

John Canning
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting of July 13, 2021

RESOLUTION P-12-2021

WHEREAS, The 2021 Budget, adopted October 27, 2020 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 2021 Budget, on October 27, 2020, was by a Resolution of the Town Board; and

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

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

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

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

Meeting of July 13, 2021

Resolution No. TF-10-2021

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

ITEM NO.	DEPT.	AMOUNT	FROM
023-21	DGS	\$ 30,000.00	DGS A 1620 41600 000 0000
		\$ 30,000.00	TO DGS A 1620 46300 000 0000
024-21	TWN	\$ 28,675.00	INCREASE TWN A 0001 02705 000 0000
		\$ 28,675.00	INCREASE DER A 8090 46350 000 0000
025-21	HWY	\$ 23,000.00	FROM HWY DB 9901 90000 000 0000
		\$ 23,000.00	TO HWY DB 5110 46300 000 0000
		\$100,000.00	FROM HWY DB 9901 90000 000 0000
		\$100,000.00	TO HWY DB 5142 48900 000 0000
026-21	CYS	\$ 15,000.00	FROM CYS A 7020 47660 000 0000
		\$ 15,000.00	TO CYS A 7020 41800 000 0000
027-21	PKS	\$ 3,789.57	FROM PKS SP 7110 46300 000 0000
		\$ 3,789.57	TO PKS SP 7110 41900 000 0000
		\$ 5,569.00	FROM PKS A 7110 46300 000 0000
		\$ 5,569.00	TO PKS A 7110 41900 000 0000

-#-

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

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

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

INTER – DEPARTMENTAL MEMO

Date: JUNE 21, 2021
To: MEMORANDUM DOCKET
From: RALPH J. RAYMOND - DEPUTY COMMISSIONER GENERAL SERVICES
Subject: OPERATING ACCOUNTS – TRANSFER OF FUNDS

The following transfer is respectfully requested:

FROM: DGS A 1620 41600 000 0000 MATERIALS & SUPPLIES \$30,000.00


TOTAL \$30,000.00

TO: DGS A 1620 46300 000 0000 BUILDING PROPERTY MAINTENANCE \$30,000.00

TOTAL \$30,000.00

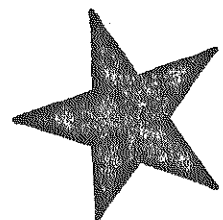
JUSTIFICATION: TRANSFER NEEDED TO COVER SERVICES AND REPAIRS
TO VARIOUS TOWN FACILITIES

Town Board approval is respectfully requested.



Ralph J. Raymond
Deputy Commissioner of General Services

RJR/nl
cc: Town Attorney +9 Copies



Town of Oyster Bay
Inter-Departmental Memo

June 22, 2021

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

In order to provide a funding source to purchase one million clam seeds with money already received from Frank M. Flowers and Sons, Inc., the following transfer of funds is hereby requested:

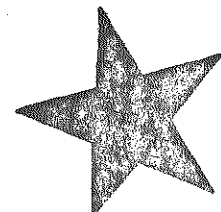
Increase:							
TWN A	0001	02705	000	0000	Gifts and Donations	28,675.00	
Increase:							
DER A	8090	46350	000	0000	Bay Management Program	28,675.00	

Thank you.


Robert Darienzo
Director of Finance

RD/rd

Word/Documents/Docket/TOF 2021 DER



TOWN OF OYSTER BAY
Inter-Departmental Memo

6/29/2021

TO: MEMORANDUM DOCKET**FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT****SUBJECT: TRANSFER OF FUNDS 2021**

Town Board authorization is requested to transfer the following funds:

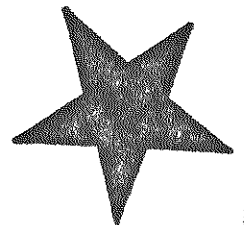
Account No.	Object Description	Amount
<u>From:</u> HWY DB 9901 90000 000 0000	DEBT SERVICE	\$23,000.00
<u>To:</u> HWY DB 5110 46300 000 0000	BLDG, PROPERTY MAINT.	\$23,000.00
<u>From:</u> HWY DB 9901 90000 000 0000	DEBT SERVICE	\$100,000.00
<u>To:</u> HWY DB 5142 48900 000 0000	SNOW REMOVAL	\$100,000.00

This transfer is necessary to provide funds for poison ivy removal on town property, and Salt for snow removal.


John P. Bishop, Deputy Commissioner
Highway Department

JPB/dp

C: Comptroller's Office
Richard Lenz, P.E., Commissioner of DPW/Highway



TOWN OF OYSTER BAY
Inter-Departmental Memorandum

July 1, 2021

TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: Transfer of Funds

The Department of Community and Youth Services requests Town Board authorization to transfer the following funds:

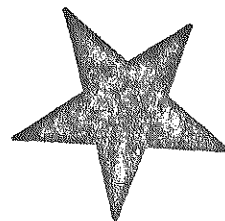
From:	CYS A 7020 47660 000 0000	Special Events	\$ 15,000.00
To:	CYS A 7020 41800 000 0000	Recreational Supplies	\$ 15,000.00

The transfer will accommodate the cost of recreational supplies for the Department's special events.

MAUREEN A. FITZGERALD
COMMISSIONER


Maureen A. Fitzgerald
Commissioner

MAF:iw



TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: July 1, 2021

SUBJECT: 2021 Transfer of Funds

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


FROM:

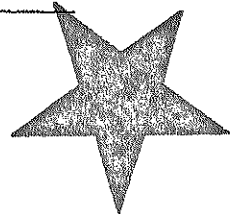
PKS-SP-7110-46300-000-0000	Building, Property Maintenance	\$3,789.57
PKS-A-7110-46300-000-0000	Building, Property Maintenance	\$5,569.00

TO:

PKS-SP-7110-41900-000-0000	Ground Supplies	\$3,789.57
PKS-A-7110-41900-000-0000	Ground Supplies	\$5,569.00

This transfer request is to provide funds necessary for grass seed, fungicide, and fertilizer to be used at all Town Of Oyster Bay parks.


Joseph G. Pinto
Commissioner



JGP:dim

Meeting of July 13, 2021

Resolution No.380-2021

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 18, 2021, requested Town Board authorization to issue a refund in the amount of \$450.00 to Mr. Chris J. Barinski, Grounds Keeper I, assigned currently to the Town of Oyster Bay Department of Parks Ground Crew, to reimburse him for the fee he paid to renew his three (3) year "Pesticide Applicator/Technician Certification", said certification being an indispensable element of his duties with respect to the application of pesticides in Town parks in an environmentally sensitive manner; and

WHEREAS, Commissioner Pinto, in said memorandum, advises that without Mr. Baranski's certification the Town of Oyster Bay Department of Parks would be required to procure specialized pesticide services at a cost significantly greater than the cost of the renewal for said certification,

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$450.00, to Mr. Chris J. Barinski, Grounds Keeper I, assigned currently to the Town of Oyster Bay Department of Parks ground Crew; and be it further

RESOLVED, That funds for said payment shall be drawn from Account No. PKS A 7110 44900 000 000; and be it further

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

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Reviewed By
Office of Town Attorney

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

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

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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS


DATE: JUNE 18, 2021

SUBJECT: REIMBURSEMENT FOR PESTICIDE APPLICATOR/TECHNICIAN RENEWAL

The New York State Department of Environmental Conservation requires individuals that apply pesticides in a professional capacity to maintain a valid "*Pesticide Applicator/Technician Certification*". This certification is critical because it ensures that pesticides are applied in a safe and environmentally sound manner. The application of pesticides is a vital maintenance component of the Town of Oyster Bay Parks Department.

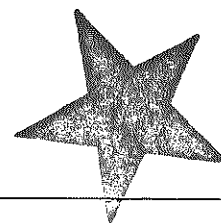
Chris J. Baranski, Grounds Keeper I is assigned to the Town of Oyster Bay Parks grounds crew and has maintained his *Pesticide Technician Certification* (#T1869708), thus utilizing his training to effectively maintain Town parks. Without Mr. Baranski's certification, the Department of Parks would have to procure specialized pesticide services at a cost significantly greater than the cost of Mr. Baranski's license renewal.

The Parks Department respectfully requests Town Board to authorize a reimbursement of four hundred fifty dollars (\$450.00) to Mr. Baranski for his "*Pesticide Applicator/Technician Certification*". This certification is valid for three (3) years. Funds are available in account PKS A 7110 44900 000 0000.



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/km
Att.





Department of Environmental Conservation

Certification ID Number T1869708
Customer Number 147975
Invoice Number 9990000495228
Invoice Date 28-Apr-2021

Pesticide Applicator/Technician Renewal/Recertification Invoice

The application you submitted to renew/recertify your pesticide applicator/technician certification has been reviewed and is ready to process or you have passed your recertification exam(s).

Please pay the fee shown below upon receipt of this invoice. You may not sell or apply pesticides in New York State without a current pesticide certification ID card in your possession. Certified applicators must complete recertification within 90 days of your recertification date or your payment will be returned and you will be asked for 6 penalty credits.

NOTE: Changes to your name, address or category of certification MUST be done BEFORE payment is submitted. Please submit your request in writing to the Pesticide Reporting and Certification Section at:

NYS DEC

Pesticide Reporting and Certification
625 Broadway
Albany, NY 12233-7254

(DO NOT MAIL PAYMENTS TO THIS ADDRESS)

Questions regarding your pesticide certification should be directed to Pesticide Reporting and Certification at (518) 402-8748 or pestmgt@dec.ny.gov.

Original Invoice Amount Due: \$450.00

ONLINE PAYMENT NOW AVAILABLE!

Instructions for viewing your invoices on-line and paying electronically can be found at:
<https://www.dec.ny.gov/about/61016.html#On-Line>

Note: If you choose to pay your invoice electronically, you will be assessed an additional convenience fee. This convenience fee is in addition to your renewal/recertification fee and will appear as a separate line charge on your credit card statement.

If you choose not to pay online, checks should be made payable to:

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

Please include the bottom portion of this invoice along with your check payment in US dollars (USD).

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

Employees of NYS Government Agencies who will be paying via Statewide Financial Systems can find the SFS accounting information on the following page.

Certification ID Number
T1869708

Category(ies)
3a

Payment Due
\$450.00

OFFICIAL CHECK

22-7365
2214

No. 23002099

Date: May 18, 2021

Four Hundred Fifty and 00/100*****

DOLLARS


Amount \$ *****450.00


Pay to the NYS Department of Environmental Conservation
Order of

T1869708
Memo

NON-NEGOTIABLE

PESTICIDE TECHNICIAN




**CHRIS J BARANSKI**
is duly certified by the New York State
Department of Environmental Conservation
ID: T1869708 Expires: 04/21/2024
Categories/Subcategories of Certifications
3a


Chris Baranski

NOT VALID FOR PURCHASE OF RESTRICTED PESTICIDES
THIS DOES NOT CONFER NYS EMPLOYEE STATUS

REPRODUCED FROM STATE EMPLOYMENT RECORDS

PESTICIDE TECHNICIAN

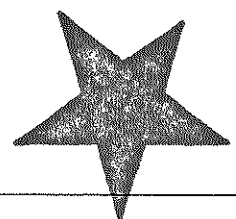


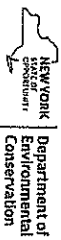
**CHRIS J BARANSKI**
is duly certified by the New York State
Department of Environmental Conservation
ID: T1869708 Expires: 04/21/2021
Categories/Subcategories of Certifications
3a

Chris Baranski

NOT VALID FOR PURCHASE OF RESTRICTED PESTICIDES
THIS DOES NOT CONFER NYS EMPLOYEE STATUS

REPRODUCED FROM STATE EMPLOYMENT RECORDS





RECEIPT

635591

Region Number 40

Date 6/10/2021

Location 6225 Broadway, Albany, NY Division Material Management

Received of Chris Baranski

In the amount of Four hundred fifty \$ 450

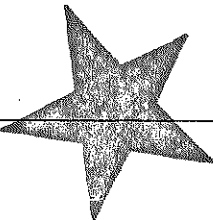
For poshicle license reactivation

☐ Cash Department Representative Rosaura Brando

☒ Check Number 23002099 Title Env Prog Spec

☐ Money Order

ORIGINAL



WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 16, 2021, directed BENNY DIASPARRA, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 126 Riviera Drive South, Massapequa, New York 11758, known and designated as Section 65, Block 228, Lot 38, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of July 13, 2021, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated May 11, 2021, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "the installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock application 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. 12; and be it further

RESOLVED, That the application of BENNY DIASPARRA, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 126 Riviera Drive South, Massapequa, New York 11758, known and designated as Section 65, Block 228, Lot 38 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

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

TO: MEMORANDUM DOCKET

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

DATE: JUNE 16, 2021

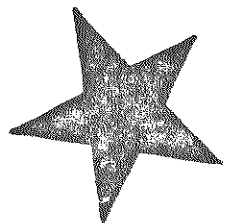
SUBJECT: WATERWAYS REVIEW
DIASPARRA RESIDENCE
126 RIVIERA DRIVE SOUTH
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 228, LOT(S) 38
DOCK BUILDING PERMIT APPLICATION # 21010278

We have received a request from Benny Diasparra to "install a 5 foot wide by 85 foot long open grate fixed pier with a 12 foot wide by 12 foot long 4 pile boat lift and a 6 foot wide by 8 foot long 2 pile jet ski lift." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03389/00001 dated July 30, 2020 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2020-00844 dated December 15, 2020. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 21010278; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03389/00001 dated July 30, 2020; Department of the Army, New York District Corps of Engineers Permit No. NAN-2020-00844 dated December 15, 2020, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated November 12, 2020. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated May 11, 2021, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

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

The proposed work at the subject premises would, in our opinion, be compatible with the surrounding area.



Pursuant to Section §241-9(E)(3) in the Town Code, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the July 13, 2021 Town Board calendar to provide the applicant ample time to comply with this requirement.

Elizabeth L. MacCarone
ELIZABETH L. MACCARONE
COMMISSIONER

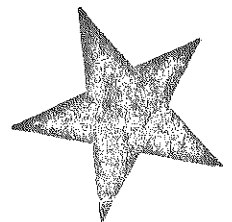
BY *Timothy R. Zike*

TIMOTHY R. ZIKE
Deputy Commissioner

ELM/MM
Encls.

cc: Legislative Affairs (1 copy w/ attachments)

cc: Town Attorney's Office, Attn: Dennis Sheehan



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

May 11, 2021

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

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

SUBJECT: DOCKS, PIERS & FLOATS PERMIT:
Benny Diasparra
Application # 21010278
126 Riviera Drive South, Massapequa, New York
Section: 65 Block: 228 Lot(s): 38

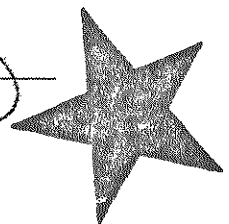
Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQR, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay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

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

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

Inasmuch as the proposed action is on SEQR's pre-determined Type II Actions list and the TEQR Law Type II Actions List, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.


GEORGE BAPTISTA, JR.
DEPUTY COMMISSIONER



0100046937 1/15/21

SECTION 65 BLOCK 228 LOT(S) 38

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

21010278

APPLICATION FOR PERMIT TO BUILD OR INSTALLAPPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

PROPERTY
OWNER: Benny DiGiuseppe 126 RIVERA DR S MASSA NY 11758 [REDACTED]
LESSEE
TENANT: Burkhead Printing & Copy 1456 66th St Roseton, NY 11714 [REDACTED]
APPLICANT: Scott Moses 2 Whalenec K DR Merrick NY 11566 [REDACTED]
ARCHITECT: John Weiburg 4046 Hudson Ave Seaforth, NY 11783
CONTRACTOR: KEVEL MARINE CONTRACTORS P.O. BOX 62 MASSAPEQUA PARK NY 11762 516-541-8819
PLUMBER: 516-439-0825
ELECTRICIAN: _____

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

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

A. TYPE OF IMPROVEMENTEXISTING _____ PROPOSED ☒

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

TYPE OF BUILDING**B. PROPOSED USE**

EXISTING _____ PROPOSED _____

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

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s)) Construct a new 5' x 15' pier
With thru-flow decking & pilings - boat lift - jet ski lift piles

A Disclosure Affidavit needs to be filed with the Application to demonstrate that there is no potential conflict of interest between a property owner, applicant, contractor or other involved party to an Application and any employees or other relationships to the Town of Oyster Bay.

HAVE BOTH AFFIDAVITS NOTARIZED

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

APPLICANTSTATE OF NEW YORK
COUNTY OF NASSAU

Scott Moses being duly sworn, deposes and says: That he/she resides at 2 Whalenec DR in the hamlet of MERRICK in the State of NY and that he/she is authorized by the Owner Benny DiGiuseppe who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponent's own knowledge.
Address: 2 Whalenec DR MERRICK, NY 11566
Phone: 917-776-3422

(Sign here)

Sworn to before me this 10th day of January 2021

Jerry Moses
Gary W. Moses

Notary Public State of New York
Reg. NO.01M06186523
Qualified in Nassau County

OWNERSTATE OF NEW YORK
COUNTY OF NASSAU

Benny DiGiuseppe being duly sworn, deposes and says: That he/she resides at 126 RIVERA DR S in the hamlet of MASSAPEQUA in the State of NEW YORK and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Scott Moses (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.

(Sign here)

Sworn to before me this 10th day of January 2021

Jerry Moses
Gary W. Moses

Notary Public State of New York
Reg. NO.01M06186523
Qualified in Nassau County

(Rev. 07/11/2017)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

July 30, 2020

DIASPARRA, BENNY
126 RIVIERA DR S
MASSAPEQUA, NY 11758

Re: **DEC ID# 1-2824-03389/00001**
DIASPARRA PROPERTY

Dear Permittee:

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

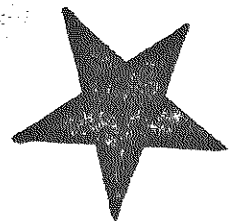
Also enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather and a Notice of Commencement/Completion of Construction.

Sincerely,


Laura F. Star
Deputy Permit Administrator

Enc.

Cc: Bulkhead Permits by Gary
BMHP
File





PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
BENNY DIASPARRA
126 RIVIERA DR S
MASSAPEQUA, NY 11758
[REDACTED]

Facility:
DIASPARRA PROPERTY
126 RIVIERA DR S NCTM# 65-228-38
MASSAPEQUA, NY 11758

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

Facility Location: in OYSTER BAY in NASSAU COUNTY Village: Massapequa
Facility Principal Reference Point: NYTM-E: 629.719 NYTM-N: 4500.845
Latitude: 40°38'53.8" Longitude: 73°27'56.7"

Project Location: 126 Riviera Dr. S Watercourse: Great South Bay
Authorized Activity: Construct a new 5'x85' pier with thru-flow decking and associated pilings. Install a boatlift, jet ski lift, and mooring pilings. All activities must be in strict conformance with the attached plans stamped approved by NYSDEC on July 29, 2020.

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-03389/00001

New Permit

Effective Date: 7/29/2020

Expiration Date: 7/28/2025

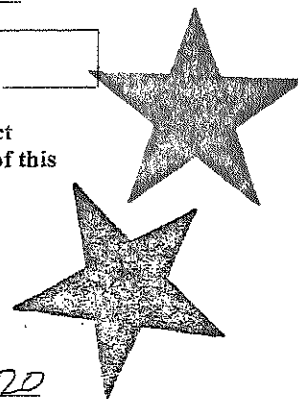
NYSDEC Approval

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

Permit Administrator: LAURA F STAR, Deputy Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook 50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: [Signature]

Date 7/29/20





Distribution List

BULKHEAD PERMITS BY GARY INC
Marine Habitat Protection
LAURA F STAR

Permit Components

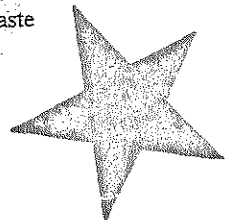
NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following
Permits: TIDAL WETLANDS**

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
2. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Bulkhead Permits by Gary Inc., dated July 12, 2020, and stamped approved by NYSDEC on July 29, 2020.
4. **No Construction Debris in Wetland or Adjacent Area** Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.
5. **No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.
6. **Materials Disposed at Upland Site** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.
7. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.





8. No Unauthorized Fill No fill or backfill is authorized by this permit without further written approval from the department (permit, modification, amendment).

9. Dock Size Dock shall not exceed 5 feet in width and shall be a minimum of 4 feet above grade (as measured from ground to bottom of dock decking) over tidal wetland areas.

10. Use of Treated Wood The use of wood treated with Pentachlorophenol or other wood treatment not specifically approved by the Department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.

11. Catwalk Decking- 60% Open Space The catwalk decking shall be constructed of fiberglass grating with a minimum of 60% open space to reduce shading impacts.

12. No Floats This permit does not authorize the installation of floats.

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

14. No Dredging or Excavation No dredging, excavating or other alteration of shoreline or underwater areas is authorized by this permit, nor shall issuance of this permit be construed to suggest that the Department will issue a permit for such activities in the future.

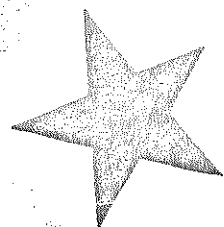
15. No Permanent Structures on Dock No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).

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

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

17. Pilings at Property Lines Pilings shall not:

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





18. Boat Lifts at Property Lines Boat lift/davit shall not:

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

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

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

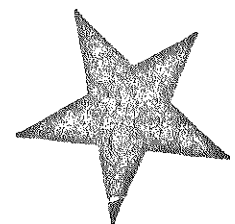
21. Maintain Erosion Controls All erosion control devices shall be maintained in good and functional condition until the project has been completed and the area has been stabilized.

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

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

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

~~removal or alteration.~~





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

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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

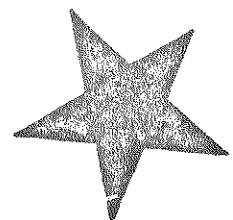
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

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

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

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

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



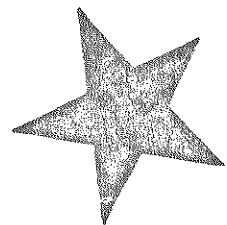


4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands.

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

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

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





NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

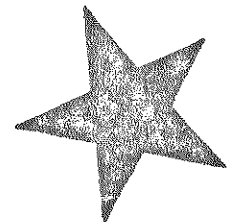
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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





Department of
Environmental
Conservation

NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

Regional Permit Administrator

Permit Number 1-2824-03389/0001

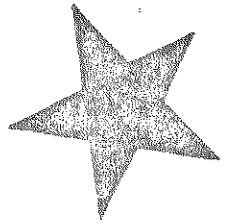
SUSAN ACKERMAN

Expiration Date July 20, 2025

NYSDEC - ENV. PERMITS
SUNY@STONY BROOK
50 CIRCLE ROAD

STONY BROOK, NY 11790-3409

NOTE: This notice is **NOT** a permit



NOTICE OF COMMENCEMENT OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE

Marine Habitat Protection
NYSDEC
50 Circle Road SUNY@ Stony Brook
Stony Brook, NY 11790-3409

OR FAX TO: 631-444-0272

E-Mail: dec.sm.R1MHP_BEH@dec.ny.gov



PERMIT NUMBER: _____ EXPIRATION DATE: _____

PERMITTEE NAME & PROJECT ADDRESS: _____

CONTRACTOR NAME & ADDRESS: _____

TELEPHONE: _____

Dear Sir:

Pursuant to special conditions of the referenced permit, you are hereby notified that the authorized activity shall commence on _____. We certify that we have read the referenced permit and approved plans and fully understand the authorized project and all permit conditions. We have inspected the project site and can complete the project as described in the permit and as depicted on the approved plans. We can do so in full compliance with all plan notes and permit conditions. The permit, permit sign, and approved plans will be available at the site for inspection in accordance with general Condition No. 1. (Both signatures required)

PERMITEE: _____ DATE: _____

CONTRACTOR: _____ DATE: _____

THIS NOTICE MUST BE SENT TO THE ABOVE ADDRESS AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE PROJECT AND FOR ANY ASSOCIATED REGULATED ACTIVITIES. FAILURE TO RETURN THIS NOTICE, POST THE PERMIT SIGN, OR HAVE THE PERMIT AND APPROVED PLANS AVAILABLE AT THE WORK SITE FOR THE DURATION OF THE PROJECT MAY SUBJECT THE PERMITEE AND/OR CONTRACTOR TO APPLICABLE SANCTIONS AND PENALTIES FOR NON-COMPLIANCE WITH PERMIT CONDITIONS.

Cut along this line X X X X X X X

NOTICE OF COMPLETION OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE

Marine Habitat Protection
NYSDEC
50 Circle Road SUNY@ Stony Brook
Stony Brook, NY 11790-3409

OR FAX TO: 631-444-0272

E-Mail: dec.sm.R1MHP_BEH@dec.ny.gov



PERMIT NUMBER: _____ EXPIRATION DATE: _____

PERMITTEE NAME & PROJECT ADDRESS: _____

CONTRACTOR NAME & ADDRESS: _____

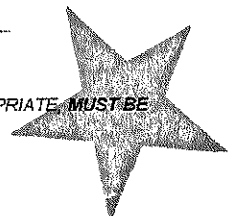
TELEPHONE: _____

Pursuant to special conditions of the referenced permit, you are hereby notified that the authorized activity was completed on _____. We have fully complied with the terms and conditions of the permit and approved plans. (Both signatures required)

PERMITEE: _____ DATE: _____

CONTRACTOR: _____ DATE: _____

THIS NOTICE, WITH PHOTOGRAPHS OF THE COMPLETED WORK AND/OR A COMPLETED SURVEY, AS APPROPRIATE, MUST BE SENT TO THE ABOVE ADDRESS WITHIN 30 DAYS OF COMPLETION OF THE PROJECT.



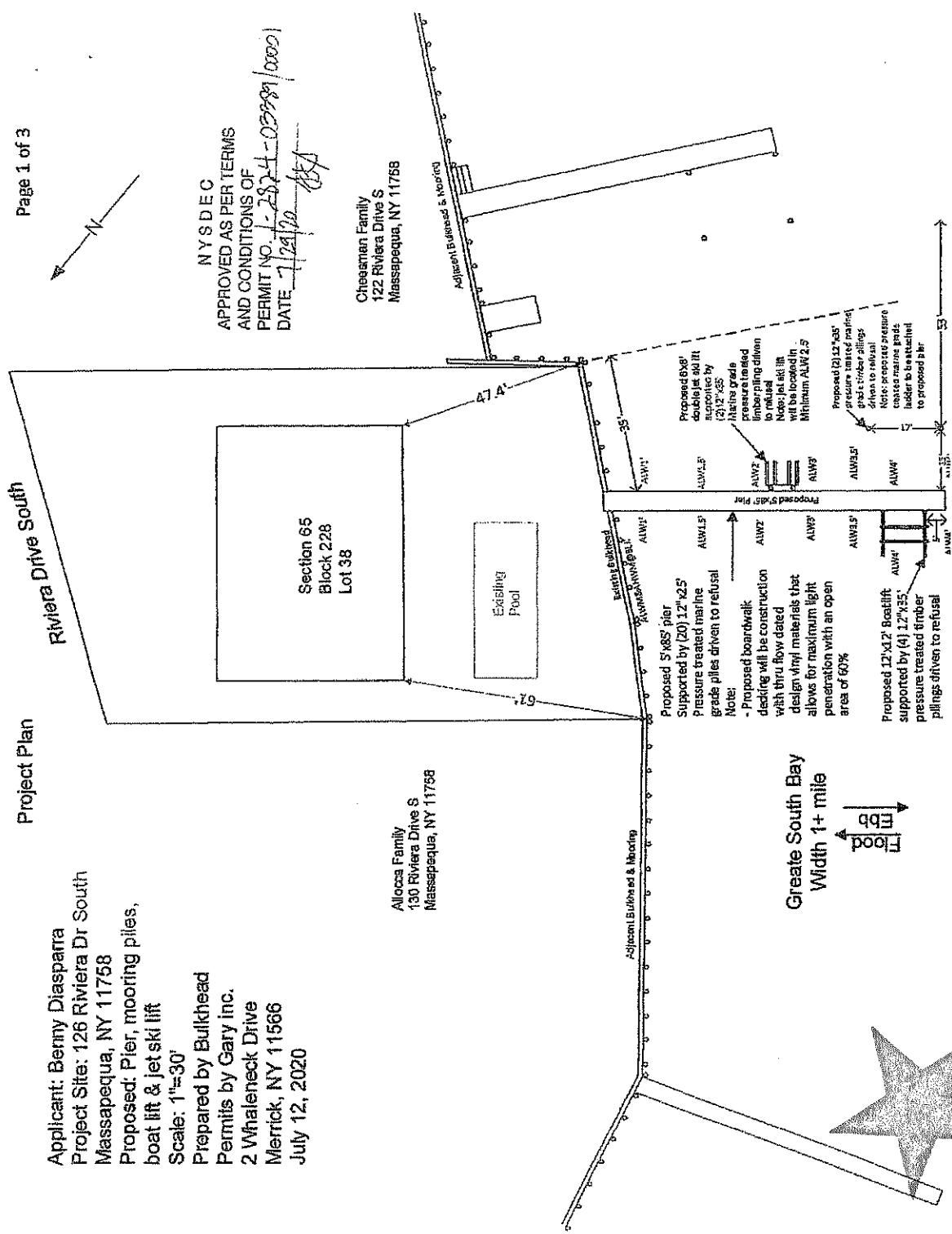
Project Plan

Applicant: Benny Diasparra
 Project Site: 126 Riviera Dr South
 Massapequa, NY 11758
 Proposed: Pier, mooring piles,
 boat lift & jet ski lift
 Scale: 1"=30'
 Prepared by Bulkhead
 Permits by Gary Inc.
 2 Whaleneck Drive
 Merrick, NY 11566
 July 12, 2020

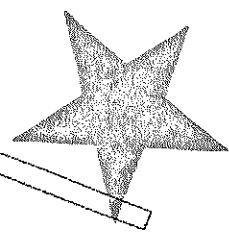
NYS DEC
 APPROVED AS PER TERMS
 AND CONDITIONS OF
 PERMIT NO. 1-2824-03981/00001
 DATE 7/24/20

Cheeseman Family
 122 Riviera Drive S
 Massapequa, NY 11758

Allocca Family
 130 Riviera Drive S
 Massapequa, NY 11758

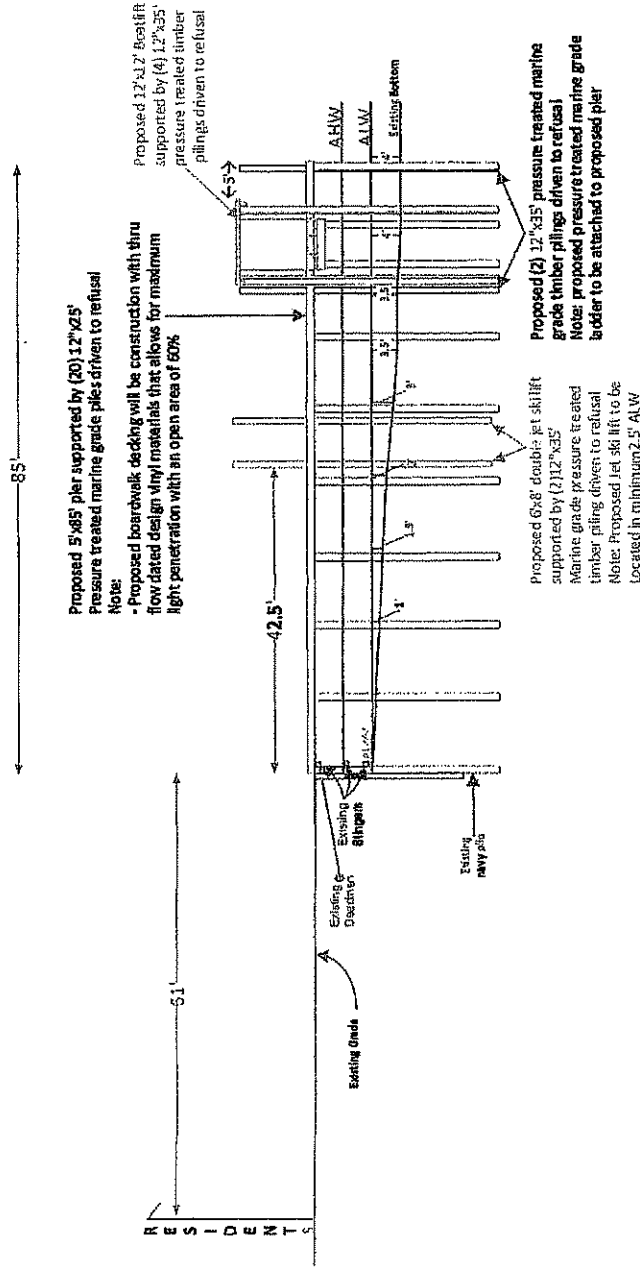


Greate South Bay
 Width 1+ mile



All hardware, nails & bolts shall be hot dip galvanized
All bolt Heads & nuts will be used with cut washers
All timber will be pressure treated marine grade

CROSS VIEW



Applicant: Benny Diaspama
Project Site: 126 Riviera Dr South
Massapequa, NY 11758
Proposed: Pier, mooring piles,
boat lift & jet skiff
Scale: 1"=20'
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11568
July 12, 2020

NYS DEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO. 1-2824-0389/00001
DATE 7/29/20





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

REGULATORY BRANCH

December 15, 2020

SUBJECT: Department of the Army Permit Number NAN-2020-00844

Benny Diasparra
126 Riviera Drive South
Massapequa, New York 11758
[REDACTED]

Dear Mr. Diasparra:

We have completed our review of Application Number NAN-2020-00844-EMI.

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), you are hereby authorized by the Secretary of the Army:

ACTIVITY: Install a five-foot-wide by 85-foot-long open-grate fixed pier with a 12-foot-wide by 12-foot-long four (4) pile boat lift and a six-foot-wide by eight-foot-long two (2) pile jetski lift.

All work shall be done in accordance with the attached plans, subject to Special Conditions A through E, which are hereby made part of this permit.

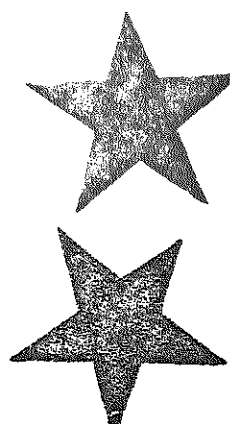
WATERWAY: Great South Bay

LOCATION: 126 Riviera Drive South, Massapequa, Town of Oyster Bay, Nassau County, New York

The activity authorized herein must be completed within three years of the date of this permit. This authorization is subject to the enclosed conditions. Please find enclosed two forms to be used to submit to this office, as required, the dates of commencement and completion for the authorized activity.

This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you object to this permit decision you must submit a completed RFA form to the New York District Office at:

Stephan A. Ryba
Chief, Regulatory Branch



REGULATORY BRANCH

December 15, 2020

SUBJECT: Department of the Army Permit Number NAN-2020-00844

- 2 -

New York District Corps of Engineers
26 Federal Plaza, Room 16-406
New York, New York 10278-0090

In order for a RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by **February 13, 2021**. Additionally, send an electronic copy of the RFA form to Christopher.W.Minck@usace.army.mil. It is not necessary to submit a RFA form to the District Office if you do not object to the permit decision in this letter.

The authorized activity must be performed in accordance with the enclosed plans. If any material changes in the location or plans of the subject work are found necessary, revised plans should be submitted to the District Engineer. These plans must receive the approval required by law before work begins.

Notice is hereby given that the permittee should recognize that a possibility exists that the structures permitted herein may be subject to wavewash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted herein and the safety of boats moored thereto from damage by wavewash and the permittee shall not hold the United States liable for any such damage.

In order for us to better serve you, please complete our Customer Service Survey located at

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

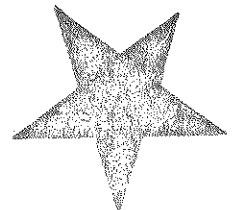
If any questions should arise concerning this matter, please contact Christopher Minck, of my staff, at Christopher.W.Minck@usace.army.mil.

Sincerely,

Rosita Miranda Date: 2020.12.15
12:48:41 -05'00'

FOR AND IN BEHALF OF
Matthew W. Luzzatto
Colonel, U.S. Army
Commander and District Engineer

Enclosures
Copy Enclosed



21010278

PERMITTEE: Benny Diasparra
PERMIT NO.: NAN-2020-00844

December 15, 2020

PERMIT CONDITIONS:

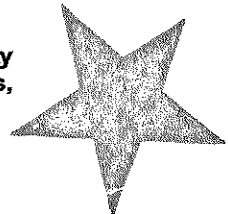
NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office acting under the authority of the commanding officer.

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends within three years of the date of this permit. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least four months before the date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification to this office. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- A. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- B. The permittee shall utilize best management practices to minimize turbidity during all in-water work activities as well as prevent construction materials,



PERMITTEE: Benny Diasparra
PERMIT NO.: NAN-2020-00844

December 15, 2020

including debris, from entering any waterway to become drift or pollution hazards.

- C. The permittee shall ensure that the pier be elevated a minimum of four feet above mean high water as measured from the bottom of the stringers for the entire length of the pier covering Submerged Aquatic Vegetation (SAV).
- D. The permittee shall ensure that the minimum water depths in the mooring area shall be a minimum of four feet at Mean Low Water (MLW).
- E. The permittee shall ensure that no waterborne equipment shall be moored in SAV and shall float at all stages of the tide.

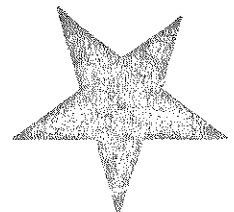
Further Information:

1. Limits of authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

2. Limits to Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.



PERMITTEE: Benny Diasparra
PERMIT NO.: NAN-2020-00844

December 15, 2020

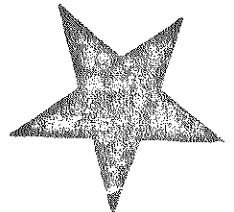
3. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

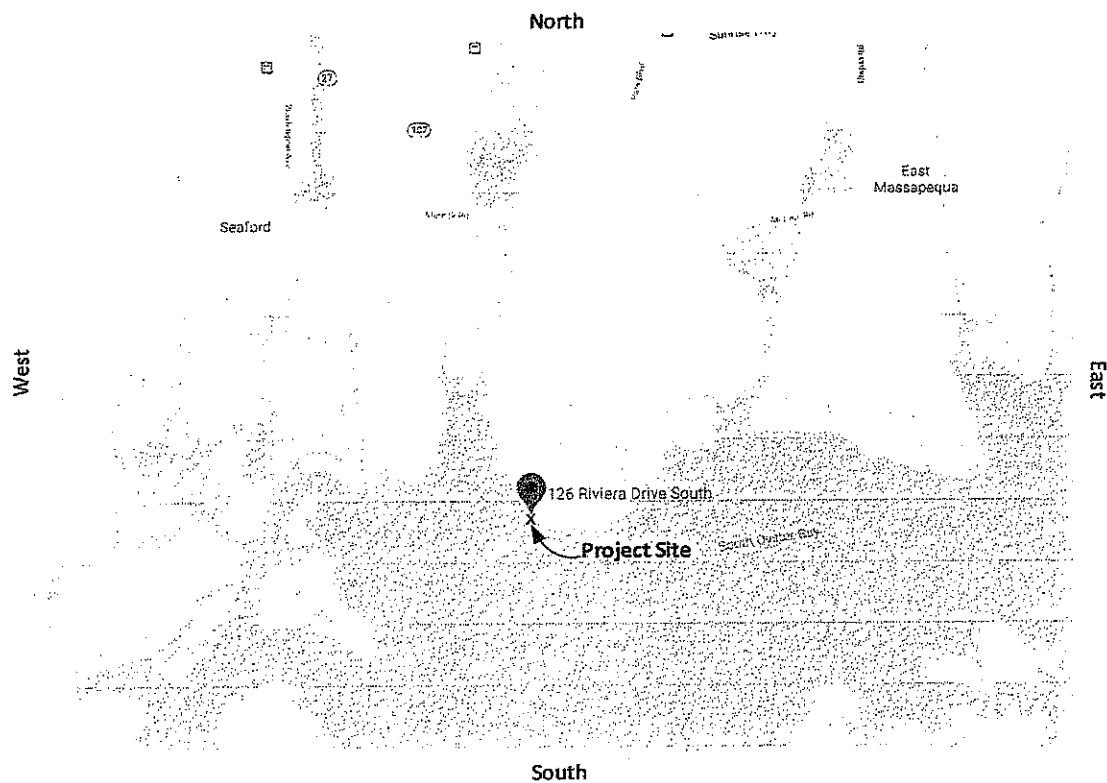
- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. **Extensions.** General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

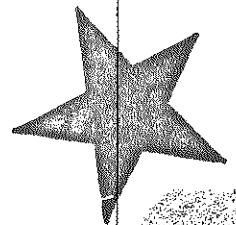


USACE FILE: NAN-2020-00844-EMI



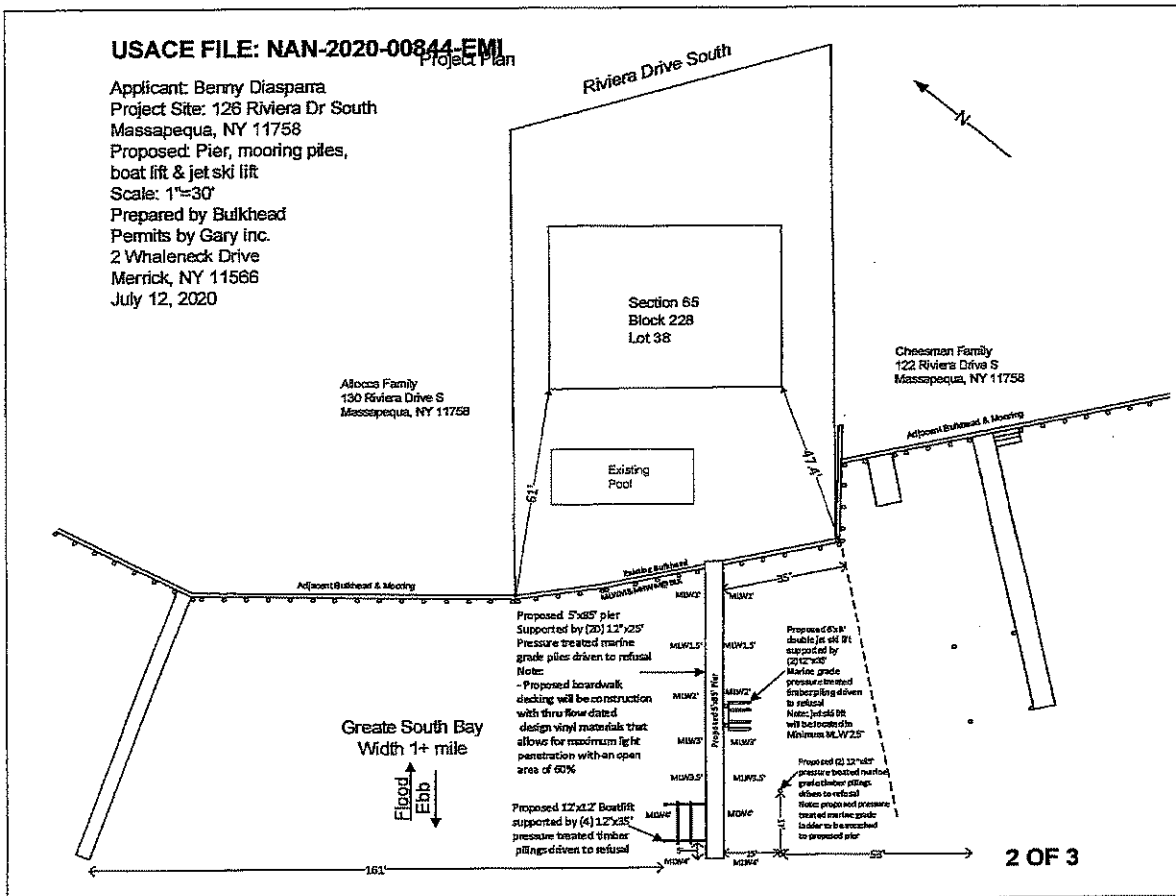
Latitude: 40°38'53.33"N
Longitude: 73°27'56.99"W

Applicant: Benny Diasparra
Project Site: 126 Riviera Dr South
Massapequa, NY 11758
Proposed: Pier, mooring piles,
boat lift & jet ski lift
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
July 12, 2020



Project Plan

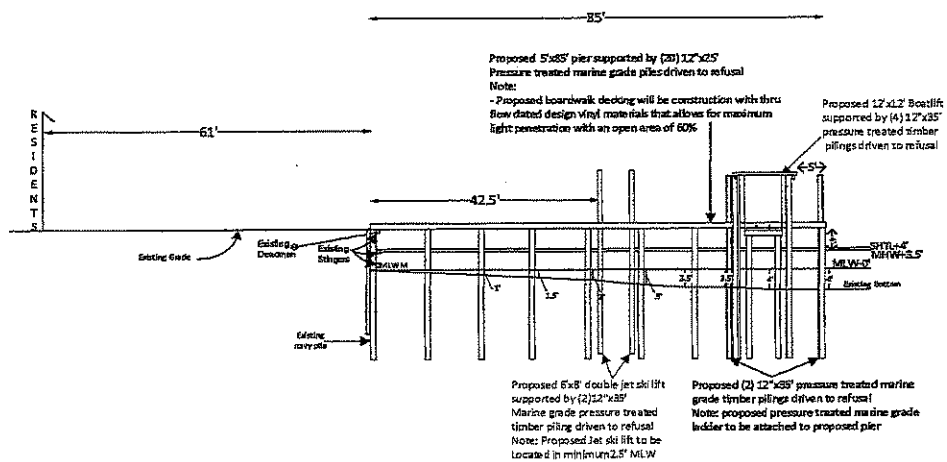
Applicant: Benny Diasparra
Project Site: 126 Riviera Dr South
Massapequa, NY 11758
Proposed: Pier, mooring piles,
boat lift & jet ski lift
Scale: 1"=30'
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
July 12, 2020



USACE FILE: NAN-2020-00844-EMI
CROSS VIEW

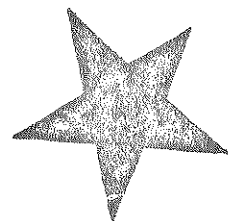
All hardware, nails & bolts shall be hot dip galvanized
 All bolt Heads & nuts will be used with cut washers
 All timber will be pressure treated marine grade

Page 2 of 3



Applicant: Benny Diasparra
 Project Site: 126 Riviera Dr South
 Massapequa, NY 11758
 Proposed: Pier, mooring piles,
 boat lift & jet ski lift
 Scale: 1"=20'
 Prepared by Bulkhead
 Permits by Gary inc.
 2 Whaleneck Drive
 Merrick, NY 11566
 July 12, 2020
 Revised Nov 1, 2020

3 OF 3



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

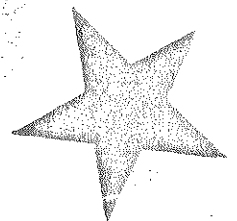
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Benny Diasparra			
Name of Action or Project: Diasparra Project			
Project Location (describe, and attach a location map): 126 Riviera Dr South Massapequa ny 11758			
Brief Description of Proposed Action: Proposed is 5"x85" pier supported by (20) 12"x25" pressure treated marine grade timber pilings driven to refusal. Pier decking is proposed to be constructed with thru flow vinyl materials that allows for maximum light penetration with an open area of 60%. In addition, proposed is 12"x12" boatlift supported by (4) 12"x35" pressure treated timber pilings driven to refusal. Also proposed is (2) 12"x35" pressure treated timber mooring pile driven to refusal. Finally, a 6"x8" double jet ski lift supported by (2) 12"x35" pressure treated timber mooring piles driven to refusal.			
Name of Applicant or Sponsor: Benny Diasparra		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: 126 Riviera Dr South			
City/PO: Massapequa		State: NY	Zip Code: 11758
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

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

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>BENNY DIASOYAGA</u>		Date: <u>6/4/20</u>
Signature: <u>[Signature]</u>		

PRINT FORM



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

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

November 12, 2020

Christopher W. Minck
Department of the Army
U.S. Army Corps of Engineers
New York District
26 Federal Plaza
New York, NY 10278

Re: F- 2020-0636

U.S. Army Corps of Engineers/ New York District Permit Application – Benny Diaspara-NAN-2020-00844-EMI- Proposed is 5'x85' pier supported by (20) 12"x25' pressure treated marine grade timber pilings driven to refusal. Pier decking is proposed to be constructed with thru flow vinyl materials that allows for maximum light penetration with an open area of 60%. In addition, proposed is 12'x12' boatlift supported by (4)12"x35' pressure treated timber pilings driven to refusal. Also proposed is (2)12"x35' pressure treated timber mooring piles driven to refusal- Finally, a 6'x8' double jet ski lift supported by (2)12"x35' pressure treated timber mooring piles driven to refusal.

Town of Oyster Bay, Nassau County, Great South Bay
Letter of Permission

Dear Mr. Minck:

The Department of State received and reviewed your letter dated September 18, 2020, regarding the eligibility of the above-referenced proposal for authorization by a Corps of Engineers Letter of Permission.

Based upon the submitted information, the Department of State has no objection to the authorization of this proposal by Letter of Permission. Further review of this proposal and concurrence with the applicant's consistency certification by the Department of State is not required.

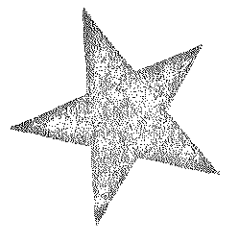
Sincerely,

Dennis Morelli

Coastal Resources Specialist
Office of Planning, Development and



Department
of State



WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 16, 2021, directed PATRICK POGAN, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 310 Riviera Drive South, Massapequa, New York 11758, known and designated as Section 65, Block 228, Lot 17, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of July 13, 2021, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated March 12, 2021, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "the installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock application 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. 12; and be it further

RESOLVED, That the application of PATRICK POGAN, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 310 Riviera Drive South, Massapequa, New York 11758, known and designated as Section 65, Block 228, Lot 17 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

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

TO: MEMORANDUM DOCKET

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

DATE: JUNE 16, 2021

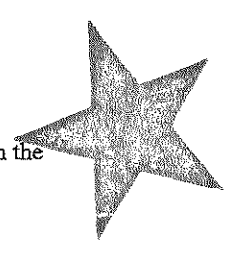
**SUBJECT: WATERWAYS REVIEW
POGAN RESIDENCE
310 RIVIERA DRIVE SOUTH
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 228, LOT(S) 17
DOCK BUILDING PERMIT APPLICATION # 21030081**

We have received a request from Patrick Pogan to "Construct a 4 foot wide by 115 foot long fixed timber pier with a 12 foot wide by 12 foot long boat lift. Relocation of an existing 4 foot wide by 9 foot long stairs on the southern side of the fixed pier." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03379/00001 dated June 18, 2020 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2020-00439-ESW dated December 28, 2020. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No.21030081; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03379/00001 dated June 18, 2020; Department of the Army, New York District Corps of Engineers Permit No. NAN-2020-00439-ESW dated December 28, 2020, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated October 23, 2020. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated March 12, 2021, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

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

The proposed work at the subject premises would, in our opinion, be compatible with the surrounding area.



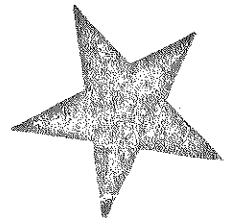
Pursuant to Section §241-9(E)(3) in the Town Code, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the July 13, 2021 Town Board calendar to provide the applicant ample time to comply with this requirement.

Elizabeth L. MacCarone
ELIZABETH L. MACCARONE
COMMISSIONER

BY *Timothy R. Zike*
TIMOTHY R. ZIKE
Deputy Commissioner

ELM/MM
Encls.

cc: Legislative Affairs (1 copy w/ attachments)
cc: Town Attorney's Office, Attn: Dennis Sheehan



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

March 12, 2021

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

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

SUBJECT: DOCKS, PIERS & FLOATS PERMIT:
~~Patrick Rogan~~
Application # 21030081
310 Riviera Drive South, Massapequa, New York
Section: 65 Block: 228 Lot(s): 17 & 55

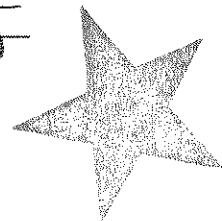
Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQR, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay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

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

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

Inasmuch as the action which would be undertaken by the subject applicant is on SEQR's pre-determined Type II Actions list, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.


GEORGE BAPTISTA, JR.
DEPUTY COMMISSIONER



SECTION 65 BLOCK 228 LOT(S) 55 & 17

21030081



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

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Street Address Post Office Zip Phone #
PROPERTY OWNER: Patrick Pogan 310 Riviera Drive South Massapequa, NY 11758
LESSEE
TENANT:
APPLICANT: Bulkhead Permits By Gary Scott Moses 1456 66th Street Brooklyn, NY 11219 917-776-9922
ARCHITECT: John Weisburg 4046 Hudson Ave Seaford, NY 11783 516-603-5770
CONTRACTOR: Kevell Marine 327 Sunset Blvd Massapequa, NY 11758 516-541-8819
PLUMBER:
ELECTRICIAN:

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

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

TYPE OF BUILDING

A. TYPE OF IMPROVEMENT

B. PROPOSED USE

EXISTING ☒ PROPOSED ☐

EXISTING ☐ PROPOSED ☐

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

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

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s))

Proposed 4'x115' Pier supported by (26) 12"x25' pilings, 12"x12' boat lift supported by (4) 12"x35' pilings

A Disclosure Affidavit needs to be filed with the Application to demonstrate that there is no potential conflict of interest between a property owner, applicant, contractor or other involved party to an Application and any employees or other relationships to the Town of Oyster Bay.

HAVE BOTH AFFIDAVITS NOTARIZED

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

APPLICANT

OWNER

STATE OF NEW YORK

COUNTY OF NASSAU

Bulkhead Permits By Gary Scott Moses

being duly sworn, deposes and says: That

he/she resides at 7 Whymark Dr

In the hamlet of Massapequa in the State of NY

and that he/she is authorized by the Owner Patrick Pogan

who is the owner in fee of all that certain lot, piece or parcel of land shown on

the attached survey, situated, lying and being within the unincorporated area of

the Town of Oyster Bay, to make application for a permit to perform said work

in the foregoing application and accompanying plans, and all the statements

contained herein are true to deponent's own knowledge.

Address: 7 Whymark Dr Massapequa NY 11758

Phone: 516-756-7822

on (here) 26 day of January 2024

Notary Public State of New York

Reg. NO.01M06186523

Qualified in Nassau County

Commission Expires 05/05/2024

STATE OF NEW YORK

COUNTY OF NASSAU

Patrick Pogan

being duly sworn, deposes and says: That

he/she resides at 310 Riviera Drive South

in the hamlet of Massapequa in the State of New York

and that he/she is the owner in fee of all that certain lot, piece or parcel of land

shown on the attached survey, situated, lying and being within the unincorporated

area of the Town of Oyster Bay, that the work proposed to be done upon the said

premises, will be done in accordance with the approved application and

accompanying plans, and hereby authorizes Bulkhead Permits By Gary / Scott Moses

(applicant) to make application for a permit to perform said work in the foregoing

application and accompanying plans, and all the statements herein contained are

true to deponent's own knowledge.

(Sign here) * [Signature] (owner)

Sworn to before me this 26 day of January 2024

Notary Public State of New York

Reg. NO.01M06186523

Qualified in Nassau County

Commission Expires 05/05/2024



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-009

REGULATORY BRANCH

December 28, 2020

SUBJECT: Department of the Army Permit Number NAN-2020-00439
Issued to Patrick Pogan

Patrick Pogan
310 Riviera Drive South
Massapequa, New York 11758
[REDACTED]

Dear Mr. Pogan:

We have completed our review of Application Number NAN-2020-00439-ESW.

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), you are hereby authorized by the Secretary of the Army:

APPLICANT: Patrick Pogan
310 Riviera Drive South
Massapequa, New York 11758

ACTIVITY: Construction of a four-foot-wide by 115-foot-long fixed timber pier (secured by twenty-six (26) 12-inch-diameter piles) with a 12-foot-wide by 12-foot-long boat lift (supported by four (4) 12-inch-diameter piles). Relocation of an existing four-foot-wide by 9-foot-long stairs on the southern side of the fixed pier.

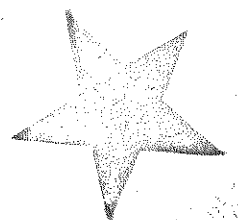
All work shall be done in accordance with the attached plans, subject to Special Conditions A through C, which are hereby made part of this permit.

WATERWAY: Great South Bay

LOCATION: Massapequa, Town of Oyster Bay, Nassau County, New York

The activity authorized herein must be completed within three years of the date of this permit. This authorization is subject to the enclosed conditions. Please find enclosed two forms to be used to submit to this office, as required, the dates of commencement and completion for the authorized activity.

This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal



REGULATORY BRANCH

December 28, 2020

SUBJECT: Department of the Army Permit Number NAN-2020-00439
Issued to Patrick Pogan

-2-

(RFA) form. If you object to this permit decision you must submit a completed RFA form to the New York District Office at:

Stephan A. Ryba
Chief, Regulatory Branch
USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, NY 10278

In order for a RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by February 26, 2021. It is not necessary to submit a RFA form to the District Office if you do not object to the permit decision in this letter.

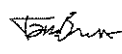
The authorized activity must be performed in accordance with the enclosed plans. If any material changes in the location or plans of the subject work are found necessary, revised plans should be submitted to the District Engineer. These plans must receive the approval required by law before work begins.

Notice is hereby given that the permittee should recognize that a possibility exists that the structures permitted herein may be subject to wavewash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted herein and the safety of boats moored thereto from damage by wavewash and the permittee shall not hold the United States liable for any such damage.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

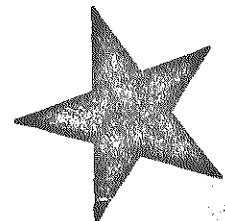
If any questions should arise concerning this matter, please contact Amanda M. Regan, of my staff, at (917) 790-8618.

Sincerely,


Digitally signed by
BRUNO.WILLIAM.151542
DN: cn=Matthew W. Luzzatto, o=USACE, ou=New York District Office, email=Matthew.W.Luzzatto@usace.army.mil, c=US

For and In Behalf of
Matthew W. Luzzatto
Colonel, U.S. Army
Commander and District Engineer

Enclosure



REGULATORY BRANCH

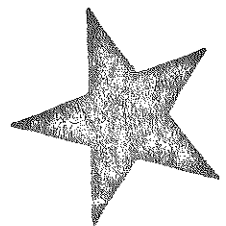
December 28, 2020

SUBJECT: Department of the Army Permit Number NAN-2020-00439
Issued to Patrick Pogan

-3-

Copy furnished:

Bulkhead Permits by Gary, Inc.
Attn: Scott Moses
1456 6th Street
Brooklyn, New York 11219
Scott.moses101@gmail.com



PERMITTEE: Patrick Pogan
PERMIT NO.: NAN-2020-00439

December 28, 2020

PERMIT CONDITIONS:

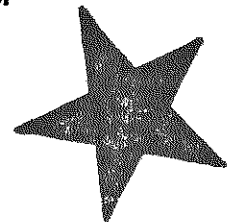
NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office acting under the authority of the commanding officer.

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends within three years of the date of this permit. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least four months before the date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification to this office. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

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



PERMITTEE: Patrick Pogan
PERMIT NO.: NAN-2020-00439

December 28, 2020

- (C) The permittee shall ensure that no waterborne equipment used during construction is moored in Submerged Aquatic Vegetation (SAV).

Further Information:

1. Limits of authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

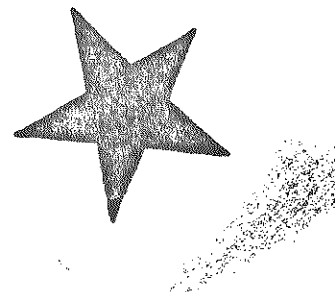
2. Limits to Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the permit.



PERMITTEE: Patrick Pogan
PERMIT NO.: NAN-2020-00439

December 28, 2020

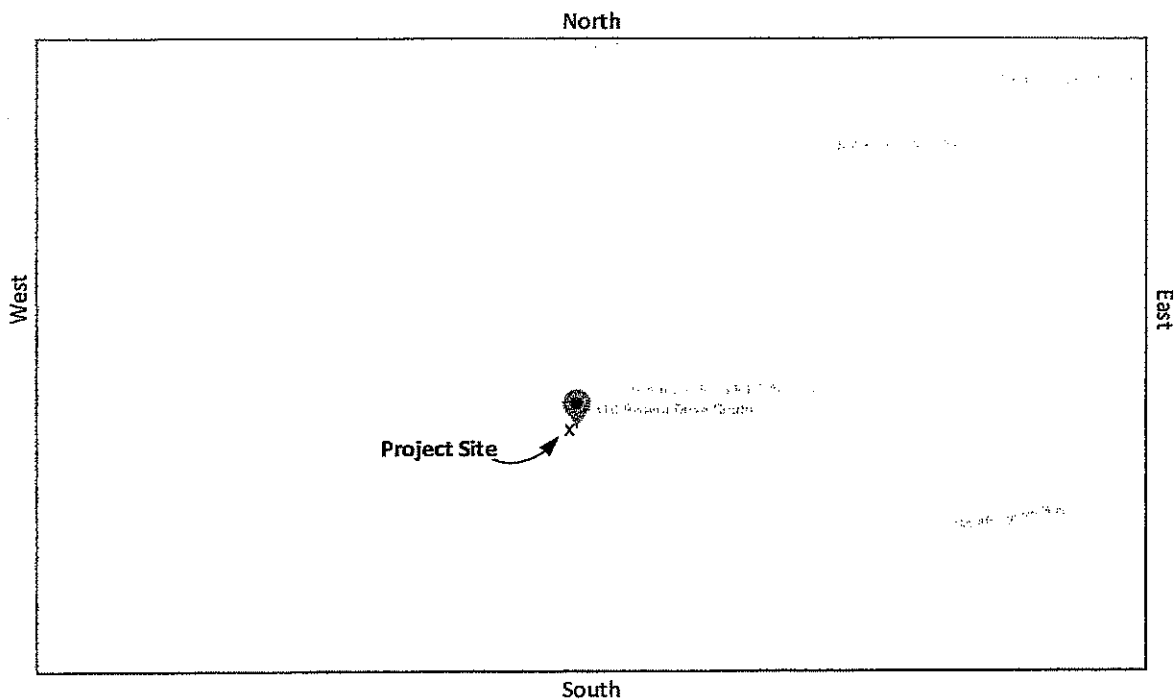
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

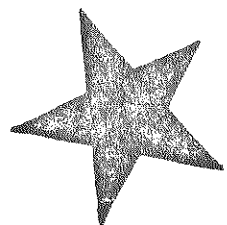
5. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

USACE FILE: NAN-2020-00439-ESW



Applicant: Patrick Pogan
Project Site: 310 Riviera Drive South
Massapequa, NY 11758
Proposed: Pier & Boat Lift
Scale: 1"=30'
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
April 5, 2020

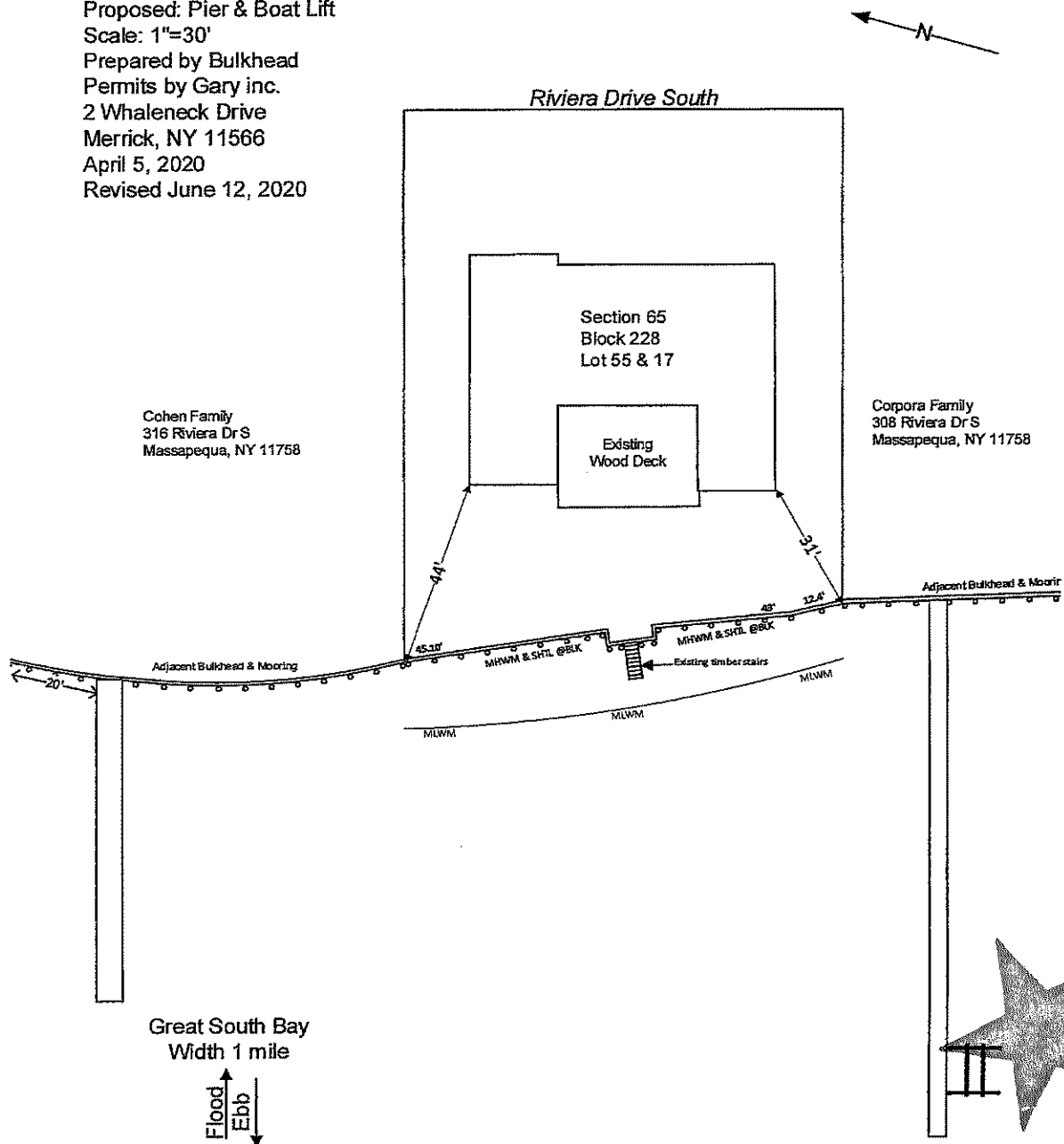
Latitude: 40°38'59.36"N
Longitude: 73°28'1.08"W



USAGE FILE: NAN-2020-00439-ESW

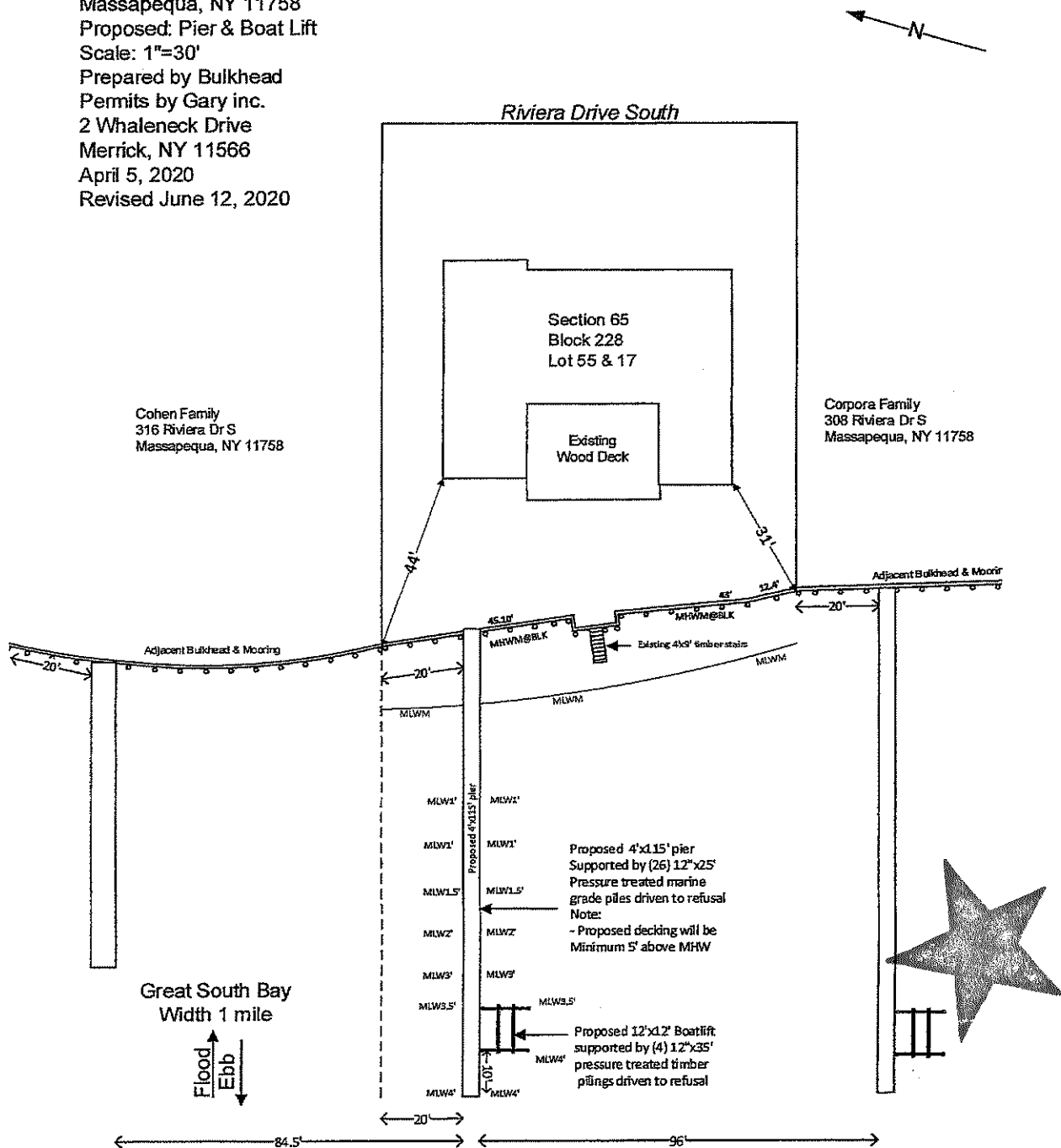
Applicant: Patrick Pogan
Project Site: 310 Riviera Drive South
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Proposed: Pier & Boat Lift
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Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
April 5, 2020
Revised June 12, 2020

**Project Plan
Existing Conditions**



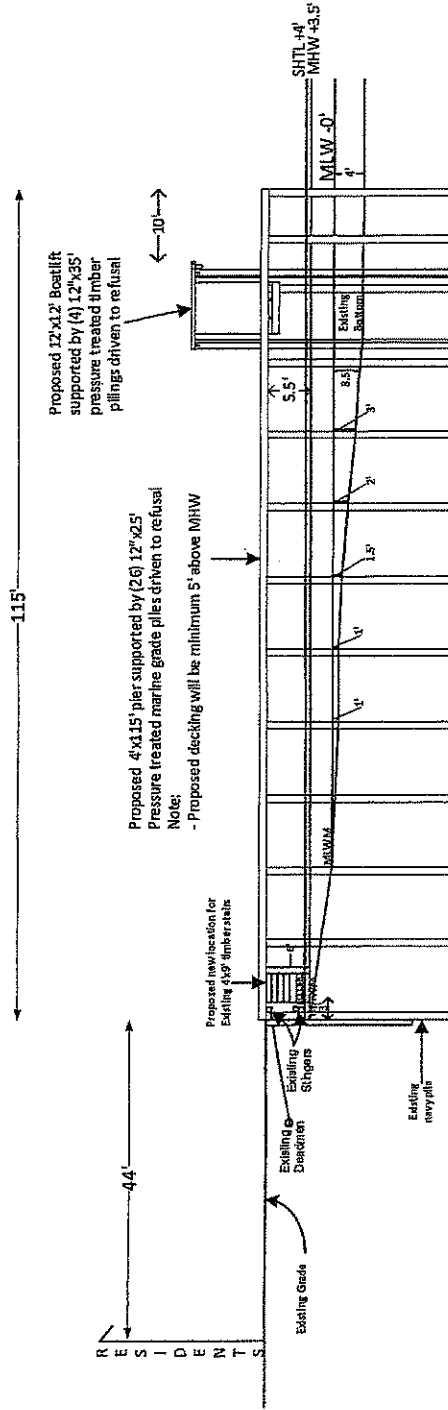
Project Plan
Proposed Conditions

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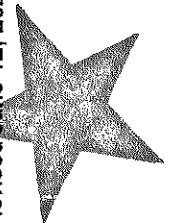


CROSS VIEW

All hardware, nails & bolts shall be hot dip galvanized
All bolt Heads & nuts will be used with cut washers
All timber will be pressure treated marine grade



Applicant: Patrick Pogan
Project Site: 310 Riviera Drive South
Massapequa, NY 11758
Proposed: Pier & Boat Lift
Scale: 1"=20'
Prepared by Bulkhead
Permits by Gary Inc.
2 Whaleneck Drive
Merrick, NY 11566
April 5, 2020
Revised June 12, 2020



21000081

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

June 18, 2020

Mr. Patrick Pogan
310 Riviera Dr S
Massapequa, NY 11758

Re: Permit No. 1-2824-03379/00001

Dear Permittee:

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

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

Sincerely,

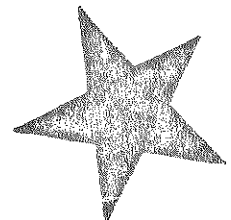
Shirley L. Archer
for Danielle Stango-Torre

Danielle Stango-Torre
Environmental Analyst

DAS/lis



Department of
Environmental
Conservation





PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
PATRICK POGAN
310 RIVIERA DR S
MASSAPEQUA, NY 11758

Facility:
POGAN PROPERTY
310 RIVIERA DR S/65-228-55 & 17
MASSAPEQUA, NY 11758

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

Facility Location: in OYSTER BAY in NASSAU COUNTY

Facility Principal Reference Point: NYTM-E: 629.627 NYTM-N: 4501.019
Latitude: 40°38'59.5" Longitude: 73°28'00.5"

Authorized Activity:
Construct a pier. Install 4-pile boat lift. All authorized activities shall be done in strict conformance with the attached plans prepared by Bulkhead Permits by Gary, Inc. last revised 6/12/2020, and stamped NYSDEC Approved on 6/16/2020.

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-03379/00001

New Permit

Effective Date: 6/16/2020

Expiration Date: 6/15/2025

NYSDEC Approval

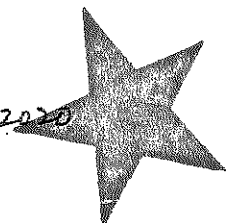
By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: SHERRI L AICHER, Deputy Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook/50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: _____

Sherril L. Aicher

Date 6/16/2020





Distribution List

BULKHEAD PERMITS BY GARY INC
Bureau of Marine Habitat Protection
Danielle A Stango-Torre

Permit Components

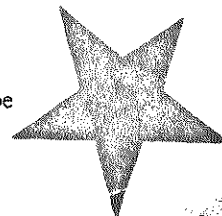
NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following
Permits: TIDAL WETLANDS**

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Bulkhead Permits by Gary, last revised 6/12/2020, and stamped NYSDEC Approved on 6/16/2020.
2. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
3. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
4. **No Construction Debris in Wetland or Adjacent Area** Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.
5. **No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.
6. **Materials Disposed at Upland Site** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.
7. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.





8. No Unauthorized Fill No fill or backfill is authorized by this permit without further written approval from the department (permit, modification, amendment).

9. Dock, Catwalk Size Dock or catwalk shall not exceed 4 feet in width and shall be a minimum of 4 feet above grade (as measured from ground to bottom of dock/catwalk decking) over tidal wetland areas.

10. Use of Treated Wood The use of wood treated with Pentachlorophenol or other wood treatment not specifically approved by the Department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.

11. No Floats This permit does not authorize the installation of floats.

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

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

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

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

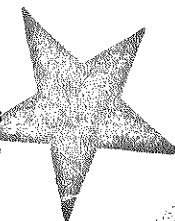
15. Pilings at Property Lines Pilings shall not:

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

16. Boat Lifts at Property Lines Boat lift/davit shall not:

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

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





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

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

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

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

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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



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

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

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

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

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

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands.

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

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

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



NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

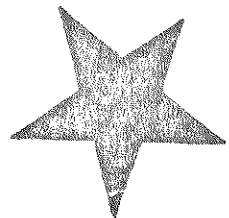
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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





Department of
Environmental
Conservation

NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

Regional Permit Administrator

Permit Number

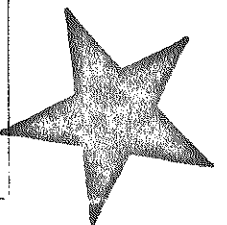
1-2824-03379/00001

SUSAN ACKERMAN

Expiration Date

6/15/2025

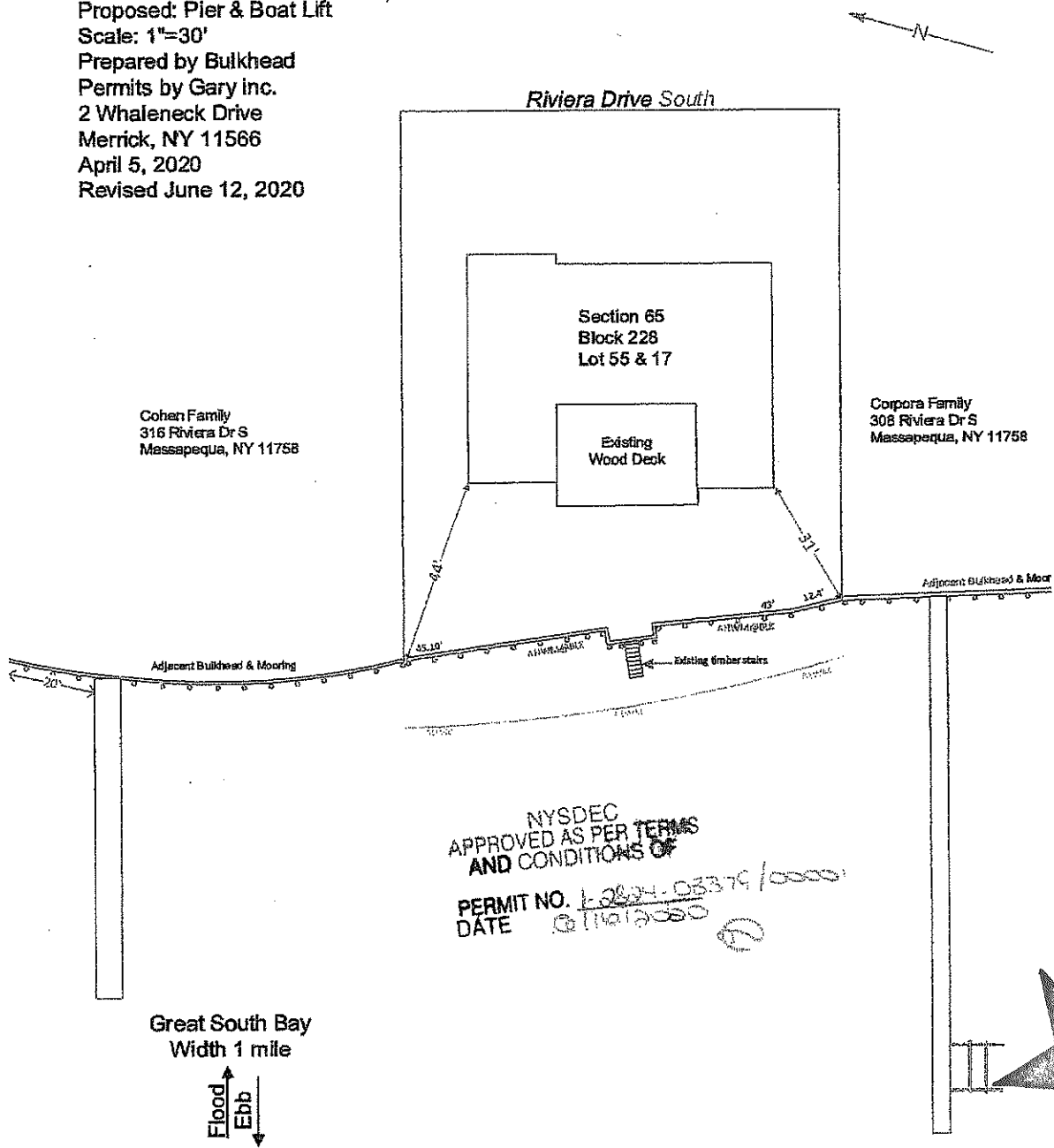
NOTE: This notice is NOT a permit



Applicant: Patrick Pogan
Project Site: 310 Riviera Drive South
Massapequa, NY 11758
Proposed: Pier & Boat Lift
Scale: 1"=30'
Prepared by Bulkhead
Permits by Gary Inc.
2 Whaleneck Drive
Merrick, NY 11566
April 5, 2020
Revised June 12, 2020

Project Plan
Existing Conditions

Page 1 of 4



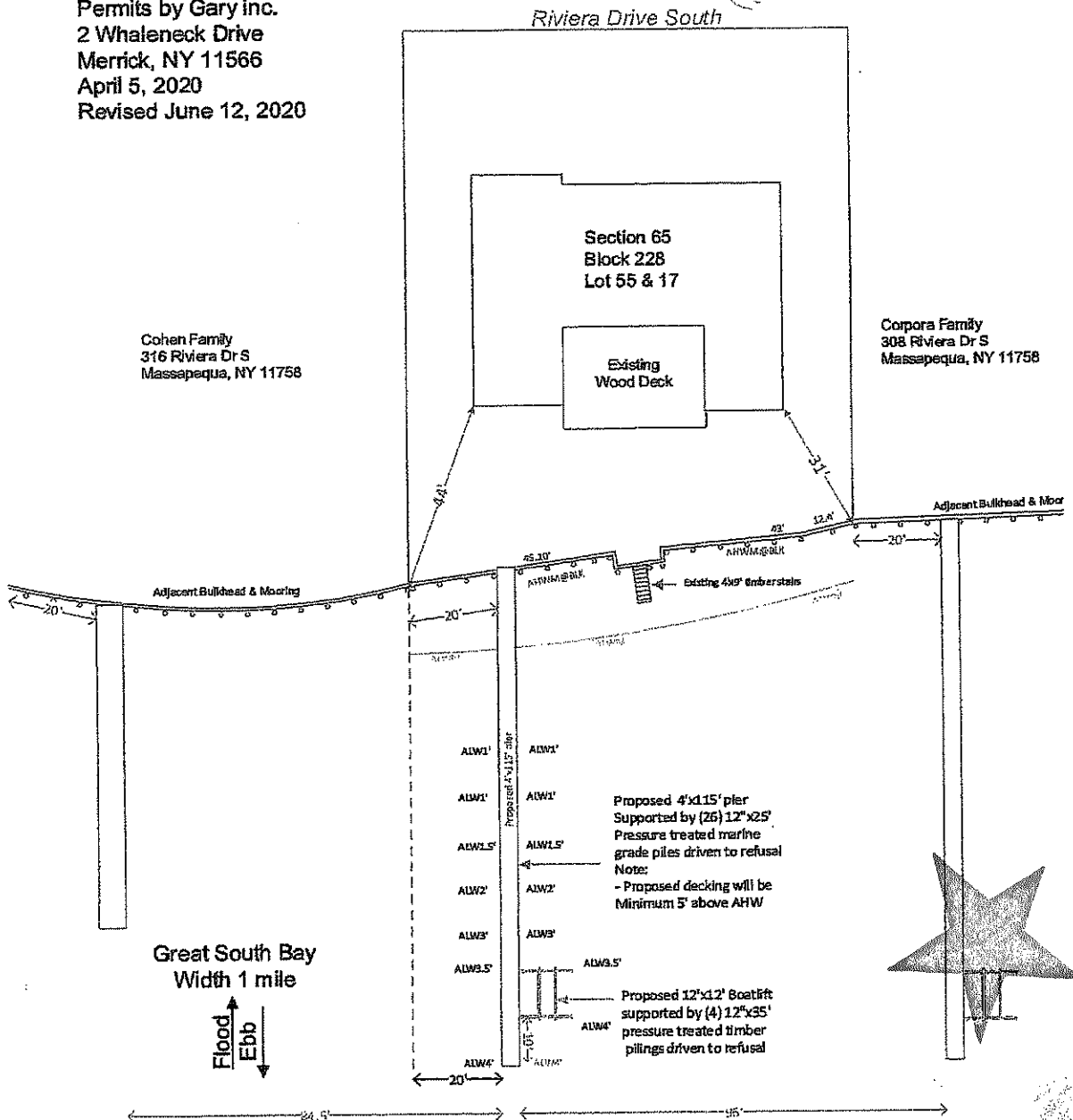
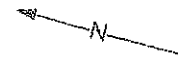
Project Plan
Proposed Conditions

Page 2 of 4

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April 5, 2020
Revised June 12, 2020

NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF

PERMIT NO. 1-2824-03879/00001
DATE 6/10/2020



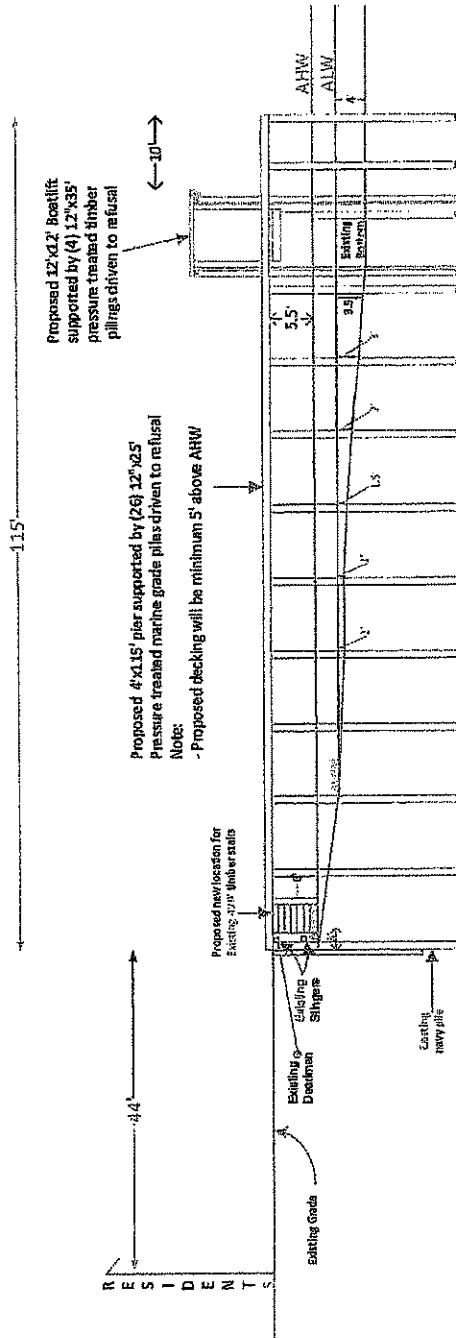
Cohen Family
316 Riviera Dr S
Massapequa, NY 11758

Corpora Family
308 Riviera Dr S
Massapequa, NY 11758

CROSS VIEW

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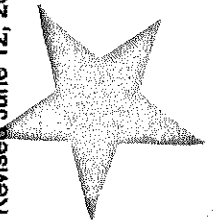
Page 3 of 4



NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF

PERMIT NO. 1-0204-03579 / 0000
DATE 6/16/2020

Applicant: Patrick Pogan
Project Site: 310 Riviera Drive South
Massapequa, NY 11758
Proposed: Pier & Boat Lift
Scale: 1"=20'
Prepared by Bulkhead
Permits by Gary Inc.
2 Whaleneck Drive
Merrick, NY 11566
April 5, 2020
Revised June 12, 2020



Short Environmental Assessment Form

Part 1 - Project Information

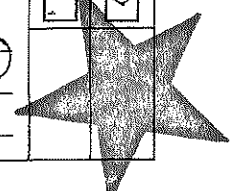
Instructions for Completing

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

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

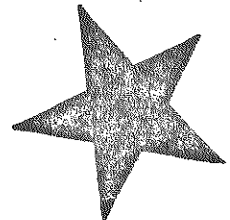
Part 1 - Project and Sponsor Information			
Name of Action or Project: POGAN PROJECT			
Project Location (describe, and attach a location map): 310 RIVIERA DR S MASSAP NY 11758			
Brief Description of Proposed Action: Construct Pier 4 pile boat lift			
Name of Applicant or Sponsor: Patrick Pogan		Telephone: [REDACTED]	
Address: 310 RIVIERA DR S		B-Mail:	
City/PO: MASSAP NY		State: NY	Zip Code: 11758
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Dec Army Corps		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: <div style="border: 1px solid black; padding: 5px; display: inline-block;"> Proposed Park & Boat See Attached Project Plan for more info </div>			



21030081

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Patrick Pogan</u> Date: <u>11/10</u> Signature: <u>[Signature]</u> Title: <u>owner</u>		



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

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

October 23, 2020

Ronald Pinzon
U.S. Army Corps of Engineers
New York District
Jacob K. Javits Federal Building
26 Federal Plaza
New York, NY 10278

Scott Moses
Bulkhead Permits by Gary
1456 66th Street
Brooklyn, NY 11219

Re: F-2020-0340
U.S. Army Corps of Engineers/ New York District Permit
Application – Patrick Pogan
Construct a 4 foot wide by 115 foot long fixed timber pier
secured by twenty-six 12 inch diameter piles with a 12
foot wide by 12 foot long boat lift supported by four 12
inch diameter piles. Relocate existing 4 foot wide by 9
foot long stairs on the southern side of the fixed pier.
310 Riviera Drive South, Town of Oyster Bay, Nassau
County, Oyster Bay
Letter of Permission

Dear Mr. Pinzon:

The Department of State received and reviewed your letter dated 06/01/2020, regarding the eligibility of the above-referenced proposal for authorization by a Corps of Engineers Letter of Permission.

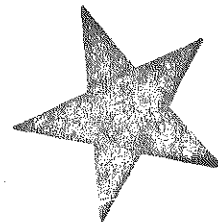
Based upon the submitted information, the Department of State has no objection to the authorization of this proposal by Letter of Permission. Further review of this proposal by the Department of State is not required.

Sincerely,



Tanna D. Legere
Coastal Resources Specialist
Office of Planning, Development and
Community Infrastructure

ec: DEC Region 1 - Danielle A Stango-Torre (1-2824-03379/00001)

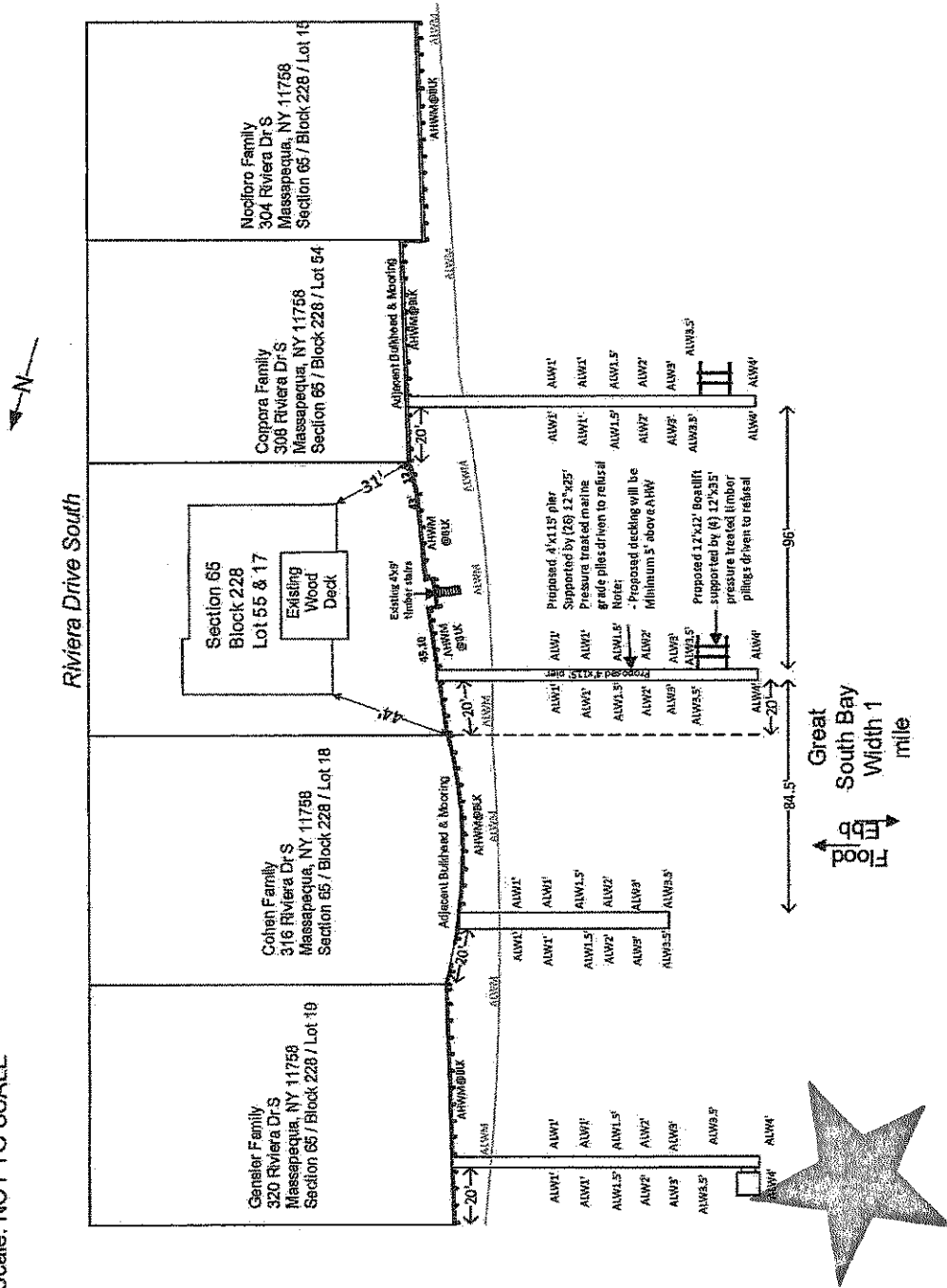


Department
of State

Applicant: Patrick Pogan
 Project Site:
 310 Riviera Drive South
 Massapequa, NY 11758
 Proposed: Pier & Boat Lift
 Scale: NOT TO SCALE

Prepared by Bulkhead
 Permits by Gary Inc.
 2 Whaleneck Drive
 Merrick, NY 11566
 February 7, 2021

Radius Map
 For Moorings
 Within 300'



Meeting of July 13, 2021

Resolution No.383-2021

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 18, 2021, requested Town Board authorization to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2021 to April 30, 2022, at a cost of \$3,230.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Planning and Development is authorized to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2021 to April 30, 2022, nunc pro tunc from May 1, 2021, at a cost of \$3,230.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and that the funds for said payment are to be drawn from Account No. PAD B 3620 44140 000 0000.

-#-

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

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

TO: MEMORANDUM DOCKET

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

DATE: JUNE 18, 2021

**SUBJECT: MEMBERSHIP DUES FOR "BIANCO"
BUILDING INSPECTORS ASSOCIATION OF NASSAU COUNTY**

This Department's Building, Plumbing and Code Enforcement Inspectors are certified by New York State's Department of State, Division of Code Enforcement and Administration as Code Enforcement Officials for the New York State Uniform Fire Prevention and Building Code. Twenty-four (24) hours of approved in-service training is required annually to maintain the New York State Code Enforcement Official Certification.

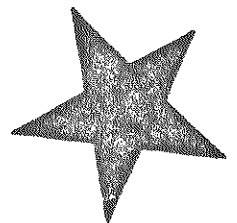
The Department of Planning and Development elected to register each Code Enforcement Official as a member of the Building Inspectors Association of Nassau County ("BIANCO"), which would then entitle them to take the in-service training courses sponsored by BIANCO. The cost of membership for each Code Enforcement Official in this Department is \$85.00 per year. The total amount owed to BIANCO for this Department's Code Enforcement Officials for the period covering May 1, 2021 through April 30, 2022 is \$3,230.00.

Authorization by the Town Board is therefore respectfully requested for the payment of said dues for each of this Department's Code Enforcement Officials in an amount not to exceed \$3,230.00 for BIANCO membership for the period covering May 1, 2021 through April 30, 2022.

Funds are available for this purpose in Account Number PAD B 3620 44140 000 0000.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM:tz
cc: Legislative Affairs



TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY # ☐

CLAIMANT'S NAME B.I.A. N.C.O.	CONTRACT #	ORDER #
CLAIMANT'S ADDRESS 18 Horse Hill Rd, Brookville	CONTRACT NAME	
TOWN DEPARTMENT Build. Dept. NY, 11545	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

I HEREBY CERTIFY the above articles were sold and delivered and/or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there stated in the amount of no part thereof has been paid except as stated therein and that the balance there in stated in the amount of

\$ 3,230.00

TOTAL AMOUNT	\$3,230.00
CASH DISCOUNT %	—
NET AMOUNT	\$3,230.00

is actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom.

CLAIMANT FURTHER CERTIFIES that the unit prices charged herein are not higher than those charged to any governmental or commercial consumer for like deliveries.

Date 6-18-2021

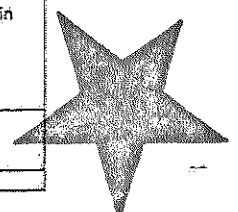
Signature Timothy Dougherty Title _____
Print or type name Timothy Dougherty Name of Company _____

Treasurer
BLANCO.

I HEREBY APPROVE this claim form for the sum of _____ for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature	Title	Date
-----------	-------	------

Department	Account
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Timothy Dougherty

Treasurer
18 Horse Hill Road
Brookville, NY 11545

VOUCHER

Voucher Number: 2021-10
Voucher Date: 6/18/2021

Building Inspectors Association of Nassau County

Invoice To: **Town of Oyster Bay**
74 Audrey Avenue
Oyster Bay, New York 11771
Attn: Tim Zikes

Mail To: Tim Dougherty
18 Horse Hill Road
Brookville, NY 11545

Make check payable to: BIANCO

\$ 85 PER MEMBERSHIP

MEMBERSHIP DUES:

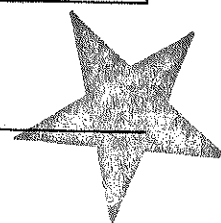
Gregory Aiello
John Bacigalupo
John Barnett
Scott Byrne
Joseph Cangro
Alexander Chebuske
Joseph Ciambra
Kevin Conway
Nick Condoleo
Michael DiCarlo
Anthony DiChiara
Nicholas Domingo
Michael Esposito
Michael Fabrizio
Bryan Hardman
Lara Jahchan
Jim Jazwinski
Michael Landman
John Laruccia

Margaret Lippolt
Elizabeth Maccarone
Richard Marino
Kamila Matulik
David Mercado
James Nicollet
Liam O'Keefe
Richard Peters
Kaitlyn Pignataro
Thomas Reddy
Vito Rella
John Rice
Lynne Ann Sullivan
Thomas Robinson
Craig Thomas
James Whalen
Timothy Zike
John Zebro
Luis Zeda

BIANCO is a non-profit professional association, Federal I.D. #11-3086236

Total Members:	38
AMOUNT DUE:	\$3,230.00

TREASURER



WHEREAS, Salvatore Kelly, School Board Member, Saint Rose of Lima, 2 Bayview Avenue, Massapequa, New York 11758, by letter dated May 20, 2021 requested the use of one hundred (100) complete barricades, two (2) temporary handicap signs, and the temporary posting of "No Parking signs" on the east side of Bayview Avenue (between Merrick Road and Harbor Lane) and the north side of Morton Avenue (between Bayview Avenue and Biltmore Boulevard), for the Church of St. Rose of Lima's Annual Family Festival, to be held from Thursday, July 15, 2021 through Saturday, July 24, 2021; and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Public Works/Highway Department, by memorandum dated June 17, 2021, advised that the abovementioned equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing Saint Rose of Lima Church with one hundred (100) complete barricades, two (2) temporary handicap signs, and the placement of temporary "No Parking" signs, on the east side of Bayview Avenue (between Merrick Road and Harbor Lane) and the north side of Morton Avenue (between Bayview Avenue and Biltmore Boulevard), for the Church of St. Rose of Lima's Annual Family Festival, to be held from Thursday, July 15, 2021 through Saturday, July 24, 2021, 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 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 with one hundred (100) complete barricades, and two (2) temporary handicap signs, with said barricades and handicap signs to be delivered on Monday, July 12, 2021, and collected on Monday, July 26, 2021, and the placement of temporary "No Parking" signs, no later than Wednesday, July 14, 2021, in the aforementioned areas, for the Church of St. Rose of Lima's Annual Family Festival, to be held from Thursday, July 15, 2021 through Saturday, July 24, 2021, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Highway Department, or his duly 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 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 \$2,000,000 bodily injury and \$1,000,000 property damage, and naming the Town of Oyster Bay as an additional insured, in connection with the afore-described activity.

Reviewed By
Office of Town Attorney

Robert P. DeGuzman

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the aforescribed activity may be cancelled by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety.

-#-

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 17, 2021

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: CHURCH OF ST. ROSE OF LIMA, MASSAPEQUA
FAMILY FESTIVAL – TO BE HELD JULY 15th – JULY 24th, 2021

Enclosed please find a copy of the letter from Salvatore Kelly, 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 Thursday, July 15th through Saturday, July 24th, 2021.


The Highway Department can readily supply one hundred (100) complete barricades and two (2) temporary handicap signs for this worthwhile event. They will be utilized from Wednesday, July 14th, 2021 through Monday, July 26th, 2021.

In addition, the committee is requesting "No Parking Anytime" signs be posted no later than Wednesday, July 14, 2021 as follows:

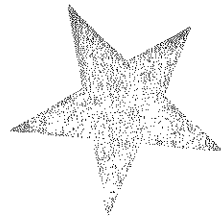
BAYVIEW AVENUE – EAST SIDE – STARTING AT THE SOUTH C/L
OF MERRICK ROAD, SOUTH TO THE NORTH C/L OF HARBOUR LANE.
MORTON AVENUE – NORTH SIDE – STARTING AT THE WEST C/L OF
BAYVIEW AVENUE, WEST TO THE EAST C/L OF BILTMORE BLVD.

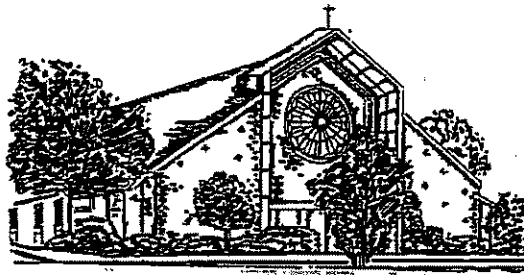
St. Rose of Lima is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

Also attached are a Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement, and Covid-19 Addendum Agreement to cover the event. Therefore, Town Board approval is requested.


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT
JPB/kaz

C: Richard Lenz P.E., Commissioner of DPW
Peter Brown, General Foreman 002
Steve Kelly, Sign Bureau Supervisor
Justin McCaffrey, Dept. of Public Safety
Grace SantaMaria, Highway Administration





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

Mr. Richard Lenz
Department of Public Works-Highway Department
150 Miller Place
Syosset, New York 11791-5603

May 20, 2021

Dear Mr. Lenz:

As summer is rapidly approaching the St. Rose Family Festival Committee would like to request the use of a supply of barricades, snow fencing and road cones from the Town of Oyster Bay. As in the past the Town of Oyster Bays help in making it wonderful event for our community is always greatly appreciated. I also would like to personally thank you and the staff for the follow up on this matter. .

The St. Rose of Lima Family Festival will be taking place this year from

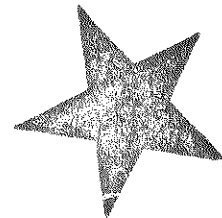
Thursday July 15th – Saturday July 24th 2021.

We request to deliver Monday July 12th and pick materials up Monday July 26th. Enclosed is a copy of the Certificate of Insurance and Endorsement issued to the Town of Oyster Bay Department of Public Works-Highway Department to cover this equipment. I can be contacted at (516) 808-8330 if you have any questions.

St. Rose of Lima Family Festival will follow all of NY State guidelines as it pertains to Corona Virus. Social distancing, capacity limits, and all recommended precautions will be followed. We also are aware that the Town of Oyster Bay, and NY State have the option of canceling our event at any point should it be necessary.

Thank you for your assistance and consideration of this request.

Sincerely,
Salvatore Kelly
St. Rose of Lima School Board Member





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/20/2021

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
225 State Road
Media, PA 19063

CONTACT NAME: Beth Bosco

PHONE

(A/C, H/L, Ext):

FAX

E-MAIL

ADDRESS:

bbosco@portercuria.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: ECCLESIA ASSURANCE COMPANY

11952

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
ST. ROSE OF LIMA CHURCH
2 Bayview Avenue
Massapequa, NY 11758

COVERAGES

CERTIFICATE NUMBER: C000205845

Account: 000837

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.

PER LTR	TYPE OF INSURANCE	ADDL. INSUR. INFO	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		PKG-2020-1	11/01/2020	11/01/2021	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ Included				
		MED EXP (Any one person) \$ Not Covered				
		PERSONAL & ADV INJURY \$ Included				
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ None Applicable
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$ None Applicable
	OTHER:					\$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY				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/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N				PER STATUTE
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				OTH-ER
						E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

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

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 07/12/2021 - 07/23/2021.

CERTIFICATE HOLDER

Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

Reviewed By
Office of Town Attorney

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Endorsement Number: 18
Policy Number: PKG-2020-1 Date Effective: 11/1/2020

ADDITIONAL INSURED ENDORSEMENT

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

SCHEDULE

Town of Oyster Bay, 54 Audrey Avenue, Oyster Bay, NY 11771

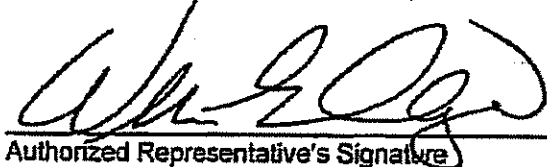
The person or organization shown in the Schedule above is an "insured", but only as respects your agreement to insure such person or organization and only if the wrongful act occurs after the date of agreement.

The amount of insurance shall not exceed the lesser of the amount of limits you agree to provide or the available limits of this insurance.

All other terms and conditions remain unchanged.

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

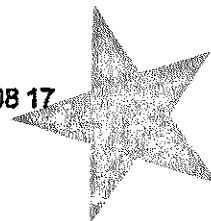
ECCLESIA ASSURANCE COMPANY


Authorized Representative's Signature

11/19/2020
Date

Reviewed By
Office of Town Attorney





This Agreement is made this 20 day of May 2021, by Salvatore Kelly, Board Member (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equ., located at and/or described as 2 Bayview Ave. Massapequa, NY

for the event described as St Rose Family Festival
The property/equipment is needed from July 12th 2021 to July 26 2021
The event for which the property and/or equipment is requested (☒) is (☐) is not a profit making event.

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

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

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

Name of Organization
St. Rose of Lima Church

2 Bayview Ave. Massapequa
NY 11758

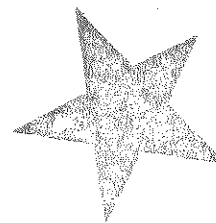
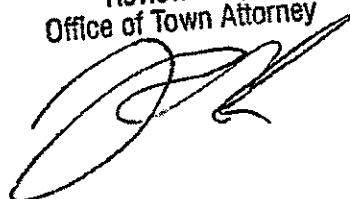
By: Salvatore Kelly
Authorized Representative

Title: Brand Member.

Telephone Number: 516-808-6330

g:\tomes\15\1511hold\amkess\foruse\ownprop\ycup.docx

Reviewed By
Office of Town Attorney





**TOWN OF OYSTER BAY
ADDENDUM TO PERMIT APPLICATION**

Applicant Name: Salvatore Kelly
Event Description: St. Rose Family Festival
Event Date: July 15th - July 24th 2021

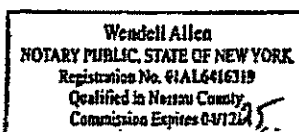
The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit holder agrees that it is the sole "Responsible Party," as such term is defined by the New York State Guidelines. The permit holder further recognizes and understands that the activity is subject to cancellation at any time to prevent harm to the population from COVID-19, or any other threat to public health and/or safety.


For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.


Applicant Signature

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

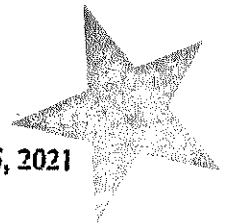
On the 8 day of June, 2021, before me, the undersigned, personally appeared Salvatore Kelly personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument




Notary Public

Reviewed By
Office of Town Attorney

Last Revised: May 5, 2021



DATE: 6/18/2021

TO: HIGHWAY OPERATIONS

SUBJECT: Church of St. Rose of Lima, Massapequa Summer festival

PLEASE DELIVER TO:

Church Grounds
2 Bayview Ave Massapequa

CONTACT: Sal Kelly
516-808-8330

DATE OF EVENT: 7/15/21-7/24/21

HANDICAP SIGNS: 2

BARRICADES: 100

CONES:

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 7/12/21

PICKUP ON: 7/26/21

SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

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

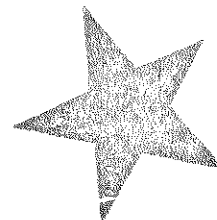
JPB/kaz



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Peter Brown, General Foreman 002
Jack Grandine, Area Foreman 007
Don Chandler, Area Foreman, 022

Dan Kornfeld
Public Safety Division




WHEREAS, Steve Anderson has requested to donate a memorial plaque and a bench to be placed in Marjorie R. Post Community Park, Massapequa, in memory of Ira Blatt; and

WHEREAS, the value of the plaque and bench is estimated to be \$880.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 21, 2021, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$880.00 from Steve Anderson to be deposited into Account No. PKS A 0001 02705 000 0000, to purchase a plaque and bench to be placed in Marjorie R. Post Community Park, Massapequa, in memory of Ira Blatt.

-#-

Reviewed By
Office of Town Attorney


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

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

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

SUBJECT: Memorial Plaque and Bench

DATE: June 21, 2021

The Department of Parks has received a request from Steve Anderson (letter attached) requesting to donate a memorial plaque and bench to be placed in Marjorie R. Post Community Park in memory of Ira Blatt.

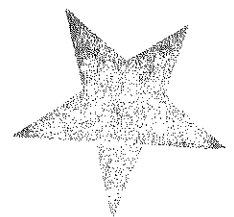
The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

The plaque and bench will be purchased by Steve Anderson and donated to the Parks Department. The value of the plaque and bench is estimated to be \$880.00. Town Board approval is requested on behalf of Steve Anderson. The monies will be collected in account PKS A 0001 02705 000 0000.



Joseph G. Pinto
COMMISSIONER OF PARKS

JGP/dc



Diann Codispodo

From: Anderson, Stephen [REDACTED]
Sent: Friday, June 18, 2021 10:45 PM
To: Diann Codispodo
Subject: Re: Memorial Plaques and Bench - Ira Blatt
Attachments: image001.jpg

Diann,

Did you get my new email from earlier today?

Get Outlook for iOS<<https://aka.ms/o0ukef>> _____

From: Anderson, Stephen
Sent: Friday, June 18, 2021 3:18:27 PM
To: Diann Codispodo <dcodispodo@oysterbay-ny.gov>
Subject: RE: Memorial Plaques and Bench - Ira Blatt

Hi Diann,

Per our discussion, I would like to purchase a park bench and plaque in memory of my friend Ira Blatt.

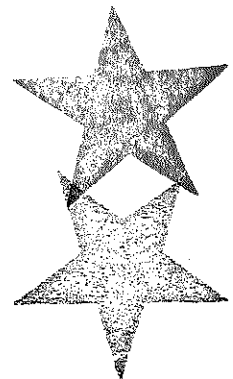
I have spoken with Sean and we have identified a location in Marjorie Post Park for the bench and the tree that I also purchased.

I would like the plaque to read:

IN LOVING MEMORY OF

UNCLE IRA

"HAVE FUN & LEARN LOTS"



Meeting of July 13, 2021

Resolution No.386-2021

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated June 24, 2021, requested Town Board authorization to retain the professional services of Patricia Marie Mitchell, 1 Cedar Lane, Glen Cove, N.Y. 11542, as a Yoga Instructor for the Senior Citizen Services Program, from July 15, 2021 through December 31, 2021, at a cost of \$40.00 per hour, in an amount not to exceed \$8,000.00, and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that in accordance with Guideline 5, Section b. of the Town Procurement Policy, the procurement of this fitness instructor is exempt from the solicitation, written proposal or quotation requirements of the policy, and that funds for these services will be available in Account No. CYS A 7020 47660 000 0000, *Special Events*,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Community and Youth Services is hereby authorized to retain Patricia Marie Mitchell, 1 Cedar Lane, Glen Cove, N.Y. 11542, as a Yoga Instructor for the Senior Citizen Services Program, from July 15, 2021 through December 31, 2021, at a cost of \$40.00 per hour, in an amount not to exceed \$8,000.00, and the Supervisor, or his designee, or the Commissioner of Community and Youth Services, is authorized to execute an agreement for same, in the attached;

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

-#-

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

June 24, 2021

TO: Memorandum Docket


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

SUBJECT: 2021 Instructional Yoga Services

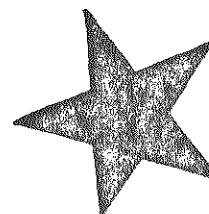
The Department of Community & Youth Service requests Town Board authorization to retain the professional services of Patricia Marie Mitchell, 1 Cedar Lane, Glen Cove, NY 11542, as a Yoga Instructor for the Senior Citizen Services Program. Last year, these services were authorized by Town Board Resolution No. 41-2020, dated January 7, 2020.

If approved, the services will be provided from July 15, 2021 through December 31, 2021, at a rate of \$40.00 per hour, for a total cost not to exceed \$8,000. In accordance with Guideline 5, Section b. of the Town Procurement Policy, the procurement of this fitness instructor is exempt from the solicitation, written proposal or quotation requirements of the policy. Funds for these services will be available in account CYS A 7020 47660 000 0000, *Special Events*.

Therefore, it is respectfully requested that the Town Board authorize the Town to enter into an agreement, as negotiated and approved by the Town Attorney's Office, and further authorize the Supervisor and/or his designee or the Commissioner of Community and Youth Services to execute said agreements


Maureen A. Fitzgerald
Commissioner

MAF:iw



Agreement

This Agreement made the 15th day of July, 2021, by and between the Town of Oyster Bay's Department of Community and Youth Services (hereinafter referred to as "TOWN") and Patricia Mitchell, 1 Cedar Lane, Glen Cove, NY 11542 (hereinafter referred to as "CONTRACTOR") for the purpose of providing Yoga Classes.

It is mutually agreed by and between both parties as follows:

1. CONTRACTOR agrees to provide yoga instruction to Town of Oyster Bay residents through this agreement with the Department of Community & Youth Services.
2. CONTRACTOR agrees to follow the schedule of days, times, and locations assigned by the Commissioner of the Department of Community and Youth Services, and/or her designee.
3. For the duration of the Agreement, TOWN agrees to pay CONTRACTOR the sum of \$40.00 per hour, the total hours of instruction shall not exceed 200 hours and total payment shall not exceed \$8,000.00. Once the Agreement has been executed payment shall be made at after the class has been completed and upon submission, by CONTRACTOR, of a duly certified claim form approved by TOWN and filed in the Office of the Comptroller.
4. CONTRACTOR agrees that she is, and at all times shall be deemed to be, an independent contractor, and shall not at any time or for any purpose be deemed an employee of TOWN, and that CONTRACTOR shall not in any manner whatsoever, by her actions or deed, commit TOWN to any obligation irrespective of the nature thereof.
5. CONTRACTOR shall not assign, transfer, sublet or otherwise dispose of any part of this agreement without prior written consent from the TOWN.

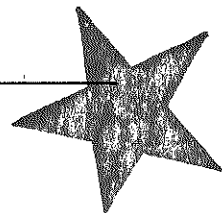
It is further agreed that this Agreement will commence on July 15, 2021 and expire on December 31 2021.

SIGNATURE OF CONTRACTOR

SIGNATURE OF COMMISSIONER

DATE: _____

DATE: _____



Contract Number: XX-XXXX

Agreement

This Agreement made the XX day of XXXX, 20XX, by and between the Town of Oyster Bay's Department of Community and Youth Services (hereinafter referred to as "TOWN") and XXXX XXXXXXXXXXXX, X XXXXXXXX XXX, XXXXXX, New York XXXXX (hereinafter referred to as "CONTRACTOR") for the purpose of providing Yoga Classes.

It is mutually agreed by and between both parties as follows:

1. CONTRACTOR agrees to provide yoga instruction to Town of Oyster Bay residents through this agreement with the Department of Community & Youth Services.
2. CONTRACTOR agrees to follow the schedule of days, times, and locations assigned by the Commissioner of the Department of Community and Youth Services, and/or her designee.
3. For the duration of the Agreement, TOWN agrees to pay CONTRACTOR the sum of \$XX.00 per hour, the total hours of instruction shall not exceed XXX hours and total payment shall not exceed \$X,XXXX.00. Once the Agreement has been executed the CONTRACTOR shall submit a claim for payment at the end of each month. The claim shall consist of an invoice detailing the services provided and a duly certified *Town of Oyster Bay Claim Form*. The Department will submit the claim for payment to the Office of the Comptroller once per month.
4. CONTRACTOR agrees that she is, and at all times shall be deemed to be, an independent contractor, and shall not at any time or for any purpose be deemed an employee of TOWN, and that CONTRACTOR shall not in any manner whatsoever, by her actions or deed, commit TOWN to any obligation irrespective of the nature thereof.
5. CONTRACTOR shall not assign, transfer, sublet or otherwise dispose of any part of this agreement without prior written consent from the TOWN.

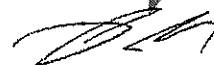
It is further agreed that this Agreement will commence on XXX XX, 20XX and expire on XXXXXXXX XX, 20XX.

OF CONTRACTOR

SIGNATURE OF COMMISSIONER

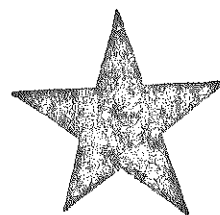
SIGNATURE

Reviewed By
Office of Town Attorney



DATE: _____

DATE: _____



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services by memorandum dated June 24, 2021, requested Town Board approval to employ the services of the following musician for the dates, locations and fees below noted:

Walter Lazauskas d/b/a John Walters
3983 Darby Lane
Seaford, N.Y. 11783
Senior Summer Program
Friday, July 16, 2021 at the Hicksville Community Center, Fee \$165.00
Monday, July 26, 2021 at the North Massapequa Community Center,
Fee \$165.00
Thursday, August 19, 2021 at the Syosset-Woodbury Community Center,
Fee \$165.00

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted, for the musician, dates, locations and fees as above noted; and be it further

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

-#-

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

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

Reviewed By
Office of Town Attorney
[Signature]

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

June 24, 2021

TO: Memorandum Docket
FROM: Patricia A. Beckerle, Deputy Commissioner
Department of Community and Youth Services
SUBJECT: Musician Services for Senior Summer Program

The Department of Community & Youth Services is requesting Town Board authorization to employ the services of the musicians on the attached, for the dates and location noted.

The total cost for the performances will be \$495.00. Funds for the fees are available in Account CYS A 7020 47660 000 0000, Special Events. In accordance with Guideline 5, Section b of the Town Procurement Policy, the musicians are exempt from the solicitation, written proposal or requirements of the policy.

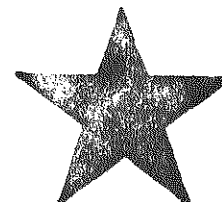
The Office of the Inspector General has reviewed the Vendor's Disclosure Questionnaire and is satisfied that the Procurement policy has been fulfilled.

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

MAUREEN A. FITZGERALD
COMMISSIONER

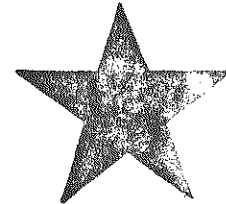

Patricia A. Beckerle
Deputy Commissioner

MAF:PAB:dw
Attachment



2021
SENIOR SUMMER PROGRAM

Date	Check Payable	Location
Friday, July 16, 2021	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$165.00 Senior Summer Program Hicksville Community Center
Monday, July 26, 2021	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$165.00 Senior Summer Program North Massapequa Community Center
Thursday, August 19, 2021	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$165.00 Senior Summer Program Syosset-Woodbury Community Center



Contract

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Walter Lazauskas, d/b/a John Walters located at 3983 Darby Lane, Seaford, New York 11783 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by: John Walters

Dates: July 16, 2021, July 26, 2021 and August 19, 2021

Location: Various Community Centers

Amount: \$495.00

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

WALTER LAZAUSKAS

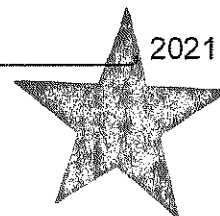
CONTRACTOR

DATE: _____, 2021

TOWN OF OYSTER BAY

COMMISSIONER

DATE: _____, 2021



Contract number: xx-xxxx

Contract

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

Performance by: XXXX

Date: XXXX

Time: XXX

Location: XXX

Contact: XXX

Amount: XXXX

In consideration of these services, the TOWN agrees to pay CONTRACTOR the sum of ~~xxxxxxxxxxxxxxxxxxxx~~ dollars. If CONTRACTOR fails to appear, or is incapacitated from rendering a performance through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be made upon submission of CONTRACTOR's invoice and the claim form provided by TOWN.

XXX

CONTRACTOR

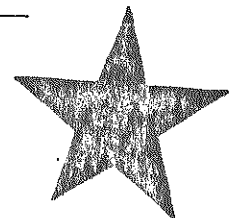
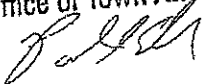
DATE: _____

TOWN OF OYSTER BAY

COMMISSIONER

DATE: _____

Reviewed By
Office of Town Attorney



OPS
Reviewed By
Office of Town Attorney
Elizabeth A. Laughman

WHEREAS, Joseph P. Pinto, Commissioner, Department of Parks, by memorandum dated June 24, 2021, requested Town Board approval to host the "Shootout for Soldiers", in cooperation with USA Lacrosse, a not-for-profit organization that acts as the governing body for lacrosse nationally, and Shootout for Soldiers, a not-for-profit organization that uses the sport of lacrosse as a platform to support and honor American veterans by fostering community engagement and awareness, to raise funds for various charitable organizations benefitting United States Veterans; and

WHEREAS, the event shall be conducted under the following guidelines:

1. Dates and Times: Thursday, July 22, 2021 at 9 a.m., through Friday, July 23, 2021, at 9 a.m., wherein these dates and times of the event may be changed at the discretion of the Commissioner of Parks or his designee;

2. Place: Field of Dreams Park. Old Sunrise Highway, Massapequa;

3. Players: men's and women's teams of all ages and abilities playing one hour games continuously throughout the 24 hour period, with each team playing in at least one one-hour game matched against an opposing team of similar ages and abilities, including a dedicated game for U.S. Veterans to participate free of charge

4. Registration Fees: Team Registration fee \$100.00, Dual Slot registration fee \$200.00, Sponsor a Tea fee \$750.00, Player Registration fee with Game Jersey \$50.00 for the first 250 registrants only, Player Registration fee \$25.00, with no fee for the Veteran Game only;

5. Upon reconciliation of the event, all net profits shall be distributed amongst the following non-for-profit Veteran's organizations: the Army Ranger Lead The Way Fund, the Long Island Air Force Association, the Joseph J. Theinert Memorial Fund, and the Team Red, White and Blue;

6. That the use of DJ and/or audio services of EKO Productions, Inc., whose services were authorized pursuant to Town Board Resolution No. 664-2020, adopted on December 8, 2020, is authorized for this event in an amount not to exceed \$800.00, with funds to be paid from Account No. PKS A 7110 47670 000 0000, through the Town General Services, Purchasing Division;

7. That food and beverages shall be available to the public for purchase, with the Department of Parks reserving the right to utilize the then-current Town concessionaire(s) at Field of Dreams Park, as of the date of the event, and reserving the right to select alternate and/or

additional food and beverage provider(s), as determined by the Commissioner of Parks or his designee pursuant to the Town's procurement policy;

8. That the provisions of Chapter 173 of the Town Code regarding Peddlers be waived for the event, and that the Commissioner of Parks or his designee be permitted to incorporate the use of mobile food concession(s) in place of or in addition to the Town food and beverage concessionaire(s), as of the date of the event, provided that all mobile food concession merchants be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary insurance, permissions and permits required by the Nassau County Department of Health, said insurance, permissions and permits to be valid and current, with each mobile food concession to be charged an event fee not to exceed \$200.00, with said fees to be deposited in the Town of Oyster Bay General Fund Account TWN A 0001 02770 590 0000;

9. That the Department of Parks is authorized to accept the addition of in-kind sponsors in exchange for promotional consideration at the event, which sponsorship may include the logo and/or wordmark on all promotional impressions, including but not limited to printings, paintings, posters, banners, press releases, media promotion and/or advertising and mailings;

10. USA Lacrosse and/or Shootout for Soldiers may incorporate the use of sponsors, vendors and exhibitors at the event, which shall be pre-approved on an individual basis by the Commissioner of Parks or his designee;

11. The Town of Oyster Bay and the Department of Parks reserves the right to refuse any sponsor/vendor/exhibitor, for any reason, that it deems would not properly serve said event and/or the public in attendance;

12. The event related expenses, including but not limited to signage, branded merchandise, trophies, clothing, promotional advertising, such as print, radio, television, internet and computerized pre-recorded messaging shall not exceed \$4,000.00, and shall be paid from Account No. PKS A 7110 47670 000 0000, through the Town General Services, Purchasing Division;

13. Any further event expenses not listed that are deemed appropriate by the Commissioner of Parks or his designee shall not exceed the total amount of \$1,000.00 and are to be paid from Account No. PKS A 7110 47670 000 0000, through the Town General Services, Purchasing Division; and

14. The event shall follow all New York State Guidelines with respect to social distancing, and the aforementioned activity may be cancelled by the Town of Oyster Bay at any

time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety.

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

NOW, THEREFORE, BE IT RESOLVED, That the request as set forth hereinabove is accepted in accordance with the hereinabove stated guidelines, for the purpose of the Department of Parks conducting the "Shootout for Soldiers" event.

#

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

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

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMORANDUM

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: JUNE 24, 2021

SUBJECT: SHOOTOUT FOR SOLDIERS 24 HOUR LACROSSE BENEFIT GAME

The Department of Parks is requesting Town Board approval to host the "Shootout for Soldiers" lacrosse event at Field of Dreams in Massapequa, in cooperation with USA Lacrosse, a not-for-profit (501c3) that acts as the governing body for lacrosse nationally and Shootout for Soldiers, a not-for-profit (501c3) that uses the sport of lacrosse as a platform to support and honor American veterans by fostering community engagement and awareness. The event is held in an effort to raise money for various charitable organizations benefitting United States veterans and since its inception has raised over \$800,000.00.

The event is comprised of one hour games played continuously in a row for 24 hours and a running score is kept between the two teams, Stars and Stripes. It is open to men's and women's teams of all ages and abilities. Every team that registers plays in at least one, 1-hour game and will be matched with an opposing team of similar age and abilities. The event will also include a dedicated game for US Veterans to participate free of charge.

The event will take place on Thursday, July 22nd, 2021 at 9:00am through Friday, July 23rd at 9:00am at Field of Dreams in Massapequa. Dates and times of the event may be changed at the discretion of the Commissioner of Parks or his designee.

Participants may register online as individual players or as a team at: shootoutforsoldiers.com

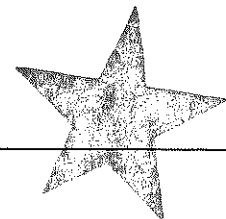
Registration fees are as follows:

Team Registration

\$100.00

Dual Slot Registration

\$200.00



Sponsor a Team

\$750.00

Player Registration with Game Jersey (First 250 Registrants Only)

\$50.00

Player Registration

\$25.00

Veteran Game ONLY

\$0.00

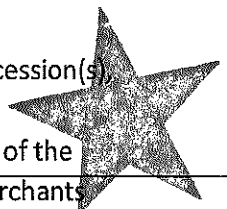
Upon reconciliation of the event, all net profits shall be distributed amongst the following charitable (501c3) Veteran's organizations:

- Army Ranger Lead The Way Fund
- Long Island Air Force Association
- Joseph J. Theinert Memorial Fund
- Team Red, White and Blue

The use of DJ and/or audio services may be incorporated into the event. The Department of Parks requests Town Board approval to utilize the services of EKO Productions Inc. per Town Board Resolution No. 664-2020 (attached). The total cost for DJ and /or audio services shall not exceed \$800.00. Funds for the fees shall be paid from account PKS A 7110 47670 000 0000, through the Town General Services, Purchasing Division.

Food and beverage shall be available to the public for purchase. The Department of Parks reserves the right to utilize the current Town concessionaire(s) at Field of Dreams (as of the date of the event) and/or reserves the right to select alternate or additional food and beverage provider(s), as determined by the Commissioner of Parks or his designee pursuant to the Town's procurement policy.

The Commissioner of Parks or his designee may incorporate the use of mobile food concession(s) in place of or in addition to the current Town Food and Beverage concessionaire(s). The Department of Parks requests that the Town Board waive the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers, provided that all mobile food concession merchants shall be in compliance with the provisions of the New York State Sanitary Code and shall possess



any and all necessary insurance, permissions and permits required by the Nassau County Department of Health, said insurance, permissions and permits to be valid and current. Each mobile food concession shall be charged an event fee not to exceed \$200.00. All food concession fees collected shall be deposited in the Town of Oyster Bay General Fund Account TWN A 0001 02770 590 0000.

The Department of Parks requests Town Board approval to accept the addition of in-kind sponsors in exchange for promotional consideration for the event. Sponsorship of the program may include the logo and/or wordmark on all promotional impressions, including but not limited to printings, posters, banners, press releases, media promotion and/or advertising and mailings.

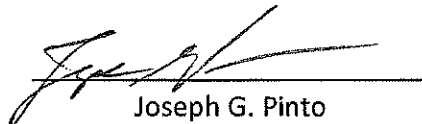
USA Lacrosse and/or Shootout for Soldiers may incorporate the use of sponsors, vendors and exhibitors at the event which shall be pre-approved on an individual basis by the Commissioner of Parks or his designee.

The Town of Oyster Bay and the Department of Parks reserves the right to refuse any sponsor/vendor/exhibitor, for any reason, that it deems does not properly serve said event and/or the public in attendance.

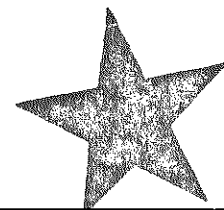
Event related expenses including but not limited to signage, branded merchandise, trophies, clothing, promotional advertising, such as print, radio, television, internet and computerized pre-recorded messaging shall not exceed \$4,000.00 and shall be paid from account PKS A 7110 47670 000 0000, through the Town Purchasing Division.

Any further event expenses not listed that are deemed appropriate by the Commissioner of Parks or his designee shall not exceed the total amount of \$1,000.00 and are to be paid from account PKS A 7110 47670 000 0000 through the Town General Services Purchasing Division.

The Department of Parks recommends Town Board approval to hold the event on the terms set forth above.


Joseph G. Pinto
Commissioner of Parks

JGP: EW



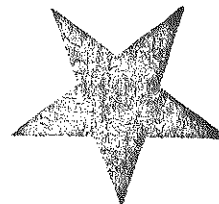
WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated November 20, 2020, requested Town Board authorization for the Town Supervisor, or his designee, to execute an agreement, negotiated and approved by the Office of the Town Attorney, with EKO Productions, Incorporated, 360-C Commack Road Deer Park, New York 11729, to provide professional sound equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2021 through December 31, 2021, in an amount not to exceed \$140,000.00, with two (2) one (1) year extension options, to be exercised by the Town, if it is in the Town's best interest to do so,

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Town Supervisor, or his designee, to execute an agreement, negotiated and approved by the Office of the Town Attorney, with EKO Productions, to provide professional sound equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2021 through December 31, 2021, in an amount not to exceed \$140,000.00, with two (2) one (1) year extension options, to be exercised by the Town, if it is in the Town's best interest to so; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000; and be it further

RESOLVED, that the Town Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim, after audit.

-#-



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

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

OK
Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, by Resolution No. 519-2019, adopted on August 20, 2019, the Town Board authorized the Supervisor to enter into an agreement with Enterprise Security Solutions, LLC, to provide Electronic Security Assessment Services for the period from August 20, 2019 through August 19, 2020, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 461-2020, adopted on September 15, 2020, the first one-year extension was granted for the period of August 20, 2020 through August 19, 2021; and

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated June 28, 2021, requested Town Board authorization to exercise the second one-year extension for the period of August 20, 2021 through August 19, 2022, under the same terms and conditions of the current agreement, in an amount not to exceed \$10,000.00, and further requested that the Supervisor and/or his designee be authorized to execute said agreement; and

WHEREAS, Inspector General Noone, by said memorandum, further advised the Board that funds for payment of the aforesaid extension are available in Account No. DIG A 1345 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor and/or his designee, is hereby authorized to exercise the first extension option with Enterprise Security Solutions, LLC., to provide Electronic Security Assessment Services, for the period from August 20, 2021 through August 19, 2022, under the same terms and conditions of the current agreement; and it is further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same in an amount not to exceed \$10,000.00 upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. DIG A 1345 44800 000 0000.

-#-

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

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

Reviewed By
Office of Town Attorney
[Signature]

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

To: MEMORANDUM DOCKET

From: BRIAN J. NOONE, INSPECTOR GENERAL

Date: JUNE 28, 2021

Subject: RENEWAL OF AGREEMENT BETWEEN THE TOWN OF
OYSTER BAY AND ENTERPRISE SECURITY SOLUTIONS, LLC
FOR 2021

By Resolution No. 519-2019 adopted on August 20, 2019, the Town Board authorized entering into an agreement with Enterprise Security Solutions, LLC for the period August 20, 2019 through August 19, 2020. Also by Resolution No. 461-2020, the first one-year extension was granted for the period August 20, 2020 through August 19, 2021. The original agreement provided for a renewal option for two (2) one (1) year extensions to be exercised solely at the option of the Town of Oyster Bay.

It is the recommendation of the Office of the Inspector General that the Town extend the contract with Enterprise Security Solutions, LLC for an additional year. The Office of the Town Attorney is satisfied that the Procurement Policy has been fulfilled.

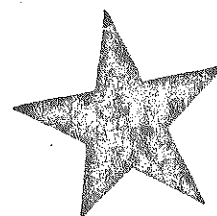
Therefore, it is requested that the Town Board exercise the option to renew the agreement between the Town and Enterprise Security Solutions, LLC, Five Hunterdon Boulevard, Murray Hill, New Jersey to provide electronic security assessment services for the period August 20, 2021 through August 19, 2022 at an amount not to exceed \$10,000 from account number DIG A 1345 44800 000 0000.

Respectfully,



Brian J. Noone, Inspector General

BJN/sc
Attachments



Meeting of August 20, 2019

Resolution No. 519-2019

WHEREAS, Brian I. Noone, Inspector General, by memorandum dated August 7, 2019, advised that a request for proposals (RFP) was issued to five (5) firms and notice of the RFP was placed on the Town of Oyster Bay website and advertised in Newsday, to solicit proposals for an Electronic Security Assessment of the Town's IT program, and three (3) responses were received by the June 14, 2019 response date; and

WHEREAS, following a review and evaluation of the three (3) responses by a selection committee, and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Inspector General Noone, by said memorandum, requested and recommended that the Town Board authorize Enterprise Security Solutions, LLC, Five Eltington Boulevard, Murray Hill, New Jersey 07974-2768 to provide Electronic Security Assessment Services; and

WHEREAS, Inspector General Noone, by said memorandum, requested and recommended that the Town enter into a one year agreement for the period August 20, 2019 through and including August 19, 2020, with two (2) one year extensions, at the Town's option, in a total amount of \$10,000.00, inclusive of all costs, expenses and taxes, with funds for said payment available from Account No. DIG A 1345 44900 000 0000,

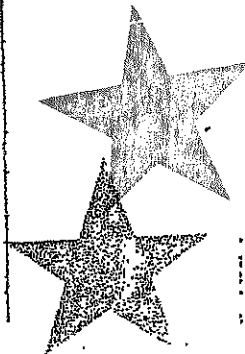
RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and the Supervisor or his designee is authorized to execute an agreement with Enterprise Security Solutions, LLC, to provide Electronic Security Assessment Services, for the period August 20, 2019 through and including August 19, 2020, with two (2) one year extensions, at the Town's option, in a total amount of \$10,000.00, inclusive of all costs, expenses and taxes, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly verified claim, after audit, and that the funds for said payment are to be drawn from Account No. DIG A 1345 44900 000 0000.

#

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

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



Reviewed by
Office of Town Attorney

Meeting of September 15, 2020

Resolution No. 461-2020

WHEREAS, by Resolution No. 519-2019, adopted on August 20, 2019, the Town Board authorized the Supervisor to enter into an agreement with Enterprise Security Solutions, LLC, to provide Electronic Security Assessment Services for the period from August 20, 2019 through August 19, 2020, with two (2) one (1) year extension options; and

WHEREAS, Michael Esposito, Enterprise Security Solutions, LLC., by letter dated July 26, 2020, requested to extend said agreement for an additional year, from August 20, 2020 through August 19, 2021, under the same terms and conditions of the current agreement; and

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated August 17, 2020, requested Town Board authorization to exercise the first one-year extension *nunc pro tunc* from August 20, 2020 through August 19, 2021, under the same terms and conditions of the current agreement, in an amount not to exceed \$10,000.00, and further requested that the Supervisor and/or his designee be authorized to execute said agreement; and

WHEREAS, Inspector General Noone, by said memorandum, further advised the Board that funds for payment of the aforesaid extension are available in Account No. DIG A 1345 44900 000 0000,

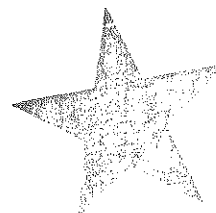
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Supervisor and/or his designee, is hereby authorized to exercise the first extension option with Enterprise Security Solutions, LLC., to provide Electronic Security Assessment Services, *nunc pro tunc*, for the period from August 20, 2020 through August 19, 2021, under the same terms and conditions of the current agreement; and it is further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same in an amount not to exceed \$10,000.00 upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. DIG A 1345 44900 000 0000.

-#-

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

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



WHEREAS, by Resolution No. 516-2019, adopted on August 20, 2019, the Town Board authorized the Supervisor to enter into an agreement with Exiger, LLC, to provide automated Vendor Monitoring services for the period from August 20, 2019 through August 19, 2020, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 470-2020, adopted on September 15, 2020, the first one-year extension was granted for the period of August 20, 2020 through August 19, 2021; and

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated June 28, 2021, requested Town Board authorization to exercise the second one-year extension for the period of August 20, 2021 through August 19, 2022, under the same terms and conditions of the current agreement, in an amount not to exceed \$100,000.00, and further requested that the Supervisor and/or his designee be authorized to execute said agreement; and

WHEREAS, Inspector General Noone by said memorandum, further advised the Board that funds for payment of the aforesaid extension are available in Account No. DIG A 1345 44900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Supervisor and/or his designee, is hereby authorized to exercise the first extension option with Exiger, LLC, to provide automated Vendor Monitoring services, for the period from August 20, 2021 through August 19, 2022, under the same terms and conditions of the current agreement; and it is further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same in an amount not to exceed \$100,000.00 upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. DIG A 1345 44900 000 0000.

-#-

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

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

Reviewed By
Office of Town Attorney
[Signature]

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

To: MEMORANDUM DOCKET

From: BRIAN J. NOONE, INSPECTOR GENERAL

Date: JUNE 28, 2021

Subject: RENEWAL OF AGREEMENT BETWEEN THE TOWN OF
OYSTER BAY AND EXIGER, LLC FOR 2021

By Resolution No. 516-2019 adopted on August 20, 2019, the Town Board authorized entering into an agreement with Exiger, LLC for the period August 20, 2019 through August 19, 2020. Also by Resolution No. 470-2020, the first one-year extension was granted for the period August 20, 2020 through August 19, 2021. The original agreement provided for a renewal option for two (2) one (1) year extensions to be exercised solely at the option of the Town of Oyster Bay.

It is the recommendation of the Office of the Inspector General that the Town extend the contract with Exiger, LLC for an additional year. The Office of the Town Attorney is satisfied that the Procurement Policy has been fulfilled.

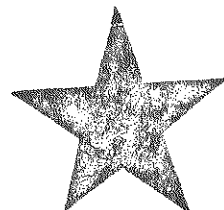
Therefore, it is requested that the Town Board exercise the option to renew the agreement between the Town and Exiger, LLC, 1095 Avenue of the Americas, 5th Floor, New York, New York 10036 to provide Automated Vendor Monitoring Services for the period August 20, 2021 through August 19, 2022 at an amount not to exceed \$100,000 from account number DIG A 1345 44900 000 0000.

Respectfully,



Brian J. Noone, Inspector General

BJN/sc
Attachments



Meeting of August 20, 2019

Corrected copy
Resolution No. 516-2019

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated August 7, 2019, advised that a request for proposals (RFP) was issued to eight (8) firms and notice of the RFP was placed on the Town of Oyster Bay website and advertised in Newsday, to solicit proposals for Automated Vendor Monitoring Services of prospective contractors and their company names, and two (2) responses were received by the June 14, 2019 response date; and

WHEREAS, pursuant to Guideline 7 of the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney indicated that based upon the efforts made to secure proposals, there was compliance with the Procurement Policy; and

WHEREAS, following a review and evaluation of the two (2) responses by a selection committee, and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Inspector General Noone, by said memorandum, requested and recommended that the Town Board authorize Exiger, LLC, 1095 Avenue of the Americas, 5th Floor, New York, New York 10036, to provide Automated Vendor Monitoring Services; and

WHEREAS, Inspector General Noone, by said memorandum, requested and recommended that the Town enter into a one year agreement for the period August 20, 2019 through and including August 19, 2020, with two (2) one year extensions, at the Town's option, in an amount not to exceed \$100,000.00, with funds for payment available from Account No. DIG A 1345 44900 000 0000,

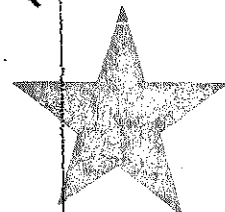
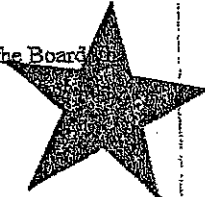
RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and the Supervisor or his designee is authorized to execute an agreement with Exiger, LLC, to provide Automated Vendor Monitoring Services, for the period August 20, 2019 through and including August 19, 2020, with two (2) one year extensions, at the Town's option, in a total amount of \$100,000.00, inclusive of all costs, expenses and taxes, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. DIG A 1345 44900 000 0000.

#

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

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



Reviewed By
Office of Town Attorney

Meeting of September 15, 2020

Resolution No. 470-2020

WHEREAS, by Resolution No. 516-2019, adopted on August 20, 2019, the Town Board authorized the Supervisor to enter into an agreement with Exiger, LLC, to provide automated Vendor Monitoring services for the period from August 20, 2019 through August 19, 2020, with two (2) one (1) year extension options; and

WHEREAS, Brendan J. Galla, President, Exiger LLC, by letter dated August 12, 2020, requested to extend said agreement for an additional year, from August 20, 2020 through August 19, 2021, under the same terms and conditions of the current agreement; and

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated August 24, 2020, requested Town Board authorization to exercise the first one-year extension August 20, 2020 through August 19, 2021, under the same terms and conditions of the current agreement, in an amount not to exceed \$100,000.00, and further requested that the Supervisor and/or his designee be authorized to execute said agreement; and

WHEREAS, Inspector General Noone by said memorandum, further advised the Board that funds for payment of the aforesaid extension are available in Account No. DIG A 1345 44900 000 0000,

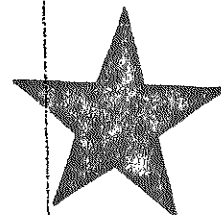
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Supervisor and/or his designee, is hereby authorized to exercise the first extension option with Exiger, LLC, to provide automated Vendor Monitoring services, for the period from August 20, 2020 through August 19, 2021, under the same terms and conditions of the current agreement; and it is further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same in an amount not to exceed \$100,000.00 upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. DIG A 1345 44900 000 0000.

-#-

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

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



Reviewed By
Office of Town Attorney

Meeting of July 13, 2021

Resolution No.391-2021

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated January 26, 2021, authorized the Highway Department to clean up the premises located at 280 Boundary Avenue, Massapequa, New York 11758, also known as Section 52, Block 17, Lot 64 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated June 10, 2021, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on April 5, 2021, in the total amount of \$2,735.78, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated June 10, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,735.78 may be assessed by the Legislature of the County of Nassau against the parcel known as 280 Boundary Avenue, Massapequa, New York 11758, also known as Section 52, Block 17, Lot 64 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Healey
Reviewed By
Office of Town Attorney
Ralph P. Healey

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

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

391

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 10, 2021

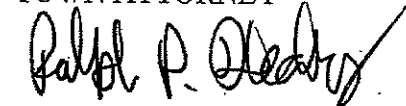
SUBJECT: Property Cleanup Assessment
280 Boundary Avenue, Massapequa, New York 11758
Section 52, Block 17, Lot 64

The Department of Planning and Development, by memorandum dated January 26, 2021, directed the Highway Department to clean the premises located at 280 Boundary Avenue, Massapequa, New York 11758, also known as Section 52, Block 17, Lot 64, on the Land and Tax Map of the County of Nassau. (See attached copy of Deed). The Highway Department has, by memorandum dated April 8, 2021, advised that the property was cleaned by a crew from the Highway Department on April 5, 2021. The cost incurred by the Town of Oyster Bay was \$2,735.78.

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

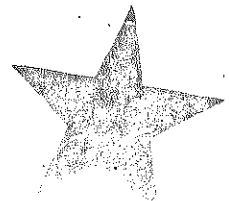
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments



2021-8056

TOWN OF OYSTER BAY

Inter-Departmental Memo

January 26, 2021

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 280 Boundary Avenue, Massapequa, New York 11758
SBL: 52-17-64

Notice of Violation No. 03812 was issued to the owner of the above-referenced premises on 1/19/21 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

- Clean up leaves and tree branches.
- Remove all furniture, litter and debris from front yard and driveway.

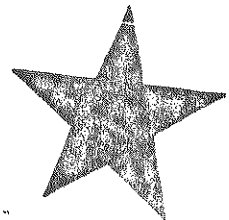
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME:sc
cc: Frank Scalera, Town Attorney

Must scan into
Pro has matter





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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCaffrey
DEPUTY COMMISSIONER

January 26, 2021

Joseph M. Nazaruk
P.O. Box 1925
1290 Hicksville Rd.
Massapequa, NY 11758

Joseph M. Nazaruk
280 Boundary Avenue
Massapequa, NY 11758

RE: PREMISES: 280 Boundary Avenue, North Massapequa, NY 11735
SECTION 52 BLOCK 17 LOT 64

Dear Property Owner:

Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that N.O.V. No. 03812 (copy attached) has been served on 1/19/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,

ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito, Bureau Chief
Code Enforcement Bureau

ELM:ME:sc
Enclosure

501
f
**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS
(INDIVIDUAL OR CORPORATION)**

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the August 24, 2006, between

52
f
AND JEAN NEUMANN
FREDY NEUMAN, of 280 BOUNDARY AVENUE, NORTH MASSAPEQUA, New York 11758,

party of the first part, and

Joseph
JOSEF NAZARUK of 215 FILLMORE STREET, MASSAPEQUA PARK, NEW YORK 11763,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Hempstead, County of Nassau, State of New York, More particularly described in the schedule "A" attached hereto being and intended to be the same premises conveyed to grantor by deed dated 3/09/82 and recorded 3/10/82 in the office of the Nassau County Clerk in Liber 9395 Page 439.;

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.

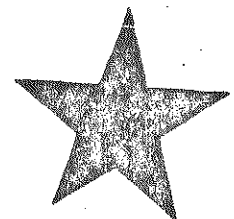
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

52
17
64
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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


FREDY NEUMAN


JEAN NEUMANN



CEB AL

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

April 8, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 280 NORTH BROADWAY, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,735.78.

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



JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 280 NORTH BROADWAY, MASSAPEQUA TO P & D


2021 APR 10 10:00 AM
7102000000



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-17-64) 280 NO BOUNDARY AVE MASSAPEQUA 11758

Date Apr 5, 2021

Work Order # 79759

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	02:30	\$31.12	00:00	0	\$77.80
MARTIN LANG	General Maintenance	02:30	\$52.31	00:00	0	\$130.78
ROBERT PALACIOS	General Maintenance	02:30	\$26.94	00:00	0	\$67.35
ANTHONY MODAFFERI	General Maintenance	02:30	\$21.80	00:00	0	\$54.50
STEVEN KELLY	General Maintenance	02:30	\$15.00	00:00	0	\$37.50
CHRISTOPHER CASTILLO	General Maintenance	02:30	\$15.00	00:00	0	\$37.50
Total Labor						\$405.43

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PL078	PAYLOADER 2006 KOMAT 100-5 YW (HT-1)	\$168.00	02:30	\$420.00
PU473	2020 F250 FORD PICK UP YELLOW	\$79.00	02:30	\$197.50
TD618	TRUCK DUMP 2007 INTER 7300 YW (T-271 / T-272)- 6 Wheeler	\$131.00	02:30	\$327.50
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	02:30	\$262.50
TD759	6 WHEELER 2019 INTL HVS07 YW	\$131.00	02:30	\$327.50
Total Equipment				\$1535.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$88.92	0.51	\$45.35
Total Materials			\$795.35

Grand Total \$2735.78

Description of Work:

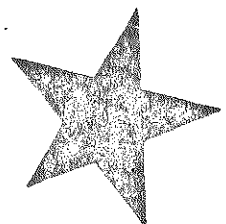
CLEAN UP 280 BOUNDARY AVENUE MS

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Apr 8, 2021



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 13, 2021, authorized the Highway Department to clean up the premises located at Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated June 14, 2021, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 18, 2021, in the total amount of \$1,297.00, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated May 13, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,297.00 may be assessed by the Legislature of the County of Nassau against the parcel known as Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

Ralph P. Healey

392

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 14, 2021


SUBJECT: Property Cleanup Assessment
Newbridge Road, Hicksville, New York 11801
Section 45, Block 70, Lot 49

The Department of Planning and Development, by memorandum dated May 13, 2021, directed the Highway Department to clean the premises located at Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax Map of the County of Nassau. (See attached copy of Assignment of Tax Liens). The Highway Department has, by memorandum dated May 20, 2021, advised that the property was cleaned by a crew from the Highway Department on May 18, 2021. The cost incurred by the Town of Oyster Bay was \$1,297.00.

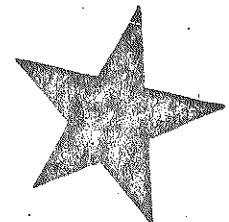
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

RPH:aml
Attachments



TOWN OF OYSTER BAY

Inter-Departmental Memo

May 13, 2021

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: Newbridge Road, Hicksville, New York 11801
SBL: 45-70-49

Notice of Violation number 04345 was issued to the owner of the above-referenced premises on 04/28/21 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

- Cut and trim lawn and vegetation.
- Remove all litter.


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

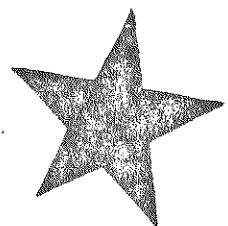
ELIZABETH L. MACCARONE
COMMISSIONER

BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME:tc
cc: Frank Scalera, Town Attorney





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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCaffrey
DEPUTY COMMISSIONER

May 13, 2021

Eileen Schmidt
90-20 221st Place,
Queens Village, New York 11429


RE: PREMISES: Newbridge Road, Hicksville, NY 11801
SECTION 45 BLOCK 70 LOT 49

Dear Property Owner:

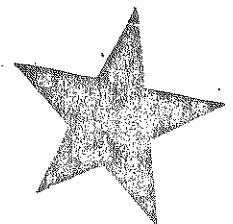
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that N.O.V. number 04345 (copy attached) has been served on 04/28/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER


Michael Esposito
Code Enforcement Bureau

ELM:ME:tc
Enclosure.



ASSIGNMENT OF TAX LIENS

2

FOR VALUE RECEIVED, as County Treasurer of Nassau County, New York, I hereby sell, assign, and transfer to First Union National Bank, as custodian for National Tax Funding, L.P., a Delaware corporation having an office at 1700 Palm Beach Lakes Road, Suite 1100, West Palm Beach, Florida 33401, all my right, title and interest in and to the tax sale certificates listed on EXHIBIT A hereto issued by the County Treasurer of Nassau County, New York, upon the tax sales held on the respective dates identified in said EXHIBIT and covering the property described therein.

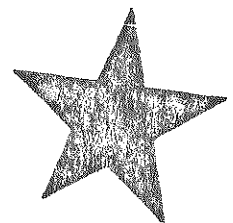
Dated: Mineola, New York
February 14, 1997

Santa C. Rozzi
SANTA C. ROZZI
COUNTY TREASURER
NASSAU COUNTY

State of New York)
) ss.
County of Nassau)

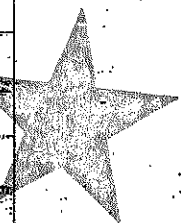
On this 14 day of February, 1997 before me personally appeared SANTA C. ROZZI, to me known, who being by me duly sworn, did depose and say that she is the County Treasurer of the County of Nassau, New York, the corporation described in and which executed the foregoing instrument; and that she signed her name thereto by Authority of the County Legislature.

JOANNE T. BREGLIA
County of Nassau
Notation No. 01BR4757735



MILK COMPANY ASSOCIATES TO CAPITAL ASSET RESEARCH CORPORATION

TOWN	SCHOOL	SECTION	BLOCK	LOT	CERT. #	PROP. ID	YEAR	TOTAL MERG	SCH MERG	GEN MERG	TOTAL INT	MEMO	TOTAL AMT
3	5	28	4	40	259	31114	1993	175.28	111.28	64.02	103.91	167.88	521.17
3	5	28	4	235-282	300	31114	1993	380.57	233.34	128.03	193.04	253.98	880.38
3	5	28	11	146-148	293	31114	1993	539.50	539.04	337.86	311.65	261.83	2,016.38
3	6	29	0	209-308	271	21001	1993	539.50	539.04	337.86	2,451.58	1,841.81	11,493.11
3	8	27	14	234	383	31114	1994	111.83	55.09	38.79	72.77	98.46	416.11
3	8	24	2	38	303	21001	1992	2,032.14	1,077.82	1,204.32	1,333.74	1,193.94	5,245.82
3	9	24	6	701	201	31114	1993	48.39	11.59	30.80	20.39	100.49	228.78
3	9	24	6	703	382	31114	1993	84.44	13.78	34.08	30.46	117.34	237.20
3	9	24	6	823	293	31114	1993	30.24	10.99	18.25	22.28	89.06	181.25
3	9	24	6	832	294	31114	1993	411.31	148.44	261.87	161.35	455.23	1,057.65
3	9	24	6	1013	286	31114	1993	176.41	63.73	111.69	71.43	228.60	518.40
3	9	24	6	1012	297	31114	1993	192.57	70.33	123.24	71.58	249.05	537.15
3	9	24	6	47-58	300	31211	1993	97.45.39	33.01.75	84.51	1,033.66	4,060.20	9,046.07
3	9	24	6	32-37	313	31114	1993	0.00	0.00	0.00	13.92	17.70	96.58
3	9	24	6	30-31	322	31211	1993	0.00	0.00	0.00	13.25	82.80	96.58
3	11	16	F	1407	300	21007	1993	13,392.37	9,768.41	5,624.93	9,336.59	8,376.56	35,685.62
3	12	25	40	9	333	31114	1993	385.40	188.25	193.15	186.93	182.38	897.07
3	12	25	57	25	423	31114	1992	5,991.42	3,005.83	914.53	1,669.54	2,056.00	5,977.85
3	13	13	114	2	342	31114	1993	3,816.40	1,971.83	1,845.02	1,877.75	1,853.15	6,755.34
3	13	13	C	164	433	41012	1991	0.00	0.00	0.00	208.31	673.28	732.58
3	13	14	1	385	438	31114	1992	871.57	484.57	387.40	392.24	238.48	1,703.67
3	13	14	E	389	437	21001	1992	44,390.28	25,468.58	18,383.67	18,657.16	9,280.28	72,851.72
3	14	15	56	9	481	21001	1992	19,743.89	13,204.63	9,539.26	6,495.42	4,573.42	31,487.26
3	15	11	423	12	473	31114	1992	604.85	203.68	301.19	268.84	165.52	1,240.21
3	15	11	453	57	474	21001	1992	40,583.10	20,115.89	20,837.21	22,372.42	8,639.18	72,063.70
3	15	17	8	143	478	31114	1993	0.00	0.00	0.00	34.13	213.28	247.42
3	15	18	D	213	483	21001	1993	205,883.15	227,285.03	59,571.57	89,987.76	81,522.93	487,707.45
3	17	11	284	35	436	42114	1993	13,593.23	6,298.23	7,723.80	4,171.83	9,957.33	26,142.55
3	17	11	288	54	474	31114	1993	253.59	118.51	114.92	191.39	184.24	844.16
3	17	11	325	459	457	45414	1993	26,866.76	12,405.07	13,670.92	8,635.05	26,981.16	63,443.83
3	17	11	413	47	469	31114	1993	36.49	28.07	20.41	11.52	40.27	158.77
3	17	11	422	21	561	31144	1991	2,441.03	1,218.05	1,251.89	1,042.27	475.93	4,138.38
3	17	11	484	45	470	43314	1992	47,197.48	22,864.48	24,545.02	16,498.77	47,142.80	111,388.45
3	17	12	183	122-125	518	21001	1993	24,497.88	12,167.34	12,340.55	8,250.03	4,905.20	37,652.17
3	17	12	288	79	485	31114	1993	62.88	39.53	43.25	52.71	97.14	262.73
3	17	12	283	233	527	21001	1992	14,378.67	6,066.04	5,650.08	5,466.72	2,628.68	22,643.65
3	17	17	45	48	529	31114	1992	761.66	352.11	357.85	300.75	193.04	1,729.75
3	17	17	70	145	468	31114	1993	13.76	6.51	7.16	9.46	39.23	59.44
3	17	17	355	11	535	21001	1992	17,100.35	7,992.19	8,218.25	5,038.92	3,692.68	26,901.94
3	17	17	514	31	465	21001	1993	12,656.09	6,425.87	6,425.87	4,894.86	3,893.86	21,575.33
3	17	17	125	3,156	430	21001	1993	13,963.85	6,638.76	7,033.07	4,052.17	1,897.27	19,585.28
3	17	17	191	8-8	534	21004	1993	7,399.63	3,123.24	3,612.09	3,542.31	4,254.16	15,212.75



AC

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

May 20, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: NEWBRIDGE ROAD, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,297.00.

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

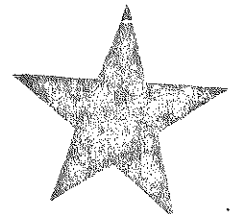


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

REC'D TOWN ATTORNEY
MAY 24 2021



CLEAN - UP NEWBRIDGE ROAD, HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (45-70-49) NEWBRIDGE RD HICKSVILLE 11801

Date May 18, 2021

Work Order # 83307

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JEFFREY CARTER	General Maintenance	01:00	\$41.82	00:00	0	\$41.82
BRIAN TROTTA	General Maintenance	01:00	\$31.60	00:00	0	\$31.60
VINCENT PADAVANO	General Maintenance	01:00	\$52.67	00:00	0	\$52.67
SEAN MCLAUGHLIN	General Maintenance	01:00	\$26.91	00:00	0	\$26.91
Total Labor						\$153.00

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD704	TRUCK DUMP 2011 FORD F350 YELLO (T145 / T-145) - Power Wagons	\$105.00	01:00	\$105.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:00	\$105.00
TD753	PICK UP 2019 FORD F450 YW	\$79.00	01:00	\$79.00
TR204	TRAILER 2017 FELLI FT30 BL	\$105.00	01:00	\$105.00
Total Equipment				\$394.00

Materials

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

Grand Total \$1297.00

Description of Work:

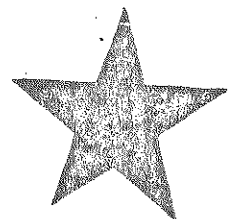
CLEAN UP NEWBRIDGE ROAD HV

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 19, 2021



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 4, 2020, authorized the Highway Department to clean up the premises located at 4 Vivian Place, Plainview, New York 11803, also known as Section 13, Block 57, Lot 7 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated June 11, 2021, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 9, 2020, in the total amount of \$1,004.00, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated June 11, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,004.00 may be assessed by the Legislature of the County of Nassau against the parcel known as 4 Vivian Place, Plainview, New York 11803, also known as Section 13, Block 57, Lot 7 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

70X
Reviewed By
Office of Town Attorney
Ralph P. Healey

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

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

Town of Oyster Bay
Inter-Departmental Memo

393

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 11, 2021

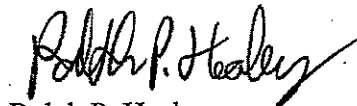
SUBJECT: Property Cleanup Assessment
4 Vivian Place, Plainview, New York 11803
Section 13, Block 57, Lot 7

The Department of Planning and Development, by memorandum dated September 4, 2020, directed the Highway Department to clean the premises located at 4 Vivian Place, Plainview, New York 11803, also known as Section 13, Block 57, Lot 7, on the Land and Tax Map of the County of Nassau. (See attached copy of Property Card). The Highway Department has, by memorandum dated September 17, 2020, advised that the property was cleaned by a crew from the Highway Department on September 9, 2020. The cost incurred by the Town of Oyster Bay was \$1,004.00.

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.

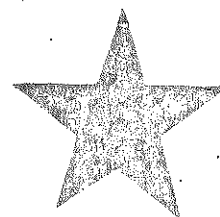
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments



2021-8061

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 4, 2020

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 4 Vivian Place, Plainview, New York 11803
SBL: 13-57-7

Notice of Violation No. 02371 was issued to the owner of the above-referenced premises on 08/25/20 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 and trim lawn and vegetation.

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

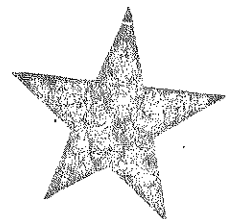
ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME:tc

cc: Frank Scalera, Chief Deputy Town Attorney

Need to Scan





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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCaffrey
DEPUTY COMMISSIONER

September 4, 2020

Martin Eichen
4 Vivian Place
Plainview, New York 11803

RE: PREMISES: 4 Vivian Place, Plainview, New York 11803
SECTION 13 BLOCK 57 LOT 7

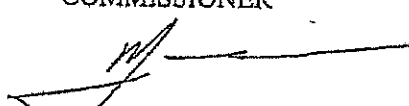
Dear Property Owner:

Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Section 135-52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

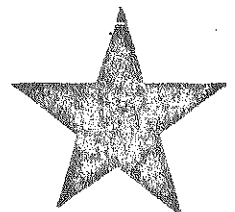
Please be advised that N.O.V. No. 02371 (copy attached) has been served on 08/25/20. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs thereof.

Very truly yours,

ELIZABETH L. MACCARONE
COMMISSIONER


Michael Esposito, Bureau Chief
Code Compliance Division

ELM:ME:tc
Enclosure



AL

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

September 17, 2020

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

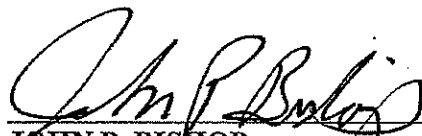
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 4 VIVIAN PLACE, PLAINVIEW
BOARD-UP/ CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,004.00.

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



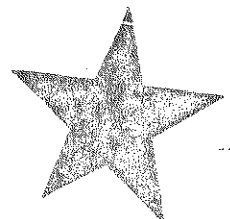
JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

REC'D TOWN ATTORNEY
'20 SEP 24 AM 9:46

BOARD - UP/CLEAN-UP 4 VIVIAN PLACE, PLAINVIEW TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (13-57-7) 4 VIVIAN PL PLAINVIEW 11803

Date Sep 9, 2020

Work Order # 74470

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JAMES AJAMIAN	General Maintenance	01:00	\$47.21	00:00	0	\$47.21
MICHAEL RICCARDO	General Maintenance	01:00	\$48.79	00:00	0	\$48.79
Total Labor						\$96.00

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU437	PICK UP 2012 FORD F250 TAN (8 / 008)	\$79.00	01:00	\$79.00
PU458	2020 FORD F350 PICK UP YW	\$79.00	01:00	\$79.00
Total Equipment				\$158.00

Materials

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

Grand Total \$1004.00

Description of Work:

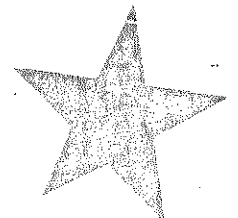
CLEAN UP 4 VIVIAN PLACE PL

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 14, 2020



Meeting of July 13, 2021

Resolution No.394-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 28, 2021, advised that the design for Contract No. DPW21-216, Renovations to Mill Pond House, Oyster Bay, New York has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that the Department of Public Works/Highway has approved the plans and specifications submitted, with an estimated construction time for completion of Phase 1 of this Contract of ninety (90) days, and recommended that the Department of General Services, Division of Purchasing, proceed with setting a date for receiving bids for said Contract,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted, and the Department of General Services, Division of Purchasing, is hereby authorized and directed to contact the Division of Engineering to set a date for receiving bids for Contract No. DPW21-216.

#-

Reviewed By
Office of Town Attorney
Ralph P. DeGh

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

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JUNE 28, 2021

TO: MEMORANDUM DOCKET


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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID
AND MULTIPLE CONSTRUCTION PHASES OF RENOVATIONS TO THE
MILL POND HOUSE – OYSTER BAY, NEW YORK
CONTRACT NO. DP21-216

The Division of Engineering has prepared contract specifications and plans relative to the above mentioned contract.

The design has been completed, and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of Phase 1 of this subject contract is 90 calendar days.

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

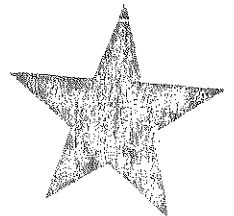


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL  MR/SJ /nm

cc. Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
Joseph G. Pinto, Commissioner / Parks Department

DP21-216 mill pond house permission to bid



Meeting of July 13, 2021

Resolution No.396-2021

Reviewed By
Office of Town Attorney

Ralph P. D'Arcy

WHEREAS, by Resolution No. 812-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to utilize the engineering services of Lizardos Engineering Associates, P.C., in connection with Contract No. PWC18-20, On-Call Engineering Services relative to Electrical Engineering; and

WHEREAS, Ralph Aldorasi, P.E., Senior Vice President, Lizardos Engineering Associates, P.C., by letter dated May 20, 2021, described the scope of work to be performed regarding engineering services in connection with the design of two new transfer switches at the Tobay Maintenance Facility and Tobay Beach area; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 25, 2021, requested Town Board authorization for Lizardos Engineering Associates, P.C. to perform the aforesaid engineering services under Contract No. PWC18-20, and further requested that the Comptroller be directed to issue an encumbrance order, in an amount not to exceed \$21,000.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$21,000.00 are available in Account No. PKS H 7197 20000 000 2102 001; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Lizardos Engineering Associates, P.C. is authorized to provide the aforementioned engineering services in connection with Contract No. PWC18-20 On-Call Engineering Services relative to Electrical Engineering; and be it further

RESOLVED, That the Comptroller is authorized and directed to make payment for same upon presentation of a duly certified claim after audit with funds to be drawn from Account No. PKS H 7197 20000 000 2102 001.

-#-

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

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

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

June 25, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC18-20
ELECTRICAL ENGINEERING
ACCOUNT NO.: PKS H 7197 20000 000 2102 001
PROJECT ID NO. 2102PKSA-08

The consultant, Lizardos Engineering Associates, P.C. has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC18-20 by Resolution No. 812-2019 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated May 20, 2021 from Lizardos Engineering Associates, P.C., regarding the scope of work to be performed in an amount not to exceed \$21,000.00. Services to be provided include the design of two new transfer switches at the Tobay Maintenance Facility and Tobay Beach area.

Attached is an availability of funds in the amount of \$21,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 2102 001.

The Office of the Inspector General has reviewed the RFP/Contract and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution Lizardos Engineering Associates, P.C. under Contract No. PWC18-20, On-Call Technical Assistance Relative to Electrical Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


RICHARD W. LENZ, P.E.
COMMISSIONER

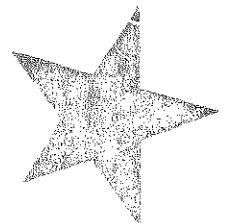
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/CT/MR/BK/nm

Attachment

cc: Steven Ballas, Comptroller
Joseph G. Pinto, Commissioner/Parks

PWC18-20 Docket Funding 21000 Lizardos





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 PWC18-20

Contract Period January 1, 2020 through December 31, 2021

Consultant/Contractor Lizardos Engineering Associates, P.C.

Discipline Electrical Engineering

Total Authorization \$ 21,000.00

Resolution No. 812-2019 Date 12/10/2019

Funded To Date \$ 0.00

Amount Requested \$21,000.00

Account To Be Used PKS H 7197 20000 000 2102 001 Project ID: 2102PKSA-08

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 the design of two new transfer switches at the

Tobay Maintenance Facility and Tobay Beach area.

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 Joseph B. Lugo

Title Parks Commissioner

Date 6/22/21

DPW Approval

Only To Be Executed By The Commissioner

Signature Richard A. Long

Title Commissioner of Public Works

Date 6/22/21

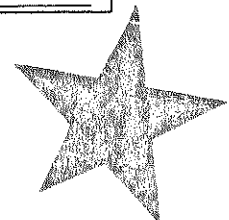
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 21,000.00

Unencumbered Balance 543,998.62

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

Signature [Signature] Date 6/22/21





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2020

Contract No. PWC18-20

Contract End 12/31/2021

Commencement Date _____

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

Vendor Name and Address

Lizardos Engineering Associates, P.C.

200 Old Country Road

Suite 670

Mineola, NY 11501

Requesting Town Department Parks

Contact Brian Kunzig Phone 677-5741

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

Funds are required for the design of two new transfer switches at the

Tobay Maintenance Facility and Tobay Beach area.

This work order shall not exceed \$ 21,000.00

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]

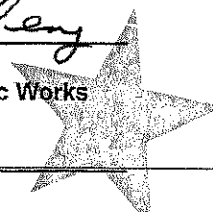
Signature [Signature]

Title Parks Commissioner

Commissioner of Public Works

Date 6/22/21

Date 6/22/21





May 20, 2021

HEADQUARTERS
200 Old Country Road, Suite 670
Mineola, New York 11501
v 516 484 1020 f 516 484 0926

NEW YORK CITY OFFICE
222 West 37th Street - 7th Floor
New York, NY 10018
v 212 967 7651 f 212 967 7654

www.leapc.com

PRESIDENT AND CEO
George A. Lombardo, PE LEED®

SENIOR VICE PRESIDENTS
Ralph Aldorasi, PE LEED®
John E. Lizardos, PE LEED®
Marios C. Tinis, PE

ASSOCIATE VICE PRESIDENTS
Dirk Anderson, PE LEED®
Andrew Dubel, PE LEED®
Steve Sonmez, PE LEED® CBCP CEM
Matthew R. Liff, PE
Patrick J. Tennant, PE CBCP CEM

SENIOR ASSOCIATE
DIRECTOR OF OPERATIONS
Thomas J. Cusack, PE LEED®

SENIOR ASSOCIATE
DIRECTOR OF PLUMBING AND FIRE PROTECTION
Keith P. Brumblay

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Maurice Stevenson
Riza Susel, PE

ASSOCIATES
Joseph A. Hayden, PE
Giuseppe Licandro
Kim Montague

FOUNDING PARTNER
Evans J. Lizardos, PE LEED®

PRINCIPALS EMERITUS
Lewis M. Damrauer, PE
Douglas J. Pavone, PE

Mr. John Tassone
Town of Oyster Bay
Dept. of Public Works
150 Miller Place
Syosset, NY 11791-5699

Reference: Town of Oyster Bay
TOBAY Beach
Manual Transfer Switch Design
Lizardos Proposal Number: 21-318

Dear Mr. Tassone:

As requested Lizardos Engineering Associates, P.C. (Lizardos) has prepared this proposal to provide electrical engineering design services for the above referenced project. The Town of Oyster Bay (TOB) wishes to install manual transfer switch connections for temporary generator hook up to pick up the TOBAY Beach area and the TOBAY Maintenance Facility.

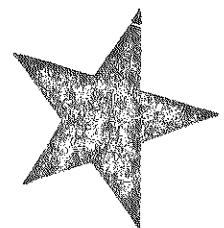
Lizardos intends to provide the following Scope of Services in connection with this project.

SCOPE OF SERVICES

1. Survey the existing equipment and/or physical conditions as required to provide design documents for each site.
2. Lizardos will prepare all construction bid documents in compliance with all New York State codes, Federal, NEC and local codes, laws, rules and regulations.
3. Lizardos shall provide a certificate of insurance evidencing general liability, auto liability, workman's compensation and professional liability of not less than \$1,000,000 with an A+ rated carrier, licensed in the State of New York.
4. At the end of the design for this project, Lizardos shall provide one set of reproducible contract drawings and an electronic copy (CD Rom) of all AutoCAD drawings.
5. TOB DPW will provide Lizardos with ACAD background of buildings and site plan.
6. Provide construction documents for the electrical modifications required for the two (2) new manual transfer switches.



NYSEDA-Approved FlexTech Consultant



Construction Phase Services

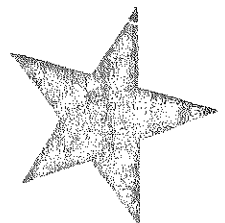
1. Review shop drawings to determine conformance with Lizardos specifications.
2. Two (2) construction meetings are included. Any additional field visits to the construction site to observe progress and compliance with the contract documents will be billed separately on a time card basis with reimbursables and is not included herein, \$600.00 per meeting.
3. Assist Owner's Building Department expediter in filling out technical portions of forms and sealing appropriate forms for filing purposes.
4. Respond to request for information from contractors.

SERVICES NOT INCLUDED

1. Preparation of as-built drawings.
2. Controlled Inspections.
3. All environmental studies and testing.
4. Filing of construction documents. Lizardos will provide signed and sealed documents for others to file.
5. Architectural, Structural, Mechanical and Civil Engineering.
6. Flood mitigation.

ADDITIONAL SERVICES

Commissioning Services are available at an additional cost.



FEES

The engineering fee for the Scope of Services described shall be a fixed fee as follows:

TOBAY Beach	\$	10,600.00
TOBAY Maintenance Facility	\$	9,800.00
Reimbursables*	\$	600.00
Total Fee		\$ 21,000.00

**Reimbursable expenses to be invoiced in addition to the above fees.*

All engineering services shall be invoiced monthly based on the percentage of work completed. We will schedule work for this project upon our receipt of your written authorization to proceed. This proposal will remain in effect for 60 days from the date of this proposal.

We trust that the terms set forth in this proposal sufficiently detail the engineering services which you require Lizardos to provide in connection with this project. If you should have any questions, please feel free to call me.

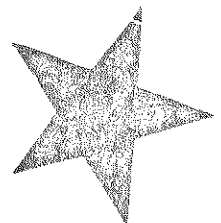
Sincerely,

LIZARDOS ENGINEERING ASSOCIATES, P.C.



Ralph Aldorasi, P.E., Senior Vice President

cc: Mr. B. Kunzig, TOB DPW
Ms. M. Cocchi, Lizardos



Meeting of December 10, 2019

Resolution No. 812-2019

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated November 22, 2019, advised that, pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) to procure On-Call Engineering Services relative to Electrical Engineering, Contract No. PWC18-20, to the Town for a two (2) year term commencing on January 1, 2020 through December 31, 2021, was issued and was placed on the Town of Oyster Bay website, and the Department of Public Works received eight (8) responses by the October 16, 2019 response date; and

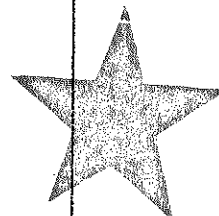
WHEREAS, following a review and evaluation of said eight (8) responses by an RFP review committee, based on the established criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firms, in compliance with requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of Public Works to utilize the services of Cashin Associates, P.C., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., Lizardos Engineering Associates, P.C., and Lockwood, Kessler & Bartlett, Inc., in accordance with the specifications contained in the RFP for the purposes of providing On-Call Engineering Services relative to Electrical Engineering services to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to utilize the services of Cashin Associates, P.C., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., Lizardos Engineering Associates, P.C., and Lockwood, Kessler & Bartlett, Inc., Contract No. PWC18-20, for the purposes of providing On-Call Engineering Services relative to Electrical Engineering to the Town for a period of two (2) years, commencing on January 1, 2020 through December 31, 2021.

#

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

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



Reviewed By
Office of Town Attorney
[Signature]

Reviewed By
Office of Town Attorney
Ralph P. DeLong

WHEREAS, by Resolution No. 806-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with Lockwood, Kessler & Bartlett, Inc. to provide On-Call Engineering Services relative to Civil Engineering in connection with Contract No. PWC07-20; and

WHEREAS, Bart A. Marino, P.E., Lockwood, Kessler & Bartlett, Inc., by letter dated May 14, 2021, described the scope of work to be performed under Contract No. PWC07-20 in connection with the design, construction drawings and full time inspection services for the installation of three diffusion wells and pavement restoration at Linden Place, Glen Head, New York, in an amount not to exceed \$60,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 28, 2021, requested Town Board authorization for Lockwood, Kessler & Bartlett, Inc. to perform the aforesaid services under Contract No. PWC07-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$60,000.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds to satisfy said engineering costs, are available in Account No. HWY H5197 20000 000 2003 008; and

WHEREAS, Commissioner Lenz, by said memoranda, further advised that the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Lockwood, Kessler & Bartlett, Inc. is authorized to perform the aforementioned engineering services in connection with Contract No. PWC07-20, On-Call Engineering Services relative to Civil Engineering; and be it further

RESOLVED, That the Comptroller is authorized and directed to make payment for same upon presentation of a duly certified claim after audit, with funds for said payment to be drawn from Account No. HWY H5197 20000 000 2003 008.

-#-

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

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

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

June 28, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC07-20
CIVIL ENGINEERING
ACCOUNT NO.: HWY H5197 20000 000 2003 008
PROJECT ID NO. 2003 HWYDB-11

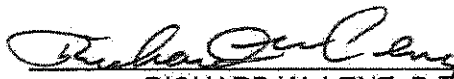
The consultant, Lockwood, Kessler & Bartlett, Inc., has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC07-20 by Resolution No. 806-2019 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated May 14, 2021 from Lockwood, Kessler & Bartlett, Inc., regarding the scope of work to be performed in an amount not to exceed \$60,000.00. Services to be performed include design, construction drawings, and full time inspection services for the installation of three diffusion wells and pavement restoration at Linden Place Glen Head.

Attached is an availability of funds in the amount of \$60,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. HWY H5197 20000 000 2003 008.

The Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution Lockwood, Kessler & Bartlett, Inc., under Contract No. PWC07-20, On-Call Services Relative to Civil Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

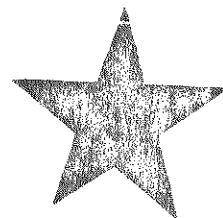

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY.

RWL/JOT/AMR/DM/nm

Attachment

cc: Steven Ballas, Comptroller
John Bishop, Deputy Commissioner/Highway

PWC07-20 Docket LKB Linden PI 2021





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 PWC 07-20

Contract Period 01/01/2020 to 12/31/2021

Consultant/Contractor Lockwood Kessler & Bartlett, Inc

Discipline On Call Engineering Services Relative to Civil Engineering

Total Authorization _____

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

Funded To Date _____

Amount Requested \$60,000.00

Account To Be Used HWY H.5197-20000 000 2003 008 - 2003 HWY DB-11

If Capital Account, State The Related Contract Number: _____

Description Of Work

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

Engineering services associated with the installation of three diffusion wells & repaving of the roadway to reduce the chronic flooding condition on Linden Place at Glen Cove Avenue Glen Head.

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ _____

Requesting Division/Department

Signature [Signature]

Title Deputy Commissioner of Highway

Date 6-18-21

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 6/11/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

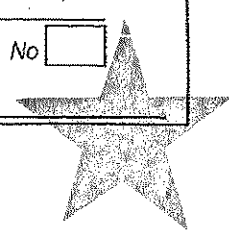
Amount Requested 60,000.00

Unencumbered Balance 281,626.48

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

Signature [Signature]

Date 6/28/21





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2020

Contract No. PWC07-20

Contract End 12/31/2021

Commencement Date _____

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

Vendor Name and Address

LOCKWOOD, KESSLER & BARTLETT, INC.

ONE ARIEL WAY

SYOSSET, NEW YORK 11791

Requesting Town Department HIGHWAY

Contact _____ Phone _____

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

Engineering services associated with the installation of three diffusion wells & repaving of the roadway to

reduce the chronic flooding conditions on Linden Place at Glen Cove Avenue in Glen Head.

This work order shall not exceed \$ 60,000.00

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]

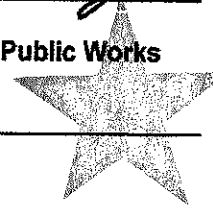
Signature [Signature]

Title DEPUTY COMMISSIONER

Commissioner of Public Works

Date _____

Date 6/11/21





Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

May 14, 2021
LKB# 2020-0016

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

Attn: John Tassone

Re: On-Call Services for Civil Engineering PWC07-20
Linden Place Drainage - Install three diffusion wells & repaving of the roadway

Dear Commissioner:

Per your request we are pleased to submit our proposal for engineering services associated with reducing the chronic flooding condition that occurs at Linden Place at Glen Cove Avenue in Glen Head.

LKB's scope for this assignment is defined as follows:

- Design for increasing existing stormwater storage volume by installation of three 20± feet deep precast concrete diffusion wells within the Linden Place roadway, and interconnecting these diffusion wells to each other and the existing drainage system with overflow pipes.
- Prepare the associated construction drawings for the diffusion well installations, including special specifications, and construction estimate suitable for use by the Town's requirements contractor.
- Provide full time construction inspection and administration to replace the entire Linden Place roadway in-kind (i.e. no plans required). As discussed, the assumed construction duration is 8 work weeks (320 hours).

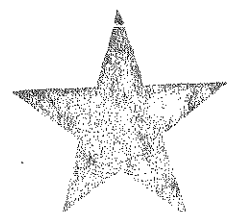
Our estimated fee to provide these services is \$60,000.00. Accordingly, we request the Town to encumber these funds to enable LKB to accomplish this assignment. We will invoice the Town monthly, in accordance with our current on-call civil engineering contract with the Town.

Very truly yours,

Bart A. Marino, PE

Lockwood, Kessler & Bartlett, Inc. | A VERTEX Company

AN EQUAL OPPORTUNITY EMPLOYER



Meeting of December 10, 2019

Resolution No. 806-2019

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

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

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

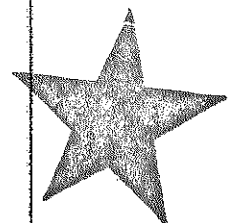
WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with AECOM USA, Inc., D&B Engineers & Architects, P.C., de Bruin Engineering, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo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

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC14-20 with AECOM USA, Inc., D&B Engineers & Architects, P.C., de Bruin Engineering, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and N&P Engineering, Architecture and Land Surveying, PLLC, in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

-#-

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

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



Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 808-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works/Highway to enter into an agreement with Nassau Suffolk Engineering & Architecture, PLLC, to provide engineering services in connection with Contract No. PWC22-20, On-Call Engineering Services, Architecture; and

WHEREAS, Michael W. Spinelli, J.D., AIA, President, Nassau Suffolk Engineering & Architecture, PLLC, by letter dated April 28, 2021, described the scope of work to be performed under Contract No. PWC22-20, which includes the design, bid, inspection of shoring and demolition services regarding the renovation and the historic preservation of the Mill Pond House, located at 1065 West Shore Road in the Hamlet of Oyster Bay, in an amount not to exceed \$248,400.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated June 29, 2021, requested Town Board authorization for Nassau Suffolk Engineering & Architectural Services, PLLC, to perform the aforesaid engineering services under Contract No. PWC22-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$248,400.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$248,400.00 to satisfy said engineering costs are available in Account No. PKS H 7197 20000 000 1902 001; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

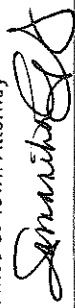
NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and Nassau Suffolk Engineering & Architecture, PLLC, is hereby authorized to perform the aforementioned engineering services in connection with Contract PWC22-20, which includes the design, bid, inspection of shoring and demolition services regarding the renovation and the historic preservation of the Mill Pond House, located at 1065 West Shore Road in the Hamlet of Oyster Bay, in an amount not to exceed \$248,400.00; and be it further

RESOLVED, that the Town Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. PKS H 7197 20000 000 1902 001.

-#-

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

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


 Reviewed By
 Office of Town Attorney

398

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

June 29, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ARCHITECTURE
CONTRACT NO. PWC22-20
ACCOUNT NO.: PKS H 7197 20000 000 1902 001
PROJECT ID NO. 1902 PKSA-08

The consultant, Nassau Suffolk Engineering & Architecture, PLLC, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC22-20 by Resolution No. 808-2019 for the subject project.

Attached is a letter dated April 28, 2021 from Nassau Suffolk Engineering & Architecture, PLLC regarding the scope of work performed and to be performed in an amount not to exceed \$248,400.00. Funds are required for design, bid, and inspection of shoring and demolition services regarding the renovation and historic preservation of The Mill Pond House as described in the attached letter from Nassau Suffolk Engineering & Architecture, PLLC.

Attached is an availability of funds in the amount of \$248,400.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1902 001.

The Office of the Inspector General has reviewed the contract and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize by Resolution, Nassau Suffolk Engineering & Architecture, PLLC under Contract No. PWC22-20 for On-Call Engineering Services Relative to Architecture and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


RICHARD W. LENZ, P.E.
COMMISSIONER

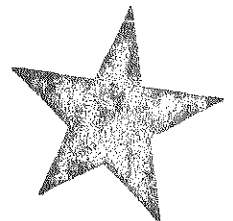
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JD/UMR/SJ/ik

Attachments

cc: Steve C. Ballas, Comptroller
Joseph G. Pinto, Parks Commissioner

PWC22-20 Docket Funding Mill Pond House 248400





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 PWC22-20

Contract Period January 1, 2020 through December 31, 2021

Consultant/Contractor Nassau Suffolk Engineering & Architecture, PLLC

Discipline Architecture

Total Authorization \$308,400.00

Resolution No. 808-2019 Date 12/10/2019

Funded To Date \$60,000.00

Amount Requested \$248,400.00

Account To Be Used PKS-H-7197-20000-000-1902-001 1902PKSA-08

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 design, bid, inspection of shoring and demolition services

regarding the renovation and historic preservation of The Mill Pond House.

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

Date 6-28-2021

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 6-28-2021

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

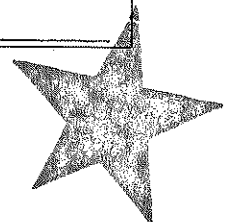
Amount Requested 60,000.00

Unencumbered Balance 553,312.48

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

Signature [Signature]

Date 6/29/21





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2020

Contract No. PWC22-20

Contract End 12/31/2021

Commencement Date _____

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

Vendor Name and Address

Nassau Suffolk Engineering & Architecture, PLLC

801 Motor Pkwy.

Hauppauge, NY 11788

Requesting Town Department _____

Parks

Contact _____

Sean Jordan

Phone _____

677-5116

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

Funds are required for design, bid, inspection of shoring and demolition services

regarding the renovation and historic preservation of The Mill Pond House.

This work order shall not exceed \$ \$248,400.00

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 _____

Title _____

Date _____

Joseph P. Lutz

Commissioner of Parks

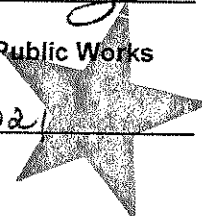
6/24/2021

Signature _____

Commissioner of Public Works

Date _____

6-28-2021



Meeting of December 10, 2019

Resolution No. 808-2019

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 22, 2019, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town in connection with Architecture, resulting in the receipt of ten (10) submissions; and

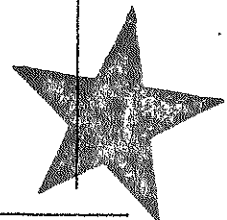
WHEREAS, Commissioner Lenz has, after review and analysis of the submissions based upon the technical merits of the responses, in compliance with the Town's Procurement Policy, requested and recommended that David Swift Architect, LLC, H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., John A. Grillo Architect, P.C., and Nassau Suffolk Engineering & Architecture, PLLC be authorized to perform On-Call Engineering Services in connection with Contract No. PWC22-20, Architecture, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

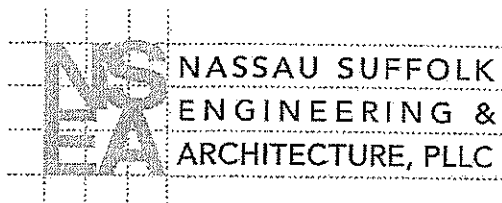
NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved and David Swift Architect, LLC, H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., John A. Grillo Architect, P.C., and Nassau Suffolk Engineering & Architecture, PLLC are hereby authorized and directed to provide On-Call Engineering Services in connection with Contract No. PWC22-20, Architecture, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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





April 28, 2021

Via Email (rlenz@oysterbay-ny.gov) and U.S. Mail

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

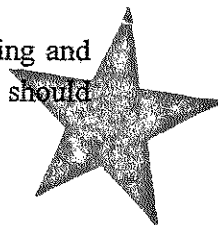
Re: **DPW Contract No:** PWC22-20
DPW Contract Name: On-Call Engineering Services Relative to Architecture
Task: Mill Pond House Restoration
Funding Request Amount: \$248,400.00
NSEA#: N-40:2002

Dear Commissioner Lenz:

Nassau Suffolk Engineering & Architecture, PLLC ("NSEA") is pleased to submit this proposal for professional services with respect to selective demolition and exterior restoration / renovation of the Mill Pond House at 1065 West Shore Road on behalf of the Town of Oyster Bay ("Town"). All work shall be in conformance with Town Landmarks Preservation Commission ("LPC") Resolution NO. 1-2019, NO. 4-2019 and NO. 5-2019; any proposed renovations and / or repairs to the primary structure shall be reviewed by the LPC prior to the commencement of any work.

This project shall include the demolition of the accessory structure ("garage") and the recommendations for shoring and maintaining the exterior of the primary structure to protect it from natural elements as prescribed under LPC Resolution NO. 1-2019. Currently, the building has numerous areas exposed to the elements, causing significant water damage to the building's foundation, frame / structure, mechanical / electrical systems, and interior finishes. The unimpeded ingress of water and vermin has exacerbated the rapid rate of deterioration and without urgent intervention, the building will continue to succumb to the elements. Under this agreement, NSEA will identify the problematic areas and provide recommendations for mitigating water infiltration. NSEA will also determine areas of the house which have been rendered structurally unstable and provide recommendations and plans for the areas to be shored / stabilized.

While our site investigation on April 15, 2021 did reveal some of the foundation, framing and other structural elements of the original ~1700s building, further selective demolition should



commence in order to determine the feasibility of repair / rehabilitating the existing structure. Through selective demolition, NSEA will identify areas for further exploration and coordinate further investigatory site visits and inspections to verify areas that can be preserved and / or repaired. Therefore, NSEA is proposing a two-step approach to protection, selective demolition, investigation and restoration of the structure.

First, NSEA will make recommendations for weather protection and the preparation of bidding documents for selective demolition. Next, NSEA will complete the investigation phase and undertake to perform the balance of the construction documents phase, bid phase and construction phase services as further outlined below.

Owing to the patent condition of the structure, and the latent conditions that are likely to be encountered, NSEA cannot accurately determine the probable cost of construction at this time. However, based on our observations to date, our current "ballpark" estimate of the cost of the work is approximately \$1.3 million (see Exhibit "A"). Please also see the photographs attached which reflect the deteriorated condition of the building. Once the selective demolition has been performed (including removal of debris, vermin, vermin waste, rotted wood, mold and decay), NSEA will provide an updated estimate of the probable cost of construction.

Additionally, NSEA will coordinate with the LPC to facilitate site visits and inspection of the existing structure and perform design services for the creation of conceptual Colonial era plans as prescribed under LPC Resolution NO. 4-2019. Concurrently, NSEA will research and review historic documents and previous reports in order to provide recommendations for an appropriate layout and architectural aesthetic that is congruent with the late 1700's configuration of the house. The design of the proposed renovation / restoration will conform to the Colonial era (circa 1730-1798) design as approved and in accordance with LPC Resolution NO. 5-2019. NSEA will work with the direction and seek approval of the LPC to provide conceptual plans, elevations, and sketches for the building. NSEA will provide construction document and construction administration services for the work as proposed and approved.

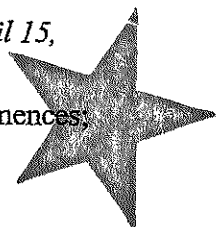
NSEA's services under this proposal would cover investigation phase services, construction documents phase services, bid phase services, administration of the construction contract and construction observation services.

The professional services proposed would include:

Investigation/ Selective Demolition Phase Services:

- Building inspection and documentation of current conditions;
 - a. Initial investigative site inspections (*Performed December 20, 2020 & April 15, 2021*) and documentation;
 - b. Multiple subsequent investigatory inspections as selective demolition commences;

Nassau Suffolk Engineering & Architecture, PLLC



- Make recommendations for weather protection and structural shoring for stability and safety;
- Prepare scope of work for selective demolition;
- Prepare bid documents and oversee bidding for selective demolition work;
- Provide inspection/construction observation for selective demolition work;
- Analyze and corroborate historic architectural report;
- Prepare preliminary plans, elevations and sketches for Town LPC review;
- Prepare analysis of probable scope and costs of construction; and
- Attend LPC meetings / hearings as necessary.

NSEA estimates its fee for this phase of the assignment to be \$35,800 as follows:

- Principal Architect 16 hours @ \$175/hr = \$2,800
- Senior Architect 120 hours @ \$175/hr = \$21,000
- Field Inspector 80 hours @ \$150/hr = \$12,000

Construction Documents Phase Services:

- Prepare detailed scope of work;
- Prepare and provide to the Town, architectural design drawings and details for use as contract drawings; and
- Prepare and provide project specifications for the proposed renovation / rehabilitation.

NSEA estimates its fee for this phase of the assignment to be \$80,000 as follows:

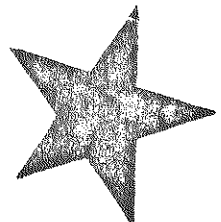
- Principal Architect 120 hours @ \$175/hr = \$21,000
- Senior Architect 200 hours @ \$175/hr = \$35,000
- CAD Draftsman 160 hours @ \$150/hr = \$24,000

Bid Phase Services:

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

NSEA estimates its fee for this phase of the assignment to be \$4,200 plus reimbursable expenses as follows:

- Principal Architect 4 hours @ \$175/hr = \$700
- Senior Architect 20 hours @ \$175/hr = \$3,500



Richard W. Lenz, P.E., Commissioner
April 28, 2021
Page 4 of 9

Construction Phase Services:

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

NSEA estimates its fee for this phase of the assignment to be \$128,400 as follows:

- Principal Architect 48 hours @ \$175/hr = \$8,400
- Senior Architect 192 hours @ \$175/hr = \$33,600 (assume 8 hours per week on site construction for 24 weeks)
- Field Inspector 576 hours @ \$150/hr = \$86,400 (assume 3 site visits per week on site construction for 24 weeks)

Based on the scope of professional services as described above, NSEA respectfully requests funding in the amount of \$248,400.00 (*nunc pro tunc, December 1, 2020*) under our two (2) year contract term commencing January 1, 2020 through December 31, 2021.

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

Yours truly,

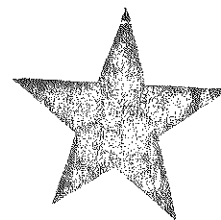
NASSAU SUFFOLK ENGINEERING & ARCHITECTURE, PLLC



Michael W. Spinelli, JD, AIA
President

Enc.

cc: Gregory W. Carmen, Jr., Esq., Deputy Town Supervisor (via Email)
John Tassone, Deputy Commissioner, Department of Public Works (via Email)
Stephen P. Ferretti, Director of Project Management (via Email)
Lukas Argyros, AIA, Project Architect (via Email)
Ryan Rosenberg, AIA, Project Architect (via Email)



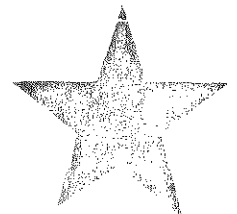
Nassau Suffolk Engineering & Architecture, PLLC



4/16/2021: Advanced deterioration due to water infiltration. Ends of columns, beams / joists completely rotted and no longer connected to header / beam.



4/16/2021: Advanced deterioration due to water infiltration at upper floors.

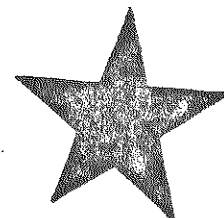


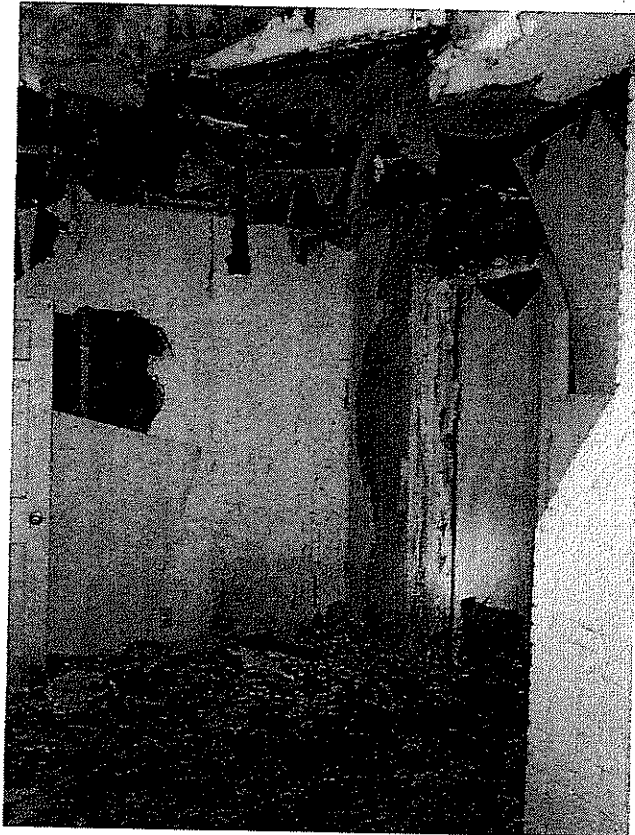


4/16/2021: Advanced deterioration due to water infiltration at second floor ceiling.

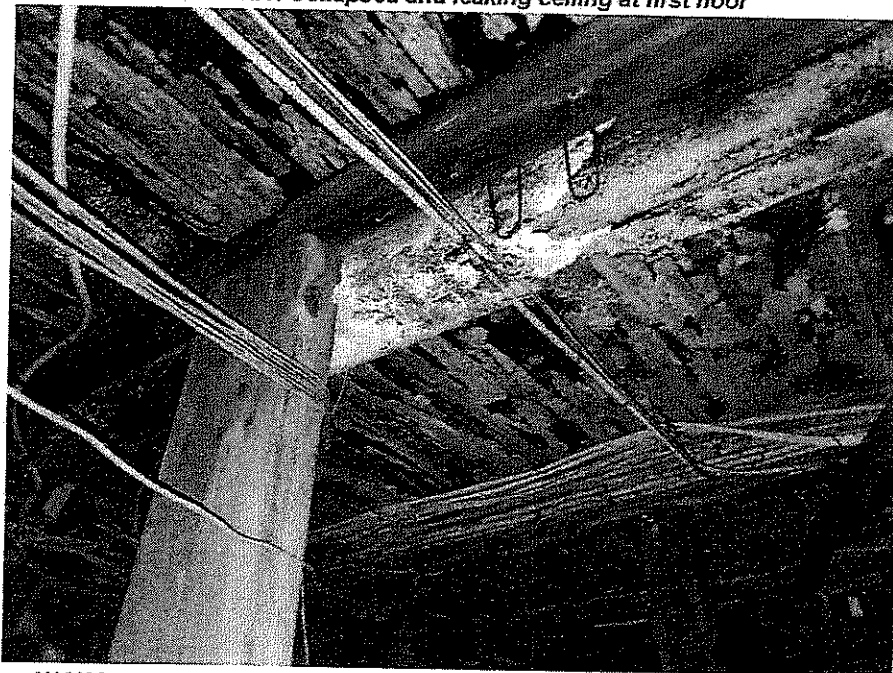


4/16/2021: Vermin waste at second floor.

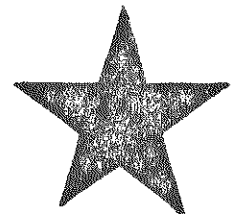




4/16/2021: Collapsed and leaking ceiling at first floor

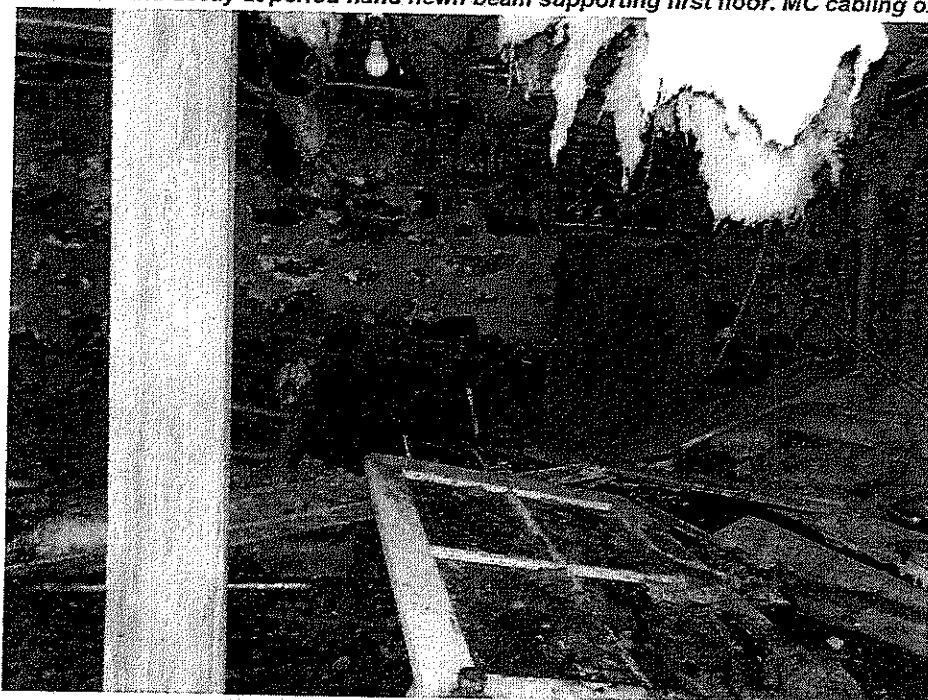


4/16/2021: Mold and decay at period hand hewn beam supporting first floor.

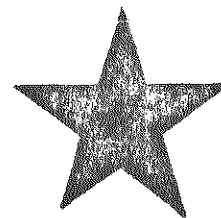


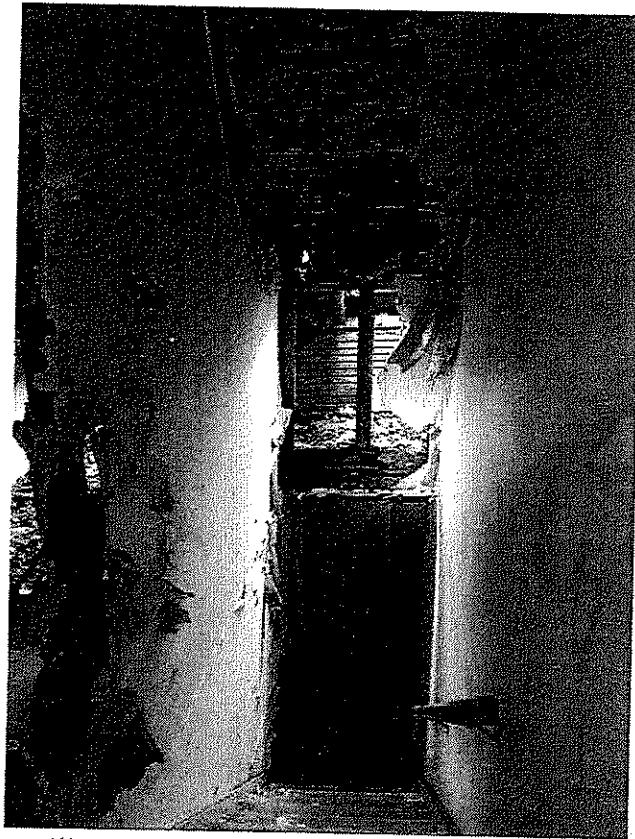


4/16/2021: Mold and decay at period hand hewn beam supporting first floor. MC cabling oxidized.



4/16/2021: Standing water and debris in crawlspace.

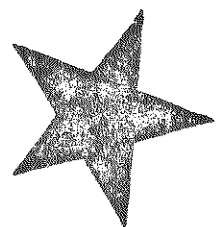




4/16/2021: Fire damaged dormer open to daylight.



4/16/2021: Water ingress at first floor ceiling.



WHEREAS, by Resolution No. 804-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with P.W. Grosser Consulting Engineer and Hydrogeologist, P.C., in connection with Contract No. PWC23-20, to provide On-Call Engineering Services Relative to Environmental Engineering; and

WHEREAS, Kris Almskog, P.G., Senior Vice-President, and Amanda Lauth, Project Manager, P.W. Grosser Consulting Engineer and Hydrogeologist, P.C., by letter dated June 21, 2021 requested approval to use Aqua Survey, Inc., and Alpha Analytical Laboratories, as sub-consultants, for sampling and permitting services regarding the proposed dredging of the North Canal in Massapequa, in connection with the aforesaid Contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated June 29, 2021, requested Town Board authorization for P.W. Grosser Consulting Engineer and Hydrogeologist, P.C. to use Aqua Survey, Inc., and Alpha Analytical Laboratories, as sub-consultants, to perform the aforesaid services in connection with Contract No. PWC23-20; and

WHEREAS, Commissioner Lenz, by said memorandum, further requested the Town Board authorize and direct the Comptroller to issue an encumbrance order, in the amount not to exceed \$55,000.00, to pay for the work done by P.W. Grosser Consulting Engineer and Hydrogeologist, P.C., in connection with the aforesaid project, with funds available in Account No. PKS H 7197 20000 000 2102 001; and

WHEREAS, Commissioner Lenz, by said memoranda, further advised that the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and P.W. Grosser Consulting Engineer and Hydrogeologist, P.C., is hereby authorized to use of Aqua Survey, Inc., and Alpha Analytical Laboratories, as sub-consultants, for sampling and permitting services regarding the proposed dredging of the North Canal in Massapequa, in connection with Contract No. PWC23-20; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in the amount not to exceed \$55,000.00, to pay for work done by P.W. Grosser Consulting Engineer and Hydrogeologist, P.C., in connection with the aforesaid Contract; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. PKS H 7197 20000 000 2102 001; and be it further

Reviewed By
Office of Town Attorney

RESOLVED, that the Town Comptroller is hereby authorized and directed to make payment for same, upon the 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

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

June 29, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ENVIRONMENTAL ENGINEERING
USE OF SUB-CONSULTANTS
CONTRACT NO. PWC23-20
ACCOUNT NO.: PKS H 7197 20000 000 2102 001
PROJECT ID NO. 2102 PKSA-08


The consultant, P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC23-20 by Resolution No. 804-2019 for the subject project.

Attached is a letter dated June 21, 2021 from P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., regarding the scope of work performed in an amount not to exceed \$55,000.00. Funds are required for sampling and permitting services regarding the proposed dredging of the North Canal as described in the attached letter from P.W. Grosser Consulting Engineer & Hydrogeologist, P.C. In addition, it is requested that Aqua Survey Inc. and Alpha Analytical Laboratories be approved as sub-consultants for said project.

Attached is an availability of funds in the amount of \$55,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 2102 001.

The Office of the Inspector General has reviewed the proposed vendor's and sub-consultants disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize by Resolution, P.W. Grosser Consulting Engineer & Hydrogeologist, P.C. under Contract No. PWC23-20 for On-Call Engineering Services Relative to Environmental Engineering and that Aqua Survey Inc. and Alpha Analytical Laboratories be approved as sub-consultants and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

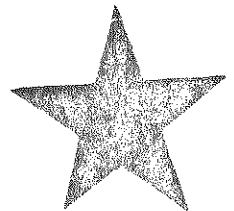

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/BK/nm

Attachment

cc: Steve C. Ballas, Comptroller
Joseph G. Pinto, Commissioner / Parks Department

PWC23-20 Docket Funding 55000





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 PWC23-20

Contract Period January 1, 2020 Through December 31, 2021

Consultant/Contractor P.W. Grosser Consulting Engineer & Hydrogeologist, P.C.

Discipline Environmental Engineering

Total Authorization \$ 305,681.00

Resolution No. 804-2019 Date 12/10/2019

Funded To Date \$ 250,681.00

Amount Requested \$55,000.00

Account To Be Used PKS-H-7197-20000-000-2102-001 2102 PKSA-08

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 sampling and permitting services regarding the proposed

dredging of the North Canal in Massapequa.

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
Date 6-28-2021

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]
Title Commissioner of Public Works
Date 6-28-2021

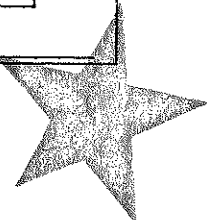
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 55,000.00

Unencumbered Balance 543,998.62

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

Signature [Signature] Date 6/29/21





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2020

Contract No. PWC23-20

Contract End 12/31/2021

Commencement Date _____

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

Vendor Name and Address

P.W. Grosser Consulting Engineer & Hydrogeologist, P.C.

630 Johnson Ave, Suite 7

Bohemia, NY 11716

Requesting Town Department Parks

Contact Brian Kunzig Phone 677-5741

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

Funds are required for sampling and permitting services regarding the proposed

dredging of the North Canal in Massapequa.

This work order shall not exceed \$ 55,000.00

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

Requesting Division/Department

Signature [Signature]

Title Commissioner

Date 6-28-2021

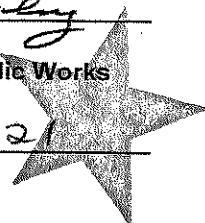
Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Commissioner of Public Works

Date 6-28-2021





June 21, 2021

Mr. Matthew Russo, P.E.
Town of Oyster Bay Department of Public Works
Division of Engineering
150 Miller Place
Syosset, New York 11791
mrusso@oysterbay-ny.gov

**Re: On-Call Engineering Services: Contract No. PWC23-20
Dredge Support Services for North Canal, Massapequa, NY
PWGC LP #: 21LP412**

Mr. Russo:

P.W. Grosser Consulting Engineer & Hydrogeologist, P.C. (PWGC) is pleased to present you with this proposal to provide professional environmental consulting and engineering services for dredge support services related to the dredging of North Canal in Massapequa.

SCOPE OF SERVICES

PWGC has been asked to provide dredge support services for maintenance dredging of the North Canal in Massapequa, New York. PWGC is proposing on sediment sampling and analysis and permit preparation services for the maintenance dredging.

The scope provided herein is based on PWGC's experience with permitting for maintenance dredging and understanding of the previous permits issued for the North Canal and additional proposed dredge area provided by your office. PWGC understands the Town is responsible for dredging the channel from open water to the canal mouth and 50 feet into the canal to a dredge depth of -7.0 feet NAV88. Additionally, the Town is taking responsibility for dredging the area already permitted at 364 Riviera Drive South in Massapequa. The total dredge area and volumes have been defined with an approximate dredge area of 17,344 feet². PWGC's scope is based on the defined dredge area and volumes as shown on Site Plan, 364 Riviera Drive South, Drawing 1, 10-13-2020 prepared by Land Use Ecological Services, Inc. and North Canal, Proposed Canal Mouth Dredging provided by your office on 6-10-2020.

TASK 1 - PROFESSIONAL CONSULTATION AND ENGINEERING SERVICES

PWGC will provide professional consulting services for the above referenced project. These services may include, but will not be limited to, a pre-application meeting/call with New York State Department of Environmental Conservation (NYSDEC) and/or United States Army Corps of Engineers (USACOE), and/or New York State Department of State (NYSDOS), and/or Town of Oyster Bay, correspondence with relevant regulatory agencies, disposal facilities, meeting attendance, and conference call participation. This task includes up to one in-person meeting in Massapequa and three on-line meetings and/or conference calls.

P.W. GROSSER CONSULTING, INC.
P.W. GROSSER CONSULTING ENGINEER & HYDROGEOLOGIST, P.C.

PHONE: 631.599.6353
PWGROSSER.COM

630 JOHNSON AVENUE, STE 7
BOHEMIA, NY 11716

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(VOCs) and characterized. Photographs and characteristics of each sediment core will be recorded in field logs. Sediment cores will be divided into three intervals, in accordance with TOGS 5.1.9.

PWGC will subcontract Aqua Survey Inc. (ASI) to provide a vessel and vibracoring services. The subcontractor will use a high-powered vibracoring equipment with a 4" steel barrel and a clear polyethylene flexible core liner to collect sediment cores at up to five locations to less than 10 feet below mudline or to point of refusal. Collected cores will be transferred to PWGC personnel for further processing. The subcontractor estimates field sampling can be completed in one day as long as sample processing or vessel traffic does not slow progress.

Following collection of discrete grab samples, sediment from each of the borings will be homogenized and placed in laboratory supplied glassware. Samples will be placed in a cooler with ice and shipped under proper chain-of-custody procedures to Alpha Analytical Laboratories, a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory.

For cost estimating purposes, we assume that sampling will require one day in the field, compositing will be approved by the NYSDEC for chemical analyses for a total of 2 composite samples per interval (4 total composite samples) plus QA/QC samples, 10 grab samples for VOCs, all sample intervals will be analyzed for the parameters listed in TOGS 5.1.9 and Part 375 (minus dioxin), one sample will be analyzed for dioxin if documentation of no significant fires in the watershed is not available, and that additional parameters may be required for Interval A for disposal purposes. Based on correspondence with the NYSDEC on similar projects, sediment samples of the exposed sediment to remain (Interval B) are typically requested to be submitted to the department prior to a dredging event to confirm the exposed bottom does not present an increased risk of contamination to the environment and determine site-specific dredge permit conditions. If analytical data identifies the presence of increased contamination in the exposed bottom, there is a potential the NYSDEC may require Interval C to be analyzed for chemical testing and/or further dredging to remove this material.

PWGC will prepare a Sediment Sampling Summary Report following receipt of laboratory reports. Prior to writing the Sediment Sampling Summary Report, PWGC will review analytical data to determine if reuse as beach nourishment or disposal onsite is a viable option. The report will include a summary of findings with visual soil boring logs, laboratory reports, data summary tables, and provide conclusions and options for legal disposal and/or reuse. This report shall be submitted to the NYSDEC for review and determination of appropriate

P.W. GROSSER CONSULTING, INC.
P.W. GROSSER CONSULTING ENGINEER & HYDROGEOLOGIST, P.C.

PHONE: 631.589.6353
PWGROSSER.COM

630 JOHNSON AVENUE, STE 200
BOHEMIA, NY 11716

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- a. Invoicing - Whenever a vessel is to be mobilized for a Client's project, ASI will invoice the Client the Mobilization/Demobilization fee when the project is authorized and scheduled.
- b. Mob/Demob - Mobilization/Demobilization is the time period, work and costs associated with the mobilization of personnel and equipment to Client's work site and the demobilization of equipment and personnel from the work site after the conclusion of provision of services. If a project is postponed or cancelled within 48 hours of the Client/ASI agreed upon start date, the Client agrees to compensate Aqua Survey half of the Mob/Demob fee.
- c. Weather Day - A weather day is a day that weather conditions make the provision of services unsafe or the likelihood of productivity unacceptably low. A weather day is declared by ASI's field team leader after consultation with Client. Weather Days will be billed at full day rate. Weather days occur on the scheduled start date of the Client's project.

Should you find this proposal acceptable kindly sign below where indicated and return a copy to this office. Work will commence upon receipt of this signed agreement. Work will be performed in accordance with the attached terms and conditions.

Thank you for the opportunity to propose on this project. Please call if you have any questions or would like to discuss the project further. I look forward to hearing from you.

Regards,
P.W. GROSSER CONSULTING

Amanda Lauth
Project Manager

Kris Almskog, P.G.
Senior Vice President

P.W. GROSSER CONSULTING, INC.
P.W. GROSSER CONSULTING ENGINEER & HYDROGEOLOGIST, P.C.

PHONE: 631.589.6353
PWGROSSER.COM

630 JOHNSON AVENUE, STE 7
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CLIENT	Town of Oyster Bay
PROJECT SITE	North Canal Dredge Support Services
PWGC LP#	21LP412

PWGC Cost Breakdown					
Town of Oyster Bay - North Canal					
Dredge Support Services					
TASK Service Provided	Rate	Units	#Units		TOTAL
TASK 1 - Professional Consultation and Engineering Services					
A- PWGC Services					
Coordination & Project Management	\$5,000.00	T&M	1	\$	5,000.00
TASK 1 SUBTOTAL					\$ 5,000.00
TASK 2 - Bathymetric Survey					
A- PWGC Services					
Principal	\$175.00	hour	6	\$	1,050.00
Project Manager	\$120.00	hour	4	\$	480.00
Project Hydrogeologist	\$95.00	hour	8	\$	760.00
Field Equipment & Supplies	\$1,000.00	each	1	\$	1,000.00
C- Post Processing & Report					
Bathymetric Data Post Processing	\$2,000.00	each	1	\$	2,000.00
D- Subcontractor Services					
VRS Rover Kit	\$1,800.00	day	1	\$	1,800.00
Sonarmite Kit	\$1,000.00	day	1	\$	1,000.00
TASK 2 SUBTOTAL					\$ 8,000.00
TASK 3 - Sediment Sampling & Analysis Plan					
A- PWGC Services					
SSAP	\$4,000.00	each	1	\$	4,000.00
TASK 3 SUBTOTAL					\$ 4,000.00
TASK 4 - Sediment Sampling and Analysis					
A- PWGC Services					
Principal	\$175.00	hour	2	\$	350.00
Project Manager	\$120.00	hour	4	\$	480.00
Project Hydrogeologist	\$95.00	hour	10	\$	950.00
Field Hydrogeologist	\$85.00	hour	10	\$	850.00
Field Supplies	\$200.00	each	1	\$	200.00
B- Laboratory Analytical Services					
VOCs	\$95.00	each	13	\$	1,235.00
Sediment Sampling Parameters (Togs 5.1.9 + Part 375)	\$1,200.00	each	7	\$	8,400.00
Dioxin	\$660.00	each	1	\$	660.00
C- Drilling Services					
Mob/Demob Fee	\$2,900.00	each	1	\$	2,900.00
Vibracoring Equipment (includes 2-person crew)	\$5,250.00	day	1	\$	5,250.00
D- Reporting					
Sediment Sampling Summary Report	\$5,000.00	each	1	\$	5,000.00
TASK 4 SUBTOTAL					\$ 26,000.00
TASK 5 - Permit Preparation Services					
A- PWGC Services					
Principal	\$175.00	hour	10	\$	1,750.00
Project Manager	\$120.00	hour	20	\$	2,400.00
Project Hydrogeologist	\$95.00	hour	24	\$	2,280.00
Field Hydrogeologist	\$85.00	hour	30	\$	2,550.00
Project Engineer	\$105.00	hour	30	\$	3,150.00
TASK 5 SUBTOTAL					\$ 12,000.00
TOTAL ESTIMATED COSTS					\$ 55,000.00

P.W. GROSSER CONSULTING, INC.
P.W. GROSSER CONSULTING ENGINEER & HYDROGEOLOGIST, P.C.

PHONE: 631.589.6353 630 JOHNSON AVENUE, STE 7
PWGROSSER.COM BOHEMIA, NY 11716

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Meeting of December 10, 2019

Resolution No. 804-2019

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2019, advised that a Request for Proposals for On-Call Engineering Services relative to Environmental Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC23-20, for a two (2) year term contract commencing January 1, 2020 through December 31, 2021 was issued to five (5) firms, and was placed on the Town of Oyster Bay website; and

WHEREAS, in response to that Request for Proposals, nine (9) responses were timely received by the Division of Engineering; and

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

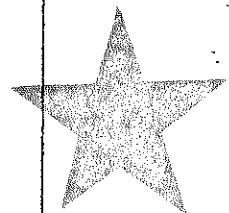
WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with AECOM USA, Inc., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., to provide On-Call Engineering Services relative to Environmental Engineering, in accordance with the specifications contained in Contract No. PWC23-20, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC23-20 with AECOM USA, Inc., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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



7/13/21
REVIEWED BY
OFFICE OF TOWN ATTORNEY
[Signature]

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 17th day of August, 2021, 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 CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD A NEW ARTICLE ENTITLED ARTICLE VI. AQUACULTURE, TO THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND SECTIONS 196-2, PURPOSE AND FINDINGS; APPLICABILITY, 196-3, PENALTIES FOR OFFENSES, 196-5(B), PERMITS REQUIRED AND 196-15, RESTRICTIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, TO ADD RELATED LANGUAGE REGARDING AQUACULTURE TO THESE SECTIONS", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order remain in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 17th day of August, 2021 at 10:00 a.m., prevailing time, or as soon thereafter as may be 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 AMEND CHAPTER 196 - SHELLFISH AND MARINE LIFE, TO ADD A NEW ARTICLE ENTITLED ARTICLE VI. AQUACULTURE, TO THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND SECTIONS 196-2, PURPOSE AND FINDINGS; APPLICABILITY, 196-3, PENALTIES FOR OFFENSES, 196-5(B), PERMITS REQUIRED AND 196-15, RESTRICTIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, TO ADD RELATED LANGUAGE REGARDING AQUACULTURE TO THESE SECTIONS"

The abovementioned proposed Local Law is on file and may be viewed on the Town website (oysterbaytown.com) or by contacting the Office of the Town Clerk (516-624-6320), daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time. 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.

If New York State Executive Order No. 202.1, et seq, is still in effect at the time of the hearing, then, pursuant to the provisions of New York State Executive Order No. 202.1, et seq., this meeting may be held remotely by teleconference, and will be available for the public to view via live stream at www.oysterbaytown.com, and such meeting will be recorded and later transcribed. Members of the public may comment on this proposed law, with such comments being entered into the record, by submitting said comments by email to publiccomment@oysterbay-ny.gov, or by forwarding said comments to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LAMARCA, Town Clerk.

Dated: July 13, 2021, Oyster Bay, New York.

REVIEWED BY
OFFICE OF TOWN ATTORNEY

210

400

Town of Oyster Bay Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Frank M. Scalera, Town Attorney

DATE : June 25, 2021

SUBJECT: A LOCAL LAW TO AMEND CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD A NEW ARTICLE ENTITLED ARTICLE VI. AQUACULTURE, TO THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND SECTIONS 196-2, PURPOSE AND FINDINGS; APPLICABILITY, 196-3, PENALTIES FOR OFFENSES, 196-5(B), PERMITS REQUIRED AND 196-15, RESTRICTIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, TO ADD RELATED LANGUAGE REGARDING AQUACULTURE TO THESE SECTIONS

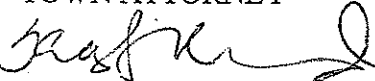
The Town seeks to amend Chapter 196 – Shellfish and Marine Life, of the Code of the Town of Oyster Bay.

This office has prepared the following items necessary to establish a local law as referenced above:

1. Resolution calling for a Public Hearing to be held on August 17, 2021 at 10:00 a.m.;
2. Public Notice; and
3. Proposed Legislation.

Kindly place this matter on the Town Board Action Calendar for July 13, 2021.

FRANK M. SCALERA
TOWN ATTORNEY

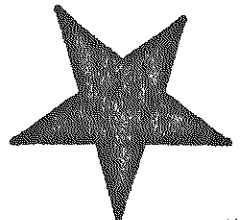


Karen J. Underwood
Deputy Town Attorney

KJU:aml

cc: Gregory W. Carman, Jr. Deputy Supervisor

George Baptista, Jr., Deputy, Commissioner, Dept. of Environmental Resources



Local Law Filing

Town of OYSTER BAY

Local Law No. _____ of the year 2021

A LOCAL LAW TO AMEND CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD A NEW ARTICLE ENTITLED ARTICLE VI. AQUACULTURE, TO THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND SECTIONS 196-2, PURPOSE AND FINDINGS; APPLICABILITY, 196-3, PENALTIES FOR OFFENSES, 196-5(B), PERMITS REQUIRED AND 196-15, RESTRICTIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, TO ADD RELATED LANGUAGE REGARDING AQUACULTURE TO THESE SECTIONS.

Be it enacted by the TOWN BOARD of THE TOWN OF OYSTER BAY as follows:

Section 1. Amend Chapter 196 – Shellfish and Marine Life of the Code of the Town of Oyster Bay, to add Article VI, as follows:

Article VI Aquaculture

§ 196-40 Definitions.

§ 196-41 Issuance of Licenses for Aquaculture.

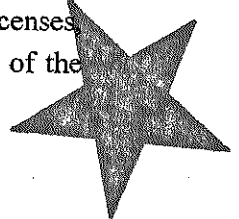
§ 196-40 Definitions.

As used in this article, the following term shall have the meanings ascribed to it:

Aquaculture – Aquaculture is the breeding, rearing, and harvesting of commercial shellfish, seaweed, sugar kelp, and other organisms in estuary and marine waters that are owned by the Town of Oyster Bay.

§ 196-41 Issuance of Licenses for Aquaculture.

Pursuant to this Article, the Town Board, upon recommendation of the Department of Environmental Resources, shall issue licenses, as the Town Board may deem appropriate, with such rules and regulations as required, to permit Aquaculture in the estuary and marine waters that are subject to the Town's jurisdiction. Licenses issued for commercial shellfish Aquaculture, shall be in lieu of a commercial permit issued pursuant to Article II of this chapter. Such licenses however, shall not interfere with, preclude, or otherwise adversely affect existing users of the



underwater land or overlying surface waters. Any person engaged in commercial shellfish operations and who obtains a valid permit under Article II or has been granted a lease pursuant to §196-23 is not subject to Article VI, nor does this Article prevent any person from applying for a valid permit or lease under Article II.

- a. Terms and conditions. Licenses may be issued only to residents of the Town or domestic corporations having their principal place of business within the Town and of which the majority of shares are held by residents of the Town.

Section 2. Amend Chapter 196 – Shellfish and Marine Life of the Code of the Town of Oyster Bay, to add Related Language Regarding Article VI, Aquaculture to the following Sections:

§ 196-2 Purpose and findings; applicability.

This chapter is adopted for the purpose of regulating and controlling the taking of shellfish, shellfish predators, and other aquaculture marine life from the lands underwater in the town of Oyster Bay in order to ensure the propagation of shellfish, to protect the public health and welfare, to promote economic well-being of those who rely upon Town waters for their livelihoods, and to provide food and recreation for the residents of the Town of Oyster Bay.

§ 196-3 Penalties for offenses.

- A. Any person convicted of taking shellfish without a permit as required by § 196-5(B) for commercial purposes, or a license as authorized by Article VI, shall be guilty of the following:
- G. Any person who shall have been convicted of a violation of this chapter and whose permit or license shall have been suspended or revoked and who further violates this chapter during such period of suspension or revocation shall be guilty of a misdemeanor punishable by a fine not to exceed \$2,000 or by imprisonment not to exceed one year, or both.

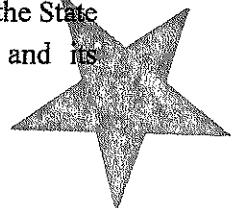
§ 196-5(B) Permits Required.

No person shall take shellfish for commercial purposes unless such person has obtained a commercial permit therefor as hereinafter provided by this article, or a license issued pursuant to Article VI.

§ 196-15 Restrictions.

- I. No person shall take shellfish from Town land underwater, leased or licensed by the Town to others for shellfish cultivation.

Section 3. SEQR Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, (SEQR), 8 N.Y.E.C.L. Section 0101 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) (26) 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 4. 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 5. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

Certification:

I hereby certify that the local law annexed hereto designated as local law No. _____ of 2021 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2021, in accordance with the applicable provision of law.

DRAFT

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2021

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.

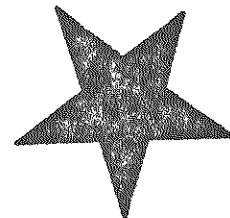
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2021



Meeting of July 13, 2021

Resolution No. 401-2021

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk in publishing the Comprehensive Annual Financial Report for the year ending December 31, 2020, in compliance with General Municipal Law, Article 3, requiring public notification of said report and filing with the State Comptroller.

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

(FAD)
Reviewed By
Office of Town Attorney

Ralph P. Deady

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Comprehensive Annual Financial Report of the TOWN OF OYSTER BAY, for the period beginning January 1, 2020 and ending on December 31, 2020, has been performed by the Office of the Comptroller, and that the Comprehensive Annual Financial Report has been filed in the Office of the Town Clerk, where it is available as a public record for inspection by all interested persons. Pursuant to Section 35 of the General Municipal Law, the governing board of the Town of Oyster Bay may, in its discretion, prepare a written response to the Comprehensive Annual Financial Report by the Office of the Town Comptroller and file any such response in the Office of the Town Clerk, as a public record for inspection by all interested persons, not later than September 1, 2021. TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. RICHARD L. LAMARCA, Town Clerk. Dated: June 30, 2021.

TOWN OF OYSTER BAYINTER-DEPARTMENTAL MEMORANDUM

June 30, 2021

TO: Memorandum Docket

FROM: Sheila Tarnowski, Director of Legislative Affairs

THRU: Frank M. Scalera, Town Attorney

SUBJECT: Town of Oyster Bay –
Comprehensive Annual Financial Report
for the year ended December 31, 2020

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.

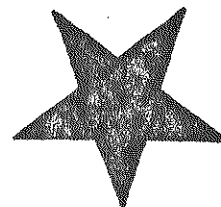
The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

A resolution related to the above mentioned report ratifying the action of the Town Clerk in publishing the Report should be adopted by the Town Board at their next meeting, nunc pro tunc to June 30, 2021.

Frank M. Scalera
Town Attorney


Sheila Tarnowski
Dir. of Legislative Affairs

FMS:ST:pc



WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memoranda dated June 28, 2021 and July 2, 2021, advised that New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has announced funding through the Environmental Protection Funds Grant Program for Parks, Preservation, and Heritage, which would fund up to 50% of the total project costs for the acquisition, development or planning of parks and recreational facilities to preserve, rehabilitate or restore lands; and

WHEREAS, Commissioner Sammartano, by said memoranda, advised that the Town of Oyster Bay has been contacted by the Trust for Public Land, a 501(c)(3) non-profit organization planning to apply for this grant, with the ultimate vision of a 25 mile-long multi-use, recreational trail from Eisenhower Park to Bethpage State Park to Brentwood State Park;

WHEREAS, Commissioner Sammartano, by said memoranda, further advised that as per the rules of the aforementioned grant program, all applicants are required to gain endorsements of their projects from the municipalities in which the projects are to be undertaken, and has respectfully requested the Town give said endorsement to the aforementioned organization,

NOW, BE IT RESOLVED, that the request as hereinabove set forth, is approved, and the Town of Oyster Bay extends its support for the Trust for Public Land's grant application to the Environmental Protection Fund for the purpose of completing design and engineering work in connection with a proposed 25 mile-long multi-use recreational trail from Eisenhower Park to Bethpage State Park to Brentwood State Park.

-#-

Reviewed By
Office of Town Attorney

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

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

402

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JULY 2, 2021

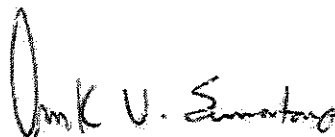
SUBJECT: SUPPLEMENTAL MEMORANDUM TO MD 6/29/21; ITEM # 13
TRUST FOR PUBLIC LAND: LONG ISLAND GREENWAY TRAIL
SUPPORT FOR GRANT APPLICATION

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

The Town of Oyster Bay (Town) has been contacted by the Trust for Public Land, a 501(c)(3) non-profit planning to apply for this grant. This organization, which has a mission of creating parks and protecting land for people, ultimately envisions a 25 mile-long multi-use, recreational trail from Eisenhower Park to Bethpage State Park to Brentwood State Park. If the grant is awarded, the funds would be applied to design and engineering work in connection with this Project.

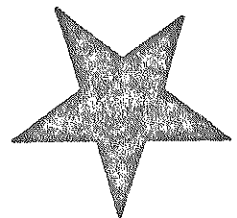
Per NYS OPRHP grant guidelines, all non-profit entities submitting applications to this grant program are required to gain endorsements of their projects proposals from the municipalities in which the projects are proposed to be undertaken. The Trust for Public Land proposes to be the administrator of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

It is therefore respectfully requested that the Town Board adopt a Resolution signifying the Town of Oyster Bay's support of the Trust for Public Land's grant application to the Environmental Protection Fund for the purpose of completing design and engineering work in connection with a proposed 25 mile-long multi-use, recreational trail from Eisenhower Park to Bethpage State Park to Brentwood State Park.



Frank V. Sammartano
Commissioner

By *C. J. Ball*



13

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

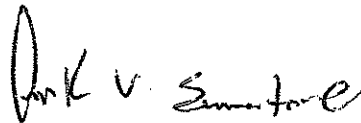
TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

DATE: JUNE 28, 2021

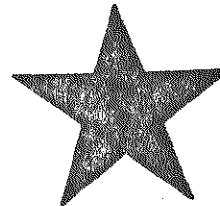
SUBJECT: TRUST FOR PUBLIC LAND: LONG ISLAND GREENWAY TRAIL
SUPPORT FOR GRANT APPLICATION

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of July 13, 2021. Details will follow by supplemental memorandum.



Frank V. Sammartano
Commissioner

By Colon Ball



Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 1-2018, adopted on January 11, 2018, the Town of Oyster Bay Planning Advisory Board approved the application of CHINMAYA MISSION NEW YORK, INC., fee owner, for the proposed demolition of an existing single-family dwelling and for the construction of a new yoga and meditation temple (place of worship) with associated site improvements at premises located in a Residential ("R1-2A") District at 129 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 14, Block E, Lots 1167 and 1168 on the Land and Tax Map of Nassau County (the "subject premises"); and

WHEREAS, Condition No. 2 of Planning Advisory Board Resolution No. 1-2018 provided that the Department of Planning and Development may approve minor adjustments to the approved site plan that are deemed necessary and appropriate without the need for another hearing before the Planning Advisory Board; and

WHEREAS, Leonard Kurkowski Architect PC, on behalf of CHINMAYA MISSION NEW YORK, INC., fee owner, requested that the Department of Planning and Development deem proposed building perimeter changes to the approved site plan for the subject premises to be minor in nature; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 30, 2021, advised that the Department of Planning and Development has rendered its opinion, by letters dated June 18, 2018 and June 23, 2021, that the proposed building perimeter changes to the approved site plan for the subject premises were minor in nature and Commissioner Maccarone, by said memorandum, advised that the Department of Planning and Development reviewed the following eleven (11) plans prepared by Leonard Kurkowski, R.A., Leonard Kurkowski Architect, P.C., Oyster Bay, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
S-1	Proposed Site Plan, Zoning Calculations & Misc. Details	Leonard Kurkowski, R.A.	12/15/20
S-2	Proposed Grading and Drainage Plan, Details and Notes	Leonard Kurkowski, R.A.	07/31/20
S-3	Sanitary Plan	Leonard Kurkowski, R.A.	04/20/18
S-4	Misc. Site Details	Leonard Kurkowski, R.A.	04/20/18
S-5	Lot Coverage & Natural Vegetation Disturbance Map	Leonard Kurkowski, R.A.	01/26/18
S-6	Proposed (ROW) Pavement Markings & Traffic Signage	Leonard Kurkowski, R.A.	12/15/20
S-6A	Proposed (On Site) Pavement Markings & Traffic Signage	Leonard Kurkowski, R.A.	12/15/20
L-1	Landscape Plan Irrigation and Tree Removal	Leonard Kurkowski, R.A.	01/26/18
SL-1	Proposed Photometric Plan & Details	Leonard Kurkowski, R.A.	10/31/16

A-1	Proposed Lower, Main and Upper Level Plans	Leonard Kurkowski, R.A. 05/24/19
A-2	Proposed Elevations	Leonard Kurkowski, R.A. 05/24/19

WHEREAS, said Commissioner further reported that the plans submitted, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated June 22, 2021, recommended that the Town Board accept the Negative Declaration of the Planning Advisory Board adopted on January 11, 2018, as valid and appropriate; and

WHEREAS, the County of Nassau, Department of Public Works, by letter dated December 9, 2020, conditionally approved the site plan for the subject premises, subject to final inspection upon completion of construction,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the application of CHINMAYA MISSION NEW YORK, INC., fee owner, for the proposed demolition of an existing single-family dwelling and for the construction of a new yoga and meditation temple (place of worship) with associated site improvements at premises located in a Residential ("R1-2A") District at 129 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 14, Block E, Lots 1167 and 1168 on the Land and Tax Map of Nassau County (the "subject premises"); and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated June 30, 2021, the eleven (11) plans set forth hereinabove are hereby approved; and be it further

RESOLVED, That the application of CHINMAYA MISSION NEW YORK, INC., fee owner, for the proposed demolition of an existing single-family dwelling and for the construction of a new yoga and meditation temple (place of worship) with associated site improvements at premises located in a Residential ("R1-2A") District at 129 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 14, Block E, Lots 1167 and 1168 on the Land and Tax Map of Nassau County, is hereby APPROVED.

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

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

403

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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

DATE: JUNE 30, 2021

SUBJECT: SUPPLEMENTAL MEMO TO DOCKET ITEM NO. 14
DOCKET OF JUNE 29, 2021
SITE PLAN REVIEW AND APPROVAL: SP 08-15
CMNY YOGA AND MEDITATION TEMPLE
129 WOODBURY ROAD
WOODBURY, NEW YORK 11797
SECTION 14, BLOCK E, LOT 1167 AND 1168
ZONE: R1-2A ONE FAMILY RESIDENCE

This Department has reviewed the proposed Site Plan Application for the above-captioned project. The Department has reviewed the Application with regard to section, block and lot designation, zoning classification, existing variances, zoning violations and required off-street parking. The Department's review is made pursuant to Chapter 246, Section 6.2.2.3 which requires Town Board Site Plan Approval (without the need of a public hearing) and after the approval from the Planning Advisory Board (P.A.B. Resolution Number 1-2018, dated January 11, 2018; attached) and Chapter 246, Section 6 (Site Plan Review) of the Code of the Town of Oyster Bay.

Subsequent to Planning Advisory Board approval, the applicant requested minor revisions to the approved plans which were granted through a letter from this office dated June 18, 2018 (enc.) after they were deemed minor in nature and consistent with the original approval. Additionally, the applicant again requested minor revisions to the approved plans which were granted through a letter from this office dated June 23, 2021 (enc.) after they were deemed minor in nature and consistent with the original approval.

Please find the eleven (11) drawings prepared by Leonard Kurkowski, R.A. that have been submitted for approval. The plans are as follows:

Drawing Number/Title:	Drawn By:	Last Revision Date:
S-1/Proposed Site Plan, Zoning Calculations & Misc. Details	Leonard Kurkowski, R.A.	12/15/2020
S-2/Proposed Grading and Drainage Plan, Details and Notes	Leonard Kurkowski, R.A.	07/31/2020
S-3/Sanitary Plan	Leonard Kurkowski, R.A.	04/20/2018
S-4/ Misc. Site Details	Leonard Kurkowski, R.A.	04/20/2018
S-5/Lot Coverage & Natural Vegetation Disturbance Map	Leonard Kurkowski, R.A.	01/26/2018
S-6/Proposed (ROW) Pavement Markings & Traffic Signage...	Leonard Kurkowski, R.A.	12/15/2020
S-6A/Proposed (On Site) Pavement Markings & Traffic...	Leonard Kurkowski, R.A.	12/15/2020
L-1/Landscape Plan Irrigation and Tree Removal	Leonard Kurkowski, R.A.	01/26/2018
SL-1/Proposed Photometric Plan and Details	Leonard Kurkowski, R.A.	10/31/2016
A-1/Proposed Lower, Main and Upper Level Plans	Leonard Kurkowski, R.A.	05/24/2019
A-2/Proposed Elevations	Leonard Kurkowski, R.A.	05/24/2019

Submitted for your review are the following documents:

- 1) Letter dated June 23, 2021 from Leslie Maccarone, Commissioner, Planning and Development.
- 2) Letter dated May 19, 2021 from Leonard Kurkowski, R.A.
- 3) Letter dated June 18, 2018 from Leslie Maccarone, Commissioner, Planning and Development.
- 4) Letter dated April 25, 2018 from Leonard Kurkowski, R.A.
- 5) Memorandum from George Baptista, Deputy Commissioner, Dept. of Environmental Resources, dated June 22, 2021.
- 6) Planning Advisory Board Resolution Number 1-2018, dated January 11, 2018.
- 7) Letter dated December 9, 2020 from Mr. Donald Hohn, Nassau County Dept. of Public Works, Planner III.



Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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

DATE: JUNE 25, 2021

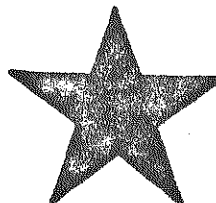
SUBJECT: SITE PLAN REVIEW AND APPROVAL
CMNY YOGA AND MEDITATION TEMPLE
129 WOODBURY ROAD
WOODBURY, NEW YORK 11797
SECTION 14, BLOCK E, LOT 1167 & 1168
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum, I therefore recommend and request that a space be reserved at the next Town Board meeting on July 13, 2021.


ELIZABETH L. MACCARONE
COMMISSIONER

ELZ/slb

cc: Legislative Affairs



Meeting of July 13, 2021

Resolution No. 404-2021

WHEREAS, BETHPAGE GROUP LLC, fee owner, and RED BARN DOG OPS LLC, lessee, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval to allow for operation of an animal boarding and grooming facility within an existing 6,053 square foot, one-story commercial building, on property in a "GB" (General Business) zoning district, located at 4070 Hempstead Turnpike, Bethpage, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 49, Block E, Lot 40 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on June 15, 2021, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed and submitted its memorandum dated December 1, 2020, regarding the environmental impacts contemplated by said Petition and recommended Town Board determination that the proposed action 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. 18, relative to "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds" in Section 617.4 of 6 NYCRR, Part 617 and does not require the completion of an Environmental Impact Statement, or any review or other procedural activities pursuant to SEQR/TEQR; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10424-21, dated May 6, 2021, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 22, 2021, advised that the Department of Planning and Development has reviewed the following one (1) plan prepared by Kurt Schmitz, R.A., Lakewood, Ohio, and two (2) plans prepared by Michael Rant, P.E., Northcoast Civil, Oyster Bay, New York:

7/13/21
Reviewed By
Office of Town Attorney
Ralph D. Deane

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
A1.2	Fixture Plan	Kurt Schmitz, R.A.	08/31/20
S-1	Site Plan	Michael Rant, P.E.	02/10/21
S-2	Lighting & Landscaping Plan	Michael Rant, P.E.	02/10/21

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby accept the recommendation of the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, and determines that the proposed action 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. 18, relative to "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds" in Section 617.4 of 6 NYCRR, Part 617 and does not require the completion of an Environmental Impact Statement, or any review or other procedural activities pursuant to SEQR/TEQR; and it is further

RESOLVED, That the Petition of BETHPAGE GROUP LLC, fee owner, and RED BARN DOG OPS LI LLC, lessee, for a Special Use Permit and Site Plan Approval to allow for operation of an animal boarding and grooming facility within an existing 6,053 square foot, one-story commercial building, on property in a "GB" (General Business) zoning district, located at 4070 Hempstead Turnpike, Bethpage, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 49, Block E, Lot 40 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

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

BEGINNING at a point on the new southerly side of Hempstead Turnpike (Bethpage Turnpike), (Hempstead-Farmingdale Turnpike) where the westerly line of the premises herein described and the easterly line of land now or formerly of L. Potter, Inc., intersects the new southerly side of Hempstead Turnpike, said point also being distant 718.49 feet northeasterly and easterly from the extreme southwesterly end of the tie line which connects the southerly side of Hempstead Turnpike with the northeasterly side of Hicksville-Massapequa Road (NYS Route 107) when measured along said tie line and the southerly side of Hempstead Turnpike;

RUNNING THENCE along the new southerly side of Bethpage Turnpike, the following two (2) courses and distances:

1. Easterly along the arc of a curve bearing to the left having a radius of 4653.75 feet, a distance along said arc of 109.83 feet;
2. South 84 degrees 49 minutes 50 seconds East, 91.79 feet;

THENCE south 12 degrees 49 minutes 40 seconds west, 246.78 feet to land now or formerly of Bethpage Fire District;

THENCE along said last mentioned land, the following two (2) courses and distances:

1. North 77 degrees 10 minutes 20 seconds west, 100.00 feet;
2. South 12 degrees 49 minutes 40 seconds west, 72.41 feet;

THENCE north 77 degrees 10 minutes 20 seconds west, 100.00 feet to land now or formerly of L. Potter, Inc.;

THENCE along said last mentioned land, north 12 degrees 49 minutes 40 seconds east, 293.61 feet to the point or place of BEGINNING.

SAID premises are known and described as 4070 Hempstead Turnpike, Bethpage, New York, and designated as Section 49, Block E, Lot 40 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioners, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated February 22, 2021, the three (3) plans described herein are hereby approved.

-#-

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

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

Reviewed By
Office of Town Attorney
Elizabeth O. Laughon

DECLARATION OF RESTRICTIVE COVENANTS

BETHPAGE GROUP LLC, fee owner, with a business address of 326 Jericho Turnpike, Syosset, New York 11791, and RED BARN DOG OPS LI, LLC, lessee, with a business address of c/o Christopher Kempner, 31 Jane Street, #9B, New York, New York 10014, (hereinafter collectively referred to as "Declarants") do, by this declaration, dated _____, 2021, declare as follows:

WHEREAS, said Declarants, BETHPAGE GROUP LLC and RED BARN DOG OPS LI LLC, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit allowing for operation of an animal boarding and grooming facility within an existing 6,053 square foot, one-story commercial building, on property in a "GB" (General Business) zoning district, located at 4070 Hempstead Turnpike, Bethpage, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 49, Block E, Lot 40 on the Land and Tax Map of Nassau County, and also requested Site Plan Approval for said premises; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on June 15, 2021, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. _____, dated July _____, 2021, approved said application subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, do hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as being at 4070 Hempstead Turnpike, Bethpage, Town of Oyster Bay, New York, which will run with the land and be binding upon said Declarants, their successors and/or assigns,

NOW, THEREFORE, said Declarants, do hereby covenant and declare as follows:

1. That the Declarant, RED BARN DOG OPS LI LLC, shall strictly comply with the terms and conditions of an Agreement, between DOGTOPIA, as Franchisor, and RED BARN DOG OPS LI LLC, as Franchisee, which Agreement, including the Attachments thereto and the Franchisor's Operations Manual referred to is incorporated herein by reference.

2. That in the event the Agreement referred to in Paragraph 1 hereof shall be terminated, Declarant, RED BARN DOG OPS LI LLC and/or any other operator of the animal boarding and grooming facility agrees to continue to abide by the standards contained therein, including, but not limited to, the training of personnel and the conduct of the facility at the premises.

3. That the hours of operation for the subject facility shall be Monday through Friday from 7:00 a.m. until 7:00 p.m., Saturday and Sunday from 8:00 a.m. until 7:00 p.m.

4. That the maximum number of dogs to be boarded during any one overnight period shall be ninety (90).

5. That the facility shall be staffed during the overnight period.

6. That the only animals that will be present at the facility shall be domestic dogs, whose vaccination status is current and whose license is in effect at the time.

7. No outdoor dog-walking shall occur on the premises.

8. Dogs shall not be allowed outside the building, except when arriving or departing the facility, and at those times the dogs must be leashed.

9. The arrival and departure of animals at the subject facility shall be closely monitored by Declarants to prevent the occurrence of barking dogs or any other circumstance that creates nuisance for neighboring residents.

10. Animal wastes shall be promptly placed into a covered container and shall be properly disposed of in a timely manner, at least three times weekly, so as to prevent any discernible odors outside the subject facility.

11. Construction within the subject facility shall include sound-attenuating construction (e.g., baffling and special wallpaper) to prevent the transmission of interior noise to the building exterior.

12. That there shall be no neon lighting on the premises.

13. That all driveway and parking areas shall be paved and maintained in good repair at all times and shall be provided with proper storm water drainage.

14. That the subject premises shall be continually policed and maintained as to be free of all papers, trash, debris or other discarded materials.

15. That all shrubs, trees and landscaping on the premises shall be continually maintained in good and healthy condition and replaced when necessary.

16. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present laws or ordinances of the Town of Oyster Bay.

17. That there shall be installed and properly maintained a fire alarm system and carbon monoxide detector,

18. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the below listed one (1) plan prepared by Kurt Schmitz, R.A., Lakewood, Ohio, and two (2) plans prepared by Michael Rant, P.E., Northcoast Civil, Oyster Bay,

New York, reviewed in accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated February 22, 2021, and approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. Any major modifications to said plans subsequent to approval by the Town Board may be done only by Town Board Resolution. If a proposed modification is deemed minor, the Commissioner will have final approval of same. The plans are as follows:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
A1.2	Fixture Plan	Kurt Schmitz, R.A.	08/31/20
S-1	Site Plan	Michael Rant, P.E.	02/10/21
S-2	Lighting & Landscaping Plan	Michael Rant, P.E.	02/10/21

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

20. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate and the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

21. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

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

BEGINNING at a point on the new southerly side of Hempstead Turnpike (Bethpage Turnpike), (Hempstead-Farmingdale Turnpike) where the westerly line of the premises herein described and the easterly line of land now or formerly of L. Potter, Inc., intersects the new southerly side of Hempstead Turnpike, said point also being distant 718.49 feet northeasterly and easterly from the extreme southwesterly end of the tie line which connects the southerly

side of Hempstead Turnpike with the northeasterly side of Hicksville-Massapequa Road (NYS Route 107) when measured along said tie line and the southerly side of Hempstead Turnpike;

RUNNING THENCE along the new southerly side of Bethpage Turnpike, the following two (2) courses and distances:

1. Easterly along the arc of a curve bearing to the left having a radius of 4653.75 feet, a distance along said arc of 109.83 feet;
2. South 84 degrees 49 minutes 50 seconds East, 91.79 feet;

THENCE south 12 degrees 49 minutes 40 seconds west, 246.78 feet to land now or formerly of Bethpage Fire District;

THENCE along said last mentioned land, the following two (2) courses and distances:

1. North 77 degrees 10 minutes 20 seconds west, 100.00 feet;
2. South 12 degrees 49 minutes 40 seconds west, 72.41 feet;

THENCE north 77 degrees 10 minutes 20 seconds west, 100.00 feet to land now or formerly of L. Potter, Inc.;

THENCE along said last mentioned land, north 12 degrees 49 minutes 40 seconds east, 293.61 feet to the point or place of BEGINNING.

SAID premises are known and described as Section 49, Block E, Lot 40 on the Land and Tax Map of the County of Nassau.

IN WITNESS WHEREOF, the Declarants have hereunto set their hands the day and year first above written.

BETHPAGE GROUP LLC, Fee Owner

BY: _____

RED BARN DOG OPS LI LLC, Lessee

BY: _____

STATE OF)
COUNTY OF) ss.:

On the day of in the year 2021 before me, the undersigned,
personally appeared , 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/she executed the same in his/her capacity(ies), and
that by his/her signature on the instrument, the individual, or the person upon behalf of which the
individual acted, executed the instrument.

Notary Public

STATE OF)
COUNTY OF) ss.:

On the day of in the year 2021 before me, the undersigned,
personally appeared , 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/she executed the same in his/her capacity(ies), and
that by his/her signature on the instrument, the individual, or the person upon behalf of which the
individual acted, executed the instrument.

Notary Public

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 14, 2021, requested Town Board authorization to issue a refund in the amount of \$700.00 to Xiaojing Lin, 51 Surrey Lane, Plainview, 11803, to reimburse her for the registration fee paid for her two children to participate in the Town of Oyster Bay Summer Recreation Program at Plainview Community Park, as they can no longer attend,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$700.00, to Xiaojing Lin; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02001 510 0000; and be it further

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

-#-

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

405

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: June 14, 2021

SUBJECT: Xiaojing Lin – Refund Request for 2021 TOB Summer Recreation Program

The Department of Parks respectfully requests Town Board approval for a refund in the amount of Seven Hundred and 00/100 Dollars (\$700.00) to Xiaojing Lin for payment made for two children, Fiona and Maggie Yang, to attend the Town of Oyster Bay's 2021 Summer Recreation Program at Plainview Community Park. Attached you will find pertinent information related to this refund request.

Please make the check payable to Xiaojing Lin and mail to the following:

Xiaojing Lin
51 Surrey Lane
Plainview, NY 11803

Kindly debit the following account: **PKS A 0001 02001 510 0000.**

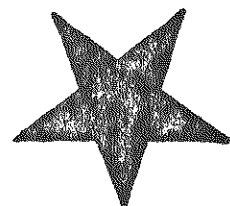
It is the recommendation of the undersigned that this refund be approved.

Thank you,



Joseph G. Pinto
COMMISSIONER OF PARKS

JGP/sc



Sarah Cimino

Subject: Cancel of Summer Recreation Program

From: Joseph Pinto <jpinto@oysterbay-nv.gov>
Sent: Friday, June 11, 2021 8:45 AM
To: Gino Lunghi <glunghi@oysterbay-nv.gov>
Cc: Jackie Devlin <jdevlin@oysterbay-nv.gov>
Subject: FW: Cancel of Summer Recreation Program

approved

From: [REDACTED]
Sent: Thursday, June 10, 2021 11:52 PM
To: Joseph Pinto <jpinto@oysterbay-nv.gov>
Subject: Cancel of Summer Recreation Program

Hi !

I have registered the Summer Recreation Program last week. But in this week my children's teacher let them know, the school will have summer program.

So the kids would like to attend the school's program with their friend. I'm so sorry for that. but can we cancel our order of the summer recreation?

The Children's name are Fiona Yang and Maggie Yang.

Attached my receipt of payment, please check and let me know if we can cancel it or not. Thank you so much!

Xiaoqing Lin

IMAGE DETAILS

Front Back

ENDORSE HERE

PAY TO THE ORDER OF
STERLING NATIONAL BANK
FOR DEPOSIT ONLY
TOWN OF OYSTER BAY
5703327057

☐ CHECK HERE AFTER MIDDLE OR REMOTE DEPOSIT

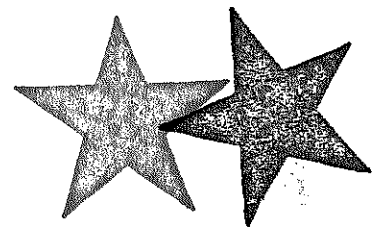
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RECEIVED FOR TOWN OF OYSTER BAY

DATE

51 6/1/2021 2:35:03 PM
3048 0060

STERLING NATIONAL BANK
MASSA PEQUA
06/01/2021 2:35:17 PM
3048 0060 107526074278

FEDERAL RESERVE BOARD OF GOVERNORS REG. NO.



SHENGZE YANG
XIAOJING LIN

1-2/210

187

DATE 5/28/21

PAY TO THE
ORDER OF

Town of Oyster Bay
seven hundred only ✓

\$ 700 ✓

DOLLARS



Security Features
Detailed on Back

CHASE

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

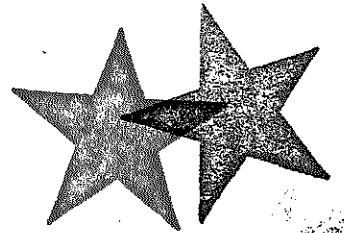
recreation

MEMO

Fran & Maggie Summer

Lixia Yang

MP





WR521/211

NO. 037

DATE 6-1-2021

TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
DAILY OPERATIONS REPORT

PARK: PCB #5

SUMMER RECREATION HALF DAY PROGRAM

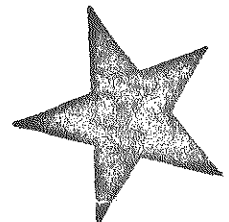
	NUMBER	RATE	AMOUNT
1. Resident Child	12	400.00	4800
2. Add-on (each additional child after 2)	8	300.00	2400
3. Non Resident Child		450.00	
4. Add-on Non Resident (each additional after 2)		350.00	
TOTAL			7200

General Receipt Opening # 1330 Closing # 1341REMARKS: OPENING - \$14,500CLOSING - \$21,700.00

Maria Muscarella
Recreation Leader-Print
Maria Muscarella
Recreation Leader-Sign Date

Recreation Supervisor-Print
Recreation Supervisor-Sign Date

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



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

Summer Recreation

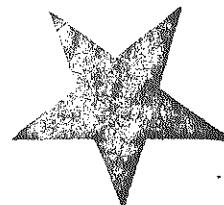
GENERAL RECREATION RECEIPT

No. 1341

Last Name	Yang	First Name	Fiona	M. I.	
Address	51 Sweeney Ln. Plainview				
Age	17 1/2	Phone	347-944-2683		
Groups					
Facility	Plainview Park				
Amount	\$7.00	Check	(X)	No.	187
Addl. Names	Maggie				
		Received By (Print Name)		Date	
		J. P.		5/28/21	
		Sign			

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

This Administrative Fee Is Not Refundable



P/KS211242
DOR#37



**STERLING
NATIONAL BANK**

MASSAPEQUA

Teller 3048
Seq 73

Till 7
2:37 PM

Calendar Date
Business Date

06/01/21
06/01/21

Account Number

*****7087

DDA Deposit

\$7,200.00

Cash Back

\$0.00

Available Balance

Summer Rec
Half Day
POB #5

Client Services
855-274-2801

<http://www.snb.com>

DEPOSIT TICKET
FOR CLEAR COPY, PRESS FIRMLY

DATE

6-1-2021

		DOLLARS	CENTS
CURRENCY			
COINS			
CHECKS	USE EACH SEPARATELY		
1	538	400	00
2	117	400	00
3	163	400	00
4	106	400	00
5	164	400	00
6	997	700	00
7	200	700	00
8	0975	700	00
9	436	700	00
10	1794020	700	00
11	137	700	00
12	496	1000	00
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
TOTAL		7200	00

PLEASE REGISTER TOTAL HERE

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED

CHECKS AND OTHER ITEMS
ARE RECEIVED FOR DEPOSIT
SUBJECT TO THE PROVISIONS
OF THE NATIONAL COMMERCE
BANK COLLECTION AGREEMENT
DEPOSITS MAY NOT BE CASHED
OR WITHDRAWN IN ACCORDANCE WITH
DRAWAL

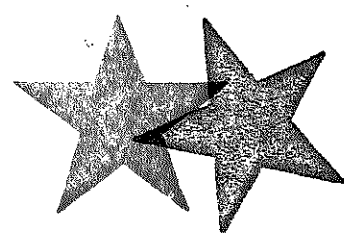
TOTAL
ITEMS



50-1064/2219

1:53:50.10.10.916 6:7003.2708.716 0.10

Planned #5 Summer Rec \$ 7200.00



WHEREAS, Mr. Anthony Ventiera, Event Chairman, the Chamber of Commerce of the Massapequas, Inc., 675 Broadway, Massapequa, New York, by letter dated March 15, 2021, requested the closure of Broadway, in Massapequa, between Clark Avenue and Veterans Boulevard, beginning at 6:00 a.m., on Sunday, August 15, 2021, the closure of all sidewalks on the eastern and western sides of Broadway, in Massapequa, up to Ohio Avenue, eighty-five (85) complete barricades, eighty-five (85) S.O.R.T. pails, one hundred (100) temporary "No Parking" signs, one (1) street sweeper, two (2) large Showmobiles with public address systems (including Showmobile No.005, which possesses the trellis required to display the Chamber of Commerce's sponsor banners, and which is requested to be placed at Veteran's Boulevard for the event), one hundred seventy five (175) chairs, eight (8) hand-held radios, and one (1) roll-off container, for the Chamber of Commerce's Annual Community Street Festival, to be held on Sunday, August 15, 2021, from 11:00 a.m. to 6:30 p.m., with a rain date of Sunday, August 22, 2021; and

WHEREAS, Mr. Anthony Ventiera, Event Chairman, by said letter dated March 15, 2021, further requested that the Town Board waive the provisions of the Code of the Town of Oyster Bay, Chapter 82, "Alcoholic Beverages", Sections 82-3(A) & (B), "Prohibitions", for the duration, and in the location, of the abovementioned event; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated June 30, 2021, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing the Chamber of Commerce of the Massapequas, Inc., with the closure of Broadway, in Massapequa, between Clark Avenue and Veterans Boulevard, beginning at 6:00 a.m., on Sunday, August 15, 2021, the closure of all sidewalks on the eastern and western sides of Broadway, in Massapequa, up to Ohio Avenue, eighty-five (85) complete barricades, eighty-five (85) S.O.R.T. pails, one hundred (100) temporary "No Parking" signs, one (1) street sweeper, two (2) large Showmobiles with public address systems (including Showmobile No.005, which possesses the trellis required to display the Chamber of Commerce's sponsor banners, and which is requested to be placed at Veteran's Boulevard for the event), one hundred seventy five (175) chairs, eight (8) hand-held radios, and one (1) roll-off container, for the Chamber of Commerce's Annual Community Street Festival, to be held on Sunday, August 15, 2021, from 11:00 a.m. to 6:30 p.m., with a rain date of Sunday, August 22, 2021; and

WHEREAS, this 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 abovementioned request is hereby approved and the Highway Department is hereby authorized to provide the Chamber of Commerce of the Massapequas, Inc., with the closure of Broadway, in Massapequa, between Clark Avenue and Veterans Boulevard, beginning at 6:00 a.m., on Sunday, August 15, 2021, the closure of all sidewalks on the eastern and western sides of Broadway, in Massapequa, up to Ohio Avenue, eighty-five (85) complete barricades, eighty-five (85) S.O.R.T. pails, one

Reviewed By
Office of Town Attorney
Ralph P. Bishop

hundred (100) temporary "No Parking" signs, one (1) street sweeper, two (2) large Showmobiles with public address systems (including Showmobile No.005, which possesses the trellis required to display the Chamber of Commerce's sponsor banners, and which is requested to be placed at Veteran's Boulevard for the event), one hundred seventy five (175) chairs, eight (8) hand-held radios, and one (1) roll-off container, for the Chamber of Commerce's Annual Community Street Festival, to be held on Sunday, August 15, 2021, from 11:00 a.m. to 6:30 p.m., with a rain date of Sunday, August 22, 2021, subject to the following terms and conditions:

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

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

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$2,000,000.00 bodily injury and \$1,000,000.00 property damage, and naming the Town as an additional insured, in connection with the afore-described activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the aforescribed activity may be cancelled by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety; and be it further

RESOLVED, that the Town Board hereby waives the provisions of the Code of the Town of Oyster Bay, Chapter 82, "Alcoholic Beverages", Sections 82-3(A) & (B), "Prohibitions", for the duration, and in the location, of the above-mentioned event.

-#-

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 30, 2021

TO: MEMORANDUM DOCKET**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT**SUBJECT:** THE CHAMBER OF COMMERCE OF THE MASSAPEQUAS, INC.
ANNUAL COMMUNITY STREET FESTIVAL
TO BE HELD AUGUST 15, 2021 (RAIN DATE: AUGUST 22, 2021)

Enclosed please find letter from Anthony Ventiera, Event Chairman, requesting our assistance on behalf of the Chamber of Commerce of the Massapequas, Inc. in conducting their Annual Community Street Festival on Sunday, August 15, 2021 with a rain date of August 22, 2021.

The Highway Department has no objection to the Chamber of Commerce of the Massapequas, Inc. conducting their Annual Community Street Festival being held on Broadway between Clark Avenue, Veterans Boulevard, and Sunrise Highway (under the train trestle) in Massapequa.

For this event the Highway Department can readily supply Eighty Five (85) complete barricades, Eighty Five (85) Sort Pails, One Hundred (100) No Parking signs, and (1) street sweeper as requested.

The Parks Department will be providing various equipment for the event as well.

The organization is also requesting the waiver of the Town Ordinance pertaining to the consumption of alcoholic beverages in public (Chapter 82-3 of the Town of Oyster Bay Town Code) on Sunday, August 15, 2021 and also on the rain date of Sunday, August 22, 2021.

The Chamber of Commerce of the Massapequas, Inc. is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

Also attached are the Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement, and the Covid-19 Addendum Agreement to cover this event. Therefore, Town Board approval is requested.



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz

C: Richard Lenz P.E. Commissioner of DPW
Peter Brown, General Foreman 002
Steve Kelly, Sign Bureau Supervisor

Cathy McWilliams, Department of Parks
Justin McCaffrey, Department of Public Safety
Grace SantaMaria, Highway Administration





The Chamber of Commerce of the Massapequas, Inc.

675 Broadway, Massapequa, NY 11758-2318

Phone: (516) 541-1443 / E-mail: masscoc@aol.com / Website: www.massapequachamber.org

Officers 2020-2021

President
Keith Wilson
Exit Realty Dreams

First Vice President
Robert Zabbia
AllState/Zabbia Agency

Second Vice President
Karen Gawrych
Mary Kay Representative

Third Vice President
Robin Hepworth
Robin Joy Photography

Acting Treasurer
Gary Slavin *
MassMutual

Recording Secretary
Linda Rowe
First National Bank of LI

General Counsel
Michael Venditto, Esq.

Board of Directors

Robert R. Barrett *
Nappa Realty

Jaimie Bogenschutz
YES Comm Counsel Ctr

Phyllis Doria*
Avon-Ind. Sales Rep

Lucrezia Falacara
Apple Bank

Carol Leff
Law Firm of Richard A. Leff

Patricia Orzano *
P.R.O. Consultants

Stephen Parmifer
Morgan Stanley

Salvatore Polito
Exit Realty Dreams

Isabelle Rapacciuolo
The Tiny Artist Studio

Howard Ritzer
South Bay's Neighbor

Tim Ryan
Transfiguration Project

Anthony C. Ventiera*
Tony V. Productions

March 15, 2021

Town Supervisor Joseph Saladino
54 Audrey Ave.
Oyster Bay, NY 11771

RE: Massapequa Chamber of Commerce
Annual Massapequa Community Street Festival

Dear Supervisor Saladino,

On behalf of the Massapequa Chamber of Commerce, we are respectfully requesting permission to hold our Annual Massapequa Community Street Festival. We ask that you please approve the following date and location for our 2021 event:

Sunday, August 15, 2021 from 11:00 AM – 6:30 PM
Broadway in Massapequa from Veterans Blvd. to Clark Ave.
(Rain date: Sunday, August 22, 2021)

We respectfully ask that you please provide confirmation of this date, time, and location as soon as possible. With this letter, we accept that the Town of Oyster Bay reserves the right to cancel the reserved date in the event that COVID cases rise and the event cannot be held safely.

Our equipment requests and other necessities are listed on the next page.

Please feel free to call me directly at (516) 851 – 8531 with any questions. Your assistance and support are deeply appreciated. We thank you very much.

Sincerely,

Anthony Ventiera
Event Chairman, Massapequa Chamber of Commerce

cc: Mr. Ron Scaglia, Office of the Town Supervisor
Ms. Kimberly Zervos, Event Coordinator

Honorary Members

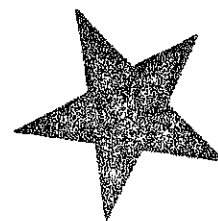
Joseph Saladino
Supervisor, T.O.B.

Lucille Iconis
Superintendent of Schools
Massapequa

Dr. Edward Salina
Superintendent of Schools
Plainedge

Chaplain
Fr Anthony Heinlein

Office Staff
Shelley Siemsen
Office Manager





The Chamber of Commerce of the Massapequas, Inc.

675 Broadway, Massapequa, NY 11758-2318

Phone: (516) 541-1443 / E-mail: masscoc@aol.com / Website: www.massapequachamber.org

2021 Massapequa Community Street Fair Requests

Street Closures:

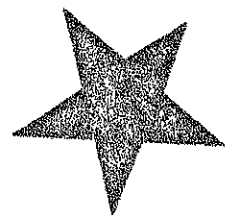
- Please close Broadway in Massapequa (between Clark Ave. and Veterans Blvd.) beginning at 6:00 a.m.
- Please close all sidewalks on the east and west sides of Broadway up to Ohio Avenue beginning at 6:00 a.m.

Waivers Needed:

- Please waive the Open Container Law (for both the anticipated date and the rain date.) We would appreciate if you would please *include the written waiver at the same time as the Resolution / Confirmation Letter is issued.*

Town Equipment:

- 2 Large Showmobiles with PA System (*At Veterans Blvd., we request Showmobile #005 which has the trellis needed to display our sponsor banners.)
- 1 Roll-Off Container
- 85 Recyclable Pails
- 175 Chairs
- 85 Barricades
- 1 Street Sweeper
- 8 Hand-Held Radios
- 100 "No Parking" Signs





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/18/2021

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 Hubblinette Cowell Associates Inc. 1003 Park Blvd, Ste 3 Massapequa Park, NY 11762	CONTACT NAME: Roseanne Capuano PHONE: (516) 795-1399 FAX: (516) 795-5101 E-MAIL: roseanne@hubblinette-cowell.com ADDRESS:	INSURERS AFFORDING COVERAGE NAIC# 15580
INSURED CHAMBER OF COMMERCE OF THE MASSAPEQUAS, INC 675 BROADWAY MASSAPEQUA, NY 11756-2318	INSURER A: SENTINEL INSURANCE CO. LTD INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES		CERTIFICATE NUMBER: 9000922-50720	REVISION NUMBER: 4
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 OF INSURANCE	ADDITIONAL CODE	POLICY NUMBER	POLICY PERIOD
A. X. COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN. AGGREGATE LIMIT APPLIES PER: POLICY INC. LOC OTHER:	Y	125BAUL1281	11/04/2020 - 11/04/2021
		LIMITS EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (per occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
AUTOMOBILE LIABILITY ART AUTO OWNED AUTOS ONLY SCHEDULED HIRED AUTOS ONLY NON-OWNED AUTOS ONLY AUTOS ONLY		COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE OED RETENTIONS		EACH OCCURRENCE \$ AGGREGATE \$	
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED Y/N (Mandatory in 34) (If yes, describe under DESCRIPTION OF OPERATIONS below)		PER STATUTE OR OTHER \$ EL EACH ACCIDENT \$ EL DISEASE - EX EMPLOYEE \$ EL DISEASE - POLICY LIMIT \$	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Proof of insurance for use of Town Equipment: (2) Large Showmobiles with PA System; (1) Roll-Off Container; (85) Recyclable Pallets; (175) Chairs; (85) Barricades; (1) Street Sweeper; (8) Hand Held radios; and (100) "No Parking Signs" for Annual Massapequa Community Street Festival to be held on August 16, 2021. Rain Date August 22, 2021. Request for Street Closures beginning at 6:00am (Broadway in Massapequa between Veterans Blvd. and Clark Avenue; all sidewalks on the East and West sides of Broadway up to Ohio Ave). Additional Request includes the Waiving of the Open Container Law. Certificate holder is named as an additional insured as per form #CG2026.			

CERTIFICATE HOLDER TOWN OF OYSTER BAY 54 AUDREY AVENUE OYSTER BAY, NY 11771	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Paul A. Cavall Jr. (RMC)
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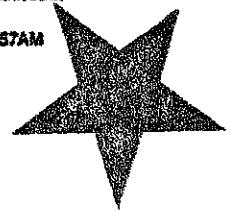
ACORD 25 (2016/03)

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Printed by RMC on March 18, 2021 at 09:57AM

Reviewed By
Office of Town Attorney



POLICY NUMBER: 12SBAUL1284

COMMERCIAL GENERAL LIABILITY
CG 2026 0413

Chamber of Commerce of the Massapeguas, Inc.

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:

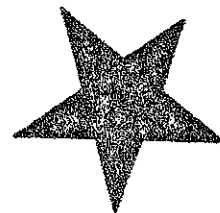
If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

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 18 day of March 2021, by Chamber of Commerce of the Massapeguas, Inc. (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Town Equipment: 2 Large Showmobiles with PA System; 1 Roll-Off Container; 85 Recyclable Pails; 175 Chairs; 85 Barricades; 1 Street Sweeper; 8 Hand-Held Radios; and 100 "No Parking" Signs. Request for Street Closures beginning at 6:00 AM (Broadway in Massapequa between Veterans Blvd. and Clark Ave.; All Sidewalks on the East and West Sides of Broadway up to Ohio Ave.) Additions: Request Includes the Waiving of the Open Container Law.

For the event described as Annual Massapequa Community Street Festival.

The property/equipment is need from Sunday, August 15, 2021 to Rain Date: Sunday, August 22, 2021.

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

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

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

Chamber of Commerce of the Massapeguas, Inc.

Address of Organization:

675 Broadway, Massapequa, NY 11758

By:

Anthony Ventiera

Authorized Representative

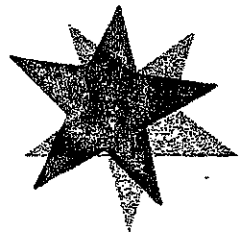
Reviewed By
Office of Town Attorney



Title: Anthony Ventiera, Event Chairman

Telephone Number: Office: (516) 541 - 1443

Cell: [REDACTED]





TOWN OF OYSTER BAY
ADDENDUM TO PERMIT APPLICATION

Applicant Name: Chamber of Commerce of the Massapequas
Event Description: Street Fair
Event Date: 8/15/21 rain date 8/22/21

The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit holder agrees that it is the sole "Responsible Party," as such term is defined by the New York State Guidelines. The permit holder further recognizes and understands that the activity is subject to cancellation at any time to prevent harm to the population from COVID-19, or any other threat to public health and/or safety.

For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.

Anthony C. Venera
Applicant Signature

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

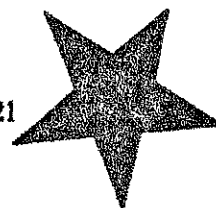
On the 2nd day of May, 2021, before me, the undersigned, personally appeared Anthony C. Venera personally know to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument

Robert R. Barrett
Notary Public

ROBERT R. BARRETT
Notary Public, State of New York
Reg #01845045425
Qualified in Nassau County
Commission Expires Sept. 18, 2021

Reviewed By
Office of Town & Corp. Last Revised: May 5, 2021

[Signature]



Joseph G. Pinto
Commissioner



**Town of Oyster Bay
Department of Parks**

977 Hicksville Road
Massapequa, New York 11758
(516) 797-4128 Fax: (516) 797-4125
www.oysterbaytown.com

Greg Skupinsky
Deputy Commissioner

Frank Gatto
Deputy Commissioner

Anthony Ventiera
Massapequa Chamber of Commerce
675 Broadway
Massapequa N.Y. 11758

DATE: June 21, 2021

© [REDACTED]

SHOWMOBILE PERMIT – TWO SHOWMOBILES (1 is #005 with Trellis)
The request for your Showmobile has been approved as follows:

EVENT : Annual Massapequa Community Festival
TIME : 11:00 am – 6:30 pm
LOCATION : Veterans Blvd. and Broadway
EVENT DATE : Sunday August 15, 2021 Rain Date: Sunday 8-22-21
ARRIVAL TIME : 6:00 am
DEPARTURE TIME : 7:30 pm

SPECIAL NOTES: Contact Person is Anthony Ventiera ([REDACTED]). 175 CHAIRS are also requested.

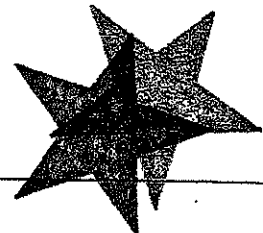
A member of your staff must be on site at the arrival time of the Showmobile to assist in the placement and setup.

- Bands are not permitted to use the sound equipment on the Showmobile.
- No banners, signs or any other items may be attached to the Showmobile.

Please contact the undersigned if you have any questions concerning this permit.
Best wishes for a most successful event.

Sincerely,


Joseph G. Pinto
COMMISSIONER



DATE: 6/30/21

TO: HIGHWAY OPERATIONS

SUBJECT: Massapequa CC Annual Street Fair (Rain Date 8/22/21)

PLEASE DELIVER TO:
Broadway in Massapequa
From Veterans Blvd to Clark Ave
Massapequa

CONTACT: Shelly Mordowitz
516-541-1443

DATE OF EVENT: 8/15/21

CARD STOCK SIGNS: 100

BARRICADES: 85

CONES:

SORT PAILS: 85

PORTABLE LIGHTS:

STREET SWEEPER: 1

PACKER:

DELIVER ON: 8/13/21

PICKUP ON: 8/16/21

SWEEPING BEFORE AFFAIR IS NEEDED:

XX

YES

NO

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

JPB/kaz


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Peter Brown, General Foreman 002
Jack Grandine, Area Foreman 007
Area Foreman, 019
Public Safety Division

Dan Kornfeld



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

Additional Details:
Rain Date is Sunday, August 22, 2021
We also request 175 Chairs.

EQUIPMENT PERMIT APPLICATION

Annual Massapequa Community Street Festival

Name of Event: _____

Location of Event: Lower Broadway in Massapequa

Exact Location where Equipment should be delivered: Veterans Blvd. and Broadway

Delivery Date and Time: Sunday, August 15, 2021 at 6:00 AM Pick-Up Date and Time: Sunday, August 15, 2021 at 7:30 PM

Day of Event Contact Person & Cell Phone Number: Anthony Ventiera [REDACTED]

Actual Event Dates and Times (as advertised to public): Sunday, August 15, 2021 from 11:00 AM - 6:30 PM

EQUIPMENT TYPE	REQUESTED QUANTITY	RENTAL RATE (per piece of equipment)	DELIVERY & SET-UP FEES
SHOWMOBILE	Two (2) #005 with trellis	\$175 for the first day \$100 each additional day	\$75 per event
PORTABLE LIGHTS (available only for special events using Town Showmobile)		\$50 per light, per day	\$50 per event

• NO CHECKS SHOULD BE MAILED AT THIS TIME. If application is approved, you will receive a written invoice. At that time, a check may be sent in, made out to the "Town of Oyster Bay" and the permit will be issued.
• PROOF OF INSURANCE (with "Town of Oyster Bay" listed as "Additional Insured"), along with ENDORSEMENT PAGE, must be provided.
• IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT (516) 797-4156.

Applicant's Name:

Anthony Ventiera

Requesting Organization:

Chamber of Commerce of the Massapequas, Inc.

Is your organization located within the Town of Oyster Bay?

☒ YES

☐ NO

Organization's Mailing Address:

675 Broadway

Street

Massapequa

NY

P.O. Box

11758

City

State

Zip Code

Applicant's Contact Information:

Office Phone: (516) 541 - 1443

Cell Phone: [REDACTED]

dowopptony@verizon.net

masscoc@aol.com

Home Phone

Cell Phone

E-mail Address

The APPLICANT understands and acknowledges that the information provided in the application is true and accurate, and that the Town of Oyster Bay and the Department of Parks are relying on these statements and representations as a basis for the issuance of a permit. The APPLICANT agrees to abide by the terms set forth in this application, and the Rules and Regulations of the Town of Oyster Bay and the Department of Parks. Any violation of the rules herein will result in the permit being revoked and the forfeiture of all money received.

Anthony Ventiera

APPLICANT'S SIGNATURE

March 18, 2021

DATE

- ☐ APPROVED BY _____
☐ DENIED BY _____
☐ HOLD (Special Event) _____

FOR OFFICE USE ONLY:
Amount Paid: _____
Date: _____
Check #: _____

DELIVERY DATE/TIME
RECOVER DATE/TIME

RevG10417

(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)

PLEASE TYPE OR PRINT CLEARLY

Name of Organization: Chamber of Commerce of the Massapeguas,

Billing Address: 675 Broadway, Massapequa NY 11758 Inc.

Phone Number (Days): Office: (516) 541-1443 Cell: [REDACTED]

Number of Container(s) Requested: One (1)

Address Where Container(s) Would Be Placed: Lower Broadway in Massapequa
between Veterans Blvd. and Clark Ave.

Dates Container(s) Needed: From Friday, August 13, 2021 To Monday, August 16, 2021 Rain Date: Friday, August 20, 2021
+ o Monday, August 23, 2021

Describe The Event For Which Container(s) Is/Are Requested: _____

Annual Massapequa Community Street Festival

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? Profit - Making

I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of \$250.00 for each container load dumped may be assessed for which I agree to assume responsibility.

Signature: Anthony C. Vento Date: 3/23/21

Title: Chairman

Signature: _____ Date Received: _____

Signature: _____ Date Picked Up: _____

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:

Approved By Resolution No.: _____ \$250 Charge Applies: YES _____ NO _____

To Be Completed By Scale House:

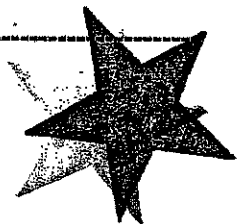
Disposal Authorization Ticket No.: _____

Load Ticket No.: _____

Date: _____

Signature: _____

Scalehouse to return copy to Comptroller
White Copy - Sanitation Driver (to be given to Scalehouse)
Yellow Copy - Sanitation Files
Green Copy - Scale House Files



WHEREAS, The Town of Oyster Bay will be conducting a ceremony for a street sign dedication at the corner of Roosevelt Street and Glen Head Road in Glen Head, in recognition of George Pombar, President of the Glen Head-Glenwood Landing Civic Association, and a long-standing and cherished civic leader for the Glen-Head, Sea Cliff, Glenwood and Brookville communities; and

WHEREAS, The Town of Oyster Bay, in conjunction with the Glen Head Civic Association, will hold this ceremony for the street dedication on Sunday, July 11, 2021, between the hours of 10:00 a.m. and 12:00 p.m., at the parking lot owned by First Bank of Long Island, located between street addresses ten (10) and thirty (30) Glen Head Road, Glen Head, New York; and

WHEREAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated July 7, 2021, advised First National Bank of Long Island requires the Town and Glen Head Civic Association to enter into a Limited Access Agreement for use of the aforementioned parking lot, for the date and times noted above; and

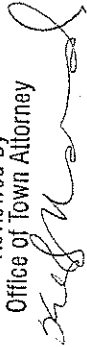
WHEREAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by said memorandum recommend and request that the Town Board authorize the Supervisor, or his designee, to execute the Limited Access Agreement with First National Bank of Long Island, nunc pro tunc July 11, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is hereby authorized to execute the Limited Access Agreement with First National Bank of Long Island, Glen Head, New York, for the ceremony for a street sign dedication in recognition of Civic and Community Leader George Pombar.

#

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

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

RES
Reviewed By
Office of Town Attorney


407

Town of Oyster Bay
Inter-Departmental Memo

To: Memorandum Docket

From: Office of the Town Attorney

Date: July 7, 2021


Subject: Proposed Limited Access Agreement by and between First National Bank of Long Island and Town of Oyster Bay for Street Sign Dedication Ceremony in Recognition of Civic and Community Leader George Pombar

The Town will be conducting a ceremony, in conjunction with the Glen Head Civic Association, for a street sign dedication in recognition of Civic and Community Leader George Pombar at the corner of Roosevelt Street and Glen Head Road in Glen Head. As President of the Glen Head-Glenwood Landing Civic Association, George Pombar is a long-standing and cherished civic leader for the Glen-Head, Sea Cliff, Glenwood and Brookville communities. The Town of Oyster Bay, in conjunction with the Glen Head Civic Association, will hold the ceremony for this street dedication on Sunday, July 11, 2021, between the hours of 10:00 a.m. and 12:00 p.m., at the parking lot owned by First Bank of Long Island (First National Bank of Long Island), located between street addresses ten (10) and thirty (30) Glen Head Road, Glen Head, New York.

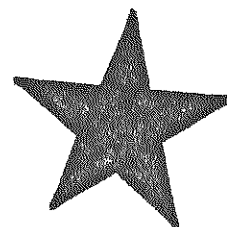
By letter dated July 7, 2021, First National Bank of Long Island, has forwarded to this office a limited license and access agreement for use of the aforementioned parking lot, for the date and times noted above. The Town Attorney's Office has reviewed the agreement, and recommends and requests that the Town Board authorize the Supervisor, or his designee, to execute same, nunc pro tunc July 11, 2021. This office has prepared the necessary resolution, attached hereto, along with the agreement.

Accordingly, kindly suspend the rules and place this matter on the action calendar for the Town Board meeting scheduled for July 13, 2021.

FRANK M. SCALERA
TOWN ATTORNEY


Karen J. Underwood
Deputy Town Attorney

KJU:kju
Attachments





July 7, 2021

Re: Access Agreement for Use of Parking Lot and Power by and between First National Bank of Long Island (FNBLI) and Town of Oyster Bay and the Glen Head Civics Association.

To Whom it may concern:

This letter seeks to memorialize our mutual understanding and agreement with reference to the limited license and access being provided to you on **Sunday July 11, 2021** for purposes of a **Town of Oyster Bay Ceremony** from our premises at the Bank Customer Parking-lot located between 10 and 30 Glen Head Road, Glen Head, NY 11545.

FNBLI hereby grants to you, a personal, non-exclusive and non-transferable license to enter upon the portions of the Premises (the "License Areas"), on **Sunday July 11, 2021** from the hours of 10:00 am to 12:00pm, for the purpose of a **Town of Oyster Bay Ceremony** at your sole cost and expense.

Prior to entering upon the Premises and throughout the term of the license granted hereunder, you shall obtain and furnish to FNBLI a certificate of insurance evidencing Commercial General Liability (CGL) insurance with limits not less than **\$2,000,000** General Aggregate; **\$1,000,000** Personal & Advertising Injury; and **\$1,000,000** Each Occurrence. FNBLI Indemnified Parties (as defined hereunder) shall be included as additional insureds on the policy.

All of your insurance policies shall be primary insurance, and not be contributing with, nor be in excess of, coverage that any additional insureds may carry or may have available.

All liability insurance purchased and maintained by you (other than Workers Compensation and Employers' Liability insurance) shall designate FNBLI, and their respective officers, partners, agents, representatives, and employees, and such other persons and entities that FNBLI shall designate (collectively, "FNBLI Indemnified Parties") as additional insureds.

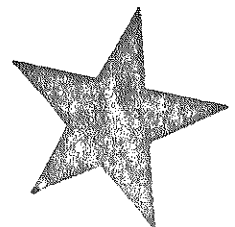
The Town of Oyster Bay is a self-insured municipality. Accordingly, in satisfaction of the requirements for the insurance coverage, it forwards the Letter of self-Insurance attached hereto.

In consideration of the license granted to you, you hereby agree to indemnify, defend and save harmless the FNBLI Indemnified Parties from and against any and all liability (statutory or otherwise), claims, suits, demands, damages, judgments, costs, fines, penalties, interest and expense (including, without limitation, reasonable attorneys' fees and

Page 1 of 3

670 Glen Cove Ave. • PO Box 67 • Glen Head, NY 11545

516 671 4900 • FNBLI.com • Go First, Go Far.SM



disbursements) to which the FNBLI Indemnified Parties may be subject to or suffer arising from, or in connection with: (1) any liability or claim for any injury to, or death of, you or loss or damage to property belonging to you, or any third parties, occurring in or about the License Areas; (2) the use and occupancy of the License Areas by you or anyone authorized by you; (3) any default by you in the performance of your obligations under this letter agreement; (4) caused, in whole or in part, by you or your use of the License Areas, any violation of any and all laws, orders, rules and regulations of all state, federal, municipal and local governments, departments, commissions and boards issued against the Premises; and, (5) any liability or claim resulting from your negligence or misconduct.

All damage or injury to the Premises, caused by or resulting from your carelessness, omission, neglect or improper conduct shall be repaired promptly by you at your sole cost and expense, to the condition existing immediately prior to such injury or damage.

This letter agreement may be executed in counterparts and delivered between the attorneys for the parties by facsimile or as a PDF attachment sent by email, and, upon confirmation of receipt and when taken together shall constitute the binding agreement of the parties.

Kindly confirm your acceptance of, and agreement with, the foregoing terms and conditions by executing a copy of this letter agreement and returning the same as hereinabove provided.

Sincerely,

FIRST NATIONAL BANK OF LONG
ISLAND

REVIEWED BY
OFFICE OF TOWN ATTORNEY

By: _____

READ AND AGREED TO BY:
Town of Oyster Bay

Address _____

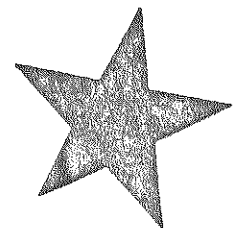
Title: _____

Authorizes By: _____

Signature: _____ Date: _____

Page 2 of 3

670 Glen Cove Ave. • PO Box 67 • Glen Head, NY 11545
516 671 4900 • FNBLI.com • Go First. Go Far.™



READ AND AGREED TO BY:

Glen Head Civic Association

Address _____

Title: _____

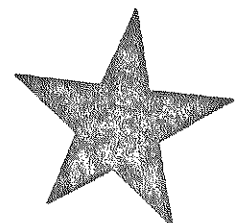
Authorizes By: _____

Signature: _____ Date: _____

Page 3 of 3

670 Glen Cove Ave. • PO Box 87 • Glen Head, NY 11545

516 671 4900 • FNBLI.com • Go First. Go Far.SM





TOWN ATTORNEY
FRANK M. SCALERA

Office of the Town Attorney
Town of Oyster Bay

SPECIAL COUNSEL
RALPH P. HEALEY
THOMAS M. SABELLICO

TOWN HALL
54 AUDREY AVENUE
OYSTER BAY N.Y. 11771
(516) 624-6150
FAX (516) 624-6196
www.oysterbaytown.com

DEPUTY TOWN ATTORNEY
PAUL S. EHRLICH
ELIZABETH A. FAUGHNAN
JEFFREY A. LESSER
HAROLD B. MAYER, JR.
MATTHEW M. ROZEA
DENNIS P. SHEEHAN
KAREN J. UNDERWOOD

ASSISTANT TOWN ATTORNEY
MATTHEW D. FERNANDO
SAMANTHA A. GOETZ
CHARLES G. McQUAIR

July 7, 2021

First Nation Bank of Long Island
670 Glen Cove Avenue
Glen Head, New York 11545

Attention: Mr. Leonardo Tavera,
Senior Vice President & Corporate Planning Officer

Re: Access Agreement for Use of Parking Lot and Power
by and between First National Bank of Long Island
and Town of Oyster Bay and the Glen Head Civic Association

Dear Mr. Tavera:

The Town of Oyster Bay is presently self-insured, and therefore unable provide you with an insurance certificate. However, this letter should be sufficient proof of the Town's self-insurance status. The Town of Oyster Bay is self-insured for general liability claims for the first \$1,250,000.00 of potential exposure. Thereafter, the Town of Oyster Bay carries a combination of excess and umbrella insurance providing coverage of an additional \$10,000,000.00.

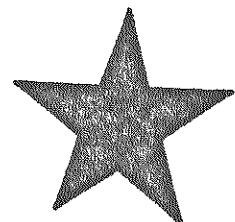
Accordingly, this will confirm that the Town shall pay for any loss or claim against the First National Bank of Long Island, Glen Head, New York, 11545, arising out of the above referenced agreement, for which the Town may be liable.

Very truly yours,

FRANK M. SCALERA
TOWN ATTORNEY

Karen J. Underwood
Deputy Town Attorney

KJU:aml
S:\Attorney\KJU\Self insured letter.docx



REVIEWED BY
Office of Town Attorney
John P. Bishop

WHEREAS, Mr. Mohinder Singh, on behalf of Expedia Cruises, Expedia Cruise Center, 22 West Marie Street Hicksville, New York, by letter dated July 7, 2021, requested the closure and use of Municipal Parking Field H-10, in Hicksville, from 5:00 p.m. through 8:00 p.m., on Monday, July 19th, 2021, the placement of temporary "No Parking" signs upon said Field, sixteen (16) complete barricades, and permission to display flower arches at the entrances of said Field, for the Expedia Cruise Center Grand Opening, to be held on Monday, July 19, 2021; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated July 19, 2021, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that they have no objection to providing Expedia Cruises with the closure and use of Municipal Parking Field H-10, in Hicksville, from 5:00 a.m. through 8:00 a.m., on Monday, July 19, 2021, the temporary placement of "No Parking" signs upon said Field, sixteen (16) complete barricades, and permission to display flower arches at the entrances of said Field, for the Expedia Cruise Center Grand Opening, to be held on Monday, July 19, 2021; and

WHEREAS, This Town Board deems this event 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 abovementioned requests are hereby approved, and the Highway Department is hereby authorized to provide Expedia Cruises with the closure and use of Municipal Parking Field H-10 in Hicksville, from 5:00 a.m. through 8:00 a.m., on Monday, July 19, 2021, the temporary placement of "No Parking" signs upon said Field, sixteen (16) complete barricades, and permission to display flower arches at the entrances of said Field, for the Expedia Cruise Center Grand Opening, to be held on Monday, July 19, 2021, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Deputy Commissioner of the Highway Department, or his duly authorized representative.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment, and in the conduct of the afore-described activity.
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$2,000,000.00 bodily injury and \$1,000,000.00 property damage, and naming the Town as an additional insured, in connection with the afore-described activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the aforescribed activity may be cancelled by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety.

~~—#—~~

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

July 1, 2021

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: EXPEDIA CRUISES GRAND OPENING EVENT
JULY 19TH 2021

Enclosed please find a copy of the letter from Mohinder Singh Miglani, , requesting our assistance on behalf of Expedia Cruises, in conducting a Grand Opening Event on Monday, July 19th 2021 in Hicksville.

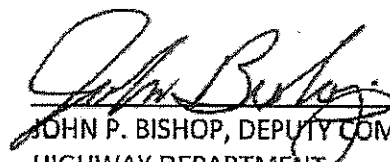
The Highway Department has no objection to Expedia Cruises utilizing municipal parking field H-10 in Hicksville on Monday, July 19th 2021 from 5:00 pm through 8:00 pm the day of the event. The organization is requesting the posting of temporary 'Lot Closure' signs in field H-10 for the event as well. They are also requesting sixteen (16) barricades for the event.

The Highway Department also has no objection to the organization putting flower arches up and on display at the entrances of the above mentioned parking field on the date of the event.

Expedia Cruises is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

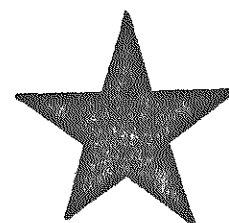
Also attached are the Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement, and Covid-19 Addendum Agreement to cover this event. Therefore, Town Board approval is requested.

Kindly suspend the rules and walk this item onto the July 13th 2021 Town Board action calendar.


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz

C: Richard Lenz, P.E., Commissioner of DPW
Peter Brown, General Foreman 003
Justin McCaffrey, Commissioner of Public Safety
Steve Kelly, Sign Bureau Supervisor
Grace SantaMaria, Highway Administration





Expedia Cruise Center
22 W. Marie St.
Hicksville NY 11801
888.888.CRUISE

July 7, 2021

Dear Deputy Commissioner Bishop,

I would like to formally request permission to utilize a portion of parking lot (H - 10) on 07/19/21 to host a Grand Opening Celebration for Expedia Center , The Expedia Cruise Office adjoins Lot H - 10.

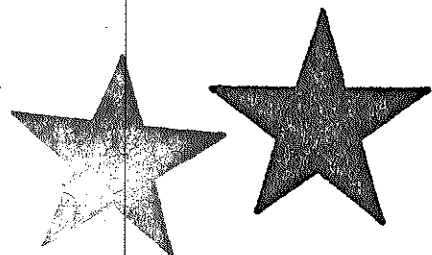
I am requesting that a portion of the lot be closed for the entire day of the event to allow for setting up a tent. The actual hours of the event are 4:00 pm to 8:00pm. To assist the traffic control for the event , we are requesting the use of 16 barricades. We request the barricades arrive the early morning of the even or night before. I further request permission for the temporary installation of one Gate at the entrance of Parking lot H- 10 on mid west Marie St. I know and understand that we will not Put a big Gate at the Broadway entrance , we will make only a small entrance at the entrance of the parking lot. We also acknowledge and verify that After the event we are responsible for cleaning the parking lot as it was before the event.

If there is any further requirements or question regarding this request, Please do not hesitate to contact me at [REDACTED]

Sincerely,

Mohinder Singh

Mohinder Singh



DATE: 7/1/21

TO: HIGHWAY OPERATIONS

SUBJECT: Expedia Cruises Grand Opening Event

PLEASE DELIVER TO:
Lot H-10
Hicksville

DATE OF EVENT: 7/19/21

BARRICADES: 16

CONTACT: Mohinder Singh Miglandi
[REDACTED]

CONES:

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 7/16/21

PICKUP ON: 7/20/21

SWEEPING BEFORE AFFAIR IS NEEDED:

XX

YES

NO

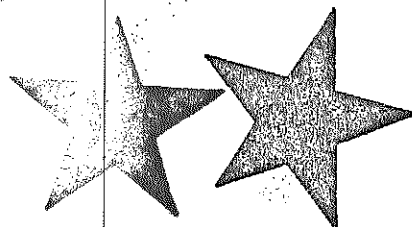
Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Peter Brown, General Foreman 002
Dan Kornfeld
Greg Marchese, Area Foreman 012

Public Safety Division





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/01/2021

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 K&K Insurance Group, Inc. 1712 Magnavox Way Fort Wayne IN 46804	CONTACT NAME: Mass Merchandising Underwriting PHONE (A/C, No, Ext): 1-800-328-2317 FAX (A/C, No): 1-260-459-5502 E-MAIL ADDRESS: info@eventinsurance-kk.com PRODUCER CUSTOMER ID:
INSURED Sunrise Tours and Travels 22 W Marie St Hicksville, NY 11801 A Member of the Sports, Leisure & Entertainment RPG	INSURER(S) AFFORDING COVERAGE INSURER A: Nationwide Mutual Insurance Company NAIC # 23787 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: W01978425

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Host Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		6BRPG000007441800	07/19/2021 12:01 AM EDT	07/20/2021 12:01 AM	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea Occurrence)	\$1,000,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$5,000,000
							PRODUCTS - COMP/OP AGG	\$1,000,000
							PROFESSIONAL LIABILITY	
							LEGAL LIAB TO PARTICIPANTS	
	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> NOT PROVIDED WHILE IN HAWAII						COMBINED SINGLE LIMIT (Ea accident)	
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE	
							AGGREGATE	
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/ EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	
							E.L. DISEASE - EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	
	<input type="checkbox"/> MEDICAL PAYMENTS FOR PARTICIPANTS						PRIMARY MEDICAL	
							EXCESS MEDICAL	

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

Event Name: Sunrise Tours and Travel Grand Opening; Event Date: 07/19/2021; # of attendees: 200

Event Location: 22 W Marie St, Hicksville, New York 11801

Liquor Liability (as provided by CG 00 01 04 13) applies only if the insured is not in the business of manufacturing, distributing, selling, serving or furnishing alcoholic beverages.

The certificate holder is added as an additional insured, but only for liability caused, in whole or in part, by the acts or omissions of the named insured.

CERTIFICATE HOLDER

Town of Oyster Bay Highway
150 Miller Pl
Syosset, NY 11791
(Owner/Lessor of Premises)

CANCELLATION

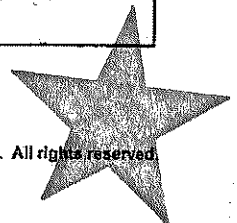
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Scott J. ...

Coverage is only extended to U.S. events and activities.

** NOTICE TO TEXAS INSUREDS: The Insurer for the purchasing group may not be subject to all the insurance laws and regulations of the State of Texas



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 150 Miller Pl Syosset, NY 11791
Named Insured: Sunrise Tours and Travels
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.

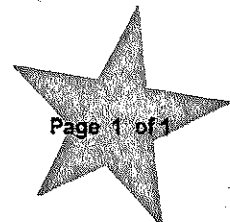
B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

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 1 day of July, 2021, by Mohinder Singh
(hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment
located at and/or described as 22. W. Marie St. Hicksville, NY - 11801

Parking Lot - H10 - Using 16 Bureaus and Parking Lot

for the event described as Grand Opening

The property/equipment is needed from July 19th to July 19th

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

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

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

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

Name of Organization

Sunrise Tours and Travel (Expedia Cruise)

Address of Organization

22. W. Marie St.
Hicksville NY - 11801

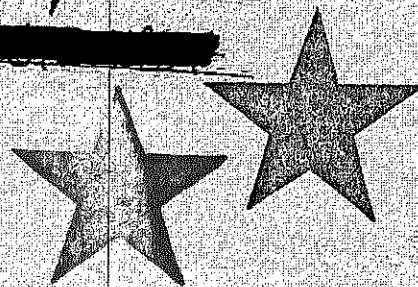
By:

Mohinder Singh
Authorized Representative

Title:

Owner / Managing Director

Telephone Number: [REDACTED]





**TOWN OF OYSTER BAY
ADDENDUM TO PERMIT APPLICATION**

Applicant Name: MOHINDER SINGH

Event Description: GRAND OPENING

Event Date: July 19th / 2021

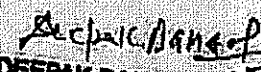
The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit holder agrees that it is the sole "Responsible Party," as such term is defined by the New York State Guidelines. The permit holder further recognizes and understands that the activity is subject to cancellation at any time to prevent harm to the population from COVID-19, or any other threat to public health and/or safety.

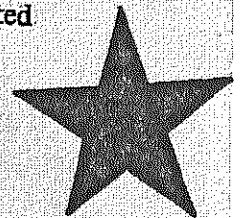
For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.


Applicant Signature

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

On the 19 day of July, 2021, before me, the undersigned, personally appeared Mohinder Singh personally know 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument


DEEPAK BANSAL
Notary Public State of New York
Qualified in Nassau County
ID: #01846188418
Commission Expires 01/02/2023



Last Revised: May 5, 2021

Meeting of July 13, 2021

Resolution No. 409-2021

RESOLVED, That the actions of the Town Clerk in advertising a Notice of Hearing on proposed contracts for fire protection for the 2021 Calendar Year, said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 17th day of August, 2021, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the

Newspapers of general circulation in the Town of Oyster Bay, pursuant to the provisions of law, are hereby ratified and approved.

-#-

DR
Reviewed By
Office of Town Attorney
Elizabeth A. Jaughan

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

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

Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

PUBLIC NOTICE

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, 54 Audrey Avenue, Oyster Bay, New York, on the 17th day of August, 2021, at 10:00 o'clock a.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the following Fire Companies shall provide in general for the furnishing of fire protection during the 2021 Calendar Year,, to the listed Fire Protection Districts at the agreed per annum charge set forth, all subject to taxation in said Districts, as shown on the last completed Town Assessment Roll:

CALENDAR YEAR 2021

<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM CHARGE</u>
1. Bayville Fire Company No. 1, Inc.	Bayville	\$ 7,360.00
2. Roslyn Highlands Hook & Ladder, Engine & Hose Company Inc.	Greenvale	\$ 16,182.00
3. Rescue Company Hook & Ladder Company No. 1 (aka Roslyn Rescue)	Greenvale	\$ 16,552.00
4. Atlantic Steamer Fire Company No. 1, Inc.	Oyster Bay	An amount not to exceed \$ 575,000.00
5. Oyster Bay Fire Department, Inc.	Oyster Bay	An amount not to exceed \$ 575,000.00

The contracts with the following Fire Companies and Fire Districts shall provide in general for the furnishing of fire protection during the 2021 Calendar Year for the listed areas at the agreed per annum charge set forth:

1. Bayville Fire Company No. 1 for the other areas shown on the Tax Maps as Section 28, Block G, Lot 3, the agreed per annum charge of \$32,554.00.
2. Wantagh Fire District for the Town-owned property known as TOBAY Beach, the agreed per annum charge in an amount not to exceed \$10,000.00.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY.
JOSEPH S. SALADINO, Supervisor. RICHARD LAMARCA, Town Clerk.
Dated: July 13 , 2021, Oyster Bay, New York.

Town of Oyster Bay
Inter-Departmental Memo

409

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : July 7, 2021

SUBJECT: 2021 Fire Protection Agreements for:
Bayville Fire Company No. 1, Inc.
Roslyn Highlands Hook & Ladder, Engine & Hose Company, Inc.
Rescue Company Hook & Ladder Company No. 1 (aka Roslyn Rescue)
Atlantic Steamer Fire Company No. 1, Inc.
Oyster Bay Fire Department, Inc.
Wantagh Fire District

This office has received information regarding the 2021 Fire Protection Contracts for the following fire companies/department(s)/district(s): Bayville Fire Company No. 1, Inc., Roslyn Highlands Hook & Ladder, Engine & Hose Company Inc., Rescue Company Hook and Ladder Company No. 1 (aka Roslyn Rescue), the Atlantic Steamer Fire Company No. 1, Inc., Oyster Bay Fire Department, Inc., and Wantagh Fire District. Accordingly, this office requests that the Town Clerk be authorized to advertise a Notice of Hearing to be held on Tuesday, August 17, 2021, at 10:00 a.m., for the relevant 2021 Fire Protection Agreements.

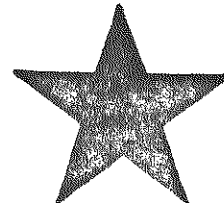
Kindly suspend the rules and add this matter to the July 13, 2021 Town Board action calendar for action. A Resolution calling for a Public Hearing and Public Notice are attached hereto.

FRANK M. SCALERA
TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

EAF:eaf
Attachments
2016-5219

S:\Attorney\RESOS 2021\MD & RESO\2021 Fire Protection Contracts - addl -eaf.docx



Meeting of July 13, 2021

Resolution No. 410-2021

WHEREAS, The Town received a Petition from the Oyster Bay Water District seeking to add a parcel of property to its district, as a result of a request by the Incorporated Village of Cove Neck, owners of the parcel of property, improved, occupied and used by the Incorporated Village of Cove Neck, and more particularly described as Section 26, Block A, Lot 66 on the Land and Tax Map of the County of Nassau; and

WHEREAS, The aforementioned Petition sets forth that there will be no cost or bond required for the extension as the parcel currently receives water service from the District on a contract basis and the proposed extension requires no additional capital improvements; and

WERHEAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated July 7, 2021, requested that a public hearing be scheduled on this matter in accordance with the provisions of New York State Town Law, Article 12-A,

NOW, THEREFORE, BE IT RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 17th day of August, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the above referenced matter, and hear all persons interested in the subject thereof concerning same; 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 17th day of August, 2021 at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider a Petition from the Oyster Bay Water District seeking to add a parcel of property to its district, as a result of a request by the Incorporated Village of Cove Neck, owners of the parcel of property, improved, occupied and used by the Incorporated Village of Cove Neck, and more particularly described as Section 26, Block A, Lot 66 on the Land and Tax Map of the County of Nassau, and wherein said Petition sets forth that there will be no cost or bond required for the extension as the parcel currently receives water service from the District on a contract basis and the proposed extension requires no additional capital improvements.

The abovementioned Petition is on file and may be viewed on the Town website (oysterbaytown.com) or by contacting the Office of the Town Clerk (516-624-6320), daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time. 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.
RICHARD LAMARCA, Town Clerk.

Dated: July 13, 2021, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

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


TO : MEMORANDUM DOCKET
FROM : Frank M. Scalera, Town Attorney
DATE : July 7, 2021
SUBJECT: Application of the Oyster Bay Water District for the Extension of
Oyster Bay Water district within the Incorporated Village of
Cove Neck, Oyster Bay New York

The Board of Water Commissioners of the Oyster Bay Water District (hereinafter "District") has petitioned the Town Board for an extension of its district, pursuant to Section 209 of New York State Town Law. Specifically, the Village of Cove Neck requested that a parcel located within the Village, and more particularly described as Section 26, Block A, Lot 66 on the Land and Tax Map of the County of Nassau, be included in the District. The Petition sets forth that there will be no cost or bond required for the extension as the parcel currently receives water service from the District on a contract basis and the proposed extension requires no additional capital improvements.

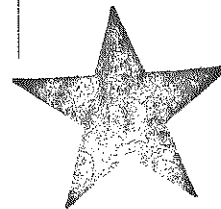
It is requested that this matter be scheduled for a public hearing on August 17, 2021 at 10:00 a.m. pursuant to New York State Town Law Article 12-A. This office has prepared the Resolution calling for a Public Hearing to be held on August 17, 2021 at 10:00 a.m. and Public Notice, attached hereto.

It is respectfully requested that the rules be suspended and this matter be included on the Town Board Action Calendar for July 13, 2021.

FRANK M. SCALERA
TOWN ATTORNEY


Karen J. Underwood
Deputy Town Attorney

KJU:kju
2021-8119



WHEREAS, John P. Bishop, Deputy Commissioner, Department of Highway, by memorandum dated June 30, 2021, recommended that the Town enter into an Inter-Municipal Agreement with the Hicksville Water District, for highway cleaning services at seven (7) specific locations on request, for the period August 1, 2021 through and including July 31, 2023; and

WHEREAS, the Town will provide said service to the Hicksville Water District on an "as requested basis", at the sole discretion of the Town; and

WHEREAS, in exchange for the Town's services, the Hicksville Water District will provide annual testing of twelve (12) Town owned backflow devices located within the Hicksville Water District's service area; and

WHEREAS, the Hicksville Water District will be responsible for the disposal of all debris and other materials removed as a result of the services approved by the Town; and

WHEREAS, Frank M. Scalera, Town Attorney and Elizabeth A. Faughnan, Deputy Town Attorney by memorandum dated July 7, 2021, request and recommend that the Supervisor or his designee be authorized to execute the Inter-Municipal Agreement referenced above,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is accepted and approved, and the Supervisor or his designee is hereby authorized and directed to execute an Inter-Municipal Agreement with the Hicksville Water District, for highway cleaning services, for the period August 1, 2021 through and including July 31, 2023.

-#-

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

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

Reviewed By
Office of Town Attorney

Paul P. Henry

411

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : July 7, 2021

SUBJECT: Inter-Municipal Agreement with the Hicksville Water District for Highway Cleaning Services

John P. Bishop, Deputy Commissioner, Department of Highways, by memorandum dated June 30, 2021, recommended that the Town enter into an Inter-Municipal Agreement with the Hicksville Water District for highway cleaning services, for the period August 1, 2021 through and including July 31, 2023. Pursuant to the agreement the Town would provide said services to the Hicksville Water District at seven (7) specific water supply locations on an "as requested basis" at the sole discretion of the Town. In exchange for such services, the Hicksville Water District will perform annual testing of backflow on twelve (12) Town owned backflow devices located within the Hicksville Water District's service area. The Hicksville Water District will be responsible for the disposal of all debris and other materials removed as a result of the services approved by the Town.

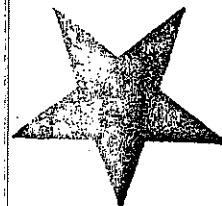
Attached is the abovementioned proposed Inter-Municipal Agreement, and a Resolution authorizing same. It is requested and recommended that the Supervisor or his designee be authorized to execute the Inter-Municipal Agreement.

Kindly suspend the rules and include this item on the July 13, 2021, Town Board action calendar.

FRANK SCALERA
TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

EAF
Enclosure



INTER-MUNICIPAL AGREEMENT

DATED: _____, 2021

PARTIES: THE TOWN OF OYSTER BAY, a municipal corporation of the State of New York, having its principal office and place of business at Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, hereinafter referred to as the "TOWN"; and

THE HICKSVILLE WATER DISTRICT, a municipal corporation having its principal place of business located 4 Dean Street, Hicksville, New York 11802, hereinafter called the "DISTRICT",

WITNESSETH:

WHEREAS, The DISTRICT has requested a contract with the TOWN to furnish street sweeping services twice annually at each of seven (7) water supply plants owned by the DISTRICT, in exchange for annual testing of twelve (12) TOWN owned backflow devices located within the DISTRICT service area; and

WHEREAS, the TOWN desires to assist the DISTRICT in the operations and service it provides to its residents and wishes to encourage environmentally-responsible solutions to its highway maintenance program, as well as encourage fiscally-responsible sharing of services to the benefit of the residents of the TOWN and the DISTRICT,

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants and agreements hereinafter set forth, the parties hereto do agree as follows:



FIRST: The TOWN shall provide street sweeping services twice annually to the DISTRICT. Following a request for service from the DISTRICT, the scheduling of such service shall be at the sole discretion of the TOWN. The TOWN shall provide such services twice annually to each of the following seven (7) water supply plant locations:

- A. Plant ID: 1, located at 85 Bethpage Road, Hicksville
- B. Plant ID: 4, located at 410 Newbridge Road, Hicksville
- C. Plant ID: 6, located at Kuhl Avenue, Hicksville (located on the west side of Kuhl Avenue, across from Ohio Street)
- D. Plant ID: 8, located at 4 Dean Street, Hicksville
- E. Plant ID: 9, located at 1 Alicia Street, Hicksville
- F. Plant ID: 10, located at 93 W. Barclay Street, Hicksville
- G. Plant ID: 11, located at Plainview Road, Hicksville (located on the south side of Plainview Road across from South Gate)

SECOND: The DISTRICT shall be solely responsible for the disposal of all debris and other materials removed as a result of the services provided by the TOWN. No such material shall be disposed of at the TOWN's Old Bethpage Solid Waste Disposal Complex.

THIRD: In consideration of the TOWN's provision of street sweeping services, the DISTRICT agrees to provide annual testing of twelve (12) TOWN owned backflow devices identified as follows:

- A. Acct No. 11010145; Hicksville Community Center, 28 W Carl St.
- B. Acct No. 11010145; Hicksville Community Center, 28 W Carl St.
- C. Acct No. 11010760; TOB Parks Dept., Memorial Fountain,



Kennedy Park

D. Acct No. 12060260; TOB Parks Dept., Athletic Field, John A. Walker Memorial Park, Andrews Rd.

E. Acct No. 12060265; TOB Parks Dept., Athletic Field, John A. Walker Memorial Park, Andrews Rd.

F. Acct No. 12070450; TOB Hicksville Athletic Center, 167 S. Broadway

G. Acct No. 12070450; TOB Hicksville Athletic Center, 167 S. Broadway

H. Acct No. 46080005; TOB Parks Dept., Giese Park, Lee Ave.

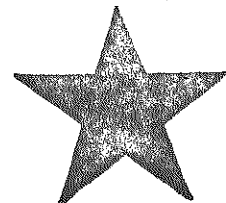
I. Acct No. 45080200; TOB Parks Dept., Ball Fields, Abe Levitt Park, Stewart Ave.

J. Acct No. 12090430; TOB Parks Dept., Cpl. Kevin T. Kolm Memorial Park fka Triangle Park, Plainview Rd.

K. Acct No. 12090440; TOB Parks Dept., Soccer Field, Cpl. Kevin T. Kolm Memorial Park fka Triangle Park, Plainview Rd.

L. Acct No. 45150995; TOB Parks Dept., Sprinklers, Abe Levitt Park, Stewart Ave.

FOURTH: This agreement may be cancelled by either party upon sixty (60) days' written notice to the other party. Such notice shall be sent by certified mail, return receipt requested to the Town Attorney or Board of Commissioners of the DISTRICT, as the case may be, and a copy of said notice shall be sent by regular mail to the Town Clerk or the



Superintendent of the DISTRICT, as the case may be.

FIFTH: This agreement shall commence on August 1, 2021 and terminate on July 31, 2023, unless extended by mutual agreement between the parties.

IN WITNESS WHEREOF, the DISTRICT and TOWN have respectively executed and delivered this Agreement as of the date first written above, pursuant to resolutions duly adopted by the respective Boards of said parties.

REVIEWED:

Elizabeth A. Faughman
Deputy Town Attorney

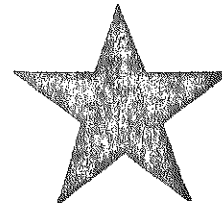
TOWN OF OYSTER BAY

BY: _____
Supervisor/Designee

HICKSVILLE WATER DISTRICT

BY: _____

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

On this _____ day of _____, 2021, before me personally came _____, to me known, who, being by me duly sworn, did depose and say; that he is the _____ of the Town of Oyster Bay, the municipal corporation described herein and which executed the foregoing instrument; and that he signed his name thereto pursuant to authorization of the Town Board of the Town of Oyster Bay.

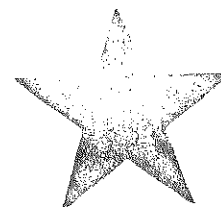
Notary Public

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

On this _____ day of _____, 2021, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he or she resides at _____ County, New York, that he or she is the _____ of the Hicksville Water District, the municipal corporation described herein and which executed the foregoing instrument; and that he or she signed his or her name thereto pursuant to authorization of the Board of Commissioners of the Hicksville Water District.

Notary Public

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TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

June 30, 2021

TO: FRANK M. SCALERA, CHIEF DEPUTY TOWN ATTORNEY

ATTENTION: THOMAS M. SABELLICO, DEPUTY TOWN ATTORNEY

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER OF HIGHWAY

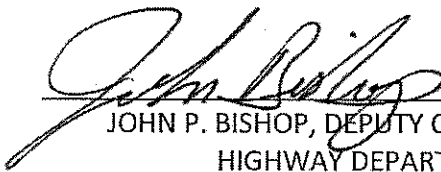
SUBJECT THE HICKSVILLE WATER DISTRICT
SHARED SERVICE AGREEMENT FOR HIGHWAY
STREET SWEEPING SERVICES
2021/2023 CALENDAR YEARS

Attached please find a letter from The Hicksville Water District Superintendent Paul J. Granger, P.E.

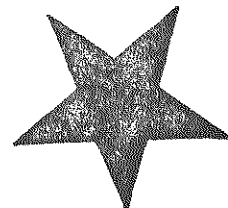
The Highway Department has been requested to enter into a shared services agreement with the Hicksville Water District for street sweeping services of their seven (7) water supply plants twice (2) a year in exchange for the annual testing of the twelve (12) Town owned backflow devices located within the district service area. This request is for shared services agreement will be in effect during the 2021/2023 calendar years.

Please review the attached letter and apprise the Highway Department with the details of this agreement.

If you have any further questions regarding this, please feel free to contact me at extension 5770.


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/lb
Att.



HICKSVILLE WATER DISTRICT

4 Dean Street, Post Office Box 9065, Hicksville, N.Y. 11802-9065
Phone: (516) 931-0184, Fax: (516) 931-6506

BOARD OF WATER COMMISSIONERS

Nicholas J. Briganti
Commissioner

William E. Schuckmann
Commissioner

Karl M. Schweitzer
Commissioner



SUPERINTENDENT
Paul J. Granger, P.E.

DISTRICT TREASURER
Vincent Abbatiello

Effective, responsible water resource management, since 1921

June 22, 2021

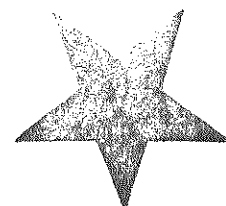
John P. Bishop
Deputy Commissioner of Highways
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

Dear Deputy Commissioner Bishop:

The Hicksville Water District is seeking a shared services agreement with the Town of Oyster Bay for street sweeping of our seven water supply plants twice a year in exchange for annual testing of the twelve Town owned backflow devices located within the district service area. We propose the time frame for the agreement to cover the remainder of 2021 through the end of 2023.

The following provides a summary of the Town owned devices that will be tested on an annual basis by the Water District:

Acct Num	Name	Address
11010145	HICKSVILLE COMMUNITY CENTER	28 W CARL ST
11010145	HICKSVILLE COMMUNITY CENTER	28 W CARL ST
11010760	T O B PARKS DEPT	MEMORIAL FOUNTAIN
12060260	T O B PARKS DEPT	ANDREWS RD ATHLETIC FIELD
12060265	T O B PARKS DEPT	ANDREWS RD ATHLETIC FIELD
12070450	T O B ATHLETIC CENTER	167 BROADWAY
12070450	T O B ATHLETIC CENTER	167 BROADWAY
46080005	T O B PARKS DEPT	LEE AVE (GIESE PARK)
45080200	HBA FIELDS T O B PARKS DEPT	STEWART AVE BALL PARK
12090430	T O B PARKS DEPT	PLAINVIEW RD (TRIANGLE PK
12090440	T O B PARKS DEPT	PLAINVIEW RD SOCCER FIELD
45150995	T O B PARKS DEPT, HBA FIELDS	BALL PARK SPRINKLERS



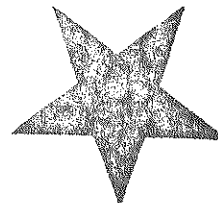
The following are the Water District Plant Sites designated for twice annual sweeping by the Town:

Plant ID	Address
1	85 Bethpage Road, Hicksville
4	410 Newbridge Road, Hicksville
6	Kuhl Ave, Hicksville (Located on west side of Kuhl Ave across from Ohio St.)
8	4 Dean Street, Hicksville
9	1 Alicia Street, Hicksville
10	93 W. Barclay Street, Hicksville
11	Plainview Road, Hicksville (Located on the south side of Plainview Road across from South Gate)

Thank you for your consideration of our request. Feel free to contact our office if you should have any questions or require any additional information.

Very truly yours,
HICKSVILLE WATER DISTRICT


Paul J. Granger, P.E.
Superintendent



Meeting of July 13, 2021

Resolution No. 412-2021

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 17th day of August, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the condemnation of real property known as N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau, and to determine the need and location of a commuter parking lot, a public use, prior to any acquisition of the aforementioned real property required for the project, which will provide open parking for commuting residents of the Town of Oyster Bay; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said Town Board meeting and hearing in the

newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of the law.

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Reviewed By
Office of Town Attorney

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

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

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 17th day of August, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the condemnation of real property known as N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of Nassau County, and to determine the need and location of a commuter parking lot, a public use, prior to any acquisition of the aforementioned real property required for the project, which will provide open parking for commuting residents of the Town of Oyster Bay. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned hearing at the time and place designated herein.

IF YOU, THE PROPERTY OWNER(S), SUBSEQUENTLY WISH TO CHALLENGE CONDEMNATION OF THE AFORESAID PROPERTY VIA JUDICIAL REVIEW, YOU MAY DO SO ONLY ON THE BASIS OF ISSUES, FACTS, AND OBJECTIONS RAISED AT THE ABOVE REFERENCED HEARING.

TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LAMARCA, Town Clerk. Dated: July 13, 2021, Oyster Bay, New York.

7/13/21
Reviewed By
Office of Town Attorney

17

412

Town of Oyster Bay Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

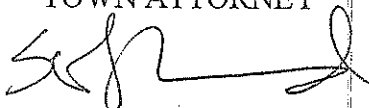
DATE : July 9, 2021

SUBJECT : Proposed Exercise of Eminent Domain over Following Property:
N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York
(a/k/a 47 West Barclay Street)
Section 11, Block 185, Lots 2 & 8 on the
Land and Tax Map of the County of Nassau

Submitted herewith are the Public Notice and the Resolution calling for a Public Hearing, in connection with the above referenced matter.

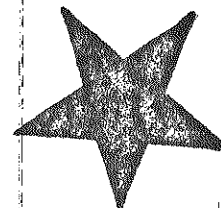
It is respectfully requested that the rules be suspended and a Resolution related to this matter be considered during the Town Board meeting of July 13, 2021, 2021. It is further requested that this matter be scheduled for a public hearing on August 17, 2021 at 10:00 a.m.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju
Attachments
File No. 2021-8162



Meeting of July 13, 2021

Resolution No. 413-2021

WHEREAS, the Town solicited quotes from twelve brokers for renewal of the Town's Storage Tank Third Party Liability Insurance coverage for the policy period of July 31, 2021 through July 31, 2022, and received responses from four insurance carriers, of which two declined to extend a quotation for coverage, and the proposal received with the lowest cost is from Ironshore/Liberty Surplus Insurance Corporation ("Liberty"), which currently provides this coverage to the Town through FOA & Son Corporation ("FOA"); and

WHEREAS, Frank M. Scalera, Town Attorney and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated July 13, 2021, recommended that the Town's Storage Tank Third Party Liability insurance coverage, for the policy period of July 31, 2021 through July 31, 2022, be obtained from Liberty, through FOA, at a premium of \$11,647.00, along with Surplus Lines Taxes and Stamping Office fees of \$465.88; for a total premium and fees of \$12,112.88, and request that the Comptroller be authorized and directed to make payment in said amount, with funds available to be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and

WHEREAS, the Office of the Inspector General has reviewed the RFP and the proposed vendor's disclosure, and is satisfied that the procurement policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Office of the Town Attorney is hereby authorized to obtain the Town's Storage Tank Third Party Liability insurance coverage from Liberty Surplus Insurance Corporation through FOA & Son Corporation, for the period from July 31, 2021 to July 31, 2022, at a premium of \$11,647.00 along with a Surplus Lines Taxes and Stamping Office fees of \$465.88; for a total premium and fees of \$12,112.88, and that the Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim; after audit with said funds to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

RESOLVED, That the Comptroller is hereby authorized to make payment for same, upon submission of a duly certified claim after audit.

-#-

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

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

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

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : July 13, 2021
SUBJECT: 2021-2022 Storage Tank Third Party Liability Insurance
Account No. TWN AMS 1910 43010 602 0000 000

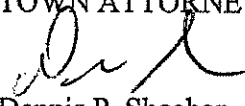
Pursuant to 6 NYCRR Part 613-3, owners or operators of 1 to 100 petroleum underground storage tanks must demonstrate financial responsibility to cover liabilities including, but not limited to: clean-up; third-party property damage; third-party bodily injury and legal costs in the amount of \$1,000,000 per occurrence as well as a minimum aggregate financial responsibility of \$1,000,000. The Town of Oyster Bay has seven (7) locations that have petroleum underground storage tanks. Petroleum underground storage tanks include those tanks that contain heating oil [613-3.1(a)(1)], crude oil, synthetic forms of lubricating oils, hydraulic oils and cutting oils, as well as hydrocarbons that are not derived from crude oil [613-1.3(as)].

In order to meet the Town's responsibility under 6 NYCRR Part 613-3, the Town solicited quotes from twelve brokers for Storage Tank Third Party Liability insurance coverage for the 2021-2022 policy period commencing July 31, 2021. One broker, FOA & Son Corporation ("FOA"), responded. FOA solicited quotes from four insurance carriers. One quote, from the current carrier, Ironshore/Liberty Surplus Insurance Corporation ("Liberty") provided the required coverage the 2021-2022 policy period, at a premium and fees \$555.00 above the cost of the current policy. The remaining responding insurance carriers declined to extend a quotation for coverage. The Liberty policy covers the period from July 31, 2021 through July 31, 2022. The renewal premium for this policy period is \$11,647.00, along with the Surplus Lines Taxes and Stamping Office fees of \$465.88, a total of \$12,112.88.

This Office consulted with the Town Inspector General who concurred that the Town Procurement Policy has been satisfied as to the effort made to secure quotations for coverage, and concurred with this Office in recommending that the Town's Storage Tank Third Party Liability Insurance from July 31, 2021 through July 31, 2022 be procured from Ironshore/Liberty Surplus Insurance Corporation, through FOA & Son Corporation, in the premium amount of \$11,647.00, along with Surplus Lines Taxes and Stamping Office fees of \$465.88, for a total premium and fees of \$12,112.88, and that the Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim; after audit, with said funds to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

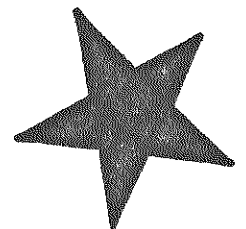
Kindly suspend the rules and walk this item on the July 13, 2021, Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Dennis P. Sheehan
Deputy Town Attorney

DPS:ba
Enclosure
2017-5834.002

S:\Attorney\RESOS 2021\MD & RESO\2021-22UndergroundTankcoverage.DPS.docx



Meeting of July 13, 2021

Resolution No. 414-2021

WHEREAS, by Resolution No. 702-2008, adopted on July 15, 2008, the Town obtained a license for 65 parking spaces for residents' use for commuter parking at the property located at 47 West Barclay Street, Hicksville, New York; and

WHEREAS, since 2008, the Town has continued to occupy and operate the commuter parking lot at 47 West Barclay Street, Hicksville, New York, under a series of License Agreements; and

WHEREAS, the most recent License Agreement was authorized by Resolution No. 91-2019, adopted on January 29, 2019, for a period of one (1) year, from January 1, 2019 through December 31, 2019, nunc pro tunc, for an annual fee of \$47,250.00; and

WHEREAS, by Resolution No. 70-2020, adopted on January 28, 2020, the Town Board exercised its option to renew the License Agreement, for the period of one (1) year, from January 1, 2020 through December 31, 2020, for an annual fee of \$49,612.50; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 13, 2021, advised that 25 NB, LLC, the owner of the lot located at 47 West Barclay Street, Hicksville, New York, has offered to enter into a new License Agreement with the Town for the period from January 1, 2021 through December 31, 2021, for an annual fee of \$50,439.34, payable at a monthly rate of \$4,134.37, for the period from January 1, 2021 through July 31, 2021, and at a monthly rate of \$4,299.75, for the period from August 1, 2021 through December 31, 2021; and

WHEREAS, Frank M. Scalera and Ralph P. Healey, Special Counsel, by said memorandum, recommended that the Town Board authorize the Town Supervisor, or his designee, enter into and execute a License Agreement with 25 NB, LLC, for use of the lot at 47 West Barclay Street, Hicksville, New York, for the period from January 1, 2021 through December 31, 2021, nunc pro tunc from January 1, 2021, for an annual fee of \$50,439.34, payable at a monthly rate of \$4,134.37, for the period from January 1, 2021 through July 31, 2021, and at a monthly rate of \$4,299.75, for the period from August 1, 2021 through December 31, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board hereby authorizes Supervisor, or his designee to enter into and execute a License Agreement with 25 NB, LLC for the use of the lot located at 47 West Barclay Street, Hicksville, New York, for the period from January 1, 2021 through December 31, 2021, nunc pro tunc from January 1, 2021, for an annual fee of \$50,439.34, payable at a monthly rate of \$4,134.37, for the period from January 1, 2021 through July 31, 2021, and at a monthly rate of \$4,299.75, for the period from August 1, 2021 through December 31, 2021; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. Account No. HWY H 5997 20000 000 1804 016; and be it further

Reviewed By
Office of Town Attorney
[Signature]

Resolution No. 414-2021

RESOLVED, That the Town Board hereby authorizes and directs the Town Comptroller to make payment for same, upon the submission of a duly certified claim therefor, 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Absent
Councilwoman Walsh	Aye

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 13, 2021

SUBJECT: License Agreement: 25 NB, LLC
Commuter Parking Lot Use
47 West Barclay Street, Hicksville, New York

Commencing in 2008, as authorized by Resolution No. 702-2008, adopted on July 15, 2008, the Town obtained a license for 65 parking spaces for residents' use for commuter parking at the property located at 47 West Barclay Street, Hicksville, New York.

The most recent License Agreement was authorized by Resolution No. 2019-91, adopted on January 29, 2019, for a period of one (1) year, from January 1, 2019 through December 31, 2019, with an option to extend said Agreement for a period of one (1) year, for an annual fee of \$47,250.00. Resolution No. 70-2020, adopted on January 28, 2020, authorized the exercise of the one (1) year extension for the period beginning January 1, 2020 through December 31, 2020, for an annual fee of \$49,612.50.

The owner of the lot, 25 NB, LLC, has offered to enter into a new License Agreement with the Town for the period from January 1, 2021 through December 31, 2021, for an annual fee of \$50,439.34. The fee is payable at the rate of \$4,134.37 per month for the period from January 1, 2021 through July 31, 2021. The fee increases slightly to \$4,299.75 per month for the period from August 1, 2021 through December 31, 2021.

Based on the demand and need for commuter parking in the Hicksville area, it is recommended that the Town Board authorize the Supervisor, or his designee, to execute a License Agreement as Licensee, with 25 NB, LLC, for use of the lot at 47 West Barclay Street, Hicksville, New York, for the period from January 1, 2021 through December 31, 2021, nunc pro tunc, from January 1, 2021.

It is also requested that the Comptroller be authorized and directed to make payment for same with funds available in Account No. HWY H 5997 20000 000 1804 016.

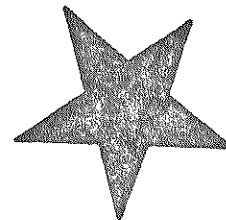
Kindly suspend the rules and walk this item on the July 13, 2021, Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey

Special Counsel

RPH:ba
Attachment
2015-4967



LICENSE AGREEMENT

Agreement made this day of , 2021 by and between 25 NB, LLC, having an office c/o Spiegel Associates, 375 North Broadway, Hicksville, New York 11801 ("Licensor") and THE TOWN OF OYSTER BAY, 54 Audrey Avenue, Oyster Bay, New York, 11771 ("Licensee").

WITNESSETH:

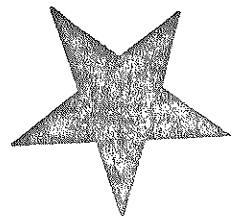
WHEREAS Licensor is the owner of certain real property known as and located at 47 West Barclay Street, Hicksville, County of Nassau, State of New York and designated as Section 11, Block 185, Lots 2 and 8 on the Land and Tax Map of the County of Nassau; and

WHEREAS Licensee desires permission to come upon said premises for the sole and exclusive purpose of establishing and maintaining a commuter parking lot on the premises, as more specifically set forth herein;

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

FIRST: Subject to the conditions and for the term hereinafter set forth, Licensor hereby grants to Licensee, a revocable license to establish a commuter parking lot for use by authorized residents of The Town of Oyster Bay, pursuant to any and all rules, regulations and requirements as may be promulgated by the Town.

SECOND: The term of this License shall be for a period of one (1) year, commencing on the 1st day of January, 2021, and terminating on the 31st day of December, 2021.

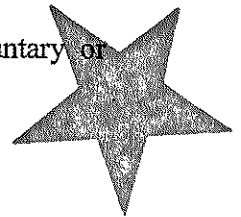


THIRD: Licensee shall pay to Licensor the sum of \$50,439.34 per annum, payable without deduction, setoff of any kind, in equal monthly installments of \$4,134.37, for the period commencing on January 1, 2021, and terminating on July 31, 2021, and \$4,299.75, for the period commencing on August 1, 2021, and terminating on December 31, 2021, as of the commencement date hereof at the address stated above, or at such other place or to such other person or persons as Licensor shall designate in writing, in lawful money of the United States. In the event that the commencement date occurs other than on the first day of the month, said rent shall be prorated for the initial month of this License.

FOURTH: Licensee acknowledges that it has inspected the premises, is fully familiar with the condition thereof, and agrees to accept said premises in there "as is" condition. Licensor shall not be required to provide any services, utilities, maintenance or repairs to the subject premises, including but not limited to snow and ice removal, sanitation, waste and refuse removal.

FIFTH: Licensee shall erect, construct and maintain all installations and structures necessary to operate the parking facility in accordance with all of the rules, regulations of The Town of Oyster Bay, County of Nassau, State of New York, or any other municipal or governmental agency or authority having jurisdiction thereof, necessary for the operation and maintenance of a municipal parking facility.

SIXTH: Licensee does hereby agree to indemnify and hold harmless Licensor from any and all liability of any kind whatsoever, for or by reason of any and all claims for injury or death to any person or persons, or damage to property of any kind whatsoever, caused wholly or in part by any act or omission, whether voluntary or



involuntary, created, caused, permitted or suffered by Licensee, its agents, servants, invitees, employees or contractors.

SEVENTH: The terms of this Paragraph (EIGHTH) shall survive termination or expiration of this Agreement.

EIGHTH: In the event of the termination or revocation of this Agreement, for any reason whatsoever, or in the event of a default by Licensee in any of the terms, covenants and conditions hereof, Licensor shall have the right, at its sole option an election to recover possession of the premises by means of summary proceedings or otherwise, and the institution and maintenance of any such summary proceeding shall not be deemed to relieve Licensee of its obligations hereunder. Licensee further agrees to indemnify and hold harmless Licensor from any and all costs and expenses, and reasonable attorneys fees incurred by Licensor in connection with the institution and maintenance of any legal action or summary proceeding. Licensee expressly waives any and all rights of redemption granted to it pursuant to any present or future laws, in the event that this License is terminated.

NINTH: At the expiration of the term granted herein, the property shall be surrendered and returned to the Landlord, broom clean and vacant, and all improvements, fixtures, fencing, and other constructions of any kind whatsoever, shall, at the option of the Landlord, become the property of the Landlord and remain upon said premises.

TENTH: This Agreement contains entire understanding between the parties hereto and no representation, inducement, promise or agreement, all or otherwise between the parties not embodied or contained herein shall be of any force and effect. All prior agreements and understandings, if any, shall be deemed to have merged herein. No failure of Licensor to exercise any right different to it under this Agreement shall be

deemed a waiver of Licensor's right to demand strict compliance with respect to any subsequent default by Licensee. This Agreement may not be amended, altered or modified unless in writing signed by each of the parties hereto.

ELEVENTH: This License is not assignable by Licensee and any assignment shall automatically and without further notice terminate this License.

TWELFTH: Licensee acknowledges, represents and warrants to Licensor that it has full authority to enter into the within License Agreement and is complied with all requirements of the Town of Oyster Bay, or any other municipal or governmental authority, having jurisdiction thereof.


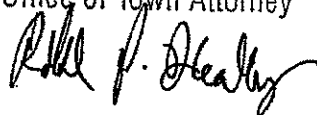
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed and sealed under day and date first above written.

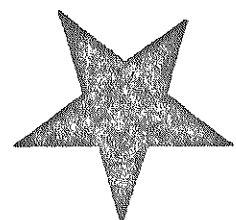
25NB, LLC

By: _____

THE TOWN OF OYSTER BAY

By: _____

 Reviewed By
Office of Town Attorney




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

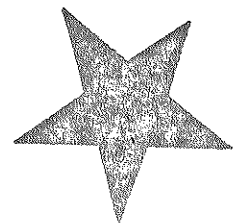
On this day of , 2021, before me personally came and appeared
_____, to me known, who, being by me duly sworn, did depose and say
that he is the _____ of the Town of Oyster Bay, the municipal corporation
described herein and which executed the foregoing instrument; that by virtue of the authority
conferred on him by law, he subscribed his name to the foregoing instrument and that he executed
the same for the purpose therein mentioned.

Notary Public

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

On this day of , 2021, before me personally came and
appeared _____, to me known, who, being by me duly sworn, did
depose and say that he/ is the _____ of 25 NB, LLC, the limited
liability corporation described herein and which executed the foregoing instrument; that by virtue
of the authority conferred on him/her by law, he/she subscribed his/her name to the foregoing
instrument and that he/she executed the same for the purpose therein mentioned.

Notary Public



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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 13, 2021

SUBJECT: License Agreement: 25 NB, LLC
Commuter Parking Lot Use
47 West Barclay Street, Hicksville, New York

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The most recent License Agreement was authorized by Resolution No. 2019-91, adopted on January 29, 2019, for a period of one (1) year, from January 1, 2019 through December 31, 2019, with an option to extend said Agreement for a period of one (1) year, for an annual fee of \$47,250.00. Resolution No. 70-2020, adopted on January 28, 2020, authorized the exercise of the one (1) year extension for the period beginning January 1, 2020 through December 31, 2020, for an annual fee of \$49,612.50.

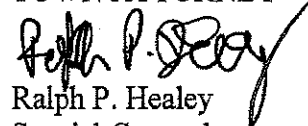
The owner of the lot, 25 NB, LLC, has offered to enter into a new License Agreement with the Town for the period from January 1, 2021 through December 31, 2021, for an annual fee of \$50,439.34. The fee is payable at the rate of \$4,134.37 per month for the period from January 1, 2021 through July 31, 2021. The fee increases slightly to \$4,299.75 per month for the period from August 1, 2021 through December 31, 2021.

Based on the demand and need for commuter parking in the Hicksville area, it is recommended that the Town Board authorize the Supervisor, or his designee, to execute a License Agreement as Licensee, with 25 NB, LLC, for use of the lot at 47 West Barclay Street, Hicksville, New York, for the period from January 1, 2021 through December 31, 2021, nunc pro tunc, from January 1, 2021.

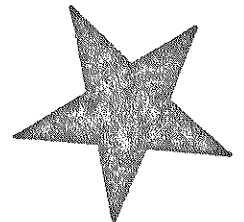
It is also requested that the Comptroller be authorized and directed to make payment for same with funds available in Account No. HWY H 5997 20000 000 1804 016.

Kindly suspend the rules and walk this item on the July 13, 2021, Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

RPH:ba
Attachment
2015-4967



LICENSE AGREEMENT

Agreement made this day of , 2021 by and between 25 NB, LLC, having an office c/o Spiegel Associates, 375 North Broadway, Hicksville, New York 11801 ("Licensor") and THE TOWN OF OYSTER BAY, 54 Audrey Avenue, Oyster Bay, New York, 11771 ("Licensee").

WITNESSETH:

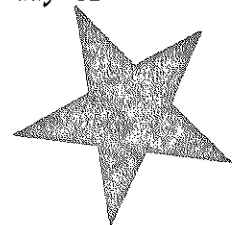
WHEREAS Licensor is the owner of certain real property known as and located at 47 West Barclay Street, Hicksville, County of Nassau, State of New York and designated as Section 11, Block 185, Lots 2 and 8 on the Land and Tax Map of the County of Nassau; and

WHEREAS Licensee desires permission to come upon said premises for the sole and exclusive purpose of establishing and maintaining a commuter parking lot on the premises, as more specifically set forth herein;

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

FIRST: Subject to the conditions and for the term hereinafter set forth, Licensor hereby grants to Licensee, a revocable license to establish a commuter parking lot for use by authorized residents of The Town of Oyster Bay, pursuant to any and all rules, regulations and requirements as may be promulgated by the Town.

SECOND: The term of this License shall be for a period of one (1) year, commencing on the 1st day of January, 2021, and terminating on the 31st day of December, 2021.

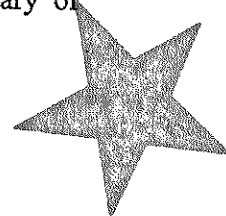


THIRD: Licensee shall pay to Licensor the sum of \$50,439.34 per annum, payable without deduction, setoff of any kind, in equal monthly installments of \$4,134.37, for the period commencing on January 1, 2021, and terminating on July 31, 2021, and \$4,299.75, for the period commencing on August 1, 2021, and terminating on December 31, 2021, as of the commencement date hereof at the address stated above, or at such other place or to such other person or persons as Licensor shall designate in writing, in lawful money of the United States. In the event that the commencement date occurs other than on the first day of the month, said rent shall be prorated for the initial month of this License.

FOURTH: Licensee acknowledges that it has inspected the premises, is fully familiar with the condition thereof, and agrees to accept said premises in there "as is" condition. Licensor shall not be required to provide any services, utilities, maintenance or repairs to the subject premises, including but not limited to snow and ice removal, sanitation, waste and refuse removal.

FIFTH: Licensee shall erect, construct and maintain all installations and structures necessary to operate the parking facility in accordance with all of the rules, regulations of The Town of Oyster Bay, County of Nassau, State of New York, or any other municipal or governmental agency or authority having jurisdiction thereof, necessary for the operation and maintenance of a municipal parking facility.

SIXTH: Licensee does hereby agree to indemnify and hold harmless Licensor from any and all liability of any kind whatsoever, for or by reason of any and all claims for injury or death to any person or persons, or damage to property of any kind whatsoever, caused wholly or in part by any act or omission, whether voluntary or



involuntary, created, caused, permitted or suffered by Licensee, its agents, servants, invitees, employees or contractors.

SEVENTH: The terms of this Paragraph (EIGHTH) shall survive termination or expiration of this Agreement.

EIGHTH: In the event of the termination or revocation of this Agreement, for any reason whatsoever, or in the event of a default by Licensee in any of the terms, covenants and conditions hereof, Licensor shall have the right, at its sole option an election to recover possession of the premises by means of summary proceedings or otherwise, and the institution and maintenance of any such summary proceeding shall not be deemed to relieve Licensee of its obligations hereunder. Licensee further agrees to indemnify and hold harmless Licensor from any and all costs and expenses, and reasonable attorneys fees incurred by Licensor in connection with the institution and maintenance of any legal action or summary proceeding. Licensee expressly waives any and all rights of redemption granted to it pursuant to any present or future laws, in the event that this License is terminated.

NINTH: At the expiration of the term granted herein, the property shall be surrendered and returned to the Landlord, broom clean and vacant, and all improvements, fixtures, fencing, and other constructions of any kind whatsoever, shall, at the option of the Landlord, become the property of the Landlord and remain upon said premises.

TENTH: This Agreement contains entire understanding between the parties hereto and no representation, inducement, promise or agreement, all or otherwise between the parties not embodied or contained herein shall be of any force and effect. All prior agreements and understandings, if any, shall be deemed to have merged herein. No failure of Licensor to exercise any right different to it under this Agreement shall be

deemed a waiver of Licensor's right to demand strict compliance with respect to any subsequent default by Licensee. This Agreement may not be amended, altered or modified unless in writing signed by each of the parties hereto.

ELEVENTH: This License is not assignable by Licensee and any assignment shall automatically and without further notice terminate this License.

TWELFTH: Licensee acknowledges, represents and warrants to Licensor that it has full authority to enter into the within License Agreement and is complied with all requirements of the Town of Oyster Bay, or any other municipal or governmental authority, having jurisdiction thereof.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed and sealed under day and date first above written.

25NB, LLC

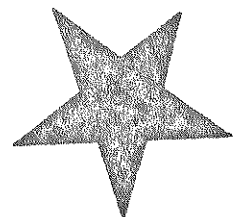
By: _____

THE TOWN OF OYSTER BAY

By: _____

Reviewed By
Office of Town Attorney

R. P. Healy



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

On this day of , 2021, before me personally came and appeared
_____, to me known, who, being by me duly sworn, did depose and say
that he is the _____ of the Town of Oyster Bay, the municipal corporation
described herein and which executed the foregoing instrument; that by virtue of the authority
conferred on him by law, he subscribed his name to the foregoing instrument and that he executed
the same for the purpose therein mentioned.

Notary Public

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

On this day of , 2021, before me personally came and
appeared _____, to me known, who, being by me duly sworn, did
depose and say that he/ is the _____ of 25 NB, LLC, the limited
liability corporation described herein and which executed the foregoing instrument; that by virtue
of the authority conferred on him/her by law, he/she subscribed his/her name to the foregoing
instrument and that he/she executed the same for the purpose therein mentioned.

Notary Public

