORNEY



Thomas M. Sabellico
Special Counsel



structural

Proposal No. 429900-R
55 Duffy Ave Garage – Emergency Shoring
March 19, 2017

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

Re: Parking Garage Emergency Shoring
55 Duffy Ave, Hicksville NY 11801

Dear Richard,

Based on our site visit on March 17, 2017 along with Engineer Jim Hirani, Commissioner Richard W. Lenz, Danny Haas and others, Structural Preservation Systems, LLC proposes to furnish all necessary labor, material, and equipment to perform the following items of work as described below:

**Installing Shoring to Precast Planks at 4 Location on Level 1 & 2 and 2 locations on the ramp.
About 100 planks to be shored. Shoring is based on the on site design and directions by engineers of Hirani Group**

- 1) General Conditions:
 - a) Mobilize all crew, equipment, and materials to the job site. Demobilize at the completion of the work.
- 2) Installing shoring as discussed with Engineer Jim Hirani.
 - a) Install 4x4 wooden beam on both side of crack.
 - b) Install adjustable post shores supporting 4x4 wooden beam @ 2' to 3' c/c as directed by the engineer.
 - c) Install caution tape around post shores
 - d) Remove all shoring and clean up after crack is repaired.

Notes:

- 1) It is assumed that this is a Tax Exempt Project and that no tax has been added to the proposal. The Owner shall furnish a Tax Exempt Certificate before commencement of work.
- 2) This is a temporary shoring arrangement and may require modification based on engineers design

THE FOLLOWING SHALL BE PROVIDED BY THE OWNER, BUYER OR OTHERS AT NO ADDITIONAL COST TO SPS, LLC:

- 1) Storage area for equipment, materials, etc.

Confidential: Any unauthorized use or distribution is prohibited.

Structural Preservation Systems, LLC
39 Utter Ave • Hawthorne, NJ 07506 • Phone: 973-636-2700 • Fax: 973-636-2701
www.structural.net

- 2) Parking for service vehicles.
- 3) 110V/220V electric power source and potable water.
- 4) Free and clear access to work areas.

ITEMS EXCLUDED FROM THIS PROPOSAL:

- 1) Permits and fees.
- 2) Design and Engineering
- 3) Testing and inspections.
- 4) Special Insurance.
- 5) Temporary heating.
- 6) Bonds and associated costs.
- 7) Asbestos and other hazardous waste removal.
- 8) Electrical, mechanical and sprinkler work, including the removal and installation of fixtures.
- 9) The repair to hidden items in the slab, such as post-tension cables and conduits, that cannot be accurately located and our damaged by our work.
- 10) Any special safety requirements.
- 11) Any work specifically not included in this proposal.

SCHEDULE:

To be determined upon acceptance of this proposal.

PRICE:

Base Bid

All the work shall be paid in accordance with the following schedule of value on time & material basis.

- | | |
|--|---------------|
| 1) Mobilization for Emergency work | = \$5,000.00 |
| 2) Crew (3 men) and Equipment | |
| a. \$3,750.00 per up to 8 hour crew shift (portal to portal) for 10 days | = \$37,500.00 |
| b. Overtime for weekend work 50% for 5 crew day | = \$9,375.00 |
| 3) Material & Monthly Rental | |
| a. 600 Post shore monthly rental @ \$11.50/each for first month | = \$6,900.00 |
| b. 7.5"x4" 12' Aluminum beam- Monthly rental - 36 @ \$25.00/each first month | = \$900.00 |
| c. Wood, braces, anchors, clamps and miscellaneous items LS | = \$7,000.00 |

Total L.S. = \$66,675.00,

Rental per month after 1st month = \$6,630.00 (for 600 post shores and 36 beams. This includes 15% discount on 1st month rental as discussed with the commissioner)

Note: Crew rate will be 1 ½ times for weekend and/or holiday work

PAYMENT TERMS:

Net 10 days. No retainage.

GENERAL CONDITIONS:

Please see attached.

EXPIRATION:

This proposal may be withdrawn if not accepted by March 31, 2017

Very truly yours,

STRUCTURAL PRESERVATION SYSTEMS, LLC


Kauser Usmani
Project Manager

structural

Proposal No. 429458
55 Duffy Ave Garage – Emergency Shoring
April 19, 2017

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

Re: Parking Garage Emergency Shoring
55 Duffy Ave, Hicksville NY 11801

Dear Richard,

Based on our site visit on March 17, 2017 along with Engineer Jim Hirani, Commissioner Richard W. Lenz, Danny Haas and others, Structural Preservation Systems, LLC proposes to furnish all necessary labor, material, and equipment to perform the following items of work as described below:

Installing Shoring to Precast Planks at 4 Location on Level 1 & 2 and 2 locations on the ramp.
About 100 planks to be shored. Shoring is based on the on site design and directions by engineers of Hirani Group

Cost associate with additional shift time and overtime for the period ending March 25, 2017

Notes:

- 1) It is assumed that this is a Tax Exempt Project and that no tax has been added to the proposal. The Owner shall furnish a Tax Exempt Certificate before commencement of work.
- 2) This is a temporary shoring arrangement and may require modification based on engineers design

THE FOLLOWING SHALL BE PROVIDED BY THE OWNER, BUYER OR OTHERS AT NO ADDITIONAL COST TO SPS, LLC:

- 1) Storage area for equipment, materials, etc.
- 2) Parking for service vehicles.
- 3) 110V/220V electric power source and potable water.
- 4) Free and clear access to work areas.

ITEMS EXCLUDED FROM THIS PROPOSAL:

- 1) Permits and fees.
- 2) Design and Engineering
- 3) Testing and inspections.

Confidential: Any unauthorized use or distribution is prohibited.

Structural Preservation Systems, LLC
39 Utter Ave • Hawthorne, NJ 07506 • Phone: 973-636-2700 • Fax: 973-636-2701
www.structural.net

- 4) Special Insurance.
- 5) Temporary heating.
- 6) Bonds and associated costs.
- 7) Asbestos and other hazardous waste removal.
- 8) Electrical, mechanical and sprinkler work, including the removal and installation of fixtures.
- 9) The repair to hidden items in the slab, such as post-tension cables and conduits, that cannot be accurately located and are damaged by our work.
- 10) Any special safety requirements.
- 11) Any work specifically not included in this proposal.

SCHEDULE:

To be determined upon acceptance of this proposal.

PRICE:

Base Bid

All the work shall be paid in accordance with the following schedule of value on time & material basis.

- 1) Crew (3 men) and Equipment
 - a. \$3,750.00 per up to 8 hour crew shift (portal to portal) for 2 days = \$7,500.00
 - b. Overtime for weekend and over 8 hour shift day work
50% for 4 crew day = \$7,500.00

Total Change Order = \$15,000.00,

PAYMENT TERMS:

Net 45 days. No retainage.

GENERAL CONDITIONS:

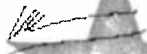
Please see attached.

EXPIRATION:

This proposal may be withdrawn if not accepted by N/A

Very truly yours,

STRUCTURAL PRESERVATION SYSTEMS, LLC


Kauser Usmani
Project Manager



Hirani Group

Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

30 Jericho Executive Plaza, Suite 200C ■ Jericho, NY 11753 ■ 516-248-1010 ■ Fax: 516-248-9018

Confidential: the contents of this document are confidential and intended solely for the recipient. Reproduction of or forwarding to anyone not directly sent this document is strictly forbidden.

June 28, 2017

Mr. Richard Lenz
Commissioner
Department of Public Works
150 Miller Place
Syosset, New York 11791-5699

Re: Hicksville Parking Facility
Structural Preservation Systems LLC
Change Order Number 429458-01
Hirani Job No. 17-0062

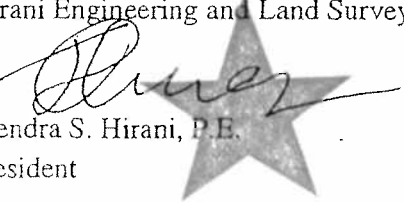
Dear Mr. Lenz,

Hirani Engineering & Land Surveying, P.C., (Hirani), has reviewed the attached cost proposal and change order from Structural Preservation Systems, LLC, and provides the following:

The original approved contract value was \$66,675.00. As the shoring installation progressed, additional time was necessary to complete the work. The attached change order for \$15,000.00 has been reviewed Scope of work & Time frame and Hirani Engineering & Land surveying, P.C. recommends payment to Structural Preservation Systems, LLC in the amount of \$ 81,675.00.

If you require further information or have any questions, please contact our office.

Regards,
Hirani Engineering and Land Surveying, P.C.


Jitendra S. Hirani, P.E.
President

13

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JUNE 26, 2017


TO : MEMORANDUM DOCKET

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

SUBJECT: AUTHORIZATION OF EMERGENCY CONSTRUCTION SERVICES
AT THE HICKSVILLE PARKING FACILITY

The Department of Public Works is compiling the necessary documentation relative to the authorization of emergency construction services at the Hicksville Parking Facility. Further documentation and a formal recommendation will be provided by Supplemental Memorandum docket.

It is therefore requested that a space be reserved at the Town Board meeting of July 11, 2017 for the Town Board to take action on the authorization of emergency construction services at the Hicksville Parking Facility.


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

RWL/MR/DH/mr

c: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
John Bishop, Acting Deputy Commissioner/Highways

HIX GARAGE DOCKET EMERGENCY WORK RESERVE

WHEREAS, by Resolution No. 753-2015, adopted on December 15, 2015, the Town Board authorized and directed Hirani Engineering & Land Surveying, P.C. to provide on-call engineering services in connection with Contract No. PWC07-16, On-Call Engineering Services Relative to Civil Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated June 30, 2017, requested Town Board authorization for Hirani Engineering & Land Surveying, P.C. to provide On-Call Engineering Services related to repairs at the Hicksville Parking Facility under Contract No. PWC07-16, and further requested that the Office of the Comptroller issue an encumbrance order in an amount of \$297,000.00, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016; and

WHEREAS, Hirani Engineering & Land Surveying, P.C., by letter dated June 29, 2017, requested approval to retain the firm of Gateway Demolition for exploratory testing and O&S Associates for peer review, and

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted and approved, and Hirani Engineering & Land Surveying, P.C. is hereby authorized to proceed to provide services in connection with Contract No. PWC07-16, On-Call Engineering Services Relative to Civil Engineering, and to retain Gateway Demolition and O&S Associates, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of \$297,000.00, for Contract No. PWC 07-16, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016.

-#-

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

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

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

Reviewed By
Office of Town Attorney

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

JUNE 30, 2017

TO: MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL MEMO TO ITEM NO. 14
DOCKET OF JUNE 27, 2017
ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO CIVIL ENGINEERING
AND USE OF SUB-CONSULTANTS
CONTRACT NO. PWC07-16
ACCOUNT NO.: HWY H 5997 20000 000 0811 016
PROJECT ID NO. 0811 HWYST 01

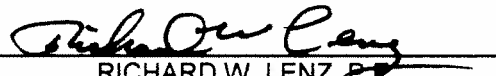
In furtherance to Item No. 14 of the docket of June 27, 2017, the consultant, Hirani Engineering & Land Surveying, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-16 by Resolution No. 753-2015 for the subject project.

Attached is a letter dated June 29, 2017 from Hirani Engineering & Land Surveying, P.C. regarding the scope of work to be performed in an amount not to exceed \$297,000.00. Services both performed and to be performed include engineering services relative to necessary repairs at the Hicksville Parking Facility.

Attached is an availability of funds in the amount of \$297,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5997 20000 000 0811 016.

The office of Hirani Engineering & Land Surveying, P.C. further requests to utilize, as sub-consultants, Gateway Demo/Civil Corp. for verification of existing structural reinforcement, and O & S Associates, Inc. for peer review of the findings and design documents prepared by Hirani Engineering & Land Surveying, P.C. for this project.


It is hereby requested that the Town Board authorize by Resolution Hirani Engineering & Land Surveying, P.C. under Contract No. PWC07-16, On-Call Engineering Services Relative to Civil Engineering, and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and that Hirani Engineering & Land Surveying, P.C. be authorized to use, as sub-consultants, Gateway Demo/Civil Corp. and O & S Associates, Inc.


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

RWL/MR/mr
Attachment

cc: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
John Bishop, Deputy Commissioner/Highways
Daniel Haas, Division of Engineering
Daniel Midgette, Division of Engineering

PWC07-16 HIRANI DOCKET HIX GARAGE DESIGN FUNDS SUPP





Hirani Group

Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

30 Jericho Executive Plaza, Suite 200C ■ Jericho, NY 11753 ■ 516-248-1010 ■ Fax: 516-248-9018

Confidential: the contents of this document are confidential and intended solely for the recipient. Reproduction of or forwarding to anyone not directly sent this document is strictly forbidden.

June 29, 2017

Mr. Richard Lenz
Commissioner
Department of Public Works
150 Miller Place
Syosset, New York 11791-5699

Re: Hicksville Parking Facility
Proposal for Design of Corrective Measures

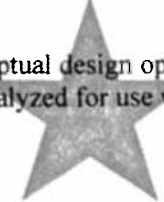
Dear Mr. Lenz,

Hirani Engineering & Land Surveying, P.C., (Hirani), is pleased to submit the following proposal for engineering services for the above referenced project. In accordance with our discussions and meetings, Hirani will provide the engineering services as outlined below.

Scope of Services:

A. Design Services

1. Hirani will evaluate all aspects of the garage structure including the following:
 - a) Review and evaluation of all available documents, pictures and testing results performed by Future Tech of NY, Inc.
 1. While a design drawings had numerous drawings with multiple copies of each floor and numerous anomalies were noticed between the uncertified design drawings provided by TOB and our preliminary site visit. It was therefore decided by TOB that Hirani to perform detailed site investigations to reconcile the findings with the design drawings supported by testing and exploratory test. TOB could not obtain a signed and sealed drawings for this garage.
 2. The numerous drawings provided contained no information on the precast filigree slab form. Hirani had to contact the supplier to get that information and verified the information.
 - b) Analysis of existing structure to establish the causes for the through cracks in the slabs (grade and lower level -1) along with other deficiencies in the garage structure. After reviewing the 3 alternatives with the town; TOB will select one of the option that is most economical and viable. Hirani will provide Final design with construction drawings and specifications for that options for bidding purposes.
 - c) Town requested that Hirani shall Provide three (3) alternative conceptual design options possible fix to address the deficiencies in the slab. The three options to be analyzed for use will be:
 1. Carbon Fiber Reinforced Polymer (CFRP) strengthening.



2. Steel Beam framing to support the compromised slab.
 3. Replacement of compromised slab between column lines 7 & 8 & column line 12 & 13 with new precast panel with expansion joint.
- d) Perform a roof survey, drainage evaluation and design based on the following:
1. Survey, investigation and evaluation of the roof top drain inlets, water infiltration into the stairwells on the upper deck and subsequent water damage occurring in the stairwells below.
 2. Investigation and evaluation of the leaking trench drains and their impact due to the water penetration into the concrete beams and column
- e) Cost Estimate
1. Hirani will prepare a construction cost estimate of the corrective option chosen and designed. Preliminary cost estimates for the three options will be provided for comparison purposes.

B. Additional Exploratory Services

Hirani will engage Gateway demolition to perform exploratory investigation.

C. Peer Review

Hirani Engineering will engage O&S Associates to perform a Peer Review of Hiranis' methodologies, evaluations and recommendations.

D. Bid Phase Services for Concrete repairs

E. Bid Phase services for Drainage repairs

1. Hirani will assist the Town with the bidding process and advertisement.
2. Hirani will conduct a pre-bid walk-thru with the prospective contractors.
3. Hirani will review and respond to RFI's from the contractors during the bidding process and issue necessary addendums.
4. Hirani will review and analyze bids, conduct a contractor scoping and recommend award.

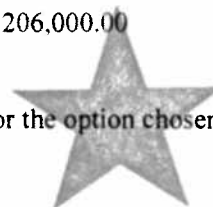
F. Construction Services

1. Hirani will review submittals and additional RFI's during the construction period.
2. Hirani will be responsible for Construction Administration and Management.
3. Hirani will provide full time construction inspection when required during the construction period.

Compensation:

Our fees to provide these services are as follows:

- A. Design Services: \$ 206,000.00
- a) Site Investigation
 - b) Evaluation of the garage structure and Design Service for the option chosen
 - c) Engineering Services for Two Alternatives



d) Roof Survey, Drainage Evaluation, Design	
e) Cost Estimates	
B. Additional Exploratory Services	\$10,000.00
C. Peer Review	\$ 12,000.00
D. Bid Phase Services for concrete repairs	\$ 4,500.00
E. Bid Phase Services for Drainage repairs	\$ 4,500.00
F. Construction Services	Time Card (Estimated to be \$60,000.00)

Payment Terms and Conditions:

1. All professional fees described in the Scope of Services will be billed upon completion of the phase or as monthly progress based upon the percentage of work complete, except when services are provided on a time card and materials basis.
2. Additional services rendered, if requested in writing, will be billed on a time and materials expended basis in accordance with the Hirani rate schedule.
3. Breakdown of Bid Phase is \$2,500 for engineering services and \$2,000 for reimbursable.

Exclusions:

1. Any associated laboratory or testing fees above and beyond the original Phase One estimate.
2. Additional services rendered, if requested in writing, will be billed on a time and materials expended basis in accordance with the Hirani rate schedule.

Subcontractors Approval:


1. Hirani request authorization of TOB to utilize Gateway Demolition for Exploratory test.
2. Hirani request authorization of TOB to utilize O&S Associates for Peer Review.

Thank you for considering the services of Hirani Engineering & Land Surveying, P.C. We look forward to working with you.

Regards,

Hirani Engineering and Land Surveying, P.C.

Jitendra S. Hirani, P.E.
President





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



Requesting Division/Department

HIGHWAY

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

Contract Number PWC07-16

Contract Period JANAURY 1, 2016 - DECEMBER 31, 2017

Consultant/Contractor HIRANI ENGINEERING & LAND SURVEYING, P.C.

Discipline CIVIL ENGINEERING

Total Authorization \$349,100.00

Resolution No. 753-2015 Date 12/15/2015

Funded To Date \$52,100.00

Amount Requested \$297,000.00

Account To Be Used HWY H 5997 20000 000 0811 016, PROJECT ID 0811 HWYST 01

If Capital Account, State The Related Contract Number: H17-155

Description Of Work

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

ENGINEERING SERVICES FOR HICKSVILLE PARKING FACILITY REPAIRS

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature

Signature

Title Comm. of Highway

Title Commissioner of Public Works

Date 6/29/17

Date 6/29/17

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 297,000.00

Unencumbered Balance 7,955,700.18

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

Yes ☒ No ☐

Signature

Date 6/30/17



TOWN OF OYSTER BAY



WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC07-16

Contract End 12/31/2017

Commencement Date JAUARY 1, 2017

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

Vendor Name and Address

HIRANI ENGINEERING & LAND SURVEYING, P.C.

30 JERICHO EXECUTIVE PLAZA

SUITE 200C

JERICHO, NEW YORK 11753

Requesting Town Department HIGHWAY

Contact DANIELLE MIDGETTE Phone 516-677-5897

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

ENGINEERING SERVICES FOR HICKSVILLE PARKING FACILITY REPAIRS

This work order shall not exceed \$ \$297,000.00

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

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Comm. of Highway

Commissioner of Public Works

Date 6/29/17

Date 6/29/17

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, request that LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers, be authorized to provide on-call engineering services in connection with Contract No. PWC07-16, On-Call Engineering Services, Relative to Civil Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers have an open-ended service agreement with the Town under which the services will be provided; and

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers are hereby authorized and directed to provide on-call engineering services, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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 Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

Reviewed By
Office of Town Attorney

[Signature]



14

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JUNE 26, 2017


TO : MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO CIVIL ENGINEERING
CONTRACT NO. PWC07-16

The Department of Public Works is compiling the necessary documentation relative to a request for authorization of on-call engineering services. Further documentation and a formal recommendation will be provided by Supplemental Memorandum docket.

It is therefore requested that a space be reserved at the Town Board meeting of July 11, 2017 for the Town Board to take action on an authorization under PWC07-16, On-Call Engineering Services relative to Civil Engineering.



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

RWL/MR/DH/mr

c: Office of the Town Attorney (w/10 copies)
Christine M. Wiss, Deputy Comptroller
John Bishop, Acting Deputy Commissioner/Highways

PWC07-16 DOCKET GARAGE DESIGN RESERVE

7/11/17
Reviewed By
Office of Town Attorney

WHEREAS, Eric Tuman, Commissioner of the Department of General Services, by memorandum dated June 30, 2017, and Anthony E. Core, President, Omni Recycling of Westbury, Inc., by letter dated June 9, 2017, recommended and requested, respectively, that the Town Board extend Contract No. SE002-16, Recycling of Commingled Glass, Ferrous and Non-Ferrous Metal and Rigid Plastic Containers, for the first one-year extension, at the reduced rate of \$35.75 per ton, at a cost not to exceed \$196,000, all other conditions and terms provided for in the present contract remaining the same, commencing nunc pro tunc from June 1, 2017 and continuing through May 31, 2018,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and Town Board authorization is given for the extension of Contract No. SE002-16 commencing nunc pro tunc from June 1, 2017 through May 31, 2018, with the reduced pricing, all other conditions and terms provided for in the present contract to remain the same.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
General Services

18

Town of Oyster Bay Inter-Departmental Memo

To: MEMORANDUM DOCKET

From: ERIC TUMAN, COMMISSIONER
GENERAL SERVICES DEPARTMENT

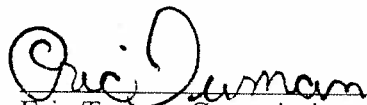
Date: June 30, 2017

Subject: EXTENSION OF CONTRACT SE002-16, RECYCLING OF
COMMINGLED GLASS, FERROUS AND NON-FERROUS METAL
AND RIGID PLASTIC CONTAINERS
Contract Award, M. D. dated 03/08/16, Item 19

In connection with the above subject, please be advised that I am in receipt of a letter (see attached) from Omni Recycling of Westbury, Inc., Westbury, NY, the vendor of record for Contract SE002-16. They are requesting the first one-year extension which is provided for in the subject contract specifications at a reduced rate of \$35.75 per ton. They have executed the appropriate Ethics Disclosure Affidavit which is filed with the bid documents.

I am recommending that the Town of Oyster Bay extend Contract SE002-16 for an additional year with the reduced price and the same conditions and terms provided for in our present contract.

Should the Town Board concur, may the Town Attorney's office be directed to prepare a resolution to extend contract SE002-16, nunc pro tunc, June 1, 2017 and continuing through May 31, 2018.


Eric Tuman, Commissioner
General Services Department

ET/sc
Attachments

cc: Town Attorney (10)
Comptrollers/Accounts Payable
Department of Environmental Resources



Omni Recycling of Westbury, Inc.

June 9, 2017

Mr. Joseph Nocella, Esq., Town Attorney
Town of Oyster Bay Town Hall
54 Audrey Avenue
Oyster Bay, New York 11771

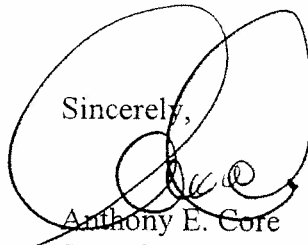
RE: Recycling of Commingled Glass, Ferrous, Non-Ferrous Metal and Rigid Plastic
Contract No.: SE 002-16

Dear Mr. Nocella:

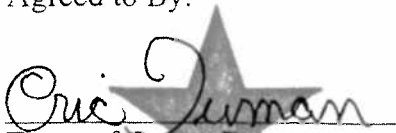
Pursuant to yesterday's negotiations, please have this correspondence serve to memorialize my understanding regarding the above-referenced contract with the Town of Oyster Bay (the "Town") for the period of June 1, 2017 through May 31, 2018. Omni Recycling of Westbury, Inc. has agreed to reduce the charge to the Town for picking up and processing of recyclables for the first option period of our agreement from a fee of Forty Five and 75/100 (\$45.75) Dollars per ton to a fee of Thirty Five and 75/100 (\$35.75) Dollars per ton.

If acceptable, please provide an amendment to the contract for my review, consistent with the above understanding and provided that all other terms remain the same, or an authorization as indicated below.

Should you have any questions and/or comments please do not hesitate to contact the undersigned. Thank you for your time and attention to this matter and we look forward to continuing to service the Town.

Sincerely,

Anthony E. Core
President


Acknowledged and
Agreed to By:


Town of Oyster Bay

ADMINISTRATIVE OFFICE
TOWN OF OYSTER BAY

1 2017 JUN 12 P 1:31

7 Portland Ave., Westbury, N.Y. 11590 (516) 333-5741 • Fax (526) 333-0221

 RECYCLED PAPER

TOWN OF OYSTER BAY

INTER DEPARTMENTAL MEMO

To : GENERAL SERVICES - DIVISION OF PURCHASE & SUPPLY
From : ENVIRONMENTAL RESOURCES
SUBJECT : BID PROPOSAL: SE 002-16 RECYCLING OF COMINGLED GLASS, FERROUS, AND
NON-FERROUS METALS

The Department of ENVIRONMENTAL RESOURCES in the best interest of the Town of Oyster Bay, would like to extend Bid Proposal SE 002-16 for an additional year. The pricing is still competitive and the vendor is performing according to the bid specifications.

Amount spent in the past year \$ 235,000.00

Estimated expenditure for extension \$ \$ 196,000.00

Please proceed with whatever steps are necessary for this extension.

Neil O. Belongia
COMMISSIONER

by Thomas Licata
ASST. DIRECTOR

5-22-17
DATE

WHEREAS, on June 7, 2016, the Town Board adopted Local Law 1-2016, entitled "A LOCAL LAW CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY"; and

WHEREAS, on January 10, 2017, the Town Board adopted Local Law 2-2017, entitled "A LOCAL LAW TO AMEND LOCAL LAW 1-2016 CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY"; and

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND LOCAL LAW 1-2016, AS PREVIOUSLY AMENDED BY LOCAL LAW 2-2017, CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on July 11, 2017, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated June 13, 2017, recommends Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 20, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration, and

WHEREAS, during the aforementioned Public Hearing, it was decided that the existing Building Permit Amnesty Program should be extended immediately upon the adoption of the proposed Local Law and the filing of same with the Office of the Secretary of State,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that such Local Law to extend the Building Permit Amnesty Program is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 20; and be it further

RESOLVED, by the Town Board of the Town of Oyster Bay, as follows: That Local Law 5 -2017, entitled "A LOCAL LAW TO AMEND LOCAL LAW 1-2016, AS PREVIOUSLY AMENDED BY LOCAL LAW 2-2017, CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY", is hereby adopted, as amended, and shall take effect immediately upon filing with the Secretary of State; and be it further

Reviewed By
Office of Town Attorney

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

-#-

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

	Supervisor Saladino	Aye
	Councilman Muscarella	Aye
	Councilman Macagnone	Aye
	Councilwoman Alesia	Aye
	Councilwoman Johnson	Aye
	Councilman Imbroto	Aye
	Councilman Hand	Aye
cc:	Supervisor	
	Town Attorney	
	Comptroller (2)	
	Planning & Development	

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. 5 of the year 2017

A local law entitled "A LOCAL LAW TO AMEND LOCAL LAW 1-2016, AS PREVIOUSLY AMENDED BY LOCAL LAW 2-2017, CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY."

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Oyster Bay as follows:

Section 1. Legislative Findings. By Local Law 1-2016, adopted on June 7, 2016, the Town Board of the Town of Oyster Bay created a Permit Amnesty Program, which applied to owners of one and two family homes and properties in condominium unit developments situated in the Town of Oyster Bay, and allowed such owners to file building permit applications and other permit applications for existing improvements and waived the maintain fee. In order to take advantage of the Amnesty Program, applications had to be filed no later than December 31, 2016. By Local Law 2-2017, adopted January 10, 2017, the Amnesty Program was extended through June 30, 2017. Based upon the success of the Amnesty Program, the Town Board has determined that extending the Permit Amnesty Program through December 31, 2017, will be advantageous to the Town and its residents.

Section 2. Amnesty Period. Section 3 of Local Law 1-2016, as previously amended by Local Law 2-2017, is hereby amended to read as follows:

Section 3. Amnesty Period. The Permit Amnesty Program shall continue through December 31, 2017. This shall be known as the Amnesty Period.

- a. The Town of Oyster Bay Department of Planning and Development will begin taking building permit applications and other permit applications under this Permit Amnesty Program effective immediately for all past work and work in progress at the time of the enactment of this local law without benefit of permit and will stop accepting permit applications under this local law on December 31, 2017; and

- b. During the Amnesty Period, the Town of Oyster Bay will waive the maintain fee for building permits and other required permits (e.g., electrical and plumbing) to maintain construction activities that took place or are taking place without the required permit(s) and for which such work the necessary permit(s) has been applied for during the Amnesty Period. All other fees and costs associated with the issuance of building or other permits shall remain in effect during the Amnesty Period.

Section 3. Except as modified by this Local Law all of the terms, conditions and provisions of Local Law 1-2016 as previously amended by Local Law 2-2017, shall remain in full force and effect.

Section 4. SEQRA Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(20) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

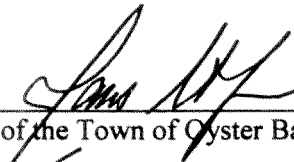
Section 5. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 6. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout that which is not applicable).

1. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2017 of the Town of Oyster Bay was duly passed by the Town Board on July 11, 2017, in accordance with the applicable provisions of law.


Clerk of the Town of Oyster Bay

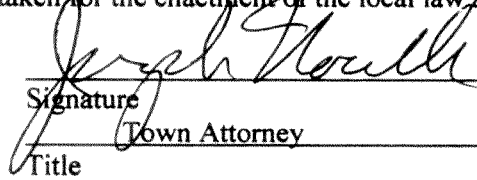
Date: July 11, 2017

(Seal)

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Town Attorney

Title

Town of Oyster Bay

Date: July 11, 2017

S:\Attorney\LOCAL LAWS\Amnesty Program (see PROLAW 2016-5517\LL - 2nd Extension.docx

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

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated July 6, 2017, have requested an authorization to pay Quinn, Emanuel, Urquhart and Sullivan, LLP in an amount not to exceed \$504,776.69, including expenses and disbursements of \$11,881.24; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the authorization of an amount not to exceed \$504,776.69 for purposes of payment to Quinn, Emanuel, Urquhart and Sullivan, LLP for legal fees, costs and disbursements as outside counsel, which sum is to be paid at the predetermined rate; and be it further

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

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney
[Signature]

19

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : July 6, 2017

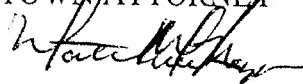
SUBJECT: Outside Counsel to the Town of Oyster Bay
Quinn, Emanuel, Urquhart & Sullivan, LLP

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

Legal costs have now exceeded the previously authorized sum, and an additional sum not to exceed \$504,776.69 is necessary, which includes \$11,881.24 of expenses and disbursements. In keeping with a previously negotiated arrangement, the firm has applied a 5 percent discount to its legal fees.


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

JOSEPH NOCELLA
TOWN ATTORNEY


Matthew M. Rozea
Deputy Town Attorney

MMR:mmr
Attachment

cc: Town Attorney (with 10 copies)



WHEREAS, the Office of the Town Attorney anticipates potential Securities and Exchange Commission litigation, and it is in the Town's best interest to retain outside counsel, to assist the Office of the Town Attorney to ensure proper protection of the Town's interests; and

WHEREAS, the foregoing matters involve the utilization of resources beyond what can be supplied by the Office of the Town Attorney, and knowledge of legal issues of a specialized nature; and

WHEREAS, Joseph Nocella, Town Attorney, by memorandum dated July 7, 2017, recommended that the law firm of Morvillo Abramowitz Grand Iason & Anello PC, 565 Fifth Avenue, New York, New York 10017, be retained to represent the Town as special counsel for potential litigation; and

WHEREAS, Joseph Nocella, Town Attorney, by memorandum dated July 7, 2017, recommended that due to the aforementioned firm's unique qualifications and the Town's pressing need for legal representation, a waiver of the Procurement Policy is proper,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of Joseph Nocella, Town Attorney, the law firm of Morvillo Abramowitz Grand Iason & Anello PC, 565 Fifth Avenue, New York, New York 10017, is hereby retained to represent the Town as special counsel for potential litigation at the rate of \$832.50 an hour; and be it further

RESOLVED, That this Town Board find a waiver of the Procurement Policy to be proper, due to the aforementioned firm's unique qualifications and the Town's pressing need for legal representation.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Joseph Nocella

20

Town of Oyster Bay

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 7, 2017

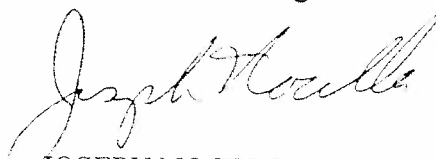
SUBJECT: Special Counsel to the Town Attorney

Quinn, Emanuel, Urquhart and Sullivan, LLP ("Quinn, Emanuel"), who has been representing the Town's interests as special counsel since May 1, 2015, has advised the Office of the Town Attorney that it is necessary in order to properly protect the Town's interest with respect to on-going inquiries from the Securities and Exchange Commission that the Town immediately retain counsel which specializes in Securities Exchange Commission Investigation and Litigation.

Morvillo Abramowitz Grand Iason & Anello PC, 565 Fifth Avenue, New York, New York 10017, has been recommended by *The Legal 500 United States 2017* for Securities Litigation and they have recognized the firm as "Leading Trial Lawyers." The firm has a long history of dealing with the Securities and Exchange Commission, the Financial Industry Regulatory Authority, the United States Department of Justice, state regulatory agencies and state law enforcement officials. Their staff includes a former Regional Administrator of the Securities and Exchange Commission. Their billing rate is \$925.00 per hour and they have agreed to extend a 10% municipal discount to the Town so that the net billing rate will be \$832.50 per hour.

Due to this firm's unique qualifications and the Town's immediate need for legal representation, this office requests that the Town Board waive the Procurement Policy and authorize the Town Attorney to retain the law firm of Morvillo Abramowitz Grand Iason & Anello PC to represent the Town in the above mentioned matters and other related matters.

Submitted herewith is the Resolution for the foregoing. This Office requests that the Resolution be heard at the July 11, 2017 Town Board Meeting.


JOSEPH NOCELLA
TOWN ATTORNEY

Enclosures

cc: Office of the Town Attorney (with 10 copies)



7/11/17
Reviewed By
Office of Town Attorney

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, Audrey Avenue, Oyster Bay, New York on the 25th day of July, 2017, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of CEDAR-CARMANS, LLC, fee owner, for a Special Use Permit to construct a health club/gym, within the shopping center located in a Neighborhood Business (NB) Zone, on premises located at 900-944 Carmans Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block 160, Lots 40A and 40B on the Land and Tax Map of Nassau County, and to terminate the restrictive covenants previously imposed; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in newspapers of general circulation within the Town of Oyster Bay.

-#-

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

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

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

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, July 25, 2017, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from CEDAR-CARMANS, LLC, fee owner, for a Special Use Permit to construct a health club/gym, within the shopping center located in a Neighborhood Business (NB) Zone, on premises located at 900-944 Carmans Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block 160, Lots 40A and 40B on the Land and Tax Map of Nassau County, and to terminate the restrictive covenants previously imposed. The abovementioned Petition and maps which accompany it are on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: July 11, 2017, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

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Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

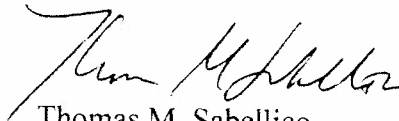
FROM : OFFICE OF THE TOWN ATTORNEY


DATE : July 5, 2017

SUBJECT: CEDAR-CARMANS, LLC
Special Use Permit and Termination of Restrictive Covenants
Premises: 900-944 Carmans Road, Massapequa, New York
Section 53, Block 160, Lots 40A & 40B

It is requested that at the Town Board meeting scheduled for July 11, 2017, that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on July 25, 2017, in connection with the above referenced matter.

JOSEPH NOCELLA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel


TMS:st
Enclosure

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 25th day of July, 2017, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND LOCAL LAW 1-2015 AS PREVIOUSLY AMENDED BY LOCAL LAW 2-2016 AND LOCAL LAW 1-2017 AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in the ~~Newsday~~

newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Human Resources

Reviewed By
Office of Town Attorney
[Signature]

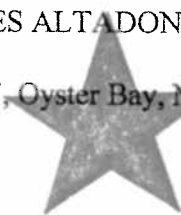
PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 25th day of July, 2017, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the matter set forth hereinafter: PROPOSED LOCAL LAW, entitled "A LOCAL LAW TO AMEND LOCAL LAW 1-2015 AS PREVIOUSLY AMENDED BY LOCAL LAW 2-2016 AND LOCAL LAW 1-2017 AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: July 11, 2017, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

[Handwritten signature]



Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. _____ of the year 2017

A local law entitled "A LOCAL LAW TO AMEND LOCAL LAW 1-2015 AS PREVIOUSLY AMENDED BY LOCAL LAW 2-2016 AND LOCAL LAW 1-2017 AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY."

Be it enacted by the Town Board of the

Town of Oyster Bay as follows:

Legislative Findings. On October 13, 2015, the Town Board adopted Local Law 1-2015 which created a local retirement incentive program for the eligible employees of the Town of Oyster Bay. On June 21, 2016, the Town Board adopted Local Law 2-2016 which amended Local Law 1-2015 and on January 10, 2017, the Town Board adopted Local Law 1-2017 which further amended Local Law 1-2015. The Town Board finds and declares that further extending the period of eligibility for a retirement incentive through December 31, 2017, would achieve cost-savings for the Town. Accordingly, Local Law 1-2015, as amended by Local Law 2-2016 and Local Law 1-2017, is hereby further amended as follows:

SECTION 4 IS AMENDED AS FOLLOWS:

Section 4. Notwithstanding any other provision of law, any eligible employee who:

- a. has been continuously in the active service of the Town from no later than July 1, 2014 to the date immediately prior to retirement;
 - b. is eligible for a service retirement (with or without penalty) as of the effective date of this local law as more fully set forth in Section 5A hereof) or first becomes eligible between August 1, 2017 and on or before December 31, 2017 (as more fully set forth in Section 5B hereof); and
 - c. files an application for service retirement that is effective during the applicable period, as set forth in Section 5 hereof,
- shall be entitled to the retirement incentive provided in Section 4A of this local law.

AMEND SECTION 4A AS FOLLOWS:

Section 4A. There shall be an open period during which eligible employees who have complied with the requirements of Section 4 of this local law may retire and receive the additional retirement benefit.

It shall commence on the effective date of this Local Law and shall run through the close of business on December 31, 2017. In order to qualify for the retirement benefit, the eligible employee's retirement must be not later than January 31, 2018, with his or her retirement being effective commencing no later than February 1, 2018.

SECTION 5 IS AMENDED AS FOLLOWS:

Section 5. A. Notwithstanding any other provision of law, an eligible employee who is a member of the retirement system and who is entitled to a retirement incentive pursuant to Section 4 of this local law, as amended, and who was eligible to retire as of the effective date of this Local Law shall receive a retirement incentive of:

- a. The sum of \$500.00 for each completed year of retirement service credit in the retirement system;
- b. An amount equal to 2% of the employee's base 2016 salary, pro-rated from January 1, 2017 to the last day of employment; and
- c. The Town shall provide the retiree with individual health, optical and dental insurance for life, and shall provide health, optical and dental insurance coverage to those individuals covered under the retiree's family coverage, if applicable, during retiree's life.

B. Notwithstanding any other provision of law, an eligible employee who is a member of the retirement system and who is entitled to a retirement incentive pursuant to Section 4 of this local law, as amended, and who first becomes eligible to retire between August 1, 2017 and December 31, 2017 shall receive a retirement incentive of:

- a. The sum of \$1,000.00 for each completed year of retirement service credit in the retirement system;
- b. An amount equal to 2% of the employee's base 2016 salary, pro-rated from January 1, 2017 to the last day of employment; and
- c. The Town shall provide the retiree with individual health, optical and dental insurance for life, and shall provide health, optical and dental insurance coverage to those individuals covered under the retiree's family coverage, if applicable, during retiree's life.

SECTION 8 IS AMENDED AS FOLLOWS:

Section 8. The amounts due under Section 5 and Section 7 to any eligible employee who has complied with Section 4 of this local law and who retires pursuant to this local law shall be paid, at the employee's option, to be exercised prior to the effective date of his or her retirement, either:

- a. In one lump sum within seventy-five (75) days after the effective date of retirement; or
- b. In three equal payments, the first payment to be made within seventy-five (75) days after the effective date of the employee's retirement, the second payment to be made on the first anniversary of the effective date of the retirement, and the third payment

to be made on the second anniversary of the effective date of the retirement, all without interest.

SEQRA Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(20) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

1. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2017 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2017, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2017

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

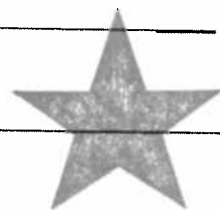
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2017



Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : July 5, 2017

SUBJECT: Proposed Local law entitled:
"A LOCAL LAW TO AMEND LOCAL LAW 1-2015 AS PREVIOUSLY
AMENDED BY LOCAL LAW 2-2016 AND LOCAL LAW 1-2017
AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE
ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY."

This office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

Please waive the rules and place this matter on the Town Board Action calendar for July 11, 2017.

JOSEPH NOCELLA
TOWN ATTORNEY



Thomas M. Sabellico
Special Counsel

TMS:st
Enclosures
cc: Town Attorney (w/10 copies)
S:\Attorney\LOCAL LAWS\Retirement TOB 2017\MD.docx



Meeting of July 11, 2017

Resolution No. 409-2017

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 25th day of July, 2017, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO ADD CHAPTER 231 – UNMANNED AIRCRAFT - TO THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in

Newsday

a newspaper of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

-#-

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

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

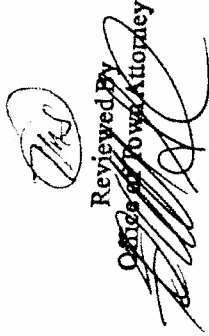
cc: Supervisor
Town Attorney
Comptroller (2)

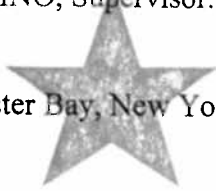
Reviewed By
Office of Town Attorney

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 25th day of July, 2017, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO ADD CHAPTER 231 – UNMANNED AIRCRAFT - TO THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: July 11, 2017, Oyster Bay, New York.

Reviewed By
Office of Town Attorney




Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. _____ of the year 2017

A local law entitled "A LOCAL LAW TO ADD CHAPTER 231- UNMANNED AIRCRAFT - TO THE CODE OF THE TOWN OF OYSTER BAY"

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Oyster Bay as follows:

Section 1.

ADD CHAPTER 231 – Unmanned Aircraft.

Regulation of unmanned aircraft in vicinity of Town facilities.

§231-1 Legislative Intent.

- (A) The Town Board of the Town of Oyster Bay has determined that there has been a proliferation of the use of unmanned aircraft systems (commonly known as "drones" and "model aircraft") (UAS) in and around the Town of Oyster Bay. The Town Board also finds that the flying of these drones presents a noisy and potentially dangerous condition to the public and wildlife that may be present at Town facilities and that drone use at Town facilities is inconsistent with the establishment and maintaining of a safe and pleasing public environment. The Town Board further finds that it is in the public interest to limit the private use of such UAS in the vicinity of Town of Oyster Bay facilities.
- (B) The Town Board recognizes that the Federal Aviation Administration has authority to regulate the use of UAS by public entities as well as UAS used for commercial purposes and that no person shall operate a UAS for commercial purposes without the express permission of the FAA.

§231-2 Scope; applicability.

- (A) Scope: No UAS may be operated on, near, or above any Town Facility, as defined herein, by any private, commercial, or business person or entity without approval of such use from the Town of Oyster Bay, as evidenced by a permit issued by the Town Clerk.
- (B) Applicability:
 - (i) The provisions of this chapter do not, and are not intended to, limit, replace, or circumvent any state or federal law, code, or regulation but, rather, are intended to supplement such legislation.
 - (ii) Should any provision of this chapter be in conflict with any applicable state or local law, ordinance, code, or regulation, the more restrictive provision or requirement shall prevail.

§231-3 Presumption.

For purposes of this chapter, the following rebuttable presumption shall apply: The possession by any person of a UAS while on or in the vicinity of any Town of Oyster Bay facility creates the presumption that such UAS has been used in violation of this chapter subjecting the possessor of such UAS to all penalties provided for herein.

§231-4 Definitions.

As used in this section, the following terms shall have the meanings indicated:

TOWN FACILITY

Any park, beach, cemetery, property, building or repair facility, under the ownership or control of the Town of Oyster Bay, or any of the Town departments.

UNMANNED AIRCRAFT SYSTEM

Any mechanical device which is airborne or may be caused to be airborne, including model airplanes and drones as well as any other similar mechanical device that is controlled by radio transmitter.

§231-5 Enforcement.

All employees of the Department of Planning & Development, the Department of Public Works, the Department of Highways, and the Department of Public Safety who are now or hereafter charged with the responsibility to perform inspection and/or enforcement duties with regard to the laws, codes, ordinances, rules and regulations within the general jurisdiction of their respective departments as well as police officers having jurisdiction are hereby further empowered to enforce the provisions of this chapter and to issue appearance tickets returnable in the District Court of Nassau County for violations thereof.

§231-6 Penalties for offenses.

- (A) First offense: fine of \$500 plus the cost of permit.
- (B) Second offense within one year of first offense: fine of \$1,000 plus the cost of permit.

(C) Third offense within 18 months of first offense: fine of \$1,500 plus the cost of permit.

§231-7 Permits.

- (A) Anyone seeking issuance of a special exception permit to operate a UAS, not otherwise permitted by another governmental authority, shall file an application with the Town Clerk on forms provided by the Town Clerk and pay the proscribed fee.
- (B) Filing period: An application for a permit shall be filed with the Town Clerk not less than 15 days or more than 30 days prior to the date upon which the applicant proposes to conduct the activity.
- (C) Form: The application for a permit shall set forth the following information:
 - (i) The name, address and telephone number of the person seeking to conduct such activity.
 - (ii) If the activity is proposed to be conducted for, on behalf of or by an organization, the name, principal address and telephone number of the organization.
 - (iii) The name, address and telephone number of the person or officers of the organization authorized to be responsible for the activity.
 - (iv) The date when the activity is to be conducted.
 - (v) The area over which the activity is proposed to be conducted as well as the starting point and the termination point.
 - (vi) The number of persons who will be involved conducting the activity.
 - (vii) The times when the activity is proposed to commence and terminate.
 - (viii) The altitude of the proposed UAS flight.
 - (ix) Description of any photographic, video and/or audio recording capabilities of the UAS as well as any attachments to the UAS.
- (D) Waiver of time limitation: The Town Clerk, where good cause is shown therefor, shall have the authority to consider any application hereunder which is filed less than 15 days prior to the proposed activity date.
- (E) The fee for such permit shall be \$75.00 and may be adjusted from time to time by order of the then-seated Town Board.

§231-8 Insurance requirement.

- (A) As part of the application for a permit to operate a UAS under the terms of this chapter, the applicant must provide proof of liability insurance, naming the Town of Oyster Bay as an additional insured, in the following minimum limits:
 - (i) General liability: \$1,000,000.
 - (ii) Bodily injury: \$500,000 individual.

(iii) Bodily injury: \$1,000,000 single accident.

(iv) Property damage: \$500,000.

§231-9 Standards for issuance:

The Town Clerk shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he or she finds that:

(A) The proposed activity will be orderly in character and not tend to disturb the public peace.

(B) The conduct of the activity will not interrupt the providing of normal emergency services in the area.

(C) The conduct of the activity will not interrupt the safe and orderly movement of traffic.

§231-10 Alternative permit.

The Town Clerk, in denying an application for a special exception permit, shall be empowered to authorize the conduct of the activity on a date, at a time different from that designated by the applicant. An applicant desiring to accept an alternate permit shall, within three days after notice of the action by the Town Clerk, file a written notice of acceptance with the Town Clerk. An alternate permit shall conform to the requirements of a permit under this chapter.

§231-11 Notice to Town and other officials.

(A) Immediately upon the issuance of a permit, the Town Clerk shall send a copy thereof to the following:

(i) The Supervisor.

(ii) The Councilmembers.

(iii) The Commissioner of Parks.

(iv) The Commissioner of the Department of Public Safety.

(v) The Commissioner of Planning & Development.

(vi) The Commissioner of Public Works.

(vii) The Commissioner of General Services

§231-12 Form of permit.

(A) Each permit shall contain the following information:

(i) The name and address of the person granted the permit.

(ii) The name of the manufacturer, model number, and serial number of the UAS to be flown.

- (iii) Description of any photographic, video and/or audio recording capabilities of the UAS as well as any attachments to the UAS.
- (iv) The date the activity is to be conducted.
- (v) The assembly area, the starting point and the termination point of the activity.
- (vi) The starting time and the approximate time the activity is to terminate.
- (vii) The area in and over which the UAS will be operated.

§231-13 Duties of permittee.

- (A) A permittee hereunder shall comply with all permit terms and conditions and with all applicable laws and ordinances.
- (B) The person granted the permit shall have the permit in his/her immediate possession at all times during the conduct of the activity and shall display the same upon demand of any person authorized to enforce this chapter.

§231-14 Conduct of permittee.

Permittee shall operate the authorized UAS in a manner consistent with the permit issued by the Town of Oyster Bay.

§231-15 Exceptions.

The above prohibition shall not apply to the use of drones for active law enforcement purposes, or where the same is authorized by license or permit under the laws and regulations of the United States of America, the State of New York, or under the regulations of the Town of Oyster Bay, or as a function of the Town's Department of Public Safety, or for which permission has been previously granted by the appropriate governing body, board, agency or commission having authority to grant such permissions.

Section 2. SEQRA Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(20) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

Section 3. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 4. This local law shall become effective immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and
strikeout that which is not applicable).

1. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2017
of the Town of Oyster Bay was duly passed by the Town Board on _____ 2017, in accordance
with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2017

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper
proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2017

S:\Attorney\LOCAL LAWS\LAC 231 Unmanned Aircraft\LL.docx

17

Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : July 6, 2017


SUBJECT: Proposed Local law entitled:
"A LOCAL LAW TO ADD CHAPTER 231 – UNMANNED AIRCRAFT - TO
THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK"

This office has prepared the following items necessary to establish a new local law referenced above:


1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

Kindly place this matter on the Town Board Action calendar for July 11, 2017.

JOSEPH NOCELLA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:st
Enclosure



RESOLVED, That the Town Board hereby authorizes the Town Clerk to publish the Comprehensive Annual Financial Report for the year ending December 31, 2016, in compliance with General Municipal Law, Article 3, Section 35, requiring public notice of said report and filing with the State 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMORANDUM

July 6, 2017

TO: Memorandum Docket

FROM: Carol Ann Strafford, Director of Legislative Affairs
THRU: Joseph Nocella, Town Attorney

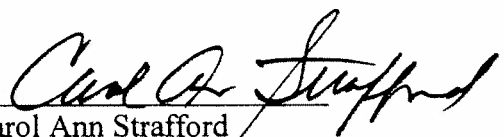
SUBJECT: Town of Oyster Bay –
Comprehensive Annual Financial Report for the year ended
December 31, 2016

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

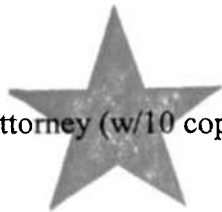
The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

Kindly place this matter on the Town Board Action Calendar for July 11, 2017 to authorize publishing said public notice in connection with the subject report.

Joseph Nocella
Town Attorney

By 
Carol Ann Strafford
Dir. of Legislative Affairs

JN:CAS
Cc: Town Attorney (w/10 copies)



RESOLVED, That the Town Board hereby authorizes the Town Clerk to publish the 2016 Town of Oyster Bay State Transportation Single Audit Report for the period ending December 31, 2016, in compliance with General Municipal Law, Article 3, Section 35, requiring public notice of said report and filing with the State Comptroller.

-#-

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

19

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMORANDUM

July 6, 2017

TO: Memorandum Docket

FROM: Carol Ann Strafford, Director of Legislative Affairs
THRU: Joseph Nocella, Town Attorney

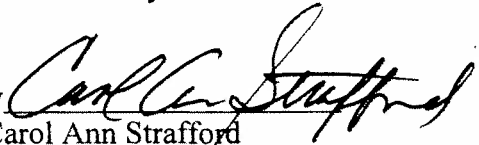
SUBJECT: Town of Oyster Bay –
Transportation Single Audit Report for the year ended
December 31, 2016

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

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

Kindly place this matter on the Town Board Action Calendar for July 11, 2017 to authorize publishing said public notice in connection with the subject report.

Joseph Nocella
Town Attorney


By 
Carol Ann Strafford
Dir. of Legislative Affairs

JN:CAS
Cc: Town Attorney (w/10 copies)



RESOLVED, That the Town Board hereby authorizes the Town Clerk to publish the External Audit Report-Federal Single Audit Report for the period ending December 31, 2016, in compliance with General Municipal Law, Article 3, Section 35, requiring public notice of said report and filing with the State Comptroller.

-#-

7/11/17
Reviewed By
Office of Town Attorney


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

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

cc: Supervisor
Town Attorney
Comptroller (2)

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMORANDUM

July 6, 2017

TO: Memorandum Docket

FROM: Carol Ann Strafford, Director of Legislative Affairs
THRU: Joseph Nocella, Town Attorney

**SUBJECT: Town of Oyster Bay –
Federal Single Audit Report for the year ended
December 31, 2016**

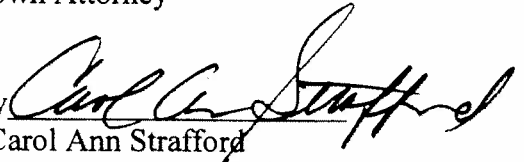
In accordance with an amendment to Article 3 of the General Municipal Law, as amended, effective January 1, 1989, the subject report must be filed with the State Comptroller within ten (10) days after filing. It further requires the Town Clerk to publish a Notice within ten (10) days to provide for the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

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

Kindly place this matter on the Town Board Action Calendar for July 11, 2017 to authorize publishing said public notice in connection with the subject report.

Joseph Nocella
Town Attorney

By


Carol Ann Strafford
Dir. of Legislative Affairs



JN:CAS

Cc: Town Attorney (w/10 copies)



RESOLVED, That the Town Board hereby authorizes the Town Clerk to publish the External Audit Report-Town of Oyster Bay Town Clerk Agency Fund Report for the period ending December 31, 2016, in compliance with General Municipal Law, Article 3, Section 35, requiring public notice of said report and filing with the State 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMORANDUM

July 6, 2017

TO: Memorandum Docket

FROM: Carol Ann Strafford, Director of Legislative Affairs
THRU: Joseph Nocella, Town Attorney

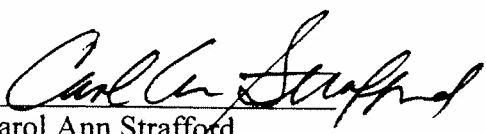
SUBJECT: Town of Oyster Bay –
Town Clerk Agency Fund Report for the year ended
December 31, 2016

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

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

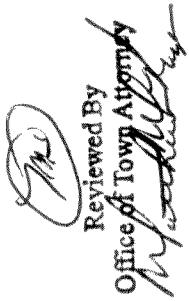
Kindly place this matter on the Town Board Action Calendar for July 11, 2017 to authorize publishing said public notice in connection with the subject report.

Joseph Nocella
Town Attorney

By 
Carol Ann Strafford
Dir. of Legislative Affairs

JN:CAS
Cc: Town Attorney (w/10 copies)



Reviewed By
Office of Town Attorney


WHEREAS, by Resolution No. 279-15, adopted on May 12, 2015, the Town Board granted a Change of Zone and Site Plan Approval for the construction and development of a mixed-use development located in "RSC-25" (Multi-Family Senior Citizen Residence), "RMF-16" (Multi-Family Residence) and "GB" (General Business) Districts, at premises located at Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 752A and 752B on the Land and Tax Map of Nassau County; and

WHEREAS, Resolution No. 279-15 required that a Declaration of Restrictive Covenants be executed and recorded, which Declaration contained covenants and restrictions, specifically Covenant No. 25 which provides for Town Board approval of any major Site Plan Modification; and

WHEREAS, by Resolution No. 692-16, adopted on December 13, 2016, the Town Board approved the site layout plan for the subject premises; and

WHEREAS, Beechwood CBW, LLC, fee owner, (hereinafter referred to as Applicant) has petitioned the Town Board of the Town of Oyster Bay for modification of a Declaration of Restrictive Covenants, recorded in the Nassau County Clerk's Office on May 9, 2016, at Libor 13358, Page 481, affecting the construction and development at premises located at Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 752A and 752B on the Land and Tax Map of Nassau County; and

WHEREAS, Applicants have specifically requested modification of paragraphs 1, 10 and 25 of said Declaration of Restrictive Covenants; and

WHEREAS, a duly advertised public hearing on said application was held by the Town Board of the Town of Oyster Bay on June 20, 2017, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated June 20, 2017, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 20, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 27, 2017, has advised that the Department of Planning and Development does not object to the modifications requested; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10178-17, adopted on June 29, 2017, has recommended local determination of said application,

NOW, THEREFORE, BE IT RESOLVED, That the petition of Beechwood CBW, LLC, fee owner, requesting that the Town Board of the Town of Oyster Bay modify the existing Declaration of Restrictive Covenants, recorded in the Nassau County Clerk's Office on May 9, 2016 at Libor 13358, Page 481, affecting the development and construction of a mixed-use development of the premises located at the southernmost corner of Old Country Road, in

Plainview, Town of Oyster Bay, County of Nassau, State of New York, said premises being described at Section 47, Block E, Lots 752A and 752B is hereby granted, to the following extent:

1) Paragraph 1 of the Declaration shall be modified to confirm that the term “retail stores” shall include restaurants and offices and other commercial uses permitted by the Town Code of the Town of Oyster Bay in a General Business district;

2) Paragraph 10 of the Declaration shall be amended to reflect that the hours of operation of the loading docks of any commercial establishment shall be 7:00 a.m. to 10:00 p.m., Monday through Saturday and 8:00 a.m. to 10:00 p.m. Sundays and holidays, and that all loading docks shall be buffered and screened to mitigate potential noise and visual impacts, and be located more than 400 feet from the nearest residences along Round Swamp Road; and

3) Paragraph 25 of the Declaration shall be amended to reflect that the Applicant has submitted to the Town a performance bond in the amount of \$1,000,000 to guarantee the development of athletic fields and irrigation system in accordance with the plans to be designed and approved by the Town, and accordingly certificate of occupancy may be issued by the Town provided that all other requirements have been satisfied.

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

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

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