

Meeting of October 5, 2021

Resolution No. TF-13-2021

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
040-21	DGS	\$ 30,000.00	DGS A 1620 41310 000 0000
		\$ 30,000.00	TO DGS A 1620 41300 000 0000
041-21	CYS	\$ 4,700.00	FROM CYS A 7020 41800 000 0000
		\$ 4,700.00	TO CYS A 7020 23000 000 0000
042-21	HWY	\$ 15,000.00	FROM HWY DB 5110 41730 000 0000
		\$ 15,000.00	TO HWY DB 5110 41710 000 0000
043-21	DER	\$ 7,600.00	FROM DER A 8090 46100 000 0000
		\$ 7,600.00	TO DER A 8090 23000 000 0000
		\$ 6,200.00	FROM DER A 8090 46350 000 0000
		\$ 6,200.00	TO DER A 8090 23000 000 0000
044-21	PKS	\$ 726.00	FROM PKS A 7110 42200 000 0000
		\$ 726.00	TO PKS A 7110 45100 000 0000
		\$ 5,320.00	FROM PKS A 7110 44900 000 0000
		\$ 5,320.00	TO PKS A 7110 47670 000 0000
		\$ 20,000.00	FROM PKS A 7110 42200 000 0000
		\$ 20,000.00	TO PKS A 7110 46300 000 0000
		\$ 10,739.37	FROM PKS SP 7110 42200 000 0000
		\$ 10,739.37	TO PKS SP 7110 46300 000 0000
045-21	OTC	\$ 4,500.00	FROM OTC A 1410 12000 000 0000
		\$ 4,500.00	TO OTC A 1410 21000 000 0000
046-21	DGS	\$ 5,500.00	FROM DGS A 1620 41310 000 0000
		\$ 5,500.00	TO DGS A 1620 45200 000 0000

Reviewed By
Office of Town Attorney

[Signature]

047-21	EXE	\$ 110,110.22	INCREASE TWN A 0001 01170 000 0000
		\$ 110,110.22	INCREASE OTA A 1420 44900 000 0000
048-21	HWY	\$ 47,500.00	INCREASE HWY DB 5142 48900 000 0000
		\$ 47,500.00	INCREASE HWY DB 5142 41230 000 0000
049-21	HWY	\$ 1,000.00	INCREASE HWY SL 5182 25000 000 0000
		\$ 1,000.00	INCREASE HWY SL 5182 41400 000 0000
050-21	EXE	\$300,000.00	INCREASE TWN A 0001 02680 000 0000
		\$300,000.00	INCREASE DPW A 1640 41230 000 0000
		\$100,000.00	INCREASE TWN A 0001 02680 000 0000
		\$100,000.00	INCREASE DPW A 1640 41240 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

INTER – DEPARTMENTAL MEMO

Date: SEPTEMBER 7, 2021
To: MEMORANDUM DOCKET
From: RALPH J. RAYMOND, DEPUTY COMMISSIONER OF GENERAL SERVICES
Subject: **OPERATING ACCOUNTS – TRANSFER OF FUNDS**

The following transfer is respectfully requested:

FROM: DGS A 1620 41310 000 0000 PRINTING SUPPLIES \$30,000.00

TOTAL \$30,000.00

TO: DGS A 1620 41300 000 0000 OFFICE SUPPLIES \$30,000.00

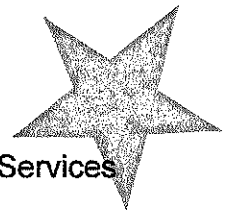
TOTAL \$30,000.00

JUSTIFICATION: TRANSFER OF FUNDS NEEDED TO COVER THE COST OF OFFICE
SUPPLIES NEEDED FOR REMAINDER OF YEAR

Town Board approval is respectfully requested.



Ralph J. Raymond
Deputy Commissioner of General Services



RJR/nl

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

September 17, 2021

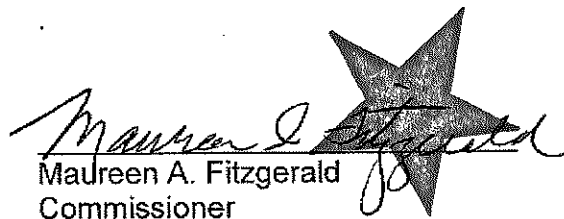
TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: Transfer of Funds

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

From: CYS A 7020 41800 000 0000 Recreational Supplies \$ 4,700.00

To: CYS A 7020 23000 000 0000 Other Equipment \$ 4,700.00

The transfer shall accommodate the purchase of 10 Tents needed for the Department's Special Events. The tents will protect our photographic equipment, movie projectors and other valuable equipment during Special Events.


Maureen A. Fitzgerald
Commissioner

MAF:iw

TOWN OF OYSTER BAY
Inter-Departmental Memo

9/17/2021

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 5110 41730 000 0000	ASPHALT	\$15,000.00
<u>To:</u> HWY DB 5110 41710 000 0000	SIGN SUPPLIES	\$15,000.00

This transfer is necessary to provide funds to purchase the following Sign Supplies:
Traffic Paint, Street Corner Posts, Aluminum Sign Blanks, Electro-Cut Film, and
Carriage Bolts with Washers.


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 Memo

TO: Memorandum Docket

FROM: Louis Savinetti, Commissioner
Department of Environmental Resources

DATE: September 20, 2021

SUBJECT: Transfer of Funds

Town Board authorization is requested to transfer the following funds from the 2021 Budget:

<u>Account No.</u>	<u>Object Description:</u>	<u>Amount:</u>
From: DER A 8090 46100 000 0000	Equipment Maintenance	\$ 7,600.00
DER A 8090 46350 000 0000	Bay Management Program	\$ 6,200.00
To: DER A 8090 23000 000 0000	Other Equipment	\$13,800.00

This transfer is necessary to cover the cost of FLUPSY motors for the Shellfish Hatchery, along with commercial grade buoys and mooring anchors to be used for the Kelp Program.


 Louis Savinetti
 Commissioner
 Department of Environmental Resources

GB/lc

cc: Town Attorney
Steven Ballas, Comptroller

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

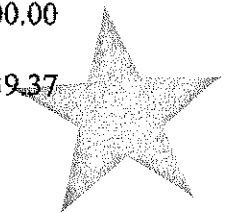
DATE: September 23, 2021

SUBJECT: 2021 Transfer of Funds

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

FROM:

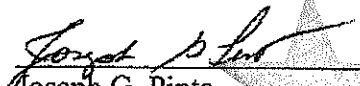
PKS-A-7110-42200-000-0000	Light, Power & Water	\$726.00
PKS-A-7110-44900-000-0000	Other Contract	\$5,320.00
PKS-A-7110-42200-000-0000	Light, Power & Water	\$20,000.00
PKS-SP-7110-42200-000-0000	Light, Power & Water	\$10,739.37




TO:

PKS-A-7110-45100-000-0000	Equipment Rental	\$726.00
PKS-A-7110-47670-000-0000	Special Sporting Events	\$5,320.00
PKS-A-7110-46300-000-0000	Building, Property Maintenance	\$20,000.00
PKS-SP-7110-46300-000-0000	Building, Property Maintenance	\$10,739.37

This transfer request is to provide funds necessary for the rental of a boom truck for work at TOBAY Beach, payment of the entertainment at Armed Forces Appreciation Day, plumbing services at Post Park Pool, as well as other various services completed at TOB locations.



Joseph G. Pinto
Commissioner



JGP:dim

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 22, 2021

TO : Memorandum Docket
FROM : Donna Antetomaso, Deputy Town Clerk
THROUGH : Richard LaMarca, Town Clerk
SUBJECT : Transfer of Funds


The Town Clerk's Office is requesting Town Board Authorization to transfer the following funds.

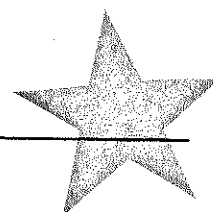
From :	OTC A 1410 41600	Materials and Supplies	\$4,500.00
To:	OTC A 1410 21000	Furniture	\$4,500.00

The transfer shall accommodate the purchase of three (3) new office desks and five (5) new office chairs. The current desks are metal and very old and do not match the other office furniture and the chairs are tattered and no longer function properly.



DONNA ANTETOMASO
DEPUTY TOWN CLERK



RICHARD LAMARCA
TOWN CLERK

RL/Da

Cc: Rob Darienzo, Director of Finance

INTER – DEPARTMENTAL MEMO

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

The following transfer is respectfully requested:

FROM: DGS A 1620.41310 000 0000 PRINTING SUPPLIES \$5500.00

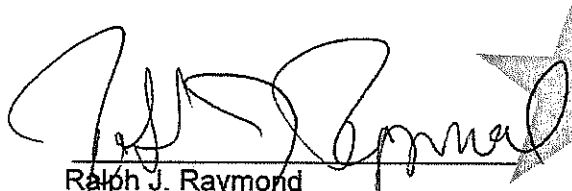
TOTAL \$5500.00


TO: DGS A 1620. 45200 000 0000 RENTAL OF LAND \$5500.00

TOTAL \$5500.00

JUSTIFICATION: TRANSFER OF FUNDS NEEDED TO COVER ADDITIONAL MONTHS
OF TRAILER RENTALS BEING USED FOR STORAGE OF TOWN
DOCUMENTS.

Town Board approval is respectfully requested.


Ralph J. Raymond
Deputy Commissioner of General Services



RJR/nl

2D

Town of Oyster Bay
Inter-Departmental Memo

September 23, 2021

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

In order to provide funds to pay the invoice to the firm that performed a cable franchise fee audit which resulted in the Town receiving \$379,690.42 in additional revenue, the following transfer of funds is hereby requested:

Increase:						
TWN A	0001	01170	000	0000	Franchise Fees	110,110.22
Increase:						
OTA A	1420	44900	000	0000	Other Contracts	110,110.22

Thank you.



Robert Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/TOF 2021 OTA2

TOWN OF OYSTER BAY
Inter-Departmental Memo

9/22/2021

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 5142 48900 000 0000	SNOW REMOVAL	\$47,500.00
<u>To:</u> HWY DB 5142 41230 000 0000	PARTS	\$47,500.00

This transfer is necessary to provide funds to purchase snow plow parts.



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 Memo

9/24/2021

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 SL 5182 25000 000 0000	GENERAL EQUIPMENT	\$1,000.00
<u>To:</u> HWY SL 5182 41400 000 0000	UNIFORMS	\$1,000.00

This transfer is necessary to provide funds to purchase reflecting safety vests, gloves, and jackets.



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 Memo

September 27, 2021

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

In order to provide funds in various accounts for Central Vehicle Maintenance, the following transfer of funds is hereby requested:

Increase:							
TWN	A	0001	02680	000	0000	Insurance Recoveries	400,000.00
Increase:							
DPW	A	1640	41230	000	0000	Parts	300,000.00
DPW	A	1640	41240	000	0000	Tires and Tubes	100,000.00



Thank you.


Robert Darienzo
Director of Finance

RD/rd.
Word/Documents/Docket/TOF 2021 CVM

WHEREAS, by Resolution No. 708-2019, adopted on November 19, 2019, the Town Board authorized the Supervisor to enter into an agreement with Alcott HR Group, LLC., to provide support services to the Department of Intergovernmental Affairs under the Workforce Innovation and Opportunity Act ("WIOA") Temporary Assistance for Needy Families, and the Community Development Block Grant Program ("CDBG") for the period January 1, 2020 through December 31, 2020, with the option for three (3) one(1) year extensions; and

WHEREAS, by Resolution No. 715-2020, adopted on December 8, 2020, the Town Board authorized and directed the Department of Intergovernmental Affairs to exercise the first of the three (3) one (1) year extensions of the Town's Contract with Alcott HR Group, LLC., for support services, for the period of January 1, 2021 through December 31, 2021, based upon successful program performance, and the availability of funds; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated September 1, 2021, requested Town Board authorization to exercise the second of the three (3) one (1) year extensions, for the period of January 1, 2022 through December 31, 2022, based upon successful program performance, and the availability of funds; and

WHEREAS, Commissioner Sammartano, by said memorandum, advised that the total cost of the required support services for the period January 1, 2022 through December 31, 2022 is \$809,757.66, and requested that the Comptroller be authorized and directed to encumber an amount of \$198,705.00, from Account No. IGA CD 6293 48080 000 CW20, \$193,705.00 from Account No. IGA CD 6293 48080 000 CW21, \$284,347.66 from Account No. IGA CD 6293 47850 000 CW21, and \$133,000.00 from Account CMP A 1315 48080 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of Intergovernmental Affairs is hereby authorized and directed to exercise the second of the three (3) one (1) year extensions of the Town's Contract with Alcott HR Group, LLC., for the period of January 1, 2022 through December 31, 2022, based upon successful program performance and the availability of funds; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to encumber an amount of \$198,705.00 from Account No. IGA CD 6293 48080 000 CW20, \$193,705.00 from Account No. IGA CD 6293 48080 000 CW21, \$284,347.66 from Account No. IGA CD 6293 47850 000 CW 21, and \$133,000.00 from Account CMP A 1315 48080 000 0000; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed further, to make payment for same, in the total amount of \$809,757.66, upon the submission of duly certified claims therefore, 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: September 1, 2021


SUBJECT: AUTHORIZATION FOR THE RENEWAL OF SUPPORT SERVICES
AGREEMENT WITH ALCOTT HR GROUP LLC

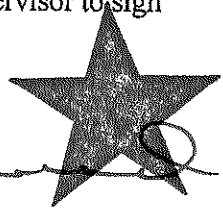
Town Board Resolution No. 715-2020, dated December 8, 2020 authorized and directed the Department of Intergovernmental Affairs to exercise the first of the three one (1) year extensions, of the Contract with Alcott HR Group, LLC for support services for the period of January 1, 2021 through December 31, 2021.

The Division is now seeking authorization for its second of three total one (1) year extensions of the contract for January 1, 2022, through December 31, 2022 based on successful program performance and the availability of funds.

The total amount of the required support services is \$809,757.66 for the period January 1, 2022 through December 31, 2022. A total of \$809,757.66 will be available in IGA CD 6293 48080 000 CW20 in the amount of \$198,705.00, IGA CD 6293 48080 000 CW21 in the amount of \$193,705.00, IGA CD 6293 47850 000 CW21 in the amount of \$284,347.66 and CMP A 1315 48080 000 0000 in the amount of \$133,000.00. The contract will be forwarded under separate cover to the Town Attorney for review.

Therefore, it is respectfully requested that the Town Board authorize the Supervisor to sign the subject contract effective January 1, 2022.


Frank V. Sammartano
Commissioner



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated June 16, 2021, authorized the Highway Department to clean up the premises located at 18 Melissa Lane, Old Bethpage, New York 11804, also known as Section 47, Block 99, Lot 18 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 August 25, 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 June 21, 2021, in the total amount of \$1,313.38, 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 August 25, 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 \$1,313.38 may be assessed by the Legislature of the County of Nassau against the parcel known as 18 Melissa Lane, Old Bethpage, New York 11804, also known as Section 47, Block 99, Lot 18 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney
Ralph P. Healey

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

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: August 25, 2021

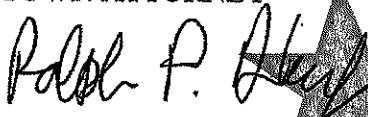
SUBJECT: Property Cleanup Assessment
18 Melissa Lane, Old Bethpage, New York 11804
Section 47, Block 99, Lot 18

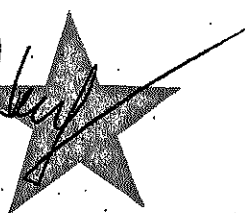
The Department of Planning and Development, by memorandum dated June 16, 2021, directed the Highway Department to clean the premises located at 18 Melissa Lane, Old Bethpage, New York 11804, also known as Section 47, Block 99, Lot 18 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated June 24, 2021, advised that the property was cleaned by a crew from the Highway Department on June 21, 2021. The cost incurred by the Town of Oyster Bay was \$1,313.38.

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

2021-8186

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 16, 2021

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 18 Melissa Lane, Old Bethpage, New York 11804
SBL: 47-99-19

Notice of Violation number 04593 was issued to the owner of the above-referenced premises on 06/10/21 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.

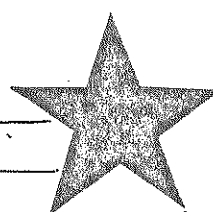
In accordance with the provisions of Chapter 135, Section 54, I am directing that:

- Cut lawn on premises.
- Remove litter and debris on premises.

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:ml

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 MCCARTKEY
DEPUTY COMMISSIONER

June 16, 2021

Cynthia Mirabel
18 Melissa Lane
Old Bethpage, New York 11804

RE: PREMISES: 18 Melissa Lane, Old Bethpage, NY 11804
SECTION 47 BLOCK 99 LOT 18

Dear Property Owner:

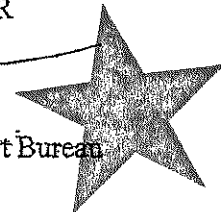
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that N.O.V. Number 04593 (copy attached) has been served on 06/10/21. 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:ml
Enclosure



AUG 12 1958

[illegible]

LAND RECORD		LAND VALUE COMPUTATIONS										BLDGS.
NO UTILITIES	LOW END	FRONTAGE FIGURED	AVERAGE DEPTH	UNIT PRICE	UNIT PERCENT	FRONT FT. PRICE	COR. INFL.	TOTAL	% DEPR.	VALUE	TOTAL	
NO SEWER	HIGH 17 1/2										LAND	
NO WATER	ROUGH										BLDG.	
NO GAS	ROCKY	80	125	14	104	15.26		1220			TOTAL	
NO ELECTRICITY	SWAMPY										LAND	
	HILLSIDE										BLDG.	
NO STREET	WOODED										TOTAL	
DIRT STREET	BRUSH										LAND	
SEMI IMPROVED ST.	TILLABLE										BLDG.	
NO SIDEWALK											TOTAL	

ASSESSMENT RECORD NASSAU COUNTY, NEW YORK

ASSESSMENT RECORD NASSAU COUNTY, NEW YORK

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

June 24, 2021

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

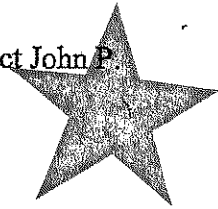
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT


SUBJECT: 18 MELISSA LANE, OLD BETHPAGE
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 \$1,313.38.

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 18 MELISSA LANE, OLD BETHPAGE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (47-99-18) 18 MELISSA LN OLD BETHPAGE 11804

Work Order # 84528

Date Jun 21, 2021

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JAMES AJAMIAN	General Maintenance	01:00	\$48.08	00:00	0	\$48.08
JUAN ALFARO	General Maintenance	01:00	\$27.81	00:00	0	\$27.81
OSCAR GUEVARA	General Maintenance	01:00	\$26.30	00:00	0	\$26.30
RICHARD SANDIFORD II	General Maintenance	01:00	\$31.12	00:00	0	\$31.12
DAVID G AGOSTINELLO	General Maintenance	01:00	\$20.00	00:00	0	\$20.00
MICHAEL HERRON	General Maintenance	01:00	\$21.80	00:00	0	\$21.80
JESSE VITERI	General Maintenance	01:00	\$20.27	00:00	0	\$20.27
Total Labor						\$195.38

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU458	2020 FORD F350 PICK UP YW	\$79.00	01:00	\$79.00
TD631	TRUCK DUMP 2008 FORD F-350 YW (T-105) - Power Wagons	\$105.00	01:00	\$105.00
TD667	PICK-UP TRUCK 2009 FORD F-250 YW (22 / 022)	\$79.00	01:00	\$79.00
TD752	2019 FORD F450 POWER WAGON	\$105.00	01:00	\$105.00
Total Equipment				\$368.00

Materials

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

Grand Total \$1313.38

Description of Work

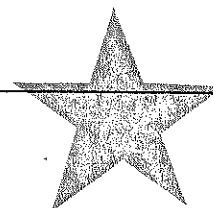
CLEAN UP 18 MELISSA LANE OBP

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Jun 22, 2021



Meeting of December 8, 2020

Resolution No. 715-2020

WHEREAS, by Resolution No. 708-2019, adopted November 29, 2019, the Town Board authorized and directed the Department of Intergovernmental Affairs to enter into an agreement with Alcott HR Group, LLC., 71 Executive Boulevard, Farmingdale, New York 11735, to provide support services to the Department of Intergovernmental Affairs under the Workforce Innovation and Opportunity Act ("WIOA") and the Community Development Block Grant ("CDBG") for the period January 1, 2020 through December 31, 2020, with the option for three (3) one-year extensions; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated November 25, 2020, requested Town Board authorization to exercise the first of the three one (1) year extensions, for the period of January 1, 2021 through December 31, 2021, based upon successful program performance and the availability of funds; and

WHEREAS, Commissioner Sammartano, by said memorandum, informed the Town Board that the total cost of the required support services for the period January 1, 2021 through December 31, 2021 is \$809,757.42, and requested that the Comptroller be authorized and directed to encumber an amount of \$198,705.00 from Account No. IGA CD 6293 48080 000 CW20, \$198,705.00 from Account No. IGA CD 6293 48080 000 CW21, \$284,347.66 from Account No. IGA CD 6293 47850 000 CW 21, and \$128,000.00 from Account CMP A 1315 48080 000 0000.

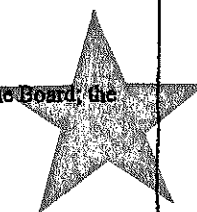
NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted and approved, and the Department of Intergovernmental Affairs is hereby authorized and directed to exercise the first of the three one (1) year extensions, of the Contract with Alcott HR Group, LLC for support services for the period of January 1, 2021 through December 31, 2021, based upon successful program performance and the availability of funds; 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 in a total amount of \$809,757.42, and that the Comptroller be authorized and directed to encumber an amount of \$198,705.00 from Account No. IGA CD 6293 48080 000 CW20, \$198,705.00 from Account No. IGA CD 6293 48080 000 CW21, \$284,347.66 from Account No. IGA CD 6293 47850 000 CW 21, and \$128,000.00 from Account CMP A 1315 48080 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
[Signature]

**EXTENSION OF AND MODIFICATION
TO SUPPORTIVE SERVICES AGREEMENT**

THE TOWN OF OYSTER BAY, by and through its Department of Intergovernmental Affairs, Division of Employment and Training, having its principal office at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758 and Alcott HR Group, LLC, having its principal place of business at 71 Executive Boulevard, Farmingdale, New York 11735, wish to execute a Second Extension and Modification of their Supportive Services Agreement, dated January 1, 2022; and

WHEREAS, pursuant to Section 12, Paragraph(A), page 6 of said Agreement, which requires that both abovementioned parties give written consent to any extension or modification of same, the said parties hereby agree to the following, effective January 1, 2022:

The term of the aforesaid Supportive Services Agreement shall be extended for the period from January 1, 2022 through December 31, 2022. The total amount of this Agreement shall not exceed \$809,757.66. Said extension and modification, as well as specific items and their respective amounts, are delineated in Appendix 1A, which is attached hereto and made part of the Agreement as modified.

IN WITNESS WHEREOF, the above parties have executed the First Extension and Modification to their Supportive Services Agreement on the ____ day of _____ 2021.

TOWN OF OYSTER BAY

By: _____

Title: _____

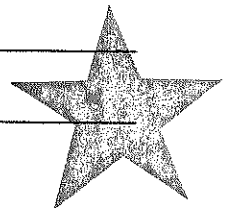
Date: _____

ALCOTT HR GROUP LLC

By: _____

Title: _____

Date: _____



Reviewed By
Office of Town Attorney

[Handwritten Signature]
Elizabeth A. Faughnan

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated June 2, 2021, authorized the Highway Department to clean up the premises located at 2 Todd Court, Glen Head, New York 11545, also known as Section 21, Block 226, Lot 29 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 September 1, 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 June 16, 2021, in the total amount of \$2,817.96, 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 September 1, 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 \$2,817.96 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Todd Court, Glen Head, New York 11545, also known as Section 21, Block 226, Lot 29 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

10/21/21
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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

555

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 1, 2021

SUBJECT: Property Cleanup Assessment
2 Todd Court, Glen Head, New York 11545
Section 21, Block 226, Lot 29

The Department of Planning and Development, by memorandum dated June 2, 2021, directed the Highway Department to clean the premises located at 2 Todd Court, Glen Head, New York 11545, also known as Section 21, Block 226, Lot 29 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated June 22, 2021, advised that the property was cleaned by a crew from the Highway Department on June 16, 2021. The cost incurred by the Town of Oyster Bay was \$2,817.96.

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

Ralph P. Healey
Special Counsel



RPH:aml
Attachments

amlS:\Atty\MDReso 2021\MD 2 Todd Court 9.1.2021.doc

2021-8189

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 2, 2021

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 2 Todd Court, Glen Head, New York 11545
SBL: 21-226-29

Notice of Violation number 04613 was issued to the owner of the above-referenced premises on 05/25/21 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.

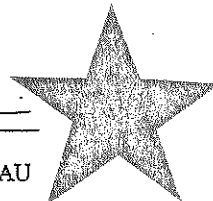
In accordance with the provisions of Chapter 135, Section 54, I am directing that:

~~Remove all outdoor storage on premises.~~

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: ml

cc: Frank Scalera, Town Attorney

2021 JUN 2 10:00 AM
TOWN OF OYSTER BAY



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

June 2, 2021

Sielginde Klobus
2 Todd Court
Glen Head, NY 11545

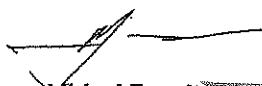
RE: PREMISES: 2 Todd Court, Glen Head, New York 11545
SECTION 21 BLOCK 226 LOT 29


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 04613 (copy attached) has been served on 05/25/21. 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


BLM:ME: ml
Enclosure



THIS INDENTURE, made the 18 day of October, two thousandxx,
BETWEEN WILLIAM J. KLOBUS, residing at
116 Frost Pond Road, Glen Cove, New York 11542,

party of the first part, and SIEGLINDE KLOBUS, residing at
2 Todd Court, Glen Head, New York 11545;

party of the second part.

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,
OF THE RIGHT, TITLE AND INTEREST OF THE PARTY OF THE FIRST PART IN ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Glen Head, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by Lot 29 in Block 226 on a certain map entitled "Map of Todd Estates Sec. No. 2, situated at Glen Head, Town of Oyster Bay, Nassau County, N.Y., Joseph E. Dioguardi, Licensed Land Surveyor, Glen Head, N.Y. September 1952" and filed in the Nassau County Clerk's Office on February 19, 1953, as Map No. 5716 bounded and described according to said map as follows:

BEGINNING at a point on the westerly side of Todd Court distant 99.43 feet southerly measured along the westerly side of Todd Court from the corner formed by the intersection of the westerly side of Todd Court with the southerly side of Todd Court Drive north and from said point of beginning running thence in a southerly direction along the westerly side of Todd Court along an arc of a curve bearing to the left having radius of 50 feet a distance of 73 feet; running thence south 45 degrees 39 minutes 18 seconds west, 203.85 feet; running thence north 12 degrees 20 minutes west, 163.28 feet; running thence north 74 degrees 59 minutes 30 seconds east, 88.67 feet and north 73 degrees 52 minutes 03 seconds east, 95.86 feet to the westerly side of Todd Court at the point or place of BEGINNING.

Said premises being known as 2 Todd Court, Glen Head, New York 11545.

Section 21
Block 226
Lot 29

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

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

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

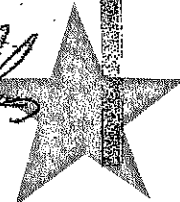
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

[Signature]

[Signature]
WILLIAM J. KLOBUS



AL

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

June 22, 2021

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


FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

**SUBJECT: 2 TODD COURT, GLEN HEAD
CLEAN-UP**

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,817.96.

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 2 TODD COURT, GLEN HEAD TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (21-226-29) 2 TODD CT GLEN HEAD 11545

Date Jun 16, 2021

Work Order # 83933

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	03:00	\$50.85	00:00	0	\$152.55
ANDREW HOUGHTON	General Maintenance	03:00	\$29.84	00:00	0	\$89.52
PAUL LIZARDOS	General Maintenance	03:00	\$25.03	00:00	0	\$75.09
JOSEPH LOIODICE	General Maintenance	04:00	\$29.84	00:00	0	\$119.36
JACOB T JOHNSON	General Maintenance	03:00	\$15.00	00:00	0	\$45.00
Total Labor						\$481.52

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK370	SANI PACKER 2007 INTER 7400 YW	\$105.00	04:00	\$420.00
PU455	2019 FORD F350 YW	\$79.00	03:00	\$237.00
TD764	2021 FORD F 450 POWER WAGON YW	\$105.00	03:00	\$315.00
Total Equipment				\$972.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$88.92	6.91	\$614.44
Total Materials			\$1364.44

Grand Total \$2817.96

Description of Work:

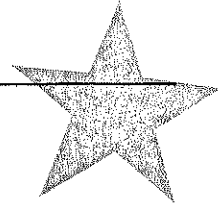
CLEAN UP 2 TODD COURT GH

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Jun 18, 2021



Meeting of October 5, 2021

Resolution No.556-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/ Highway, by memorandum dated September 1, 2021, and Gilbert Anderson, P.E., Senior Project Director, L.K. McLean Associates, P.C., by letter dated August 30, 2021, requested Town Board authorization of Change Order No. 1, relative to Contract No. H19-196-PH1, Construction of Highway Improvements to the Hicks Avenue Area – Syosset, New York, to authorize a total net decrease in the amount of said contract by \$37,000.00,

NOW, THEREFORE, BE IT RESOLVED, that the abovementioned request is hereby approved, and Change Order No. 1 relative to Contract No. H19-196-PH1, is hereby approved, and the Supervisor or his designee is hereby authorized to sign said Change Order for a net decrease in the amount of \$37,000.00, relative to Contract No. H19-196-PH1.

-#-

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 1, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER NO. 1
CONSTRUCTION OF HIGHWAY IMPROVEMENTS TO THE
HICKS AVENUE AREA - SYOSSET, NEW YORK
CONTRACT NO.: H19-196PH1

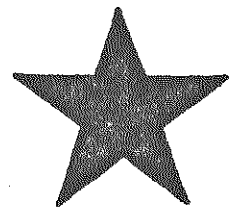
Attached is a letter from L.K. McLean Associates, P.C. dated August 30, 2021 concerning Change Order No. 1 for a total net decrease in the amount of \$37,000.00.

The above subject Change Order No.1 encompasses multiple items that changed the scope of work. The original plans and construction documents called for the standard Town of Oyster Bay Roadway Section for Residential Roads, consisting of one and one-half (1-1/2") inches of Asphalt Wearing Course and two (2") inches of Asphalt Binder Course over four and one-half (4-1/2") inches of Dense Graded Aggregate or Recycled Concrete Base Course. The subject change order proposes to install Stabilized Mixed-In-Place Recycled Base Course for all roads within the referenced project, in lieu of the standard base course material. These items are explained in the attached letter from L.K. McLean Associates, P.C.

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.

Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 for a total net decrease in the amount of \$37,000.00 relative to the Construction of Highway Improvements for the Fairwater Ave Area in Massapequa project, Contract No. H19-196PH1

Richard W. Lenz by:
John C. G...
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY



RWL/JCT/MR/SC/nm
Attachments

cc: Steven C. Ballas, Town Comptroller



L. K. McLean Associates, P.C.

❖ 437 South Country Road • Brookhaven • New York • 11719
❖ 25 Newbridge Road • Suite 212 • Hicksville • New York • 11801

(631) 286-8668 • FAX (631) 286-6314
<https://www.lkma.com>

RAYMOND G. DiBIASE, P.E., PTOE, PTP, PRESIDENT and CEO
ROBERT A. STEELE, P.E., EXECUTIVE VICE PRESIDENT
JAMES L. DeKONING, P.E., VICE PRESIDENT

Associates

CHRISTOPHER F. DWYER
STEVEN W. EISENBERG, P.E.
ANDREW B. SPEISER
MATTHEW C. JEDLICKA, LEED AP
KEITH J. MASSERIA, P.E.
VINCENT A. CORRADO, P.E.
TAMARA L. STILLMAN, P.L.S.

August 30, 2021

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

Attn.: Sunita Chakraborti, Project Manager

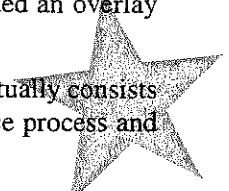
Re: **Change Order No. 1 - Construction of Highway Improvements to the Hicks Avenue Area,
Phase 1, Syosset, New York, TOB Contract No. H19-196PH1, Bid No.: 026-21 LKMA
Project No. 19067**

Madam:

Please allow this letter to serve as L. K. McLean Associates, P.C.'s recommendation to approve Change Order No. 1. for the Hicks Avenue Area Highway Improvements Project. Change Order No. 1 is attached for your review and consideration. The original plans and construction documents called for the standard Town of Oyster Bay Roadway Section for Residential Roads, consisting of one and one-half (1-1/2") inches of Asphalt Wearing Course and two (2") inches of Asphalt Binder Course over four and one-half (4-1/2") inches of Dense Graded Aggregate or Recycled Concrete Base Course. The subject change order proposes to install Stabilized Mixed-In-Place Recycled Base Course for all roads within the referenced project, in lieu of the standard base course material.

The original design reflected the information provided in pavement cores taken throughout the project area during the design report phase of this project. Generally, the cores identified three to five plus (3"-5"+) inches of asphalt over a sand and gravel base course. Within the depth of asphalt is included an overlay that was constructed at some point in the areas history.

However, since the start of actual construction, we have observed the existing base course actually consists of Oil and Stone base course. This cross section lends itself to the proposed Mixed-In-Place process and



will yield a good product after it is constructed that will also expedite construction. The Stabilized Mixed-In-Place Recycled Base Course shall meet the depth noted on said standard section as well as the detailed requirements of 175 and 175AE in accordance with the Standard Specifications of the County of Nassau Department of Public Works 1964/2009 Standard Specifications for the Construction of Highways and Bridges (and subsequent Addenda's thereto). It should be noted that the Binder and Wearing Courses of Asphalt pavement above the Base Course will remain as originally proposed.

In addition to these benefits to the project noted above, analysis of the costs provides a Credit to the Town of \$37,000.00. The itemized change order costs are provided below:

Item 1

Create new contract items to allow for design changes due to field conditions, as follows:

NEW ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
175	Stabilized Mixed-In-Place Recycled Base Course	24,000 S.Y.	\$10.25 / S.Y.	\$246,000.00
175AE	Asphalt Emulsion	48,000 Gal.	\$3.50 / Gal.	\$168,000.00
Total of Item 1:				\$414,000.00

Item 2

Reduce existing contract items to allow for design changes due to field conditions, as follows:

NEW ITEM	DESCRIPTION	ORIGINAL QUANTITY	REDUCED QUANTITY	QUANT. DELTA	UNIT COST	TOTAL COST
7	Fine Grading	24,635 S.Y.	635 S.Y.	24,000 S.Y.	\$1.00/S.Y..	(\$24,000.00)
121	Recycled Concrete Base	3,175 C.Y.	75 C.Y.	3,100 C.Y.	\$45.00/C.Y.	(\$139,500.00)
Total of Item 2:						(\$163,500.00)

Item 3

Remove existing contract items to allow for design changes due to field conditions, as follows:

NEW ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
2	Unclassified Excavation	5,870 C.Y.	\$50.00 / C.Y.	(\$287,500.00)
Total of Item 2:				(\$287,500.00)

TOTAL OF CHANGE ORDER NO. 1 (CREDIT):

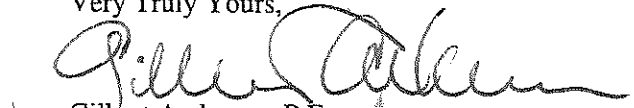
(\$37,000.00)



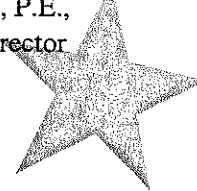
All of the above being said, L.K. McLean Associates recommends the above change order in the total credit to the contract with United Paving Corp. of \$37,000.00 be approved.

Enclosed are eight (8) copies of Change Order No. 1 for your review and use. Please contact the undersigned if you have any questions or comments on these matters at (631) 286-8668, ext. 268.

Very Truly Yours,


Gilbert Anderson, P.E.,
Senior Project Director

- c. John C. Tassone, Deputy Commissioner, TOBDPW
Raymond DiBiase, PE, President/CEO, LKMA
Robert Steele, PE, Executive Vice President, LKMA



United Paving Corp.
6316 Northern Blvd
East Norwich, NY 11732
Office (516)-922-3940
Fax (516)-922-4158

TOWN OF OYSTER BAY

RE: HIGHWAY IMPROVEMENT TO THE HICKS AVENUE AREA PHASE 1
CONTRACT NO. H19-196PH1
BID NO. PW 026-21

Dear Sir or Madam:

United Paving Corp. proposes the following Change Order For Mix-In-Place. We will provide Mix design and Soil Testing from Universal Testing & Inspection. We have Also Included Table Showing Credits

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	COST
500	MIX IN -PLACE	24,000	SY	\$10.25	\$246,000.00
510	EMULSION	48,000	GAL	\$3.50	\$168,000.00
				TOTAL	\$414,000.00

Credit Table

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	COST
2	UNCLASSIFIED EXCAVATION	5,750	CY	\$50.00	-\$287,500.00
7	FINE GRADING	24,000	SY	\$1.00	-\$24,000.00
121	RECYCLED CONCRETE BASE	3100	CY	\$45.00	-\$139,500.00
				TOTAL CREDIT	-\$451,000.00

Regards,
Mike Them
Vice President

TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Construction of Highway Improvements to the Hicks Avenue Area
Syosset, NY
Contract No. H19-196 PH1; PW026-21
CHANGE ORDER NO. 1

To: United Paving Corp.
6316 Northern Blvd
East Norwich, NY 11732

From: L.K. McLean Associates, P.C.
437 South Country Road
Brookhaven, NY 11719

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

1. ADD ITEMS

Create new contract item(s) to allow for design changes due to field conditions for the construction of a stabilized mixed-in-place base course on all of the roadways within the Hicks Avenue Area Highway Improvements Project, Phase 1, including the asphalt emulsion needed to construct said pavement. All work for these items shall be done in accordance with the Standard Specifications of the County of Nassau Department of Public Works 1964/2009 Standard Specifications for the Construction of Highways and Bridges (and Addended thereto), as follows:

NEW ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
175	Stabilized Mixed-In-Place Recycled Base Course	24,000 S.Y.	\$10.25 / S.Y.	\$246,000.00
175AE	Asphalt Emulsion	48,000 Gal.	\$3.50 / Gal.	\$168,000.00
Total of ADD Items:				\$414,000.00

2. REDUCE ITEMS

Reduce quantities of existing contract item(s) to allow for design changes due to field conditions for the construction of a stabilized mixed-in-place base course on all of the roadways within the Hicks Avenue Area Highway Improvements Project, Phase 1, including the asphalt emulsion needed to construct said pavement, as follows:

NEW ITEM	DESCRIPTION	ORIGINAL QUANTITY	REDUCED QUANTITY	DIFFERENCE	UNIT COST	TOTAL COST
7	Fine Grading	24,635 S.Y.	635 S.Y.	24,000 S.Y.	\$1.00 / S.Y..	-\$24,000.00
121	Recycled Concrete Base	3,175 C.Y.	75 C.Y.	3,100 C.Y.	\$45.00 / C.Y.	-\$139,500.00
Total of REDUCE Items:						(\$163,500.00)

3. REMOVE ITEMS

Remove existing contract item(s) to allow for design changes due to field conditions for the construction of a stabilized mixed-in-place base course on all of the roadways within the Hicks Avenue Area Highway Improvements Project, Phase 1, including the asphalt emulsion needed to construct said pavement, as follows:

NEW ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
2	Unclassified Excavation	5,750 C.Y.	\$50.00 / C.Y.	-\$287,500.00
Total of REMOVE Items:				(\$287,500.00)

TOTAL OF CHANGE ORDER NO. 1 (CREDIT): **(\$37,000.00)**


The original Contract sum was:	\$2,103,333.00
Net Change by previously authorized Change Orders:	\$ 0.00
Total Contract sum prior to this Change Order:	\$2,103,333.00
Change Order No. 1 (CREDIT):	\$ (\$37,000.00)
New Contract sum including CHANGE ORDER NO. 1:	\$2,066,333.00

The above work is to be performed in accordance with the letter from L.K. McLean Associates, P.C., dated August 30, 2021, and the memorandum of the Department of Public Works, dated _____, at a CREDIT to the Town in the amount of **Thirty-Seven Thousand Dollars and Zero Cents**.

The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

L.K. McLean Associates, P.C.

by: 
 Gilbert Anderson, P.E.
 Senior Project Director

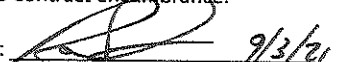
Dated: 8/30/21

Accepted by:
United Paying Corp.

by: 
 Mike Them

Dated: 8/31/21

Sufficient funding for this Change Order is available within the Contract encumbrance:

by:  9/3/21
 Robert Darienzo, Director of Finance

by:  9/2/21
 Steven Ballas, Comptroller

The above Change Order is hereby accepted:
Town of Oyster Bay

 Joseph S. Saladino, Town Supervisor

Dated: _____



WHEREAS, by Resolution No. 369-2020, adopted on August 18, 2020, the Town Board authorized the Department of Community and Youth Services to process refunds for the Massapequa and Syosset Pre-schools due to the Covid-19 Pandemic; and

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated September 9, 2021, requested that the Town Board authorize the Department of Community and Youth Services to issue tuition refunds for activities that do not materialize as a result of the ongoing Covid-19 Pandemic for the Town of Oyster Bay Massapequa and Syosset Pre-schools, for the Fall 2021 and Spring 2022 semesters,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board approves the request as hereinabove set forth, and hereby authorizes the Commissioner, Department of Community & Youth Services to issue refunds for the Town of Oyster Bay Pre-School Program, relevant to the Massapequa and Syosset Pre-schools, for the Fall 2021 and Spring 2022 semesters; and be it further

RESOLVED, That said refunds shall be given at the discretion of the Commissioner of the Department of Community & Youth Services; and be it further

RESOLVED, That partial refunds shall be prorated as applicable; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 0001 02001 511 0000; and be it further

RESOLVED, That the Town Board hereby authorizes and directs the Commissioner of the Department of Community & Youth Services to process said refunds and payments are to be made upon presentation of a duly certified claim, after audit by the Comptroller.

-#-

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

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

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

September 9, 2021

TO: Memorandum Docket

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

SUBJECT: Pre-School Program Tuition Refunds

The Department of Community and Youth Services is requesting Town Board authorization to issue tuition refunds for activities that do not materialize as a result of the ongoing Covid-19 Pandemic. As cases of the Covid-19 variants rise in the area, we are anticipating that some parents will want to withdraw their children from the Pre-school and request a refund.

Town Board Resolution No. 369-2020, dated August 18, 2020, authorized the Commissioner of the Department to issue Pre-school refunds when necessary. The Department is now collecting tuition for both the Fall 2021 & Spring 2022 Programs. Tuition is \$850.00, per semester, for a student attending a 3-day program and \$1,000.00, per semester, for a student attending a 5-day program. The refund amounts will vary as they will be prorated and are dependent on the child's time, if any, in class.

Therefore, it is respectfully requested that the Town Board authorize the Commissioner of the Department of Community & Youth Services to process refunds for the Fall 2021 & Spring 2022 semesters relevant to the Massapequa & Syosset Pre-schools. Tuition fees are credited to account CYS A 0001 02001 511 0000, *Community Service Fees*. Funding for the refunds will come from the same account.


Maureen A. Fitzgerald
Commissioner

MAF:iw

Meeting of August 18, 2020

Resolution No. 369-2020

Reviewed By
Office of Town Attorney

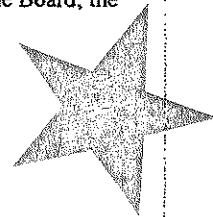
WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated July 9, 2020, recommended that as a result of the closing of the Massapequa and Syosset Pre-Schools due to the Covid-19 Pandemic, the Town Board authorize the processing of refunds and/or credits for the Spring and Fall 2020 semesters. The refund/credit amounts are \$535.00 for a student attending a 3-day program and \$625.00 for a student attending a 5-day program. Tuition refund/credits are to be paid from Account No. CYS A 0001 02001 511 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Community and Youth Services is hereby authorized to issue the refunds and/or credits as set forth above from Account No. CYS A 0001 02001 511 0000 and payment of said refunds and/or credits are to be made upon presentation of duly certified claims, after audit by the Comptroller.

-#-

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

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



Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated September 13, 2021, directed ROBIN MASSIMI, 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 2 Club Drive, Massapequa, New York 11758, known and designated as Section 65, Block 215, Lot 12, 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 October 5, 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 July 16, 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 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 building permit application is a Type II Action pursuant to the New York State Environmental Quality Renew 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 ROBIN MASSIMI, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 2 Club Drive, Massapequa, New York 11758, known and designated as Section 65, Block 215, Lot 12 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

TO: MEMORANDUM DOCKET

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

DATE: SEPTEMBER 13, 2021

SUBJECT: WATERWAYS REVIEW
MASSIMI RESIDENCE
2 CLUB DRIVE
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 215, LOT(S) 12
DOCK BUILDING PERMIT APPLICATION #21060327


We have received a request from Robin Massimi to "remove an existing mooring pile, construction of 2.5 foot wide by 15 foot long aluminum ramp leading to a 6 foot wide by 20 foot long float extending perpendicularly into the waterway, replacement of 40 linear feet of bulkhead, minor dredging of 25 cubic yards of material over a 400 square foot area immediately seaward of the bulkhead." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03384/00001 dated August 4, 2020 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2020-00539-ESW dated April 30, 2021. 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.21060327; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03384/00001 dated August 4, 2020; Department of the Army, New York District Corps of Engineers Permit No. NAN-2020-00539-ESW dated April 30, 2021, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated July 6, 2020. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated July 16, 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 October 5, 2021 Town Board calendar to provide the applicant ample time to comply with this requirement.


ELIZABETH L. MACCARONE
COMMISSIONER



ELM/MM
Encls.

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

01000473744 6/14/24
SECTION 65 BLOCK 215 LOT(S) 12



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

21060327

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY

PROPERTY Name Street Address Post Office Zip Phone #
OWNER: Robin Massimi 2 Club Dr Massapequa NY 11738 [REDACTED]
LESSEE
TENANT: Bulkhead Permits by Gary
APPLICANT: Janet Moses 2 Whalenek Dr Merrick NY 11566 546 3479
ARCHITECT: John Weiburg 4046 Hudson Ave Seaford NY 11783 516 603 5770
CONTRACTOR: SEA PRO MARINE DOCKBUILDERS 2883 Fowler St 516 785-4500
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
OR
N.E.S.W. OF _____ corner of _____ and _____
(STREET) (STREET) (STREET) (POST OFFICE) (POST OFFICE)

TYPE OF BUILDING

A. TYPE OF IMPROVEMENT

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 ☒

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)) Remove + replace 40' bulkhead
18" increase in elevation 2.5' x 15' ramp 6' x 20' float 4 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

APPLICANT

STATE OF NEW YORK
COUNTY OF NASSAU

ss:

Janet Moses being duly sworn, deposes and says: That he/she resides at 2 Whalenek Dr in the hamlet of Merrick in the State of New York and that he/she is authorized by the Owner Robin Massimi 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 Whalenek Dr Merrick NY 11566
Phone: 516 546 3479

(Sign here) Janet Moses

Sworn to before me this First day of June 2024

Gary W. Moses
Notary Public State of New York
Reg. NO. 01M06186523
Qualified in Nassau County
Commission Expires 05/05/2024

OWNER

STATE OF NEW YORK
COUNTY OF NASSAU

ss:

Robin Massimi being duly sworn, deposes and says: That he/she resides at 2 Club Dr 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 Janet 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) Robin Massimi (owner)

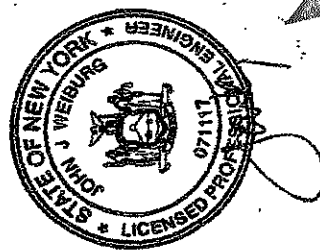
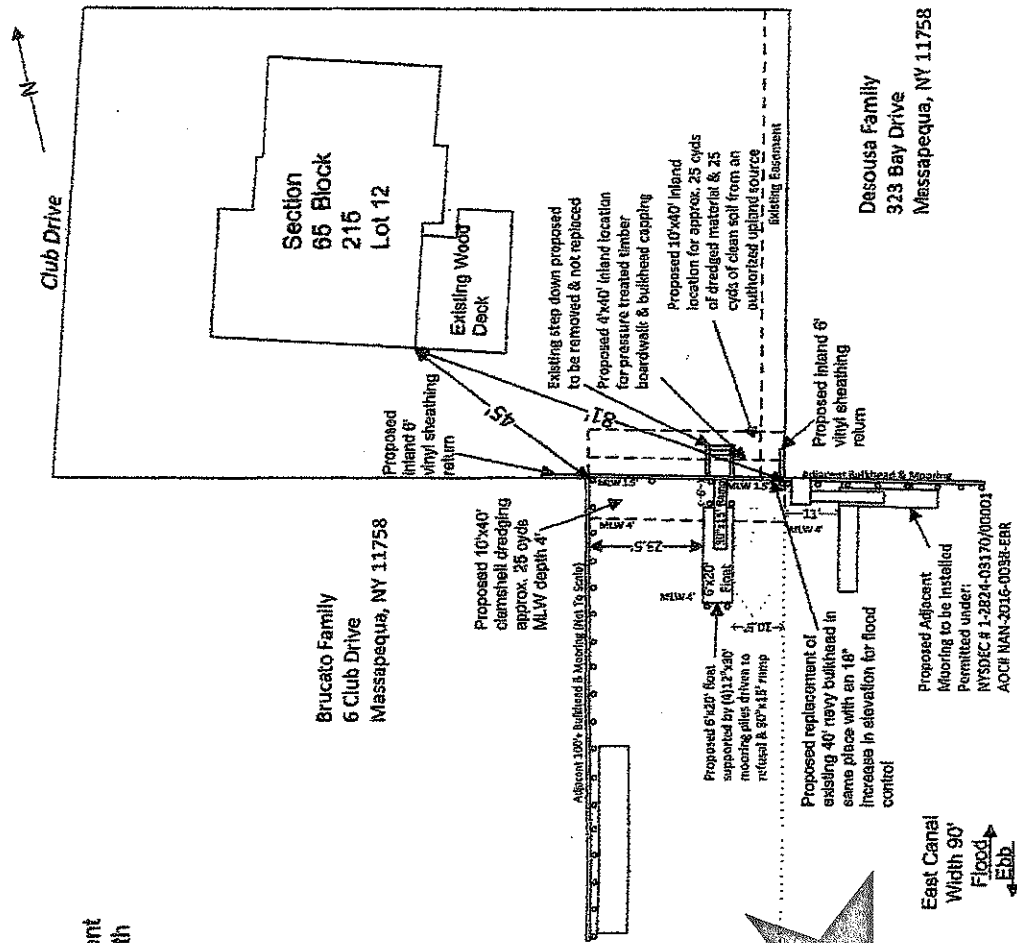
Sworn to before me this First day of June 2024

Gary W. Moses
Notary Public State of New York
Reg. NO. 01M06186523
Qualified in Nassau County
Commission Expires 05/05/2024

Applicant: Robin Massimi
 Project Site: 2 Club Drive
 Massapequa, NY 11758
 Proposed: Bulkhead replacement
 in same place, mooring float with
 an 18" increase in elevation &
 dredging approx. 25 cyds.
 Scale: 1"=30'

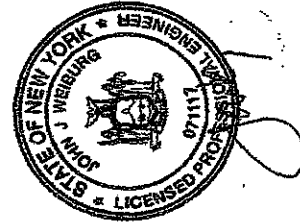
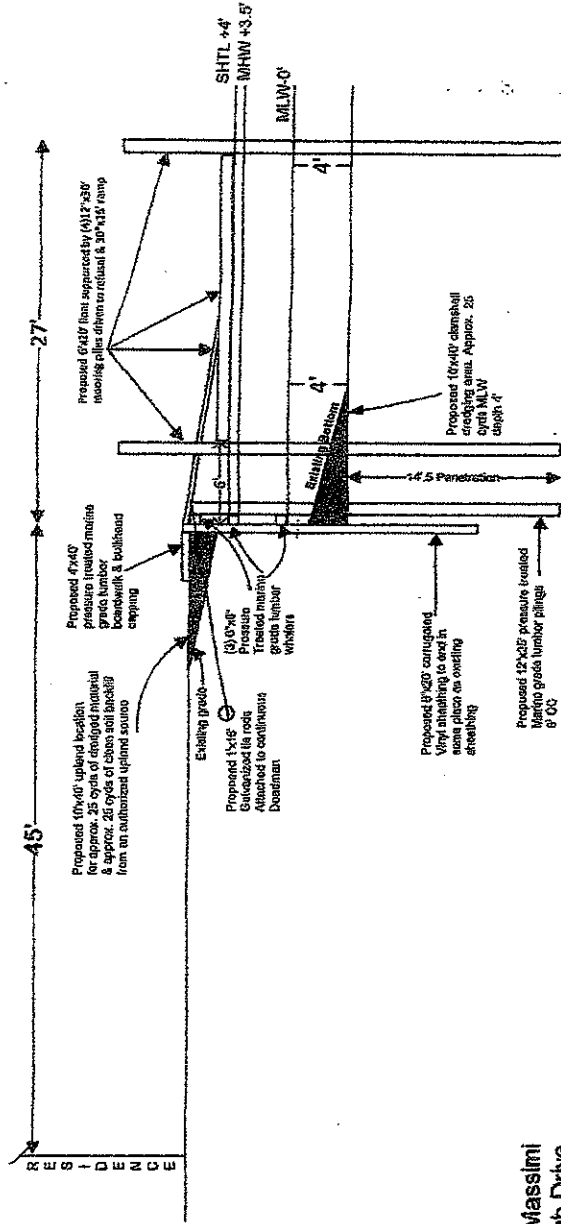
Prepared by Bulkhead
 Permits by Gary inc.
 2 Whaleneck Drive
 Merrick, NY 11566
 May 18, 2020
 Revised July 19, 2020

Project Plan



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: Robin Massimi
Project Site: 2 Club Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement in
same place, mooring float with an 18"
increase in elevation & dredging approx. 25 oyds.
Scale: 1"=10'

Prepared by Bulkhead
Permits by Gary inc.
2 Whalensck Drive
Merrick, NY 11566
May 18, 2020
Revised July 19, 2020





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

April 30, 2021

SUBJECT: Department of the Army Permit Number NAN-2020-00539
by Robin Massimi

Robin Massimi
2 Club Drive
Massapequa, New York 11758
[REDACTED]

Dear Ms. Massimi:

We have completed our review of Application Number NAN-2020-00539-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:

ACTIVITY: By Letter of Permission: Removal of an existing mooring pile. From the upland bulkhead area, construction of 2.5-foot-wide by 15-foot-long aluminum ramp leading to a six-foot-wide by 20-foot-long float (secured by four (4) 12-inch-diameter timber piles) extending perpendicularly into the waterway.

Under the authority of Nationwide Permit Number 3 – MAINTENANCE, replacement of 40 linear feet of bulkhead, within 18-inches waterward.

Under the authority of Nationwide Permit Number 19 – MINOR DREDGING, mechanically dredge 25 cubic yards of material over a 400-square-foot area immediately seaward of the bulkhead. The material will be placed upland behind the bulkhead with no return flow to the waterway.

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: East Canal, tributary of Oyster Bay

LOCATION: 2 Club Drive, Massapequa, Town of Oyster Bay, Nassau County, New York

PERMITTEE: Robin Massimi
PERMIT NO.: NAN-2020-00539

April 30, 2021

The activity authorized herein authorized by Letter of Permission 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.

Based on the information submitted to this office, and accomplishment of notification in accordance with the applicable federal requirements it appears that the bulkhead replacement and minor dredging activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 3 – MAINTENANCE and Number 19 – MINOR DREDGING. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, Number 3 – MAINTENANCE, Sections A through D, and Number 19 – MINOR DREDGING, any applicable New York District regional conditions, the following special condition(s), and any applicable regional conditions added by the State of New York. The 2017 nationwide general permits in the State of New York, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

<https://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

This nationwide permit verification is valid until March 18, 2022, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2022, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the 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
New York District Corps of Engineers
26 Federal Plaza, Room 16-406
New York, New York 10278-0090

PERMITTEE: Robin Massimi
PERMIT NO.: NAN-2020-00539

April 30, 2021

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 June 29, 2021. Additionally, send an electronic copy of the RFA form to Reegan.A.McCaulley@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.

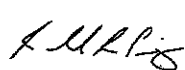
Notice is hereby given that the permittee should recognize that a possibility exists that the structures permitted herein may be subject to wavewash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures 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:

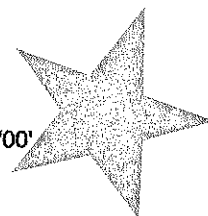
<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

If any questions should arise concerning this matter, please contact Ms. Reegan McCaulley, of my staff, at Reegan.A.McCaulley@usace.army.mil.

Sincerely,



Date:
2021.04.30
10:06:23 -04'00'



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

Encls

PERMITTEE: Robin Massimi
PERMIT NO.: NAN-2020-00539

April 30, 2021

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.

PERMITTEE: Robin Massimi
PERMIT NO.: NAN-2020-00539

April 30, 2021

- B. The permittee shall utilize best management practices to minimize turbidity during all in-water work activities as well as prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.**
- C. The permittee shall not dredge from January 15 to May 31, of any calendar year to minimize impacts to winter flounder and early life stage Essential Fish Habitat.**

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.

PERMITTEE: Robin Massimi
PERMIT NO.: NAN-2020-00539

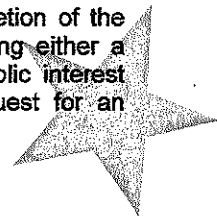
April 30, 2021

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.

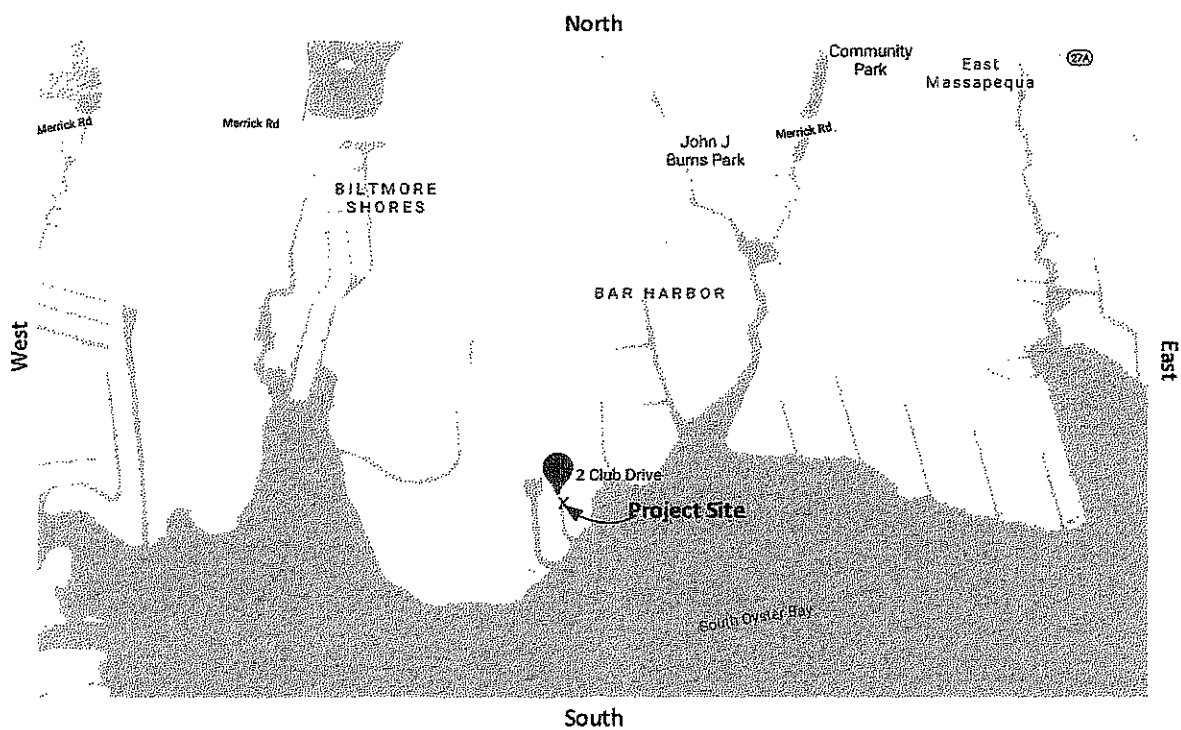
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance 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.



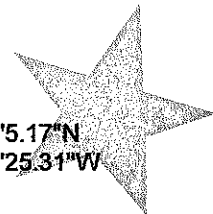
2106621

USACE FILE: NAN-2020-00539-ESW



Applicant: Robin Massimi
Project Site: 2 Club Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement
in same place, mooring float with
an 18" increase in elevation &
dredging approx. 25 cyds.
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
May 18, 2020
Revised July 19, 2020

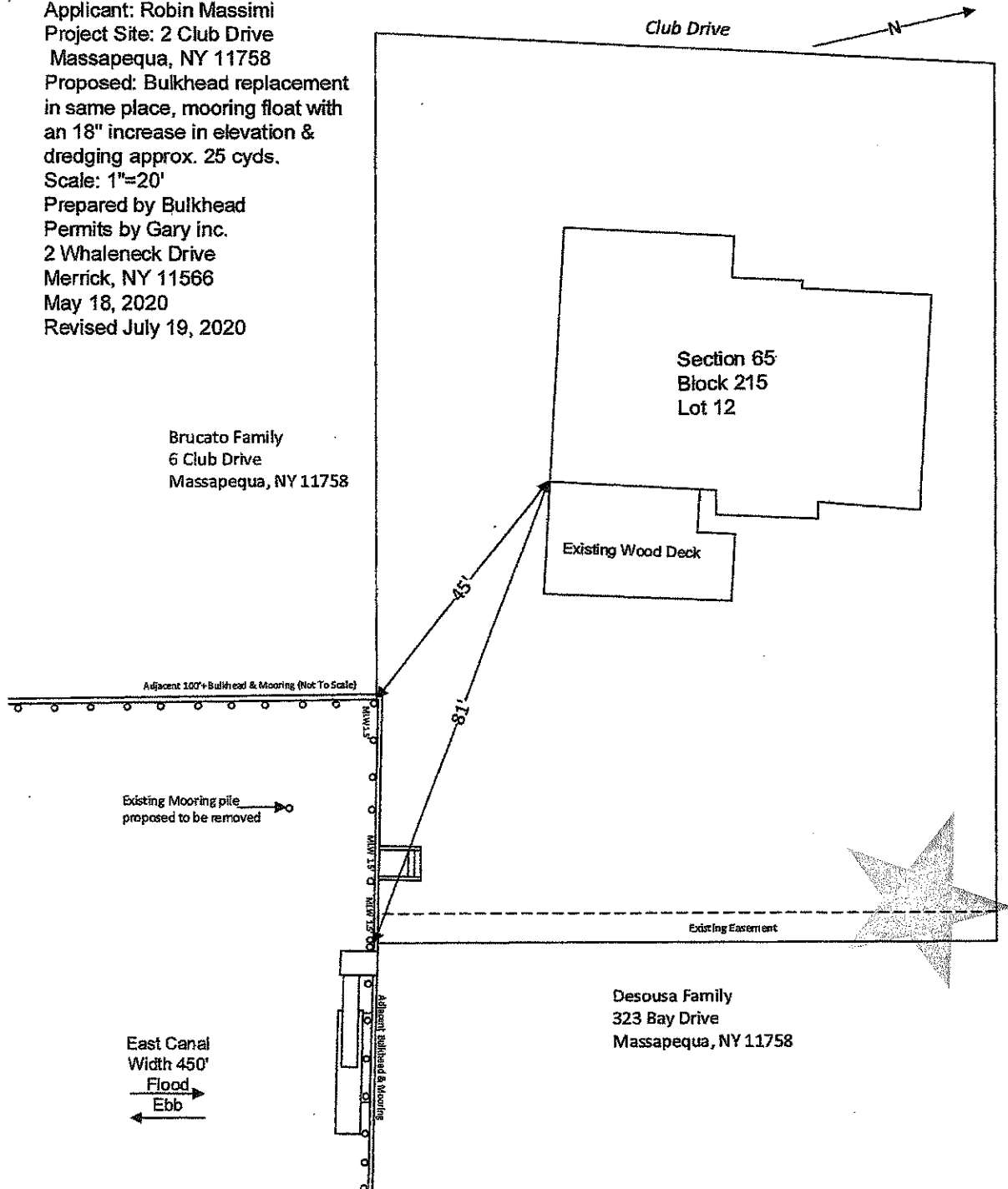
Latitude: 40°39'5.17"N
Longitude: 73°27'25.31"W



USACE FILE: NAN-2020-00539-ESW

Project Plan – Existing Conditions

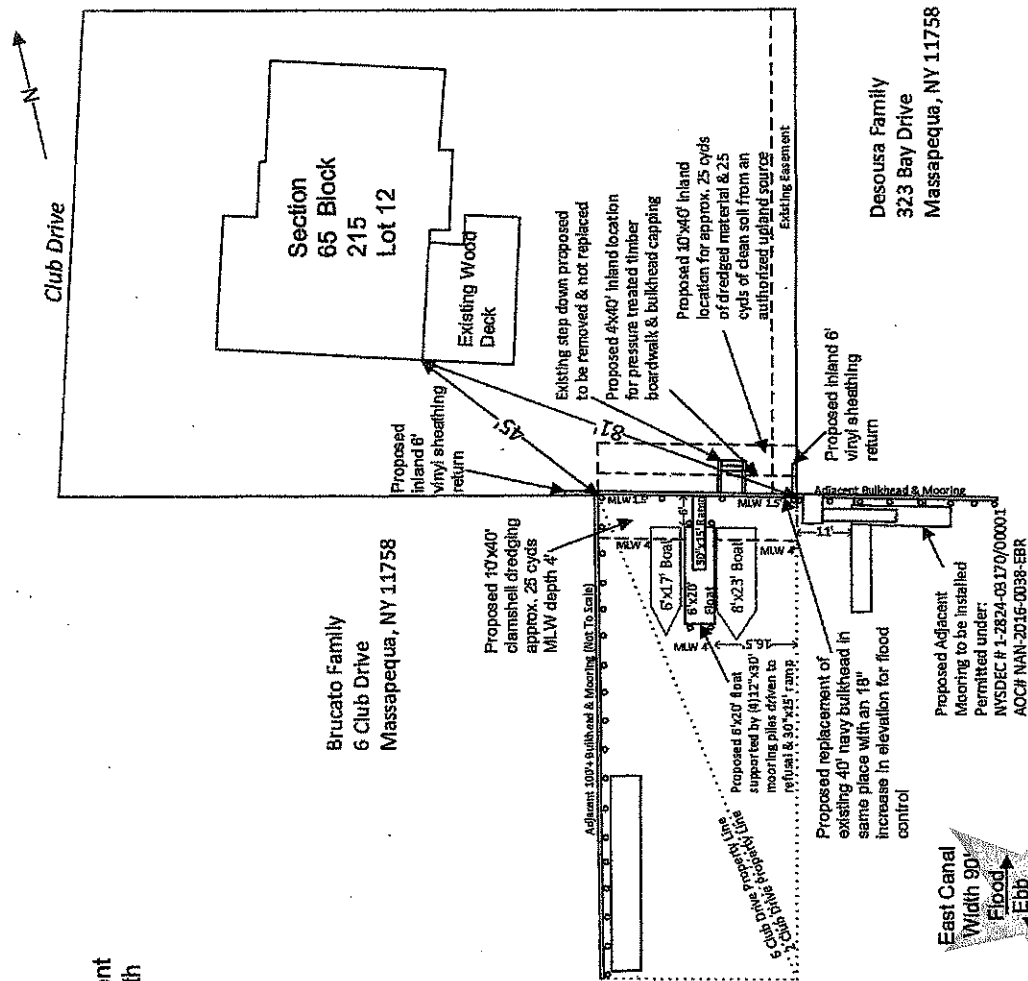
Applicant: Robin Massimi
Project Site: 2 Club Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement
in same place, mooring float with
an 18" increase in elevation &
dredging approx. 25 cyds.
Scale: 1"=20'
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
May 18, 2020
Revised July 19, 2020



Proposed: Bulkhead replacement in same place, mooring float with an 18" increase in elevation & dredging approx. 25 cyds.
Scale: 1"=30'

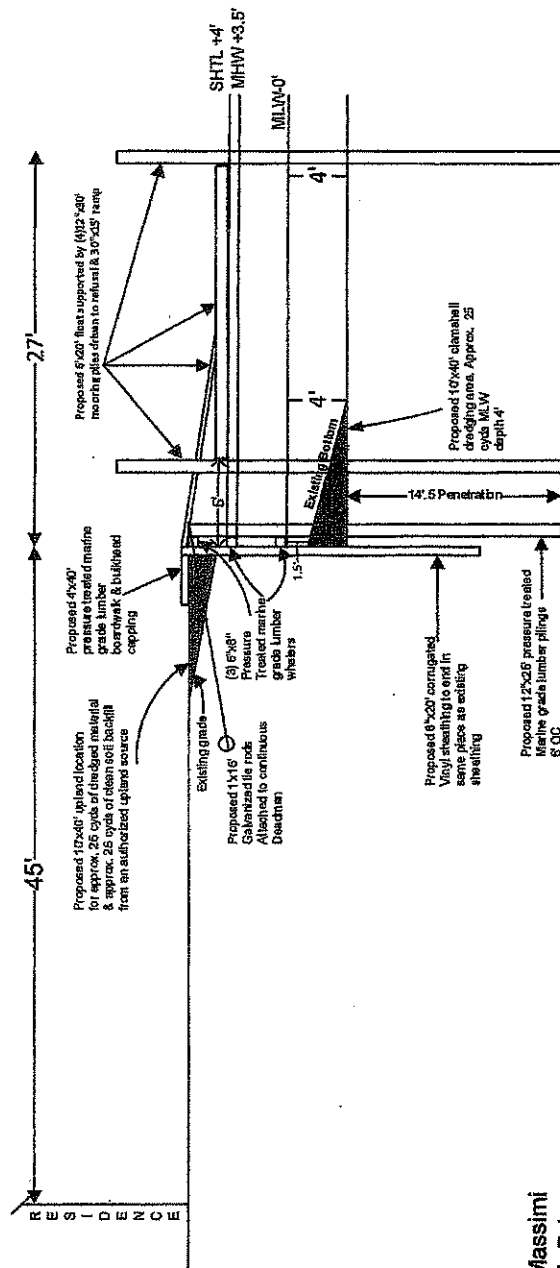
Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
May 18, 2020
Revised July 19, 2020

Project Plan



East Canal
Width 90'

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: Robin Massimi
Project Site: 2 Club Drive
Massapequa, NY 11758
Proposed: Bulkhead replacement in
same place, mooring float with an 18"
increase in elevation & dredging approx. 25 cyds.
Scale: 1"=10'

Prepared by Bulkhead
Permits by Gary inc.
2 Whaleneck Drive
Merrick, NY 11566
May 18, 2020
Revised July 19, 2020



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

CENAN-OP-R

IMPORTANT

This letter must be completed and mailed to the Regulatory Branch at the above address prior to commencement of any work authorized under the permit.

Permittee: Robin Massimi Permit No. NAN-2020-00539-ESW

Date Permit Issued: April 30, 2021 Expiration Date: April 30, 2024

Waterway: East Canal, Tributary of Oyster Bay

Project Location: 2 Club Drive, Massapequa, Town of Oyster Bay, Nassau County

Work will commence on or about: _____

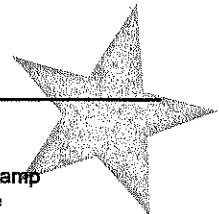
Name, Address & Telephone Number of Contractor: _____

Signature of Permittee

April 30, 2021
Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

Place Stamp
Here



USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, New York 10278



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

CENAN-OP-R

IMPORTANT

This letter must be completed and mailed to the Regulatory Branch at the above address following completion or cancellation of work authorized under the permit.

Permittee: Robin Massimi Permit No. NAN-2020-00539-ESW

Date Permit Issued: April 30, 2021 Expiration Date: April 30, 2024

Waterway: East Canal, Tributary of Oyster Bay

Project Location: 2 Club Drive, Massapequa, Town of Oyster Bay, Nassau County

Check and complete applicable item(s) listed below:

- ☐ Work was completed on _____
- ☐ Work will not be performed on the project.
- ☐ Deviation from work authorized in permit is explained below.
- ☐ Other (explain) _____
- ☐ For dredging projects, list the volume of material dredged, and the amount placed at each disposal location (if more than one).
- _____ cubic yards placed at _____
- _____ cubic yards placed at _____
- _____ cubic yards placed at _____

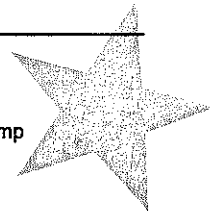
April 30, 2021

Signature of Permittee

Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

Place Stamp
Here



USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, New York 10278

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND PROFFERED PERMIT

Applicant: Robin Massimi		File Number: NAN-2020-00539-ESW	Date: April 30, 2021
Attached is:		See Section below	
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 351.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. Stephan A. Ryba
Chief, Regulatory Branch (CENAN-OP-R)
USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, New York 10278

If you only have questions regarding the appeal process you may also contact:

Naomi J. Handell, Regulatory Program Manager
North Atlantic Division, U.S. Army Engineer Division
Fort Hamilton Military Community
General Lee Avenue, Building 301
Brooklyn, NY 11252-6700
Telephone number: (917) 789-4841

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

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

August 4th, 2020

Robin Massimi
Massimi Property
2 Club Drive
Massapequa, NY 11758

Re: **NYSDEC # 1-2824-03384/00001**
Massimi Property: 2 Club Drive, Massapequa, NY 11758
Remove and replace 40' bulkhead with an 18 increase in elevation, install a float, four (4) mooring piles, a ramp, and two (2) returns. Dredge and place 25 cubic yards of dredge material and 25 cubic yards of clean fill in an inland location.

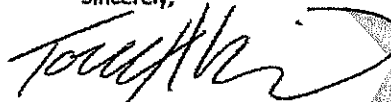
Dear Permittee:

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.

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. This permit must always be kept available on the premises of the facility.

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

Sincerely,



Torey K. Kouril
Environmental Analyst

Enclosures
TKK/file
cc: NYSDEC MHP
Bulkhead Permits by Gary Inc.



Department of
Environmental
Conservation

PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
ROBIN MASSIMI
2 CLUB DR
MASSAPEQUA, NY 11758

Facility:
MASSIMI PROPERTY
2 CLUB DR|65-215-12
MASSAPEQUA, NY 11758

Facility Location: in OYSTER BAY in NASSAU COUNTY Village: Oyster Bay

Facility Principal Reference Point: NYTM-E: 630.431 NYTM-N: 4501.227
Latitude: 40°39'05.8" Longitude: 73°27'26.1"

Project Location: 2 Club Drive, Massapequa, NY 11758

Authorized Activity: Remove and replace 40 feet of existing bulkheading with an 18 inch increase in elevation.

Install a 6 foot by 20 foot float supported by four (4) 12 inch by 30 foot mooring piles. Install a 30 inch by 15 foot ramp, and two (2) 6 foot returns. Remove existing step down. Install an inland 4 foot by 40 foot pressure treated timber boardwalk and bulkhead capping.

Clamshell dredge a 10 foot by 40 foot area to an ALW depth of 4 feet. Place 25 cubic yards of dredged material and 25 cubic yards of clean fill in a 10 foot by 40 foot inland location.

All authorized activities shall be done in strict conformance with the attached plans prepared by Bulkhead Permits by Gary Inc., last revised July 19, 2020, and stamped "NYSDEC Approved" on 08/04/2020.

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-03384/00001

New Permit

Effective Date: 8/4/2020

Expiration Date: 8/3/2025

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

Permit ID 1-2824-03384/00002

New Permit

Effective Date: 8/4/2020

Expiration Date: 8/3/2025

Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 1-2824-03384/00003

New Permit

Effective Date: 8/4/2020

Expiration Date: 8/3/2025

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: KEVIN A KISPERT, Deputy Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook 50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: _____

Date 8/14/2020

Distribution List

Marine Habitat Protection
Bulkhead Permits by Gary
Torey K. Kouril

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

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

1. **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., last revised July 19, 2020, and stamped "NYSDEC Approved" on 08/04/2020.

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. **Clean Fill Only** All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).
9. **Grade to Match That Adjacent to Bulkhead** All fill must be graded to match the elevation of the land immediately adjacent to the bulkhead.
10. **Backfilling** All peripheral berms, cofferdams, rock revetments, seawalls, gabions, bulkheads or other approved shoreline stabilization structures shall be completed prior to placement of any fill material behind such structures.
11. **No Seaward Extension of Bulkhead** The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.
12. **Replacement Bulkhead Maximum Height** The top elevation of the replacement bulkhead shall be no more than 18 inches higher than the existing bulkhead.
13. **No Structures on Bulkhead** No permanent structures shall be installed on the authorized bulkhead without first obtaining written department approval (permit, modification, amendment).
14. **Excavation for Bulkhead/Structure** Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.
15. **No Runoff Over or Through Bulkhead or into Wetland** There shall be no discharge of runoff or other effluent over or through any bulkhead or shoreline stabilization structure or into any tidal wetland or protected buffer area.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 1-2824-03384

16. Bulkhead Decking No portion of the decking or boardwalk shall extend seaward of the bulkhead sheathing.

17. 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.

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

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

20. 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.

21. 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).

22. 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.

23. 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.

24. 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).

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

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 1-2824-93384



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

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

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

29. Dredge Bucket Operations The bucket shall be lifted in a continuous motion through the water column and into the barge, disposal site or conveyance vehicle.

30. No Overflow from Barges There shall be no overflow of material from the holding barges during dredging or during transport of dredged material.

31. Filter Fabric Curtain Around Dredging Area A filter fabric (turbidity) curtain weighted across the bottom and suspended at the top by floats shall be positioned to enclose the work site before commencing dredging. The curtain shall remain in place and in functional condition during all phases of the dredging operations and remain in place for two hours after dredging termination and turbidity inside the curtain no longer exceeds ambient levels.

32. Dredged Materials above AHW All material shall be placed landward of apparent high water.

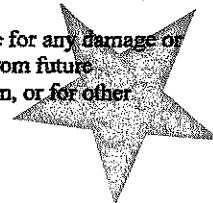
33. Disposal Locations All excavated material shall be appropriately disposed of as per the project plan with minimal disturbance and/or impact to vegetated marsh areas. Disposal of excess material beyond the approved project site will require further written approval from the Department (permit, modification, amendment).

34. 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.

35. 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.

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

37. 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.





38. 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.

39. 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.

40. 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.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

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



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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

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

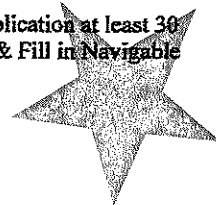
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

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

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

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

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



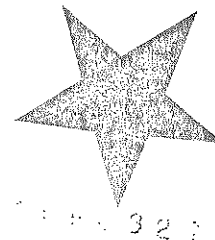
21060827



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

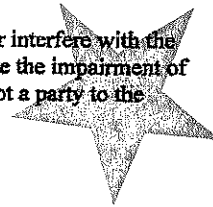
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

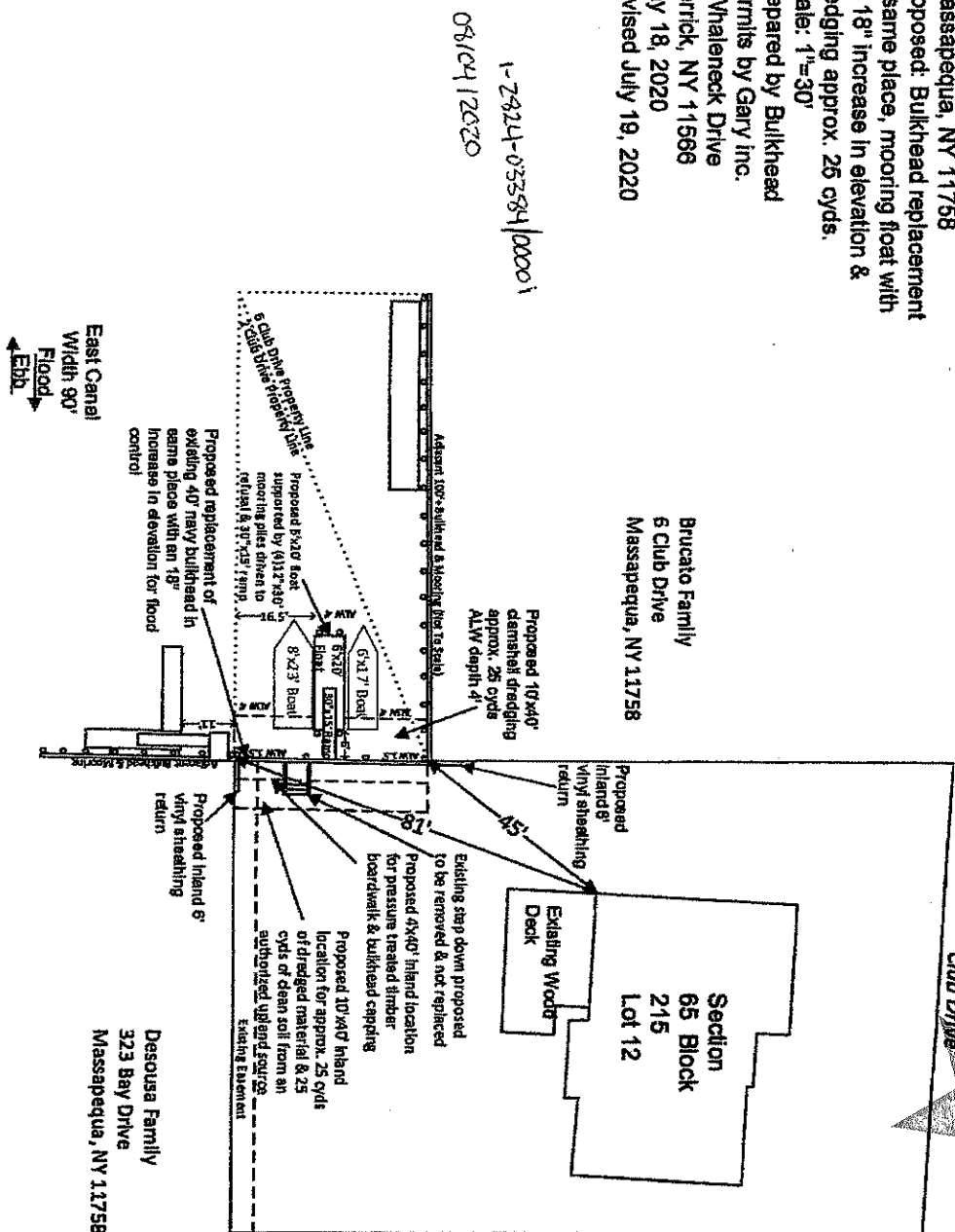
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

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

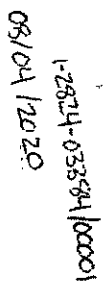
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a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



Brucato Family
6 Club Drive
Massapequa, NY 11758



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: Robin Massimi
Project Site: 2 Club Drive
Massapequa, NY 11758
Proposed: Bulkhead replace
same place, mooring float
increase in elevation & dr
Scale: 1"=10'
Prepared by Bulkhead
Permits by Gary Inc.
2 Whaleneck Drive
Merrick, NY 11566
May 18, 2020
Revised July 19, 2020

NOTICE OF COMMENCEMENT OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE

Bureau of Habitat-TW
50 Circle Road
Stony Brook, NY 11790-3409

Or Fax to: 631-444-0297



PERMIT NUMBER: 1-2824-03384/00001 EXPIRATION DATE: 08/03/2025

PERMITTEE NAME & PROJECT ADDRESS: Robin Massimi

2 Club Drive, Massapequa, NY 11758

CONTRACTOR NAME & ADDRESS: Bulkhead Permits by Gary Inc. - 1456 66th Street,
Brooklyn, NY 11219 TELEPHONE: (917) 776-3922

Dear Sir:

Pursuant to the special conditions of the referenced permit, you are hereby notified that the authorized activity shall commence on: 08/04/2021
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/OR ANY ASSOCIATED 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 ~~~~~

NOTICE OF COMPLETION OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE

Bureau of Habitat-TW
50 Circle Road
Stony Brook, NY 11790-3409

Or Fax to: 631-444-0297



PERMIT NUMBER: 1-2824-03384/00001 EXPIRATION DATE: 08/03/2025

PERMITTEE NAME & PROJECT ADDRESS: Robin Massimi

2 Club Drive, Massapequa, NY 11758

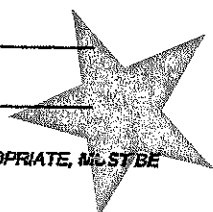
CONTRACTOR NAME & ADDRESS: Bulkhead Permits by Gary Inc. - 1456 66th Street,
Brooklyn, NY 11219 TELEPHONE: (917) 776-3922

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.



4100051



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.

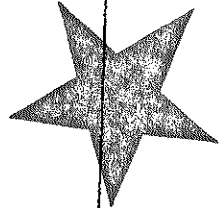
Regional Permit Administrator

SUSAN ACKERMAN

Permit Number 1-2824-03384/00001

Expiration Date 08/03/2025

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



Planning

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

July 16, 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:
Robin Massimi
Application # 21060327
2 Club Drive, Massapequa, New York
Section: 65 Block: 215 Lot(s): 12

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

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

July 6, 2020

Scott Moses
Bulkhead Permits by Gary Inc.
2 Whaleneck Drive
Merrick, New York 11566

Re: F-2020-0456
U.S. Army Corps of Engineers/New York District Permit
Application - Robin Massimi
Repair bulkhead and replace mooring. Dredge approx. 25
yds all dredged material placed upland onto applicant
property.
East Canal, Town of Oyster Bay, Nassau County
No Review Necessary

Dear Mr. Moses:

The Department of State received your Federal Consistency Assessment Form and supporting information on 5/28/2020. From the information provided, it appears that the proposed action may be authorized by the Army Corps of Engineers under a Nationwide Permit that the Department of State has already concurred with, and as such further review by the Department of State is not required.

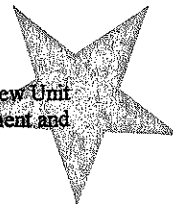
Should the Army Corps determine that the proposed project may not be conducted under the Nationwide Permit program or if the project is modified, please contact the Department of State to determine if further review is required.

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

Sincerely,



Jennifer L. Street
Supervisor, Consistency Review Unit
Office of Planning, Development and
Community Infrastructure



JLS/dc

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



Department
of State

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.

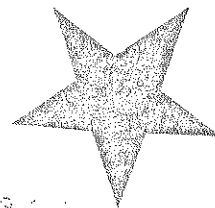
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Robin Massimi			
Name of Action or Project: Massimi Project			
Project Location (describe, and attach a location map): 2 Club Drive Massapequa, NY 11758			
Brief Description of Proposed Action: The existing 40' navy bulkhead is proposed to be removed and replaced in the same place with an 18" increase in elevation for flood control. The proposed bulkhead will tie into both adjacent bulkheads located on the neighboring property. Also proposed is clamshell dredging 10' seaward from the proposed bulkhead to a low water depth of 4'. All dredged material and approx. 25 cyds of clean soil backfill from an authorized upland source will be placed upland onto applicant property. A 4'x40' pressure treated timber boardwalk and two 6' inland returns are also recommended. Also proposed is a 6'x20' mooring float supported by (4) 12" x 30' mooring piles driven to refusal & a 30'x15' ramp.			
Name of Applicant or Sponsor: Robin Massimi		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: 2 Club Drive			
City/PO: Massapequa,		State: NY	Zip Code: 11758
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		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 type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Does not apply to this project, proposed is for residential use and bulkhead stabilization	NO	YES	
	<input checked="" type="checkbox"/>	<input 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 bulkhead stabilization	NO	YES	
	<input checked="" type="checkbox"/>	<input 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 bulkhead stabilization	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Replacement of Bulkhead		<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 type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? 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 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"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Robin Massimi</u> Date: <u>5/1/2020</u></p> <p>Signature: <u>[Signature]</u></p>		

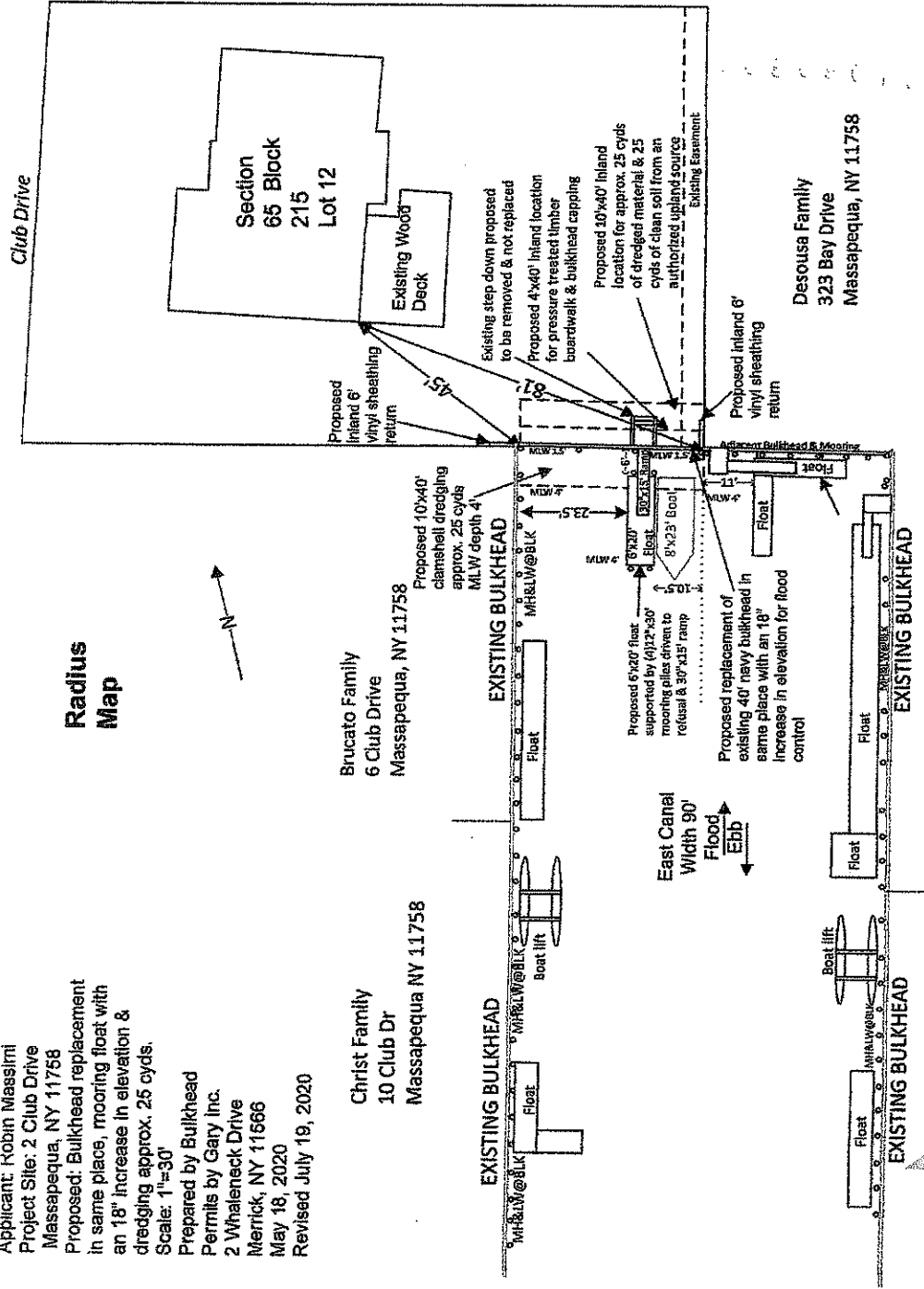
PRINT FORM

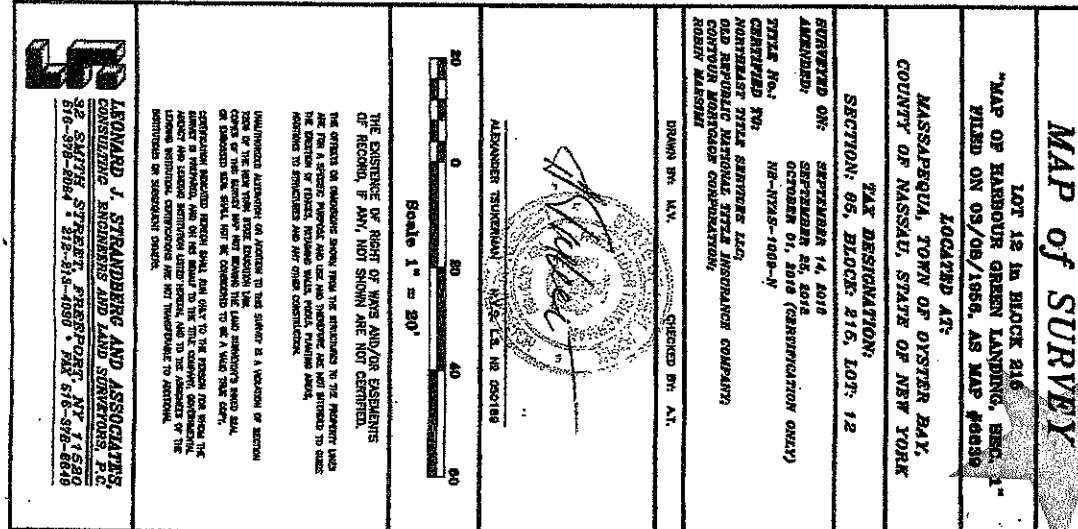


Revised July 19, 2020

Massapequa NY 11758

**Note: All adjacent area properties are bulkheaded
All properties High & Low water Mark at bulkhead**





LOT 12 IN BLOCK 216
"MAP OF HARBOUR GREEN LANDING, SEC. 1"
FILED ON 03/05/1956. AS MAP #6030

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

TAX DESIGNATION:
SECTION: 05, BLOCK: 216, LOT: 12

SUBMITTED ON: SEPTEMBER 14, 2018
APPROVED: SEPTEMBER 27, 2018

ANNOUNCED: **SEPTEMBER 26, 2012**

77125 No. 1
NR-NYAS-1009-N

**NORTHEAST TITLE SERVICES LLC,
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY,
CONTOUR MORTGAGE CORPORATION,
ROBIN MANSINI**

DRAWN BY: M.V.

CHECKED BY: A.T.

ALEXANDER TSUKERMAN N.Y.C. L.S. NR 050186



Boat 1" = 20

THE EXISTENCE OF RIGHT OF WAYS AND/OR EASEMENTS OF RECORD, IF ANY, NOT SHOWN ARE NOT CERTIFIED.

THE OFFICIALS ON COUNCILORS SHOWED THEM THE STRUCTURES TO THE PROPERTY UNITS ARE FOR A SEVERAL PURPOSES AND USE AND THEREFORE ARE NOT INTERESTED TO CARRY THE DECISION BY COUNCIL, INCLUDE WALL, POOL, PLAYING AREA, ADDITIONS TO STRUCTURES AND ANY OTHER CONSTRUCTION.

CONTRIBUTION SHOULD BECOME KNOWN ONLY TO THE PERSON FOR WHOM THE SERVICE IS PROVIDED, AND ON THE BASIS OF THE THIRD CATEGORY, DOMESTICALLY BORN AND REARER, MEMBERSHIP SHOULD BE OPEN, AND TO THE MEMBERSHIP OF THE DOMESTIC INSTITUTION, CONTRIBUTIONS ARE NOT INFERRED TO AVOIDANCE, CONTRIVED OR SUBSEQUENT DEATH.

LEONARD J. STRANDBERG AND ASSOCIATES
CONSULTING ENGINEERS AND LAND SURVEYORS, P.C.
92 SMITH STREET, FREEPORT, NY 11580
516-378-8084 • 212-813-1090 • FAX 516-378-6640

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated September 8, 2021, recommended that the Town Board authorize payment of a refund in the amount of \$400.00 to Botto Brothers Plumbing and Heating Incorporated, 128 Woodbury Road, Hicksville, New York 11801, for the fee paid for the issuance of Building Permit Number R21002439, dated May 26, 2021, to install a generator at 319 Frost Pond Road, Glen Head, New York 11545, which was subsequently voided due to the cancellation of the generator installation, with funds available for payment in Account No. PAD B 0001 02555 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund in the amount of \$400.00 to Botto Brothers Plumbing and Heating Incorporated, 128 Woodbury Road, Hicksville, New York 11801, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Office of the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 0001 02555 000 0000.

-#-

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

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

Reviewed By
Office of Town Attorney
[Signature]

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

September 8, 2021

TO: MEMORANDUM DOCKET

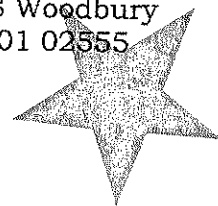
FROM: OFFICE OF THE COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

SUBJECT: RESIDENT REFUND - BOTTO BROTHERS PLUMBING AND
HEATING INCORPORATED

Pursuant to the Code of the Town of Oyster Bay, this Department issued Building Permit Number R21002439, dated May 26, 2021, to install a generator at 319 Frost Pond Road, Glen Head, N.Y. 11545. The customer subsequently cancelled the installation of the generator. An inspector verified that the generator was not installed on the attached inspection report, dated August 26, 2021. Building Permit Number R21002439 was thereby voided.

Therefore, in light of the aforementioned facts, a four hundred dollar (\$400.00) refund for the issuance of Building Permit Number R21002439 should be refunded to Botto Brothers Plumbing and Heating Incorporated, 128 Woodbury Road, Hicksville, New York 11801 under account number PAD B 0001 02555 000 0000.


ELIZABETH L. MACCARONE
COMMISSIONER



ELM:km

TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☒ SOCIAL SECURITY # ☐

CLAIMANT'S NAME

~~Roger D. Datto~~ AUDREY

CONTRACT #

ORDER #

CLAIMANT'S ADDRESS

128 Woodbury Road Hicksville

CONTRACT NAME

TORNAME
Tornatore / R21002439

TOWN DEPARTMENT

Plumbing

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

Four-hundred and 00/100 -

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 _____

9/1/202

Signature

Title

President

Print or type name

Roger Botta

Name of Company

Boffo Bros. Plumbing + Heating

I HEREBY APPROVE this claim form for the sum of \$400.00 for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature

Title

Date _____

Department PLANNING + DEVELOPMENT Account PAD B 0001 02555 000 0000

verify
letter

SEC. BLK. LOT

23 36 16

BOTTO BROTHERS

PLUMBING & HEATING

128 Woodbury Road, Hicksville, NY 11801 516-935-2900

www.Bottobros.com

August 18, 2021

Town of Oyster Bay
Deputy Commissioner, Tim Zike
74 Audrey Avenue
Oyster Bay, NY 11771

Re: Permit# R21002439 (Tornatore)

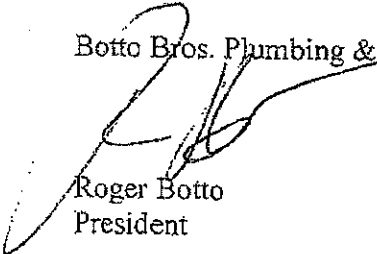
Dear Mr. Zike,

I, Roger Botto, License # B1548TOB, is requesting that the above mentioned permit be voided and a refund issued to us for the fee provided. The customer cancelled the job. No generator was provided or installed by Botto Brothers Plumbing & Heating, Inc.

Please do not hesitate to call us if any further information is needed.

Regards,

Botto Bros. Plumbing & Heating, Inc.


Roger Botto
President



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

August 27, 2021

Roger Botto
Botto Brothers Plumbing and Heating
128 Woodbury Road
Hicksville, New York 11801

Re: 319 Frost Pond Road, Glen Head, New York 11545
Section: 23, Block: 36, Lot: 16
Building Permit Number R21002439

Dear Mr. Botto:

The Town of Oyster Bay is in receipt of your letter, dated August 18, 2021, with reference to the above property location.

The Town of Oyster Bay Building Inspector has verified that the generator installation described on Building Permit Number R21002439 was not completed at 319 Frost Pond Road, Glen Head, New York 11545. A copy of his report is enclosed for your records. Please be advised that Building Permit Number R21002439, issued on May 26, 2021, has been voided.

Kindly note that in order for this Department to begin the refund process, a completed claim form and a copy of the front and back of your cancelled check must be submitted. A claim form and refund letter are enclosed for your convenience.

If you have any questions regarding the above, please feel free to contact the undersigned at (516) 624-6294.

Very truly yours,

ELIZABETH L. MACCARONE
COMMISSIONER

Timothy R. Zike

Timothy R. Zike
Deputy Commissioner

18
ELM:TZ:km
Cc: Augustine Tornatore

Building Permit

R21002439

Town of Oyster Bay
Department of Planning and Development
Phone 516-624-6200



74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

School District	Section/Block/Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
North shore	23-36-16	R1-10	21050558			01000473249

Permittee	BOTTO BROTHERS PLUMBING & HEATING I 128 WOODBURY ROAD HICKSVILLE NY 11801 (516) 935-2900	Contractor	BOTTO BROTHERS PLUMBING & HEATING I 128 WOODBURY ROAD HICKSVILLE, NY 11801 (516) 935-2900
Property Owner	TORNATORE AUGUSTINE 319 FROST POND RD GLEN HEAD NY, NY 11545	Plumber	BOTTO BROTHERS PLUMBING & HEATING I 128 WOODBURY ROAD HICKSVILLE NY 11801 (516) 935-2900
		Electrician	SEGARRA ELECTRIC INC. 111 EVELYN AVENUE WESTBURY NY 11590 516-375-7468

Address of Actual Construction

319 FROST POND RD GLEN HEAD, NY	Tenant
Permission Granted for the	INSTALLATION OF
Estimated Cost of Construction	\$0

Install one (1) gas fired 20 kw generator as per TOB approved plan dated May 25, 2021, and per manufacturer's specifications.
 Screening if necessary as determined by the Building Inspector
 Manufacturer's specifications must be on site for inspection.
THE GENERATOR CANNOT BE LOCATED MORE THAN 8 FEET FROM THE DWELLING.
THE GENERATOR CANNOT BE LOCATED CLOSER THAN 8 FEET TO A SIDE OR REAR PROPERTY LINE

This Permit has been issued specifically for the construction or maintenance of the improvement listed hereon. The issuance of this Permit shall not be deemed to be an acknowledgment by the Town of Oyster Bay as to the legality of any other improvements to the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvement listed hereon shall be conditioned upon the issuance of a Building Permit and Certificate of Occupancy for any and all other improvements to the subject premises.

A certificate from an approved Electrical Inspection Co. is to be placed on file prior to issuance of a Certificate of Occupancy/Approval/Completion.

Located On	Side Of	Feet	Of	Post Office
				GLEN HEAD
DESCRIPTION	FEE	PAID	BALANCE	
OR	35.00	35.00	0.00	
CC	35.00	35.00	0.00	
PLUMBING	330.00	330.00	0.00	
*** FEE TOTALS ***	400.00	400.00	0.00	
TOTAL PAID AFTER APPLICATION FEE APPLIED:	\$400.00			
<p>Occupancy of this new building or addition or Alteration prior to the issuance of a Certificate of Occupancy will be considered a violation of the Code of the Town of Oyster Bay. Prompt notification by the various contractors for inspection of their various parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit and approved plans must be posted on the job site, visible to public inspectors, until completion of the work and inspections.</p> <p>Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.</p>				

There are numerous inspection requirements that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

BUILDING INSPECTIONS:

- *Demolition inspections - Check with Building Division.
- *Concrete Certifications.
- *Soil Conditions - before footings and foundations are poured.
- *Footing for footings, keyways and foundations including rebar.
- *Waterproofing, membrane and insulating
- *Foundations and/or slabs.
- *Framing - wood or steel before mechanicals.
- *Framing after mechanicals and before insulating.
- *Insulation inspection - before closing.
- *Rough enclosed.
- *Final inspection(s).

PLUMBING INSPECTIONS

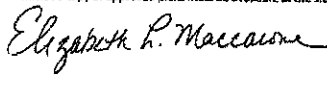

- *Underground plumbing - before backfilling.
- *Rough plumbing - before closed up and ready for test.
- *Final inspection when all fixtures are set.
- *Sewer connection - spur tie-in.
- *Sanitary systems. (Excavation/Construction).
- *Installation or replacement of burners. (oil, gas, electric).
- *All Tanks - inground or above. (Check with Building Division for required testing and in Testing and Inspections).
- *Pressure tests are required for any natural or propane gas installation.
- *Alteration or replacement
- *Hydrostatic pressure testing must be witnessed by a plumbing inspector
- *For all fire sprinkler systems.

DRAINAGE, SITE WORK, & RETAINING WALLS:

Contact Planning and Development site engineer.

ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW

Please be advised that a Certificate of Occupancy will not be issued for this project until all of the required landscaping has been installed and inspected, or a performance bond in the amount of \$_____ has been posted with the Town of Oyster Bay

Date issued:	05/26/2021	Work Must Start By:	
CO must be issued by 08/24/2021 or permit will expire unless renewed prior to expiration.			
Permittee's copy of approved plans must be available at the site for all inspections			
			
Commissioner, Department of Planning and Development			



Building Inspector's Report

Date: 8/26/21 Time: AM PM I have reviewed () previous reports.
 Owner: Tornatore Augustine Contractor: Zone
 Address: 319 East 84th St Address: Sec. 23
 Telephone: 646-464-1154 Telephone: Blk. 36
 Lot(s) 16

Permit #(s) R21002439 Type Generator Date Issued Expiration Date

Type of Inspection - Excavation Footing Foundation Rough Frame
Final Frame Insulation Final Other Verification

PLEASE NOTE - A field inspection has revealed that the following items are necessary:

To Continue Work:

- No One Was Home
- Call For Inspection - (516) 624-6222
- No Building Plans on Job
- Need Amended Building Plans
- Work Does Not Conform to Building Code
- Work Does Not Conform to
- Approved Building Plans

To Obtain a Certificate of Occupancy:

- Must Obtain Electrical Certificate From
- Approved Electrical Inspection Service For:
- Must Submit Updated Property Survey
- Must Obtain Plumbing Approval
- Must Obtain Permit For:

The items checked below have been observed during the course of the field inspection and require permits. Failure to obtain permits will result in the delay of the issuance of a Certificate of Occupancy/Compliance.

- | | | |
|---------------------------------------|---|--------------------------------|
| <u> </u> Cellar Entrance | <u> </u> Roofed-Over Patio/Deck | <u> </u> Solar Heat |
| <u> </u> Deck | <u> </u> Second Apartment/Dwelling | <u> </u> A/C Unit |
| <u> </u> Dock | <u> </u> Shed | <u> </u> Dormers |
| <u> </u> Enclosed Porch | <u> </u> Swimming Pool | <u> </u> Other Structures |
| <u> </u> Extension | <u> </u> Swimming Pool Fence | |
| <u> </u> Fence | <u> </u> Swimming Pool Heater | |
| <u> </u> Fireplace | <u> </u> Swimming Pool Filter | |
| <u> </u> Garage | <u> </u> Swimming Pool Accessories | |
| <u> </u> Garage/Converted | <u> </u> Swimming Pool Raised Deck | |
| <u> </u> Interior Alterations | <u> </u> Skylight | |
| <u> </u> Retaining Wall/Bulkhead | | |

Comments/Observations/Information:

Generator has not been installed
OK to void

PLEASE NOTE - All inspections approved are subject to review of file and certification requirements. You will be notified if any further documentation is required.

Inspection Approved: ✓ Yes No Conditional Approval (See Comments)
 Report to Contractor: In Person Left on Premises
 Report to Homeowner: In Person By Mail
 N.O.V. #: Date Due: Summons #: Date Returnable:

Received By: Inspector's Signature: LeBryt
 Inspector's Extension: (516) 624- 6213

THIS IS A COPY. THE ORIGINAL IS ON FILE IN THE BUILDING DIVISION.

TOWN OF OYSTER BAY

4 ITEMS OF 4

PERMIT RECEIPT

OPERATOR: sgerber
COPY # : 1Sec:23 Twp:Oyster B Rng: Sub: Blk:36 Lot:16
SBL 23-36-16DATE ISSUED..... 05/25/2021
RECEIPT #..... 01000473249
REFERENCE ID # 21050558SITE ADDRESS 319 FROST POND RD
SUBDIVISION
CITY GLEN HEAD
IMPACT AREAOWNER TORNATORE AUGUSTINE
ADDRESS 319 FROST POND RD
CITY/STATE/ZIP GLEN HEAD NY, NY 11545RECEIVED FROM BOTTO BROTHERS PLBG
CONTRACTOR BOTTO, ROGER I. LIC # B1548TOB
COMPANY BOTTO BROTHERS PLUMBING & HEAT
ADDRESS 128 WOODBURY ROAD
CITY/STATE/ZIP HICKSVILLE, NY 11801
TELEPHONE (516) 935-2900

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-CA	FIXTURES	1.00	35.00	0.00	35.00	0.00
B-CC		1.00	35.00	0.00	35.00	0.00
B-GASGEN	UNITS	1.00	230.00	0.00	230.00	0.00
B-PLMB FEE	FIXTURES	1.00	100.00	0.00	100.00	0.00
TOTAL PERMIT :			400.00	0.00	400.00	0.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	400.00	4781
TOTAL RECEIPT :		400.00

BOTTO BROTHERS PLUMBING & HEATING INC.
 OVER 80 YEARS OF SERVICE
 120 HONOLULU RD
 NICKSVILLE, NEW YORK 11801
 (516) 935-2900

THW 21050558
 DIME
 50-565/214

5/3/2021

PAY TO THE ORDER OF Town of Oyster Bay
Four hundred and 00/100 \$400.00

DOLLARS

MEMO
 Yarnatare 23/36/14
 20X10 generator permit

"001.781"

#4781 05/26/2021 \$400.00

CAPITAL ONE, NA
 RICHMOND, VA 634 21
 Deposit

2021-05-26

CHECK HERE FOR LIMITED STATEMENTS ONLY
 TO THE CREDIT OF THE ACCOUNT
 DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
 PLEASE RETURN TO THE ISSUING INSTITUTION

#4781 05/26/2021 \$400.00

Meeting of October 5, 2021


Resolution No.560-2021

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated September 9, 2020, requested Town Board authorization to renew the Department's membership in the Long Island Association, Inc. (LIA), from September 1, 2021 to August 31, 2022, *nunc pro tunc*, at a cost of \$625.00, and that the Comptroller be authorized to make payment with funds available in Account No. PAD B 3620 47900 000 0000; and

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of Planning and Development is hereby authorized to renew membership in the LIA, from September 1, 2021 to August 31, 2022, *nunc pro tunc*, at a cost of \$625.00, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. PAD B 3620 47900 000 0000.

-#-

Approved by
Office of Town Auditors


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

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 9, 2020

TO: MEMORANDUM DOCKET

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

SUBJECT: MEMBERSHIP RENEWAL IN THE
LONG ISLAND ASSOCIATION, INC. (LIA)

The Department of Planning and Development requests that the Town Board authorize the Department's membership in the Long Island Association, Inc. (LIA), from September 1, 2021 through August 31, 2022 for a period of (1) year and to authorize payment in the amount of \$625.00 to pay this fee for the Department's membership.

Funds for this request in an amount not to exceed \$625.00 are available in Account No. PAD B 3620 47900 000 0000. The Department requests that the Town Board authorize and direct the Comptroller to make payment of said fee, upon submission of duly certified claim, after audit.


ELIZABETH L. MACCARONE
COMMISSIONER



ELM /dm

cc: Legislative Affairs



Long Island Association, Inc.
300 Broadhollow Rd., Ste. 110W
Melville, NY 11747
(631) 493-3000
(631) 499-2194 Fax

INVOICE

Invoice Date: 9/1/2021
Invoice Number: 317430
Period: September 2021 - August 2022

Mr. James Mc Caffrey
Town of Oyster Bay
Town Hall, 74 Audrey Avenue
Oyster Bay, NY 11771-1592

Description	Amount:
MEMBERSHIP DUES	\$625.00

A portion of your membership dues may be tax deductible as a business expense, but not as a charitable contribution. Ten percent of dues are non-deductible in accordance with IRS Sec. 6033.

Thank you for your support of the Long Island Association, Inc.
Visit us at www.longislandassociation.org

Total: \$625.00

Please return this portion with your payment.

Town of Oyster Bay
Mr. James Mc Caffrey
Department of Economic Dev.
Town Hall, 74 Audrey Avenue
Oyster Bay, NY 11771

Invoice Date: 9/1/2021
Invoice Number: 317430
Period: September 2021 - August 2022

Total Amount: \$625.00

Payment Method: ☐ Check # ☐ Credit Card

Make all checks payable to Long Island Association, Inc. or enter credit card information below.

Cardholder's Name (print):

Cardholder's Billing Address:

City/State/Zip:

Cardholder's Email Address:

Credit Card #: Exp. Date: CVV Code (3 digits on back of card)

Corp Card (Y/N): Signature:

WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated September 13, 2021, requested that the Town Board authorize the Comptroller to make the following payment for expenses incurred in connection with the issuance of serial bonds and Bond Anticipation Notes:

SourceMedia/Bond Buyer/Arizent (Advertising) PO Box 74008864 Chicago, IL 60674-8864	\$1,160.00
S&P Global Ratings (Rating Fee) 2542 Collection Center Drive Chicago, IL 60693	\$31,325.00
Moody's Investors Service – Rating Fee P.O. Box 102597 Atlanta, GA 30368-0597	\$43,000.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Comptroller is hereby authorized and directed to make payment in the amounts set forth herein to SourceMedia/Bond Buyer/Arizent, S&P Global Ratings and Moody's Investors Service for the abovementioned expenses incurred in connection with the issuance of serial bonds and Bond Anticipation Notes, upon submission of duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment shall be drawn from capital accounts object .29999, Bonding and Finance.

-#-

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

Reviewed By
Office of Town Attorney

Town of Oyster Bay
Inter-Departmental Memo

September 13, 2021

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2021 BAN/Bond Sale Expenses

The Town recently successfully awarded \$36,065,000 in serial bonds and \$54,485,000 in Bond Anticipation Notes.

In connection with the issuance there are certain costs that are incurred and permission is hereby requested of the Town Board to enable the Town Comptroller to pay the following:

SourceMedia/Bond Buyer/Arizent – Advertising \$ 1,160.00
P.O. Box 74008864
Chicago, Illinois 60674-8864

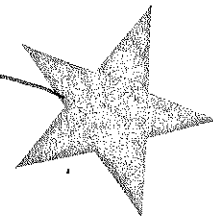
S&P Global Ratings – Rating Fee \$ 31,325.00
2542 Collection Center Drive
Chicago, IL 60693

Moody's Investors Service – Rating Fee \$ 43,000.00
P.O. Box 102597
Atlanta, GA 30368-0597

Funds are available in various capital accounts object .29999; Bonding & Finance.

Thank you.


Rob Darienzo
Director of Finance



RD/rd

Word/Documents/debt issuance expenses 2021 2

Meeting of October 5, 2021

Resolution No. 562-2021

WHEREAS, the Town Board has reviewed the Tentative Budget heretofore filed for the Fiscal Year 2022,

NOW, THEREFORE, BE IT RESOLVED, That this Town Board does hereby approve the said Tentative Budget, as modified, including the estimates for all special improvement districts, as the Preliminary Budget of this Town for the Fiscal Year beginning on January 1, 2022; and be it further

RESOLVED, That such Preliminary Budget shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours; and be it further

RESOLVED, That this Board shall meet at 10:00 a.m., prevailing time, on the 19th day of October, 2021, for the purpose of holding a public hearing upon such Preliminary Budget, and upon hearing all persons who shall appear at that time and that such meeting be continued at 7:00 p.m., on the same date, for the purpose of hearing such additional persons who shall desire to be heard; and be it further

RESOLVED, That the Town Clerk shall give notice of such Public Hearing in the Newsday

newspapers of general circulation within the Town of Oyster Bay, as follows:

NOTICE UPON HEARING OF PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN, That the Preliminary Budget of the Town of Oyster Bay, including estimates for all special improvement districts, for the Fiscal Year beginning January 1, 2022, has been completed and filed in the Office of the Town Clerk at Oyster Bay, New York, where it is available for inspection by any interested person during normal business hours.

FURTHER NOTICE IS HEREBY GIVEN, That the Town Board of the Town of Oyster Bay will meet and review said Preliminary Budget and hold a public hearing thereon at Town Hall, Oyster Bay, New York at 10:00 a.m., prevailing time, on the 19th day of October, 2021, and, at such hearing, any person may be heard in favor, or in opposition of, any item or items contained therein, and upon hearing all persons who shall appear at that time, such hearing shall be continued at 7:00 p.m., on the same date, for the purpose of hearing such additional persons who shall desire to be heard. Said meeting will be livestreamed at www.oysterbaytown.com. Pursuant to the provisions of the Town Law, the salaries of the Town Officers are as follows: Town Supervisor - \$140,000.00; Town Board Members (6) - \$57,500.00 each; Town Clerk - \$102,000.00, **TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO**, Town Supervisor. **RICHARD LaMARCA**, Town Clerk.

Dated: October 5, 2021, Oyster Bay, New York.

#

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

Reviewed By
Office of Town Attorney

Elizabeth A. Laughman

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

NOTICE UPON HEARING OF PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN, That the Preliminary Budget of the Town of Oyster Bay, including estimates for all special improvement districts, for the Fiscal Year beginning January 1, 2022, has been completed and filed in the Office of the Town Clerk at Oyster Bay, New York, where it is available for inspection by any interested person during normal business hours.

FURTHER NOTICE IS HEREBY GIVEN, That the Town Board of the Town of Oyster Bay will meet and review said Preliminary Budget and hold a public hearing thereon at Town Hall, Oyster Bay, New York at 10:00 a.m., prevailing time, on the 19th day of October, 2021, and, at such hearing, any person may be heard in favor, or in opposition of, any item or items contained therein, and upon hearing all persons who shall appear at that time, such hearing shall be continued at 7:00 p.m., on the same date, for the purpose of hearing such additional persons who shall desire to be heard. Said meeting will be livestreamed at www.oysterbaytown.com. Pursuant to the provisions of the Town Law, the salaries of the Town Officers are, as follows: Town Supervisor - \$140,000.00; Town Board Members (6) - \$57,500.00 each; Town Clerk - \$102,000.00, **TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO**, Town Supervisor. **RICHARD LaMARCA**, Town Clerk.

Dated: October 5 , 2021, Oyster Bay, New York.

-#-

TOWN OF OYSTER BAY
Inter-Office Memorandum

September 13, 2021

TO: MEMORANDUM DOCKET

FROM: SHEILA TARNOWSKI
DIRECTOR - LEGISLATIVE AFFAIRS

THRU: OFFICE OF THE TOWN ATTORNEY

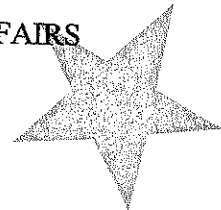
SUBJECT: PRELIMINARY BUDGET OF THE TOWN OF OYSTER BAY
FOR THE YEAR 2022

Reference is made to the above referenced subject matter.

In compliance with Section 12-5 of the Code of the Town of Oyster Bay, it is respectfully requested that the Town Board adopt the 2022 PRELIMINARY BUDGET, by resolution, at its meeting of October 5, 2021, and direct the Town Clerk to advertise a Notice of a Public Hearing on said Preliminary Budget for Tuesday, October 19, 2021, at 10:00 a.m. and 7:00 p.m. that day.

FRANK M. SCALERA
TOWN ATTORNEY


SHEILA TARNOWSKI
DIRECTOR - LEGISLATIVE AFFAIRS



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community & Youth Services, by memorandum dated September 16, 2021, requested that the Town Board authorize the Town to enter into an agreement with Hollyrock Entertainment, Inc., P.O. Box 466 Jericho, New York 11753, to provide the Town with all equipment and staff necessary to produce a "Live Game Show Day" for the Senior Citizens Program, at a cost not to exceed \$1,200.00, with a \$10.00 per ticket fee to be charged, with the proceeds to be used for refreshments and prizes for said event and with all funds to be deposited into the Senior Citizen Account; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, requested further that the Town Board authorize the Town Supervisor, his designee, or the Commissioner of the Department of Community & Youth Services to execute the aforementioned agreement; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that in accordance with Guideline 5 of the Town of Oyster Bay Procurement Policy, the abovementioned vendor is exempt from the solicitation, written proposal or quotation requirements of the Policy, was vetted through the Exiger System, and that the Inspector General is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Town is hereby authorized to enter into an agreement with Hollyrock Entertainment, Inc., to provide the Town with all equipment and staff necessary to produce a "Live Game Show Day" for the Senior Citizens Program, at a cost not to exceed \$1,200.00, with a \$10.00 per ticket fee to be charged, with the proceeds to be used for refreshments and prizes for said event and with all funds to be deposited into the Senior Citizen Account; and be it further

RESOLVED, That the Town Supervisor, his designee or the Commissioner of the Department of Community & Youth Services are hereby authorized to execute the abovementioned agreement; and be it further

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

RESOLVED, That the Town Comptroller is hereby authorized and directed 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

September 16, 2021

TO: Memorandum Docket

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

SUBJECT: Entertainment for Senior Program

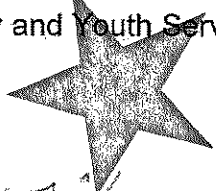

The Department of Community & Youth Services is requesting Town Board authorization to retain the professional services of Hollyrock Entertainment, Inc., P.O. Box 466, Jericho, NY 11753. This company would provide all necessary equipment and staff to produce a "Live Game Show Day" for the Senior Citizens Services Program.

If approved, the event will be scheduled to be held on October 28, 2021 at the Bethpage Community Park. The total cost for the services is not to exceed \$1200.00. Funds for the program will be available in Account # CYS A 7020 47660 000 0000, *Special Events*. A \$10.00 per ticket fee will be charged with the proceeds to be used for refreshments and prizes for said event. All funds will be deposited into the Senior Citizen Account.

In accordance with Guideline 5, of the Town's Procurement Policy, this Instructor is exempt from the solicitation, written proposal or quotation requirements of the policy.

The Vendor was vetted through the Exiger System and the Inspector General is satisfied that the procurement policy has been fulfilled

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



Maureen A. Fitzgerald
Commissioner

MAF:sab

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated September 20, 2021, informed the Town Board that the Town of Oyster Bay has been awarded up to \$100,000 through the New York State and Municipal Facilities ("SAM") Program for construction of a dog park at Centre Island Beach, Centre Island, which grant funding would be in reimbursement to the Town for eligible costs incurred in completing the project; and

WHEREAS, Commissioner Sammartano, by said memorandum, further informed the Town Board that receipt of the aforesaid funding is contingent upon the execution of a Grant Disbursement Agreement with the Dormitory Authority of the State of New York ("DASNY") and other documentation as required by DASNY, and requested Town Board authorization to permit the Supervisor, or Supervisor's designee, including Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, to execute all documents in connection with the SAM Program with respect to construction of a dog park at Centre Island Beach, Centre Island,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor and the Supervisor's designee, including Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, are authorized to execute all documents in connection with the SAM Program, including a Grant Disbursement Agreement, with respect to construction of a dog park at Centre Island Beach, Centre Island.

#

Reviewed By
Office of Town Attorney

Elizabeth A. Taughman

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

6

564

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

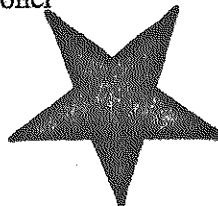
DATE: SEPTEMBER 20, 2021

SUBJECT: STATE AND MUNICIPAL FACILITIES PROGRAM:
CONSTRUCTION OF A DOG PARK AT CENTRE ISLAND BEACH

The Town of Oyster Bay (Town) has been awarded up to \$100,000 through the New York State and Municipal Facilities (SAM) Program in reimbursement for the construction of a Dog Park at Centre Island Beach, Centre Island, NY. Receipt of this grant funding is contingent upon the Town's execution of a Grant Disbursement Agreement with the Dormitory Authority of the State of New York and other documentation as required by the Dormitory Authority of the State of New York.

We respectfully request a Town Board Resolution authorizing the Supervisor, his authorized designee and Colin Bell as the Supervisor's additional authorized designee to execute all documents, as approved by the Office of the Town Attorney, in connection with the New York State and Municipal Facilities Program as it pertains to the construction of a Dog Park at Centre Island Beach.


Frank V. Sammartano,
Commissioner



WHEREAS, in 2016, a civil action was commenced against the Town in the United States District Court for the Eastern District of New York entitled Sandra Leung and Hsiao Chun Wu v. Town of Oyster Bay, E.D.N.Y. Case Number 2016-5608, alleging a violation of due process as to their property at 2 Spring Street, Oyster Bay New York; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated September 24, 2021, advised that after extensive negotiations, this case settled for a total of \$282,000, with the Town paying \$30,000.00, in full resolution of all claims of Claimants/Plaintiffs against the Town of Oyster Bay, which settlement is in the best interests of the Town, according to the aforesaid memorandum of Messrs. Scalera and Lesser,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of the Town Attorney, payment of the sum of \$30,000.00 is hereby authorized and approved by the Town Board, as full settlement to Claimants/Plaintiffs, Sandra Leung and Hsiao Chun Wu, with regard to the action entitled Sandra Leung and Hsiao Chun Wu v. Town of Oyster Bay, E.D.N.Y. Case Number 2016-5608, and be it further

RESOLVED, That payment of the sum of \$30,000.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement of the aforementioned claim, and that the Comptroller is hereby authorized and directed to make payment, by issuing a check made payable to "Campanelli & Associates, P.C., as attorneys for", in the amount of \$30,000.00 with funds for such payment to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

-#-

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

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

Reviewed By
Office of Town Attorney

565

Town of Oyster Bay
Inter-Departmental Memo

TO : Memorandum Docket

FROM : Office of the Town Attorney

DATE : September 24, 2021

SUBJECT: Settlement of Litigated Claim
Sandra Leung and Hsiao Chun Wu v. The Town of Oyster Bay
Case No: Sandra Leung and Hsiao Chun Wu (GRB)(AYS)
Our Matter No. 2016-5608

In 2016, a civil action was commenced against the Town in the United States District Court for the Eastern District of New York styled Sandra Leung and Hsiao Chun Wu v. Town of Oyster Bay, E.D.N.Y. Case Number 2016-5608 (GRB)(AYS), alleging a violation of due process as to their property at 2 Spring Street, Oyster Bay New York.

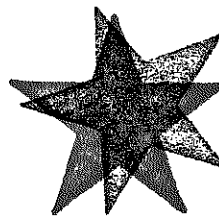
After extensive settlement negotiations, this matter was settled for a total of \$282,000.00. Of that amount, the Town is to pay \$30,000.00 and Chubb, its insurer is to pay \$252,000.00. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town, given the uncertainties associated with litigation. The aforementioned amount shall be paid with funds drawn from Account No. TWN AMS 1910 43010 602 0000 000.

Accordingly, we have attached a resolution authorizing payment of \$30,000.00, a General Release in favor of the Town and Stipulation of Discontinuance.

FRANK M. SCALERA
TOWN ATTORNEY

Jeffrey Lesser
Deputy Town Attorney

JAL:jl
Attachment



KENDRIC LAW GROUP P.C.

CHRISTOPHER KENDRIC | PRINCIPAL
(516) 732-4774 DIRECT DIAL

CHRISTOPHER.KENDRIC@KENDRICLAW.COM

August 28, 2021

VIA E-MAIL

Jeffrey Lesser, Esq.
Deputy Town Attorney
The Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, New York 11771

Re: Sandra Leung and Hsiao Chun Wu v. Town of Oyster Bay, et al.
Case No. 16 Civ. 4355 (GRB)(AYS)
Our File: 12096.0003

Dear Mr. Lesser:

This matter recently settled during trial for the total sum of Two Hundred Eighty-Two Thousand (\$282,000) Dollars.

A copy of the Stipulation of Settlement placed on the record in open court on June 22, 2021, confirming this amount, is enclosed.

Chubb paid its portion of the settlement in the amount of Two Hundred Fifty-Two Thousand (\$252,000) Dollars. A copy of Chubb's check #DN 50320543 is also enclosed.

Please recall, there were certain claims herein potentially not covered by insurance. Your predecessor Matthew Rozza, Esq. negotiated a deal with Chubb whereby the Town's portion of the settlement - in view of the potentially non-covered claims - would be limited to \$30,000.

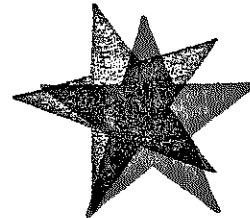
Finally, I am enclosing copies of two Releases, executed by both Plaintiffs and running in favor of the Town.


Because this settlement involved the exchange of multiple Releases, I chose to list the consideration on each of these Releases as "ten dollars and other good and valuable consideration". This language is frequently used where the parties have some other definite statement as to the total amount of the settlement. Here, that definite statement was the Stipulation of Settlement.

Would you, at this time, please arrange for the Town to issue its check in the amount of Thirty Thousand (\$30,000) Dollars and made payable to "Campanelli & Associates, P.C. as Attorneys for" and forward this directly to my attention. I will, in turn, transmit this to Plaintiffs' counsel.

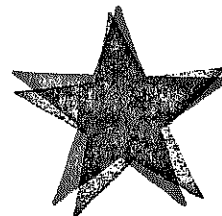
Certainly, please call me with any questions.

126 MAIN STREET, #279, COLD SPRING HARBOR, NEW YORK 11724
FAX (516) 706-4201



Very truly yours,

Christopher Kendric

Enclosures



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

SANDRA LEUNG, residing at ~~10-20 College Point Boulevard, College Point, New York 11356~~

as RELEASOR,

in consideration of the sum of Ten (\$10.00) Dollars received on behalf of the TOWN OF OYSTER BAY, its Town Board Members, officials, agents, servants, employees and representatives (all past and present) including without limitation Frederick P. Ippolito, deceased, Gary Blanchard, deceased, Joseph Ciambra and Joseph Cangro,

as RELEASEES,

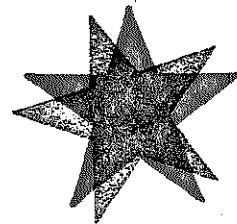
and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby releases and unconditionally discharges RELEASEES as well as RELEASEES' heirs, executors, administrators, successors and assigns from any and all claims, liens, demands, obligations, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, and executions whatsoever, in law, equity or otherwise, which as against RELEASEES, RELEASOR ever had, now has or hereafter can, shall or may have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE,

but only to the extent that same relate or pertain to the subject matter of claims asserted, or which could have been asserted, in a certain action entitled, *Sandra Leung and Hsiao Chun Wu v. Town of Oyster Bay, et al*, United States District Court for the Eastern District of New York Case No. 2:16-cv-4356 (GRB);

and RELEASOR hereby further agrees that to the extent there are any liens or claims against her recovery herein, of whatever kind or nature, it shall be RELEASOR's sole responsibility to satisfy same in full, and RELEASOR further agrees to indemnify RELEASEES from and against all such liens or claims.

The words, "RELEASOR" and "RELEASEES" include all releasors and all releasees under this RELEASE, which may not be changed orally.

////////////////////////////////////
(Execution Page to Immediately Follow)
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In Witness Whereof, RELEASOR has caused this RELEASE to be executed.


SANDRA LEUNG

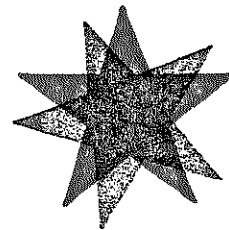
STATE OF NEW YORK)
COUNTY OF Queens)

On the 12th day of July, 2021, 2021 before me, the undersigned, personally appeared SANDRA LEUNG, 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 Release, and acknowledged to me that she executed said Release, and that by her signature on the Release, she duly executed the Release.


NOTARY PUBLIC

ROSITA LING
NOTARY PUBLIC-STATE OF NEW YORK
No. 0116068153
Qualified in Queens County
My Commission Expires 12-24-2021

-2 of 2-



To all to whom these Presents shall come or may Concern, I know That

ESLAD CHUN WL

REFEASOR

in consideration of the sum of Ten (\$10.00) Dollars received on behalf of the DOWNS OF OYSTER BAY Town Board Members, officials, agents, servants, employees, and representatives, all past and present, and in which said sum, Frederick P. Appleton, deceased, Gray, Maynard, deceased, Joseph C. Smith, deceased, and

REF ID: A58585

[illegible]

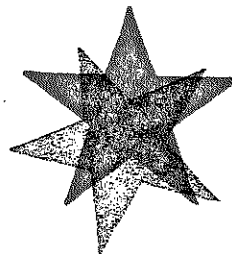
only to the extent that same relate or pertain to the subject matter of claims asserted, or which have been asserted, in a certain action entitled *Sandra Liang and Hsiao Chun Wu v. Town of Oyster Bay*, United States District Court for the Eastern District of New York Case No. 2:16-cv-4356 (GRB).

and RELEASOR hereby further agrees that to the extent there are any liens or claims against her real
 estate of whatever kind or nature, it shall be RELEASOR's sole responsibility to satisfy same in full.
 RELEASOR further agrees to indemnify RELEASEES from and against all such liens or claims.

Keywords: RELEASES and RELEASES, including all releases and all releases under this XFLA which may not be characterized.

(Extension Page to Immediately Follow)

100



It Witness Whereof, RELEASOR has caused this RELEASE to be executed.

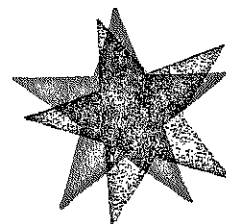
HSIAO CHUN WU

STATE OF NEW YORK
COUNTY OF Columbia

On the 11th day of NOVEMBER, 1981 before me the undersigned, personally appeared HSIAO CHUN WU, 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 Release and acknowledged to me that he executed said Release, and that he was at the time of execution of the Release, and that he executed the Release.

NOTARY PUBLIC

MICHAEL LAU
Notary Public, State of New York
Reg. No. 01148306427
Qualified in Columbia County
Commission Expires 06/22/1982



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

SANDRA LEUNG, residing at ~~1000 College Drive, Berkeley, California 94702, Berkeley, New York~~

as RELEASOR,

in consideration of the sum of Ten (\$10.00) Dollars received on behalf of JOSEPH CIAMBRA and JOSEPH CANGRO, in their personal, individual capacities,

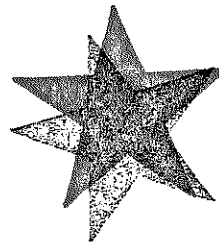
as RELEASEES,

and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby releases and unconditionally discharges RELEASEES as well as RELEASEES' heirs, executors, administrators, successors and assigns from any and all claims, liens, demands, obligations, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, and executions whatsoever, in law, equity or otherwise, which as against RELEASEES, RELEASOR ever had, now has or hereafter can, shall or may have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE,

and RELEASOR hereby further agrees that to the extent there are any liens or claims against her recovery herein, of whatever kind or nature, it shall be RELEASOR's sole responsibility to satisfy same in full, and RELEASOR further agrees to indemnify RELEASEES from and against all such liens or claims.

The words, "RELEASOR" and "RELEASEES" include all releasors and all releasees under this RELEASE, which may not be changed orally.

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(Execution Page to Immediately Follow)
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In Witness Whereof, RELEASOR has caused this RELEASE to be executed.


SANDRA LEUNG

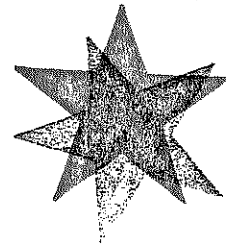
STATE OF NEW YORK)
COUNTY OF Queens }

On the 12th day of July, 2021 before me, the undersigned, personally appeared SANDRA LEUNG, 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 Release, and acknowledged to me that she executed said Release, and that by her signature on the Release, she duly executed the Release.


NOTARY PUBLIC

ROSITA LING
NOTARY PUBLIC-STATE OF NEW YORK
No. 01LI6058153
Qualified in Queens County
My Commission Expires 12-24-2021

- 2 of 2 -



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

HSHAO CHUN WU, residing at _____

as RELEASEE

in consideration of the sum of Ten (\$10.00) Dollars received on behalf of JOSEPH CIAMBRA and JOSEPH GANGRO in their personal individual capacities,

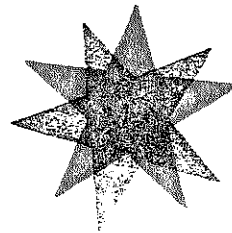
as RELEASEE

and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, hereby releases and unconditionally discharges RELEASEE as well as RELEASEE's heirs, executors, administrators, successors and assigns from any and all claims, liens, demands, obligations, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, contingencies, agreements, promises, variances, trespasses, damages, judgments, claims, and executions whatsoever, money, equity or otherwise, which as against RELEASEE, RELEASEE ever had, now has or hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE.

And RELEASEE heretofore further agrees that to the extent there are any liens or claims against her recovery hereof of whatever kind or nature, it shall be RELEASEE's sole responsibility to carry same in full, and RELEASEE further agrees to indemnify RELEASEE from and against all such liens or claims.

The words "RELEASEE" and "RELEASEE" include all persons and all releases under this RELEASE which may be changed orally.

(Printed Name Immediately Follows)




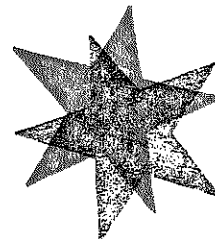
In Witness Whereof the RELEASEE has caused this RELEASE to be executed


HSIAO CHUN WU

STATE OF NEW YORK
COUNTY OF *Queens*

On this 10 day of NOV 2021 before me the undersigned personally appeared HSIAO CHUN WU, personally known to me to be the person on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Release, and acknowledged to me that she executed said Release, and that by her signature on the Release she duly executed the Release.


NOTARY PUBLIC
MICHAEL DU
Notary Public, State of New York
Reg. No. 514850247
Qualified in Queens County
Commission Expires 06/22/2022



**Request for Taxpayer
Identification Number and Certification**

► Go to www.irs.gov/FormW9 for instructions and the latest information.

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

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. CAMPANELLI & ASSOCIATES, P.C.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Notes: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
	5 Address (number, street, and apt. or suite no.) See instructions. 1757 MERRICK AVENUE, SUITE 204	Requester's name and address (optional)
	6 City, state, and ZIP code MERRICK, NY 11566	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

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

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.


Social security number	
or	
Employer identification number	

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here	Signature of U.S. person ► 	Date ► 6/25/21
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General Instructions

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

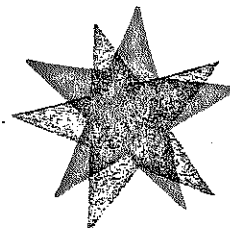
Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

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

- Form 1099-INT (interest earned or paid).

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.



Meeting of October 5, 2021

Resolution No.566-2021

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated September 22, 2021, requested Town Board authorization to reimburse Julia Schneider, Department of Environmental Resources, TEQR Division, in the total amount of \$988.87, for certification as a Certified Professional in Erosion & Sediment Control (CPESC) in the amount of \$172.50, which she paid to EnviroCert International, Inc., the amount of \$648.00 she paid to American Planning Association for the American Institute of Certified Planners (AICP) certification, and \$168.37 she paid to 360Training for Hazardous Waste Operation and Emergency Response (HAZWOPER) training, as the certifications were undertaken in accordance with New York State's State Environmental Quality Review Act to ensure that the Town has qualified professionals, certified by nationally recognized organizations, to perform the technical review of applications,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and reimbursement in the amount of \$988.87 is authorized to be paid to Julia Schneider, Department of Environmental Resources, TEQR Division, for her CPESC, AICP and HAZWOPER certification payments; 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, from Account No. DER A 8090 44500 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: Memorandum Docket

FROM: George Baptista, Jr., Deputy Commissioner
Department of Environmental Resources

DATE: September 15, 2021

SUBJECT: Certified Professional in Erosion and Sediment Control (CPESC)
Certification and American Institute of Certified Planners Certification
Renewal Fee Reimbursement

New York's **State Environmental Quality Review Act (SEQR)** requires all state and local government agencies to consider environmental impacts during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to consider the environmental impacts when deciding to approve or undertake an **"Action."** It is imperative that the Town has qualified professionals certified by nationally recognized organization to perform the technical review of applications.

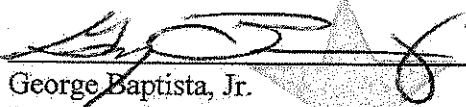
The American Institute of Certified Planners (AICP) certification is the only nationwide, independent verification of a planners' qualifications. AICP credentials are indicative of a planner's academic qualifications, relevant work experience, and mastery of essential skills required to effectively serve a community. AICP members pledge to uphold high standards of practice, adhere to *The AICP Code of Ethics and Professional Conduct*, and to keep their skills sharp and up to date by continuously pursuing advanced professional education through the Certification Maintenance program. In order to maintain their AICP certification, members must pursue continuing education programs. Julia Schneider has maintained her AICP certification since 2008 by completing a series of continuing education classes in the practices of ethics, law and planning as required. AICP certification is rooted in a solid foundation that represents knowledge, experience, ethics, and leadership. It serves as an important tool to help planners make an impact in their work.

The Certified Professional in Erosion & Sediment Control (CPESC) certification represents many disciplines and specialties that work to produce site-specific plans and designs that comprehensively address current and potential erosion and sedimentation issues with practices and measures that are cost effective, understandable and that meet environmental and regulatory requirements. Julia Schneider has maintained her CPESC certification since 2009 through a series of required professional development hours as required and was one of the first women on Long Island to earn this respected accreditation.

Julia Schneider of the Department of Environmental Resources – TEQR Division has CPESC and AICP certifications. She has met all of the continuing education requirements by successfully completing the CPESC training and obtaining the certification. These certifications serve the specific interests of the Department of Environmental Resources and in general the Town of Oyster Bay. The possession of these certifications provide the Town of Oyster Bay with a highly qualified staff member that can perform high level, complicated reviews without resorting to outside technical consultants resulting in significant savings to the Town.

HAZWOPER - Hazardous Waste Operations and Emergency Response is a set of guidelines produced and maintained by the Occupational Safety and Health Administration which regulates hazardous waste operations and emergency services in the United States and its territories. HAZWOPER training is required for access to remediation sites. Ms. Schneider has over 18 years of direct experience in a variety of multi-disciplinary environmental planning and remediation projects and has previously received the necessary HAZWOPER training for her extensive remediation experience. However, OSHA requirements mandate the 24-hour training refresher course based on Permissible Exposure limits (PEL). The certification is necessary in order to perform her job function as it pertains to site meetings/inspections with regulatory agencies environmental review and active involvement of remediation sites of measures contained in technical environmental documents and to report her findings.

It is requested that the Town Board approve the reimbursement of funds paid by Julia Schneider to EnviroCert International, Inc. for CPESC certification in the amount of \$172.50, funds paid to American Planning Association for AICP certification in the amount of \$648.00, and funds paid to 360Training for HAZWOPER training in the amount of \$168.37. The total reimbursement amount is \$988.87. Funds for this payment are available in Account No. DER A 8090 44500 000 0000.


George Baptista, Jr.
Deputy Commissioner

GB:ca

Attachments

cc: Steven C. Ballas, Comptroller, Office of the Comptroller

From: Julia Schneider
To: Julia Schneider
Subject: Fwd: American Planning Association - Thank you for your order
Date: Saturday, July 24, 2021 9:13:09 AM
Attachments: APA Receipt membership renewal 2021.pdf

----- Forwarded message -----

From: **Julia Schneider** <juliakschneider@gmail.com>
Date: Tue, Mar 30, 2021 at 10:57 PM
Subject: Fwd: American Planning Association - Thank you for your order
To: Julia Schneider <jschneider@oysterbay-ny.gov>

APA receipt continuing education

----- Forwarded message -----

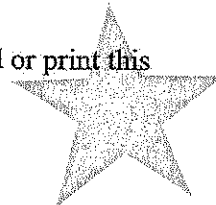
From: <customerservice@planning.org>
Date: Tue, Mar 30, 2021 at 9:34 PM
Subject: American Planning Association - Thank you for your order
To: <JuliaKSchneider@gmail.com>

Dear Julia Schneider,

Thank you for ordering from APA. Your order confirmation number is 311807.
Your APA ID is 162408.

\$648.00 will be charged to your form of payment. You may see and download or print this receipt in the "Receipts" section of My APA.

If you have any questions about your order, please email APA at customerservice@planning.org, including your order confirmation number.





Enter keyword or phrase

Search

[Home \(/\)](#) > [My APA \(/myapa/\)](#) >

Receipt for Order #3215274

Thank you for your order!

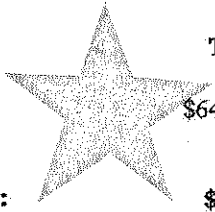
ORDER PLACED: 03/30/2021



162408 | Julia Schneider, AICP | APA ID: #162408



Items	Price	Qty	Total
AICP Membership	\$0.00	1.00	\$175.00
APA Professional Membership	\$0.00	1.00	\$394.00
New York Metro Chapter	\$0.00	1.00	\$79.00
Total Purchased:			\$-648.00

PAYMENT:

CC

		Total
		\$648.00
Balance:		\$0.00

 (<https://www.facebook.com/AmericanPlanningAssociation>)  (<https://www.youtube.com/user/AmericanPlanningAssn>)

 (https://twitter.com/APA_Planning)  (<http://instagram.com/americanplanningassociation>)

 (<https://www.linkedin.com/company/24456/>)



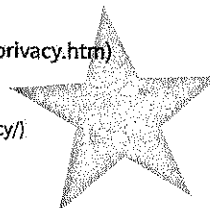
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EnviroCert International, Inc
3054 Fite Circle, Ste 108
Sacramento, CA 95827 US
+1 2798886911
mmckinney@envirocert.org
www.envirocertintl.org

Sales Receipt



BILL TO
Julia K Schneider
23 North Street
Glen Cove, NY 11542

SHIP TO
Julia K Schneider
23 North Street
Glen Cove, NY 11542

SALES #	DATE
56471	07/08/2021

PMT METHOD
MasterCard

ACTIVITY	QTY	RATE	AMOUNT
4005 Renewal:4005.1 CPESC CPESC Renewal Fee	1	165.00	165.00
4060 Service and Handling:4060.1 CPESC CPESC Service Fee	1	7.50	7.50
TOTAL			172.50
BALANCE DUE			\$0.00



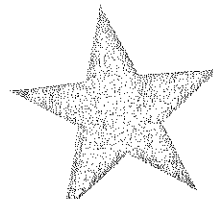
EnviroCert International, Inc.
3054 Fite Circle, Suite 108, Sacramento, CA 95827
(279) 888-6911 | www.envirocert.org

Julia Schneider
CPESC

Certified Professional in Erosion &
Sediment Control

5354
CERTIFICATION NO.

2022-07-11
EXPIRES



From: Julia Schneider
To: Julia Schneider
Subject: Fwd: Order Confirmation Receipt: OSHA.com
Date: Saturday, May 29, 2021 2:42:18 PM
Attachments: Julia Schneider Cert hazwoper- 24.pdf

----- Forwarded message -----

From: <support@360training.com>
Date: Fri, May 28, 2021 at 2:29 PM
Subject: Order Confirmation Receipt: OSHA.com
To: <JuliaKSchneider@gmail.com>

Dear Julia Schneider,

OSHA.com would like to thank you for your online purchase of course(s) at: OSHA.com

Our customer support team is available to assist you and we are happy to offer the following choices when contacting us:

- Call us toll free at 877-881-2235.
- [Click here to Email us.](#)

Order Details

Order Number: 12764222

Order date: May 28, 2021

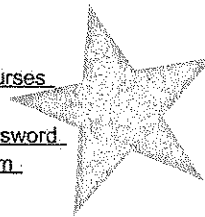
Account Information

To access your course(s):

HAZWOPER 24

Use the following login information:

Login:	Click here to begin your courses
Username:	juliakschneider
Forgot Password:	Click here to reset your password
Email:	JuliaKSchneider@gmail.com
Phone:	(631) 672-7045
Address:	23 North Street Glen Cove NY United States 11542



Product	Qty	Each	Total
HAZWOPER 24	1	\$155.00	\$155.00
SKU: 248171231541288635316868893488e43363ae226			
c45c79916318155c4d4ec			

Order Subtotal:	\$155.00
Total discounts on order:	\$0.00
Tax:	\$13.37
Shipping:	\$0.00
Shipping Tax:	\$0.00
Order Total:	\$168.37

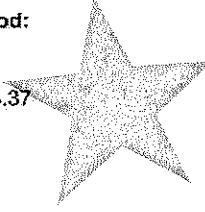
Billing Information

Billing Address:

Julia Schneider
 23 North Street
 Glen Cove NY
 United States 11542
 (631) 672-7045
JuliaKSchneider@gmail.com

Billing Method:

Master Card
 Amount: \$168.37



Julia K. Schneider, AICP, CPESC

Education

- Bachelor of Science, Natural Resources. Cornell University, January 2003
 - Work-3 years as a technical research assistant for the Chairman of the Plant Pathology Department

Professional Societies/Memberships/Certifications

- American Planning Association, American Institute of Certified Planners (AICP) – since 2008.
Certified Professional in Erosion and Sediment Control (CPESC) – since 2009; One of the first women on Long Island to earn the accreditation.
- "Hazardous Waste Operations and Emergency Response" HAZWOPER 24-hour training

"AICP Certification is the only nationwide, independent verification of planners' qualifications."
American Planning Association

"CPESC is the only professional certification recognized by the EPA whose professionals are designated as qualified to prepare stormwater pollution plans (SWPPPs)." – Envirocert International

HAZWOPER - Hazardous Waste Operations and Emergency Response is a set of guidelines produced and maintained by the Occupational Safety and Health Administration which regulates hazardous waste operations and emergency services in the United States and its territories.

Professional Experience

- Environmental Planner, H2M Group March 2003-April 10, 2009
- Senior Environmental Planner, CSF, April 2009 – March 2017
- Principal Environmental Planner, Bowne Group, March 2017 – February 2018
- Director of Town Environmental Quality Review, Town of Oyster Bay, February 2018 - Present

Background

- Ms. Schneider has over 18 years of direct experience in a variety of multi-disciplinary environmental planning and remediation projects including stormwater management, environmental site assessments, remedial investigations, sediment and erosion control, wetlands permitting, hazard mitigation and all aspects of the SEQR process.

Remediation Experience

- Ruco Polymer/Hooker Chemical/Bayer, Hicksville 8 years of direct experience and technical review of remediation activities.
 - Liberty Industrial Finishing Site, Farmingdale
 - Solvent Finishers Site in Jericho (and subsequent additional testing in Chenango Park)
 - Former Sylvania Site, Hicksville NYSDEC Brownfield Cleanup Program Application.
 - Commander Oil, Oyster Bay NYSDEC Brownfield Cleanup Program Application.
 - Anchor Chemicals Site, Hicksville
 - LIRR Expansion Project DEIS
 - Garvies Point DEIS, and Glen Cove Brownfield Opportunity Area
- Suffolk County Department of Public Works, Yaphank, NY: Six-month assignment as an Industrial Waste Pre-Treatment Enforcement Coordinator while at H2M (analyzing results of sample data and factors leading to noncompliance (e.g. Acetone violations in pharmaceutical companies' wastewater discharges).

Stormwater and Sediment and Erosion Control

- Served as a stormwater management compliance inspector and prepared over 200 site inspections and sediment and erosion control reports as certified professional in erosion and sediment control (CPESC).
- Served as an inspector for soil borings conducted pursuant to structural and septic system design, performed over 70 drainage structure installation compliance inspections.
- Municipal Separate Storm Sewer System (MS4) Annual Report preparation for multiple Long Island Villages and Towns in accordance with the NY SPDES General Permit requirements pursuant to the Clean Water Act. Prepared over 50 Reports.
- Stormwater Pollution Prevention Plan (SWPPP) preparation for over 30 construction projects on Long Island in conformance with the NY State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated September 20, 2021, and Gerry Rosen, P.E., Vice-President, P.W. Grosser Consulting Engineers and Hydrologists, P.C., 630 Johnson Avenue, Suite 7 Bohemia, New York 11782, by letter dated July 23, 2021, advised that the scope of work of Contract No. DP19-202, TOBAY Beach Potable Water Treatment System Upgrade, has changed, due to added electrical work, the installation of a pH Adjustment Treatment System and added tasks that need to be performed in order to comply with directives mandated by the New York State Department of Health, and that such additional work is encompassed in Change Order No. 1, for a total net increase in the amount of \$51,317.45; and

WHEREAS, Commissioner Lenz, by said memorandum, advised further that P.W. Grosser Consulting Engineers and Hydrologists, P.C., has reviewed the price quote for the proposed items of work submitted by the contractor, Bensin Contracting, Inc., 652 Union Avenue, P.O. Box 388 Holtsville, New York 11742, and has found the increased cost for the scope of the work to be fair and reasonable; and

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

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as hereinabove set forth, Change Order No. 1, relative to Contract No. DP19-202, TOBAY Beach Potable Water Treatment System Upgrade, is hereby approved, and the Town Supervisor, or his duly appointed designee, is hereby authorized and directed to sign and execute Change Order No. 1, for a total net increase in the amount of \$51,317.45, setting forth the additional work required; and be it further

RESOLVED, That funds in the amount of \$20,472.50, are available for the additional work described in Change Order No. 1, from the available balance of the Potential Quantity Increase (PQI) Reserve, and the remaining \$30,844.95, shall be drawn from Account No. PKS H 7197 20000 000 2002 001, Project ID No. 2002PKSA-08; and be it further

RESOLVED, that the Town Comptroller is hereby authorized and directed 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 20, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER NO. 1
TOBAY BEACH POTABLE WATER TREATMENT SYSTEM UPGRADE
CONTRACT NO.: DP19-202
ACCOUNT NO.: PKS H 7197 20000 000 2002 001
PROJECT I.D. 2002PKSA-08

Attached is a letter from P.W. Grosser Consulting Engineers, P.C. dated July 23, 2021 concerning Change Order No. 1 for a total net increase in the amount of \$51,317.45.

The above subject Change Order No.1 encompasses added electrical work, the installation of a pH Adjustment Treatment system, and added tasks to comply with directives mandated by the New York State Department of Health as explained in the attached letter from P.W. Grosser Consulting Engineers, P.C.

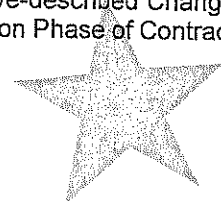
The contractor, Bensin Contracting, Inc., has submitted his price quote for the proposed work. The consultant, P.W. Grosser Consulting Engineers, P.C. reviewed the contractor's price quote and finds the increased cost of \$51,317.45 for the widened scope of work to be fair and reasonable.

Funds are available for the described Change Order No. 1 in the amount of \$20,472.50 from the available balance of the Potential Quantity Increase (PQI) reserve in addition to \$30,844.95 from account PKS H 7197 20000 000 2002 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.

Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 for a total net increase in the amount of \$51,317.45 relative to the Construction Phase of Contract No. DP19-202.

Richard W. Lenz by:
[Signature]
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY



RWL/JCT/MR/BK/IK
Attachments

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

DP19-202 Docket Change Order 1 51317



July 23, 2021

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

Attn: Brian Kunzig
Via US MAIL and Email

Re: Change Order Request No. 1
Tobay Beach Potable Water Treatment System Upgrade
Contract No. DP19-202

Dear Commissioner Lenz:

Submitted herewith is Change Order No. 1 for the above referenced project. P.W. Grosser Consulting Engineer & Hydrogeologist, P.C. has reviewed the price data provided by the Contractor, Bensin Contracting Corp., for all items of work and has found no irregularities. This change order is required due to the additional work that has been requested of the Contractor and credits due the Town of Oyster Bay resulting from the changes in scope of work. The following is a breakdown of the items:

ITEM 1

Additional cost of construction to satisfy the Nassau County Department of Health Services requirements. Costs included the installation of a new pH Adjustment Treatment System comprised of new storage tanks, pumps, mixers, laboratory equipment, appurtenances, etc.

TOTAL OF ITEM 1: \$46,300.00

ITEM 2

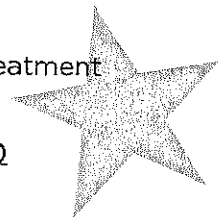
Additional laboratory sampling costs to satisfy the Nassau County Department of Health requirements.

TOTAL OF ITEM 2: \$28,321.05

ITEM 3

CREDIT to the Town for the elimination of the orthopolyphosphate treatment pumps due to the installation of the pH Adjustment Treatment System.

TOTAL OF ITEM 3: (\$14,500.00)



CLIENT DRIVEN SOLUTIONS

PHONE: 516.465.0303 516 JOHN SON AVENUE, STE 7
PWGROSSER.COM BOHEMIA, NY 11716

LONG ISLAND • MANHATTAN • SARATOGA SPRINGS • SYRACUSE • SEATTLE • SHELTON



ITEM 4

CREDIT to the Town for the elimination of the cleaning of the hydropneumatic storage tanks since the tanks were flushed several times during the valve replacement and piping demolition.

TOTAL OF ITEM 4: (\$10,200.00)

ITEM 5

Additional work to repair the existing electrical panel.

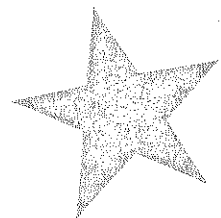
TOTAL OF ITEM 5 \$1,396.40

The sum of the costs and credits associated with Items 1-5 above results is a change order in the amount of \$51,317.45. All prices have been negotiated with the contractor. It is our recommendation that Change Order No. 1 be accepted by the Town. We trust this information will be sufficient for your needs.

If you should have any questions, please do not hesitate to contact this office.

Very truly yours,
PW Grosser Consulting

Gerry Rosen PE
Vice President



CLIENT DRIVEN SOLUTIONS

PHONE: 631.589.6375 630 JOHNSON AVENUE, STE 7
PWGROSSER.COM BOHEMIA, NY 11716

LONG ISLAND • MANHATTAN • SARATOGA SPRINGS • SYRACUSE • SEATTLE • SHELTON

Holtsville, New York 11742

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

ITEM 1

Additional cost of construction to satisfy the Nassau County Department of Health Services requirements. Costs included the installation of a new pH Adjustment Treatment System comprised of new storage tanks, pumps, mixers, laboratory equipment, appurtenances, etc.

TOTAL OF ITEM 1: \$46,300.00

ITEM 2

Additional laboratory sampling costs to satisfy the Nassau County Department of Health requirements.

TOTAL OF ITEM 2: \$28,321.05

ITEM 3 (CREDIT)

Credit to The Town for the elimination of the orthopolyphosphate treatment pumps due to the installation of the pH Adjustment Treatment System.

TOTAL OF ITEM 3: (\$14,500.00)

ITEM 4 (CREDIT)

Credit to The Town for the elimination of the cleaning of the hydropneumatic storage tanks since the tanks were flushed several times during the valve replacement and piping demolition.

TOTAL OF ITEM 4: (\$10,200.00)

ITEM 5

Additional work to repair the existing electrical panel.

TOTAL OF ITEM 5: \$1396.40

TOTAL OF CHANGE ORDER NO. 1: \$51,317.45

The original Contract sum was:	\$409,450.00
Net Change by previously authorized Change Orders:	\$ 0.00
Total Contract sum prior to this Change Order:	\$409,450.00
Change Order No. 1:	\$ 51,317.45
New Contract sum including CHANGE ORDER NO. 1:	\$460,767.45

The above work is to be performed in accordance with the letter from PW Grosser Consulting Engineer and Hydrogeologist, P.C., dated July 23, 2021, and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of **Fifty One Thousand, Three Hundred and Seventeen Dollars and Forty Five Cents.**

The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and Hydrogeologist, P.C.

by: Gerry Rosen
Title: VP

Dated: 8/31/21

Sufficient funding for this Change Order is available within the Contract encumbrance/Account No.

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 9/14/21
Steven Ballas, Comptroller

[Signature]
Brian Noone
Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

ITEM 1

Additional cost of construction to satisfy the Nassau County Department of Health Services requirements. Costs included the installation of a new pH Adjustment Treatment System comprised of new storage tanks, pumps, mixers, laboratory equipment, appurtenances, etc.

TOTAL OF ITEM 1: \$46,300.00

ITEM 2

Additional laboratory sampling costs to satisfy the Nassau County Department of Health requirements.

TOTAL OF ITEM 2: \$28,321.05

ITEM 3 (CREDIT)

Credit to The Town for the elimination of the orthopolyphosphate treatment pumps due to the installation of the pH Adjustment Treatment System.

TOTAL OF ITEM 3: (\$14,500.00)

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Credit to The Town for the elimination of the cleaning of the hydropneumatic storage tanks since the tanks were flushed several times during the valve replacement and piping demolition.

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and Hydrogeologist, P.C.

by: Gerry Rosen
Title: P.W.

Dated: 9/31/21

Sufficient funding for this Change Order is available within the Contract encumbrance/Account No.

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 9/14/21
Steven Ballas, Comptroller

by: [Signature]
Brian Noone
Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

ITEM 1

Additional cost of construction to satisfy the Nassau County Department of Health Services requirements. Costs included the installation of a new pH Adjustment Treatment System comprised of new storage tanks, pumps, mixers, laboratory equipment, appurtenances, etc.

TOTAL OF ITEM 1: \$46,300.00

ITEM 2

Additional laboratory sampling costs to satisfy the Nassau County Department of Health requirements.

TOTAL OF ITEM 2: \$28,321.05

ITEM 3 (CREDIT)

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and Hydrogeologist, P.C.

by: *Gerry Rosen*

Title: VP

Dated: 8/31/21

Sufficient funding for this Change Order is available within the Contract encumbrance/Account No.

by: *[Signature]*

Robert Darienzo, Director of Finance

by: *[Signature]* 9/10/21

Steven Ballas, Comptroller

[Signature]
Brian Noone

Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

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Additional cost of construction to satisfy the Nassau County Department of Health Services requirements. Costs included the installation of a new pH Adjustment Treatment System comprised of new storage tanks, pumps, mixers, laboratory equipment, appurtenances, etc.

TOTAL OF ITEM 1: \$46,300.00

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The above work is to be performed in accordance with the letter from PW Grosser Consulting Engineer and Hydrogeologist, P.C., dated July 23, 2021, and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of **Fifty One Thousand, Three Hundred and Seventeen Dollars and Forty Five Cents.**

The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and
Hydrogeologist, P.C.

Sufficient funding for this Change Order is available within
the Contract encumbrance/Account No.

by: *Gerry Rosen*
Title: *VP*

by: *[Signature]*
Robert Darienzo, Director of Finance

Dated: *8/31/21*

by: *[Signature]* *9/10/21*
Steven Ballas, Comptroller

by: *[Signature]*
Brian Noone
Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

ITEM 1

Additional cost of construction to satisfy the Nassau County Department of Health Services requirements. Costs included the installation of a new pH Adjustment Treatment System comprised of new storage tanks, pumps, mixers, laboratory equipment, appurtenances, etc.

TOTAL OF ITEM 1: \$46,300.00

ITEM 2

Additional laboratory sampling costs to satisfy the Nassau County Department of Health requirements.

TOTAL OF ITEM 2: \$28,321.05

ITEM 3 (CREDIT)

Credit to The Town for the elimination of the orthopolyphosphate treatment pumps due to the installation of the pH Adjustment Treatment System.

TOTAL OF ITEM 3: (\$14,500.00)

ITEM 4 (CREDIT)

Credit to The Town for the elimination of the cleaning of the hydropneumatic storage tanks since the tanks were flushed several times during the valve replacement and piping demolition.

TOTAL OF ITEM 4: (\$10,200.00)

ITEM 5

Additional work to repair the existing electrical panel.

TOTAL OF ITEM 5: \$1396.40

TOTAL OF CHANGE ORDER NO. 1: \$51,317.45

The original Contract sum was:	\$409,450.00
Net Change by previously authorized Change Orders:	\$ 0.00
Total Contract sum prior to this Change Order:	\$409,450.00
Change Order No. 1:	\$ 51,317.45
New Contract sum including CHANGE ORDER NO. 1:	\$460,767.45

The above work is to be performed in accordance with the letter from PW Grosser Consulting Engineer and Hydrogeologist, P.C., dated July 23, 2021, and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of **Fifty One Thousand, Three Hundred and Seventeen Dollars and Forty Five Cents.**

The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and
Hydrogeologist, P.C.

by: Gerry Rosen
Title: VP

Dated: 8/31/2021

Sufficient funding for this Change Order is available within
the Contract encumbrance/Account No.

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 9/14/21
Steven Ballas, Comptroller

by: [Signature]
Brian Noone
Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

Holtsville, New York 11742

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and Hydrogeologist, P.C.

by: Gerry Rosen
Title: V.P.

Dated: 8/31/2021

Accepted by:

Rensin Contracting Corp.

Sufficient funding for this Change Order is available within the Contract encumbrance/Account No.

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 9/14/21
Steven Ballas, Comptroller

The above Change Order is hereby accepted:

Town of Oyster Bay

by: [Signature]
Briar Moore
Inspector General

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and Hydrogeologist, P.C.

by: Gerry Rosen
Title: VPO

Dated: 8/31/2021

Sufficient funding for this Change Order is available within the Contract encumbrance/Account No.

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 9/14/21
Steven Ballas, Comptroller

by: [Signature]
Brian Noone
Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and Hydrogeologist, P.C.

by: Gerry Rosen

Title: VP

Dated: 8/31/2021

Sufficient funding for this Change Order is available within the Contract encumbrance/Account No.

by: [Signature]

Robert Darienzo, Director of Finance

by: [Signature] 9/14/21

Steven Ballas, Comptroller

by: [Signature]

Brian Noone

Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

From: Gerry Rosen, P.E.
P.W. Grosser Consulting Engineer and Hydrogeologist, P.C.
630 Johnson Ave, Suite 7
Bohemia, NY 11782

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

PW Grosser Consulting Engineer and
Hydrogeologist, P.C.

by: 

Title: VP

Dated: 8/31/21

Sufficient funding for this Change Order is available within
the Contract encumbrance/Account No.

by: 

Robert D'Amico, Director of Finance

by: 

Steven Ballas, Comptroller

by: 

Brian Noone
Inspector General

Accepted by:

Bensin Contracting Corp.

The above Change Order is hereby accepted:
Town of Oyster Bay

568-21
reso

At a regular meeting of the Town Board of the Town of Oyster Bay, County of Nassau, State of New York, held at Town Hall, 54 Audrey Avenue, in said Town on October 5, 2021, at 10:00 o'clock A.M. prevailing time

PRESENT: Supervisor Saladino
Councilman Imbroto
Councilman Hand
Councilman Labriola
Councilwoman Maier
Councilwoman Walsh

ABSENT: Councilwoman Johnson

In the Matter of the Application of the Oyster Bay Water District for an extension to add a parcel of property to its district, more particularly described as Section 26, Block A, Lot 66 on the Land and Tax Map of the County of Nassau, New York, pursuant to Town Law.

RESOLUTION NO. 568-2021
FINAL ORDER OF TOWN
BOARD

WHEREAS, a public hearing was duly called by the Town Board of the Town of Oyster Bay (the "Town Board"), County of Nassau, State of New York and held on August 17, 2021, in the Matter of the Application of the Oyster Bay Water District (the "District") for extension into a certain area of the Incorporated Village of Cove Neck; and

WHEREAS, the Town Board having duly approved the Application on August 17, 2021 pursuant to Resolution No. 487-2021; and

WHEREAS, the Application was not one requiring permission of State Comptroller for extension of the District, pursuant to New York State Town Law Section 209-f, in all respects as petitioned for and approved by the Town Board as aforesaid, in as much as the Petition stated that there will be no cost or bond required for the inclusion of the subject parcel in the District, and that the subject parcel currently receives water service from the District on a contract basis, with no additional capital improvements as a result of the extension as granted; and

WHEREAS, the expiration of the time for filing a petition requesting that the matter be submitted to a referendum of the property owners of the proposed district or proposed extended district pursuant to New York Town Law Section 209-e, was September 16, 2021, and no such petition has been filed with the Town Clerk,

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of said Town Board) as follows:

FIRST: That the Oyster Bay Water District be extended to include a certain parcel located within 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, be included in the District;

SECOND: That there will be zero increased cost and expense of the aforescribed extension with no capital improvements to be financed and therefore permission of the New York State Comptroller is not required pursuant to New York Town Law Section 209-f;

THIRD: That the Town Clerk is hereby authorized and directed to file a certified copy of this order in the office of the clerk of the County of Nassau in which the Town of Oyster Bay is located, within ten (10) days after the adoption of this order, in substantially the following form:

TOWN OF OYSTER BAY

PLEASE TAKE NOTICE that on October 5, 2021, the Town Board of the Town of Oyster Bay, in the County of Nassau, New York, adopted its Resolution 568 - 2021, FINAL ORDER OF TOWN BOARD EXTENDING WATER DISTRICT, for the extension to add a Village of Cove Neck owned parcel to its district, more particularly described as Section 26, Block A, Lot 66 on the Land and Tax Map of the county of Nassau, New York, pursuant to Town Law, an abstract of which Resolution and Order concisely stating the purpose and effect thereof, is as follows:

FIRST: That the Oyster Bay Water District is extended to include a certain parcel located within 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, be included in the District;

SECOND: The expiration of the time for filing a petition requesting that the matter be submitted to a referendum of the property owners of the proposed district or proposed extended district pursuant to New York Town Law Section 209-e, was September 16, 2021, and no such petition has been filed with the Town Clerk;

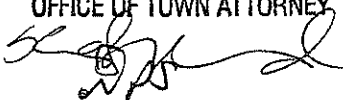
THIRD: The extension of the District is not one requiring permission of State Comptroller, pursuant to New York State Town Law Section 209-f, in all respects as petitioned for and approved by the Town Board, in as much as the Petition stated that there will be no cost or bond required for the inclusion of the subject parcel in the District, and that the subject parcel currently receives water service from the District on a contract basis, with no additional capital improvements as a result of the extension as granted.

DATED: October 5, 2021

RICHARD LaMARCA
TOWN CLERK

ALL PRESENT VOTING AYE

REVIEWED BY
OFFICE OF TOWN ATTORNEY



17

568

Town of Oyster Bay Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Frank M. Scalera, Town Attorney

DATE : September 20, 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


A public hearing was duly called by the Town Board and held on August 17, 2021, in the Matter of the Application of the Oyster Bay Water District (the "District") for extension into a certain area of the Incorporated Village of Cove Neck, to include a certain parcel located within 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.

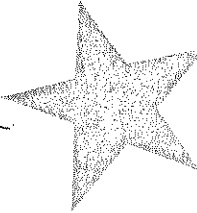
The Town Board approved the aforementioned Application on August 17, 2021 pursuant to Resolution No. 487-2021, subject to a permissive referendum. The expiration of the time for filing a petition requesting that the matter be submitted to a referendum of the property owners of the proposed district or proposed extended district pursuant to New York Town Law Section 209-e, was September 16, 2021, and no such petition has been filed with the town clerk.

The aforementioned Application was not one requiring permission of State Comptroller for extension of the District, pursuant to New York State Town Law Section 209-f, in all respects as petitioned for and approved by the Town Board as aforesaid, in as much as the Petition stated that there will be no cost or bond required for the inclusion of the subject parcel in the District, and that the subject parcel currently receives water service from the District on a contract basis, with no additional capital improvements as a result of the extension as granted.

It is requested that the Town Board adopt the attached Resolution and Final Order of the Town Board Extending the Water District on October 5, 2021.

FRANK M. SCALERA
TOWN ATTORNEY


Karen J. Underwood
Deputy Town Attorney



KJU:kju
2021-8119

WHEREAS, by Resolution No. 802-2019, adopted on December 10, 2019, the Town Board authorized D&B Engineers & Architects, P.C. to provide the On-Call Engineering Services relative to Contract No. PWC20-20 for the period from January 1, 2020 through December 31, 2021; and

WHEREAS, Steven A. Fangmann, P.E., BCEE, President and CEO, D&B Engineers and Architects, P.C., by letter dated August 25, 2021, described the scope of work to be performed regarding the design and permitting of fueling station improvements at the Town's Central Vehicle Maintenance Facility at the Old Bethpage Solid Waste Disposal Facility, in an amount not to exceed \$59,500.00, and requested authorization to retain Premier Infrastructure and Energy, as a sub consultant to provide specialized services related to underground utility mark-out work; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated September 20, 2021, requested that the Town Board authorize D&B Engineers & Architects P.C. to perform the aforesaid engineering services and be authorized to retain Premier Infrastructure and Energy, as a sub consultant to provide specialized services related to underground utility mark-out work, relative to Contract No. PWC20-20; and

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

WHEREAS, Commissioner Lenz, by said memorandum, further requested that the Town Board authorize and direct the Town Comptroller to issue an encumbrance order, in an amount not to exceed \$59,500.00, to satisfy said engineering costs, relative to Contract No. PWC20-20 and that funds to satisfy said engineering costs are available in Account No. DPW H 1997 20000 000 2110 001,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and D&B Engineers & Architects, P.C. is authorized to provide engineering services and utilize Premier Infrastructure and Energy, as a sub consultant to provide specialized services related to underground utility mark-out work, relative to Contract No. PWC20-20 for an amount not to exceed \$59,500.00; and be it further

RESOLVED, that the Comptroller is authorized to issue an encumbrance order, in an amount not to exceed \$59,500.00, to satisfy said engineering costs, with funds to be drawn from Account No. DPW H 1997 20000 000 2110 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

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

September 20, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO
TANK MANAGEMENT – FUEL SYSTEM IMPROVEMENTS OBSWDC CVM FACILITY
USE OF SUB-CONSULTANT
CONTRACT NO. PWC20-20
ACCOUNT NO.: DPW H 1997 20000 000 2110 001
PROJECT ID NO. 2110TWNA 02


The consultant, D&B Engineers & Architects, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC20-20 by Resolution No. 802-2019 for the subject project.

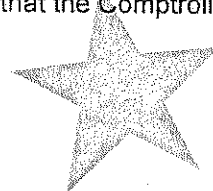
Attached is a letter dated August 25, 2021 from D&B Engineers & Architects, regarding the scope of work performed in an amount not to exceed \$59,500.00. Funds are required for detailed design and permitting services under said on-call as described in the attached letter from D&B Engineers & Architects. In addition, it is requested that Premier Infrastructure and Energy, be approved as sub-consultant for said project.

Attached is an availability of funds in the amount of \$59,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DPW-H-1997-20000 000 2110 001.

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

It is hereby requested that the Town Board authorize by Resolution, D&B Engineers & Architects under Contract No. PWC20-20 for on-Call Engineering Services Relative to Tank Management and that Premier Infrastructure and Energy, be approved as sub-consultant and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

Richard W. Lenz by:

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



RWL/JCT/MR/TLS/nm

Attachment

cc: Steve C. Ballas, Comptroller
Michael Cipriano, Division Head/CVM

PWC20-20 Docket DB 59500



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



Requesting Division/Department

CVM

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

Contract Number PWC20-20

Contract Period JANUARY 01, 2020 TO DECEMBER 31, 2021

Consultant/Contractor D & B Engineers & Architects

Discipline TANK MANAGEMENT

Total Authorization _____

Resolution No. 802-2019 Date 12/10/2019

Funded To Date _____

Amount Requested \$59,500.00

Account To Be Used DPW-H-1997-2110-001-000 /2110TWNA-02

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

Description Of Work

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

ON-CALL SERVICES RELATIVE TO TANK MANAGEMENT

FUEL SYSTEM IMPROVEMENTS AT OBSWDC CVM FACILITY

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ n/a

Requesting Division/Department

Signature [Signature]

Title DIVISION HEAD CVM

Date 9-9-2021

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 9/20/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 59,500.00

Unencumbered Balance 637,701.65

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

Yes ☒ No ☐

Signature [Signature]

Date 9/20/21



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. PWC20-20

Contract End 12/31/2021

Commencement Date _____

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

Vendor Name and Address

D & B ENGINEERS & ARCHITECTS

330 CROSSWAYS PARK DRIVE

WOODBURY, NEW YORK 11797

Requesting Town Department CVM

Contact _____ Phone _____

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

TANK MANAGEMENT SERVICES

FUEL SYSTEM IMPROVEMENTS AT OBSWDC CVM FACILITY

This work order shall not exceed \$ \$59,500.00

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 DIVISION HEAD CVM

Commissioner of Public Works

Date 9-7-2021

Date 9/20/21

Meeting of December 10, 2019

Resolution No. 802-2019

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2019, advised that on September 4, 2019, a Request for Proposals for On-Call Engineering Services relative to Tank Management, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC20-20, for a two (2) year term contract commencing January 1, 2020 through December 31, 2021 was issued by the Department of Public Works to four (4) firms, and was placed on the Town of Oyster Bay website; and

WHEREAS, in response to that Request for Proposals, five (5) responses were timely received by the Division of Engineering; and

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

WHEREAS, Commissioner Lenz requested that the Town Board authorize the Department of Public Works to enter into an agreement with D & B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C. and LiRo Engineers, Inc. to provide On-Call Engineering Services relative to Tank Management, in accordance with the specifications contained in Contract No. PWC20-20, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

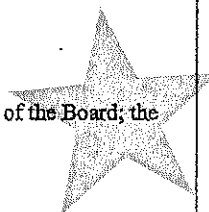
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC20-20 with D & B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C. and LiRo Engineers, Inc., 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

Reviewed By
Office of Town Attorney





330 Crossways Park Drive, Woodbury, New York 11797
516-364-9890 • 718-460-3634 • Fax: 516-364-9045 • www.db-eng.com

T.S.
proceed

Board of Directors

Steven A. Fangmann, P.E., BCEE
President & Chairman

Robert L. Raab, P.E., BCEE, CCM
Senior Vice President

William D. Merkin, P.E.
Senior Vice President

August 25, 2021

John Tassone, Deputy Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791

Attn: Thomas Scalfano
Engineering Division

Re: Fuel System Improvements at OBSWDC CVM Facility
TOB Contract No.: PWC 20-20, Resolution 802-2019

Dear Deputy Commissioner:

As the Town's Tank Management Consultant under the above-referenced contract, D&B Engineers and Architects, D.P.C. (D&B) is pleased to submit this Task Order Proposal to provide assistance to the Town with professional engineering services related to the design and permitting of fueling station improvements at the Town's Central Vehicle Maintenance Facility (CVM) at the Old Bethpage Solid Waste Disposal Complex (OSWDC). This assignment is similar in nature to the fueling system improvements previously completed by D&B at other Town Facilities over the past 15 years.

As discussed with Town representatives during an on-site scoping meeting at the site, we understand that the goal of the project is to replace the existing fueling system with new tankage and modern dispensing and accessory equipment, similar to fueling system upgrades performed at other Town CVM facilities. In addition to the fueling system work, we will evaluate and address existing site stormwater issues that are related to the existing pavements and grades in this area of the site that cause standing water to accumulate in the fueling system area. Our work will also include removal of the existing reinforced concrete retaining wall that is present adjacent to the existing underground tanks to allow for their removal, and design of a new, lower retaining wall to accommodate the difference in grades apparent between the CVM building and adjacent transfer station.

A new tank and dispenser layout will be developed to avoid vehicle wheel tracking across the tank manways and storage tank protection slabs and to accommodate the variety of Town vehicles that utilize this facility for fueling. The existing system includes a 4,000-gallon underground storage tank for diesel fuel and a 4,000-gallon underground storage tank for gasoline storage. We understand that the new facility will include a 12,000-gallon underground storage tank for diesel fuel and a 8,000-gallon underground storage tank for gasoline storage. We have reviewed dimensional information for this arrangement and have determined this arrangement to be feasible at this site.

We understand that an area of the project site is intended to be utilized in the future for a private leasehold and will coordinate the layout of the fueling system components with these proposed boundaries, which will be provided by the Town. The existing fueling system is currently served by a

"Facing Challenges, Providing Solutions... Since 1965"

D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner
Town of Oyster Bay
Department of Public Works
August 25, 2021

Page 2

mobile standby generator through a receptacle/junction box. The new fueling system will include these mobile standby generator connection provisions to maintain system operation during times of primary utility power outage.

Design elements for the fueling system will generally be consistent with previous fueling system designs performed for the Town by D&B, and shall include integration of the Town's existing fuel management system; use of submersible pumping equipment and Veeder-Root tank gauge equipment, Fiberlite tank access manways and Wayne dispensers, however a mechanical register is understood to be preferred at this location. Additionally, as NYSDEC no longer requires Stage II vapor recovery equipment, this will be omitted from the design to reduce future routine equipment testing requirements. Should an overhead canopy be requested to be included as part of the project, this can be integrated into our design scope with a supplemental proposal, as may be requested.

As our current on-call contract will expire in December of 2021, the work of this proposal includes only work that we believe can be completed within this time period, and is therefore limited to detailed design and filing of permitting applications.

In order to support the Town with these improvements, we propose the following detailed scope of work:

A. SCOPE OF WORK

Detailed Design and Permitting

- Solicit the services of an underground utility locating subcontractor to perform a buried utility investigation and mark out of the project area. Coordinate with the subcontractor to perform a topographic and utility survey to develop base mapping of the project area and adjacent areas of stormwater contributions.
- Prepare base plans of the project area and surrounding areas for use in the design of stormwater improvements and fueling system layout evaluations.
- Meet on-site with representatives of the Town to define the conceptual layout of the facility, including tank locations and manway arrangements, dispenser and fueling island options and layout, and arrangement of the fire suppression system, support equipment and controls.
- Coordinate with the Town to determine the requirements of the existing mobile standby power generator unit and connections for integration in the new fueling system design.
- Develop a proposed site plan of the new fueling system layout. Perform a stormwater evaluation and design for the areas surrounding the project to mitigate surface stormwater collection in the area of the fueling facility. The stormwater design will include new drywells and interconnecting piping, in conformance with separation requirements for Nassau County and New York State Petroleum Bulk Storage and National Fire Protection Agency Motor Vehicle Fueling code requirements.

D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner
Town of Oyster Bay
Department of Public Works
August 25, 2021

Page 3

- Meet with Town representatives to review the draft fueling system and coordinated stormwater improvements layout and discuss options and adjustments to conform to the operational requirements of the facility. Integrate the Town's comments to finalize the site layout.
- Design the mechanical and electrical systems related to the fueling facility based upon the selected conceptual layout.
- Perform drainage design calculations and design and develop details for the stormwater improvement aspect of the work.
- Design the electrical and controls systems including the mobile standby generator connection and fueling system lighting system including suitable energy-efficient fixtures.
- Present preliminary detailed design drawings to the Town for review and comment. Integrate comments received from the Town.
- Prepare detailed construction technical specifications to define requirements for materials and equipment related to the project. Prepare a bid sheet with lump sum and unit price items appropriate for the project work.
- Coordinate with the Town to integrate the Town's boilerplate contract and bidding requirements into the construction documents.
- Develop a conceptual cost estimate for the project work, based upon the finalized construction documents.
- Prepare final drawings for applications to the Nassau County Department of Health under the provisions of the County's Petroleum Bulk Storage Code. Solicit signatures and applications fees from the Town as required to submit the plans and specifications for regulatory review and comment.

B. FEES

The proposed fees to complete the above tasks will be based upon time and expenses actually incurred in relation to the above scope in accordance with the terms of our on-call agreement with the Town and will not exceed \$59,500.

The costs above include subcontractor expenses of \$2,500 for underground utility mark-out in the project area. Direct expenses, including mileage and document reproduction are included in the above fees.

D&B intends to utilize the services of Premier Infrastructure and Energy for the underground utility mark-out work and is hereby requesting the Town's approval of this subcontractor for this specialty work.

D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner
Town of Oyster Bay
Department of Public Works
August 25, 2021

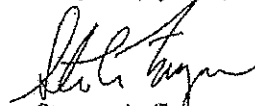
Page 4

Based upon the term of our existing on-call contract, it is presumed that completion of the regulatory review process, bidding and construction will be completed under separate contract, as applicable and are therefore omitted from this scope.

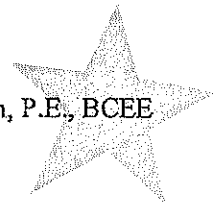
Our work assumes that the existing electrical service capacity of the facility is adequate to support the new electrical loads. Should improvements to the existing facility electrical service be required, a separate proposal can be developed to address this work.

If you have any questions regarding this proposal, please feel free to call me at (516) 364-9890, Ext. 3005.

Very truly yours,



Steven A. Fahgmann, P.E., BCEE
President and CEO



SAF/PRSt/cf

cc: M. Russo (TOB-Eng)
M. Cipriano (TOB-CVM)
P. Sachs (D&B)

♦PX11148\SAF082521JT_Ltr(R01)

Meeting of October 5, 2021

Resolution No.570-2021

WHEREAS, by Resolution No. 364-2021, adopted on June 29, 2021, the Town Board authorized the extension of Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal Throughout the Town of Oyster Bay, with Looks Great Services, Inc., from June 11, 2021 through March 12, 2022, upon the same prices, conditions and terms of the original contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated September 20, 2021, requested Town Board authorization for an increase in the amount of said Contract by \$498,000.00,

NOW THEREFORE IT BE RESOLVED, That the request as hereinabove set forth is approved, and the Town hereby authorizes an increase in the amount of \$498,000.00 for Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal Throughout the Town of Oyster Bay, with Looks Great Services, Inc.

-#-

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

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

September 20, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: LOOKS GREAT SERVICES, INC.
REQUIREMENTS CONTRACT FOR TREE TRIMMING AND TREE REMOVAL
AT VARIOUS LOCATIONS THROUGHOUT THE
TOWN OF OYSTER BAY
CONTRACT NUMBER HTR17-163

The Department of Public Works has reviewed the work performed by Looks Great Services, Inc., with respect to the above-mentioned contract. Town Board Resolution No. 364-2021 authorized an extension of said contract through March 12, 2022.

At this time, the Department of Public Works respectfully requests an increase of authorization of \$498,000.00 for Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal throughout the Town of Oyster Bay.

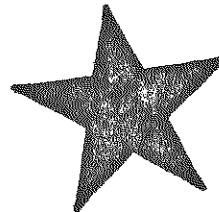
The Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied that the Procurement policy has been fulfilled.

Therefore, Town Board approval is requested as noted above.

Richard W. Lenz by:
C. Grace Santamaria, Deputy Commissioner
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HWY

RWL/lb

C Grace Santamaria, Highway Administration



WHEREAS, pursuant to public notice, proposals were duly solicited and regularly received for the delivery of youth employment and training services for out-of-school youth, aged 16-24, for the period of October 1, 2021, through September 30, 2024, for the Town of Oyster Bay Department of Intergovernmental Affairs, in accordance with the Town's Procurement Policy; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memoranda dated September 21, 2021 and September 24, 2021, advised that one (1) firm responded to the request for proposals, and requested that Board of Cooperative Educational Services of Nassau County be awarded a contract beginning on October 1, 2021, and ending on September 30, 2024, at a cost of \$182,128.00 with funds available from Account Nos. IGA CD 6293 48050 000 CW 21 and IGA CD 6293 48050 000 CW 22; and

WHEREAS, Thomas M. Sabellico, Special Counsel, by memorandum dated September 21, 2021, indicated that based upon the efforts that were made to obtain proposals, including posting in Newsday, posting of the Request for Proposal on the Town's website and sending same to the local Workforce Development Board, it is the opinion of the Office of the Town Attorney that the Department of Governmental Affairs are in compliance with the Town's Procurement Policy; and

WHEREAS, this is an eligible Workforce Innovation and Opportunity Act expense and therefore at no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Supervisor and/or his designee is hereby authorized to enter into an agreement with Board of Cooperative Educational Services of Nassau County, for the delivery of youth employment and training services for out-of-school youth, aged 16-24, for the Town of Oyster Bay, Department of Intergovernmental Affairs, for the term beginning October 1, 2021, through September 30, 2024, in an amount not to exceed \$182,128.00, in accordance with the provisions thereunder; 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 Nos. IGA CD 6293 48050 000 CW 21 and IGA CD 6293 48050 000 CW 22.

-#-

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

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

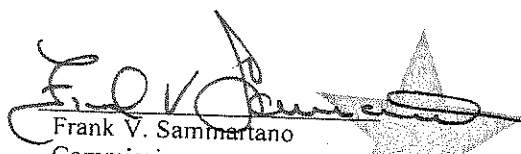
DATE: SEPTEMBER 24, 2021

SUBJECT: WORKFORCE INNOVATION AND OPPORTUNITY ACT,
YOUTH PROGRAM CONTRACT
SUPPLEMENTAL TO M.D. 9/21/2021 # 7

The Town of Oyster Bay's Department of Intergovernmental Affairs issued a Request for Proposals for the delivery of youth employment and training services for out-of-school youth aged 16-24 funded through the Workforce Innovation and Opportunity Act (WIOA). Requested services include the provision of programs designed to assist eligible youth participants in high school dropout prevention; achievement of work readiness skills; attainment of recognized credentials; and placement in employment or post-secondary education.

Proposals were reviewed and rated by a Youth Proposal Review Committee in accordance with review criteria established by Town and WIOA guidelines. The proposal from Board of Cooperative Educational Services of Nassau County achieved the highest score and is recommended for funding for the period October 1, 2021 through September 30, 2024 in the amount of \$182,128.00.

Therefore, it is respectfully requested that the Town Board adopt a resolution authorizing the Supervisor to sign the contract. Funds for this purpose are available in account IGA CD 6293 48050 000 CW21 & IGA CD 6293 48050 000 CW 22


Frank V. Sammartano
Commissioner



WORKFORCE INVESTMENT AND OPPORTUNITY ACT YOUTH PROGRAM
EMPLOYMENT AND TRAINING SERVICES
FOR OUT-OF-SCHOOL YOUTH

THIS AGREEMENT, made the 1st day of October, 2021, by and between the TOWN OF OYSTER BAY, by and through its Department of Intergovernmental Affairs' Division of Employment and Training, having its principal offices at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, having its principal place of business at 71 Clinton Road, Garden City, New York 11530 (hereinafter referred to as "CONTRACTOR").

WITNESSETH

WHEREAS, the Workforce Investment Act, as amended and reauthorized by the Workforce Innovation and Opportunity Act (hereinafter referred to as "WIOA") provides grants for Workforce Investment Areas through the States for the purpose of establishing programs and plans for a one-stop delivery system through which any person may explore work preparation and career development services and access a range of employment, skills development and training programs; and programs through which youth are provided with comprehensive year-round programming, and

WHEREAS, in accordance therewith the areas comprised of the TOWN OF OYSTER BAY, the TOWN OF NORTH HEMPSTEAD, and the CITY OF GLEN COVE were duly designated by the Governor of the State of New York as constituting an eligible Workforce Investment Area, and

WHEREAS, the TOWN OF OYSTER BAY, the TOWN OF NORTH HEMPSTEAD, and the CITY OF GLEN COVE duly entered into a Multi-Jurisdictional Agreement dated January 23, 2019, for the purpose of administering programs under said law wherein the Supervisor of the Town of Oyster Bay was delegated the Chief Local Elected Official to undertake such administrative, operational, and fiscal responsibilities, and

WHEREAS, the Town of Oyster Bay's Division of Employment and Training (hereinafter "DET") has been duly designated through the Multi-Jurisdictional Agreement as the entity to administer required programs under the said law, its rules and regulations, and

WHEREAS, programs providing comprehensive year-round services to eligible youth, including exposure to and preparation for post-secondary opportunities, linkages between academic and occupational learning, and connections to the local job market are appropriate activities under the aforesaid law, and

WHEREAS, the CONTRACTOR is deemed an eligible enterprise to furnish such services;

NOW, THEREFORE, in consideration of the mutual interests provided for hereby, the parties herein agree as follows.

A. CONTRACTOR's Obligations

1. CONTRACTOR shall perform all program services for eligible out-of-school youth between the ages of 16 and 24 in accordance with the approved proposal and budget; and in accordance with the Youth Program Benchmark Chart, which is attached hereto as Appendix VI and in all respects made a part hereof.
2. CONTRACTOR shall not subcontract any or all of the services herein agreed to, unless consented to in writing by TOWN.
3. CONTRACTOR shall perform all program services within the period agreed to herein; and shall furnish all the instruction and other services, materials, equipment, and supplies necessary for such program.
4. CONTRACTOR shall submit to TOWN completed out-of-school youth participant applications with verifying documents for all required data elements including date of birth, citizenship/authorization to work, address, and income eligibility and/or proof of disability if needed.
5. CONTRACTOR staff representing new programs must attend a training session with TOWN DET's Youth Unit staff a minimum of one time prior to the commencement of program activities.
6. CONTRACTOR shall submit to TOWN pre- and post-test scores for literacy/numeracy using the Test of Adult Basic Education (TABE); monthly case notes, including dates of attendance for all activities; work experience attendance/timesheets; pre- and post-program evaluations, and complete other forms as instructed by TOWN staff.
7. CONTRACTOR shall be responsible for distribution of work experience paychecks to youth participants, including the pick-up of checks from TOWN DET's Youth Unit, and the delivery of checks to youth at Work Experience sites.

B. TOWN Obligations

1. Provide CONTRACTOR with all forms necessary to complete its reporting requirements.
2. Conduct desk reviews and on-site monitoring of CONTRACTOR's obligations to determine that expenditures have been made against the cost categories and within the cost limitations specified in WIOA and the Contract; determine whether there is compliance with other provisions of the Act and Rules and Regulations and other applicable laws and regulations; and provide technical assistance as needed.
3. Pay the salaries/wages of all participants assigned to the worksite, and maintain all earnings and tax records.

C. Authority

Pursuant to a grant awarded to TOWN by the New York State Department of Labor under WIOA, Catalog of Federal Domestic Assistance (CFDA) number 17.259.

D. Payments

1. Payment to CONTRACTOR shall be made in accordance with criteria for payment and CONTRACTOR's approved budget, which are set forth in Appendix I, which is attached hereto and in all respects made a part hereof.

2. TOWN hereby hires and retains the services of CONTRACTOR to conduct youth programs for WIOA eligible participants in accordance with the approved proposal.

3. CONTRACTOR shall submit original Town of Oyster Bay claim forms provided by TOWN as well as a Board of Cooperative Educational Services of Nassau County invoice. Claims are subject to adjustment and auditing by authorized TOWN personnel for actual costs incurred pursuant to this Agreement.

E. Claims and Closeout

1. CONTRACTOR shall be paid upon submission of duly certified claim forms approved by TOWN. TOWN will file the claim in the Office of the Comptroller of the Town of Oyster Bay. Claims must be submitted to TOWN within ninety (90) days of the conclusion of said training program.

F. Audit and Records

1. CONTRACTOR, including its satellites if any, shall maintain full and complete books and records of accounts in accordance with Generally Accepted Accounting Principles (GAAP) and such other records as may be prescribed by TOWN. Such books and other records shall at all times be available for audit and inspection by TOWN or its duly designated representatives. All financial records shall be retained for a period of six (6) years after the expiration or termination of this contract. Such period of access and retention shall continue until any and all claims, appeals, litigations or disputes arising under this contract have been disposed of.

2. TOWN will conduct on-site monitoring and auditing visits to assure contract compliance and adherence to all applicable laws and regulations at least one (1) time during the contract period.

3. CONTRACTOR agrees to maintain the confidence of all information regarding participants or their immediate families and will not divulge same without the prior written permission of the participant or as may be required by law.

G. Laws Applicable

1. CONTRACTOR agrees that it will comply with requirements of WIOA and the regulations and policies promulgated thereunder. If such regulations should be amended it shall then comply with them, or it will notify TOWN within thirty (30) days of receipt from TOWN of such amended or revised regulations that it cannot so conform. TOWN may, after receipt of such notices of inability to comply, terminate this contract in whole or part on ten (10) days' notice. TOWN shall be responsible to advise CONTRACTOR of any amendments or revisions of said regulations. This Agreement is subject to the provisions of Article 18 of the General Municipal Law of the State of New York, as amended, Section 22-4.2 of the Administrative Code of Nassau County and the provisions of the Anti-Discrimination Order under the program contemplated by this Agreement.

2. CONTRACTOR shall abide by the Federal Certifications, which are

attached hereto as Appendix II and in all respects made a part hereof. CONTRACTOR affirms that it will abide by the provisions of the Certification Regarding Debarment, Suspension, Ineligibility, and voluntary Exclusion-Lower Tier Covered Transactions, the Certification Regarding Lobbying - Certification for Contracts, Grants, Loans and Cooperative Agreements, the Certification Regarding Drug Free Workplace, the Certification Regarding Nondiscrimination and Equal Opportunity Assurance, the Certification Regarding Buy American Notice Requirement, the Certification Regarding Salary and Bonus Limitations, and the Certification Regarding Veterans' Priority Provisions.

H. Nondiscrimination

As a condition to the award of financial assistance under WIOA from the Department of Labor, CONTRACTOR assures, with respect to operation of WIOA-funded program or activity and all agreements or arrangements to carry out WIOA-funded program or activity, that it will comply fully with the non-discrimination and equal opportunity provisions of the WIOA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted permanent resident alien, refugee, asylee, parolee, or other immigrant authorized by the Attorney General to work in the United States or participation in any WIOA financially assisted program or activity; the Non-traditional Employment for Women Act of 1991; Title II of the Genetic Information Nondiscrimination Act of 2008; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 34. The United States DOL has the right to seek judicial enforcement of this assurance.

I. Priority of Service for Veterans and Eligible Spouses

WIOA provides priority of service to all veterans and eligible spouses under all programs. Therefore, veterans and eligible spouses will be given priority over non-covered persons for the receipt of employment, training and placement services. A veteran or an eligible spouse must either receive access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse must receive access to the service instead of or before the non-covered person.

J. Termination of Participant

1. CONTRACTOR's rights to discipline, suspend, or discharge participants shall be in accordance with CONTRACTOR's established rules and regulations. However, unless there is an imminent threat, no TOWN participant will be terminated until TOWN has been properly notified and given an opportunity to provide counseling services. TOWN must approve all terminations.

2. Written notice of a participant's termination shall be submitted by CONTRACTOR to TOWN within two (2) days of that termination.

K. Hold Harmless

1. CONTRACTOR agrees that it is, and at all times be deemed to be, an independent contractor, and shall not at anytime or for any purpose be deemed an

employee of the Town of Oyster Bay and the Division of Employment and Training, and that CONTRACTOR shall not in any manner whatsoever, by its actions or deeds, commit the TOWN to any obligation irrespective of the nature thereof. It is further understood and agreed that no agent, servant, or employee of CONTRACTOR, nor any participant in this performance shall, at any time or under any circumstances be deemed to be an agent, servant or employee of the TOWN. CONTRACTOR affirms that it will pay and compensate all persons participating in this performance, and agrees to hold the TOWN harmless from liability for payments and such services.

2. CONTRACTOR agrees to conduct its activities pursuant to this Agreement so as not to endanger any person and to indemnify and hold harmless the TOWN, its agents, officers, and employees against any and all claims, demands, causes of action including claims for personal injury and/or death, damages (including damages to TOWN property), costs, and liabilities, at law or in equity, of every kind and nature whatsoever, directly or proximately resulting from, arising out of or caused by the acts or omissions of CONTRACTOR, its officers, agents, employees, guests, patrons, or invitees whether such actions are authorized under this Agreement or not.

3. CONTRACTOR shall be obligated to defend any action brought on as a result of any claims under this contract.

L. Termination of Contract

1. Should CONTRACTOR fail to perform any of the terms, covenants, or conditions of this Agreement, including Youth Program Performance Benchmarks, in whole or part, TOWN on behalf of the WIOA, shall have the right to terminate this Agreement.

2. In addition, either party upon thirty (30) days notice to the other party may terminate this agreement, in whole or part, when it deems it is in its best interest to do so. If this Agreement is so terminated, payments hereunder are limited to the extent of allowable costs incurred prior to the date of termination.

M. Insurance

The CONTRACTOR shall not begin any programs until it has obtained and TOWN has approved all insurance required under this contract. Furthermore, the CONTRACTOR shall procure and keep in force all required insurance at its own cost and expense. In addition, the CONTRACTOR shall maintain the required insurance during the performance of this contract up to the date when all participants enrolled under this contract are no longer in attendance.

1. In accordance with the Laws of the State of New York. **WORKER'S COMPENSATION INSURANCE** must cover all of the Contractor's employees employed at the site of the program. If any work is approved by TOWN to be sublet, the Contractor shall require the sub-contractor to provide Worker's Compensation Insurance for all of the subcontractor's employees employed at the site, unless such employees are covered by the Worker's Compensation Insurance of the CONTRACTOR. A separate certificate of Worker's Compensation Insurance must be submitted by the Contractor to TOWN prior to the commencement of this Contract.

2. The CONTRACTOR shall procure **COMPREHENSIVE GENERAL LIABILITY INSURANCE**, to protect the Contractor and any subcontractor (if the subcontractor is approved to operate under this contract by TOWN) performing work in connection with this contract from claims for damages for personal injury

(bodily injury, sickness or disease including any resulting death, as well as injury claimed to be sustained resulting from false arrest, detention, and/or imprisonment, malicious prosecution, libel, slander and/or defamation or character, invasion of privacy, wrongful eviction and/or wrongful entry), and from claims for property damage which may arise from operations connected with this contract, whether such operations be by the Contractor or by any subcontractor or by anyone directly or indirectly employed by either of them. The minimum amount of such insurance must be as follows:

- a) Personal Injury: \$1,000,000 each occurrence; \$2,000,000 aggregate
- b) Property Damage: \$500,000 each occurrence.

A certificate of Comprehensive General Liability Insurance as described above, listing the Town of Oyster Bay as additional insured and accompanied by an endorsement from the insurance company must be submitted by Contractor to TOWN prior to the commencement of this contract. If the CONTRACTOR is self-insured, a letter verifying the coverage, as described above, regarding Worker's Compensation and Comprehensive General Liability Insurance, must be submitted by CONTRACTOR to TOWN prior to the commencement of this contract.

N. Miscellaneous

1. In the event that the Contractor is the recipient of other federal and/or State and/or local government grants, awards or monies, it is expressly understood and agreed that the Contractor shall not bill or charge TOWN for services rendered, equipment and/or materials purchased, and operating expenses allowed, for any and all services, equipment, and expenses which are provided by other funding sources.
2. The employment or training of participants in sectarian activities is prohibited.
3. Any modification or amendment to this Agreement must be mutually agreed to by the parties herein and must be put forth in written form. Any budget modification shall also adhere to the provisions of Appendix VII, Policy on Budget Modifications.
4. Any discovery or invention which arises or is developed in the course of or under this contract will become the property of the Federal Government.
5. CONTRACTOR agrees to adhere to all provisions of the attached Appendices I, II, III, IV, V, VI and VII.

It is further agreed to by the parties herein that this Agreement shall commence on the 1st day of October, 2021, and terminate on the 30th day of September, 2024.

IN WITNESS WHEREOF, the parties have executed this Agreement, effective the day and year first above written.

TOWN OF OYSTER BAY

By:

Title:

Date:

Reviewed By
Office of Town Attorney

BA
E. Faughnan

BOARD OF COOPERATIVE EDUCATIONAL
SERVICES OF NASSAU COUNTY



By:

Title:

Date:

APPENDIX I

Oyster Bay/North Hempstead/Glen Cove
Out of School Youth
Youth Employment and Training Services
Under the Workforce Innovation and Opportunity Act
October 1, 2021- September 30, 2024

Agency: Board of Cooperative Educational Services of Nassau County
Address: 71 Clinton Road
Garden City, New York 11530

Contact: Michele Cohen
Telephone: (516) 622-6870
Dates of Program: October 1, 2021-September 30, 2024

Budget

PERSONAL SERVICE

Program Specialist	.06	\$12,000
Clerical	.55	\$8,800
Job Developer	.25	\$20,000
Employability Instructors		\$ 26,462
Total Wages		\$67,262
Fringe Benefits		\$ 13,452
Total Personal Service		\$80,714

Additional Counseling in 3rd year \$18,000

OTHER THAN PERSONAL SERVICE

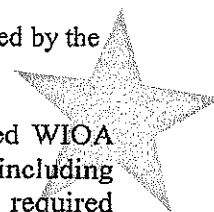
Travel (mileage and Metrocards)	\$ 150
Supplies incentives for participants	\$ 1,200

Total OTPS \$ 1,350

Total Budget \$182,128

The funding will be used for expenses in connection with the program design as approved by the Workforce Development Board.

Required Reports: CONTRACTOR is required to provide DET with completed WIOA attendance/timesheets, evaluations, problem reports and monthly case notes including documentation of ongoing activities and goal attainment. Failure to submit required reporting materials will jeopardize payment to CONTRACTOR.



Appendix II

Responsibility Questionnaire

Instructions – Please answer all questions. A "Yes" answer to any part of questions 1-5 requires a written explanation to be prepared on company letterhead, signed by an officer of the company, and attached to the completed questionnaire.

1. Within the past five years, has your firm, any affiliate¹, any principal, owner or officer or major stockholder (10% or more shares) or any person involved in the bidding or contracting process been the subject of any of the following:
 - a. A judgment or conviction for any business-related conduct constituting a crime under local, state or federal law including, but not limited to, fraud, extortion, bribery, racketeering, price-fixing, or bid collusion or any crime related to truthfulness and/or business conduct?
☐ Yes ☐ No
 - b. A criminal investigation or indictment for any business-related conduct constituting a crime under local, state or federal law including, but not limited to, fraud, extortion, bribery, racketeering, price-fixing, or bid collusion or any crime related to truthfulness and/or business conduct?
☐ Yes ☐ No
 - c. An unsatisfied judgment, injunction or lien obtained by a government agency including, but not limited to, judgments based on taxes owed and fines and penalties assessed by any local, state or federal government agency?
☐ Yes ☐ No
 - d. An investigation for a civil violation for any business-related conduct by any local, state or federal agency?
☐ Yes ☐ No
 - e. A grant of immunity for any business-related conduct constituting a crime under local, state or federal law including, but not limited to, fraud, extortion, bribery, racketeering, price-fixing, or bid collusion or any crime related to truthfulness and/or business conduct?
☐ Yes ☐ No
 - f. A local, state or federal suspension, debarment or termination from the contracting process?

¹ "Affiliate" meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a vendor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity's daily operations, that entity will be an "affiliate" for purposes of this questionnaire.

☐ Yes ☐ No

- g. A local, state or federal contract suspension or termination for cause prior to the completion of the term of a contract?

☐ Yes ☐ No

- h. A local, state or federal denial of a lease or contract award for non-responsibility?

☐ Yes ☐ No

- i. An agreement to voluntary exclusion from bidding/contracting?

☐ Yes ☐ No

- j. An administrative proceeding or civil action seeking specific performance or restitution in connection with any local, state or federal contract or lease?

☐ Yes ☐ No

- k. A local, state or federal determination of a willful violation of any prevailing wage law or a violation of any other labor law or regulation?

☐ Yes ☐ No

- l. A sanction imposed as a result of judicial or administrative proceedings relative to any business or professional license?

☐ Yes ☐ No

- m. A denial, decertification, revocation or forfeiture of Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise status?

☐ Yes ☐ No

- n. A rejection of a low bid on a local, state or federal contract for failure to meet statutory affirmative action or MWBE requirements on a previously held contract?

☐ Yes ☐ No

- o. A consent order with the New York State Department of Environmental Conservation, or a federal, state or local government enforcement determination involving a violation of federal, state or local government laws?

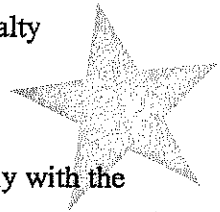
☐ Yes ☐ No

- p. An Occupational Safety and Health Act citation and Notification of Penalty containing a violation classified as serious or willful?

☐ Yes ☐ No

- q. A rejection of a bid on a New York contract or lease for failure to comply with the MacBride Fair Employment Principles?

☐ Yes ☐ No



r. A citation, notice, violation order, pending administrative hearing or proceeding or determination for violations of:

- federal, state or local health laws, rules or regulations
- unemployment insurance or workers' compensation coverage or claim requirements
- ERISA (Employee Requirement Income Security Act)
- federal, state or local human rights laws
- federal or state security laws
- federal INS and Alienage laws
- Sherman Act or other federal anti-trust laws?

☐ Yes ☐ No

s. A finding of non-responsibility by an agency or authority due to the failure to comply with the requirements of Tax Law Section 5-a?

☐ Yes ☐ No

2. Has the vendor been the subject of agency complaints or reports of contract deviation received within the past two years for contract performance issues arising out of a contract with any federal, state or local agency? If yes, provide details regarding the agency complaints or reports of contract deviation received for contract performance issues.

☐ Yes ☐ No

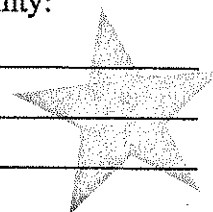
3. Does the vendor use, or has it used in the past five (5) years, an Employee Identification No., Social Security No., Name, DBA, trade name or abbreviation different from that listed on your mailing list application form? If yes, provide the name(s), FEIN(s) and d/b/a(s) and the address for each such company and d/b/a on a separate piece of paper and attach to this response.

☐ Yes ☐ No

4. During the past three years, has the vendor failed to file returns or pay any applicable local, state or federal government taxes?

☐ Yes ☐ No

If yes, identify the taxing jurisdiction, type of tax, liability year(s) and tax liability amount the company failed to file/pay and the current status of the liability:



5. During the past three years, has the vendor failed to file returns or pay New York State Unemployment Insurance?

☐ Yes ☐ No

If yes, indicate the years the company failed to file/pay the insurance and the current status of the liability:

6. Have any bankruptcy proceedings been initiated by or against the vendor or its affiliates within the past seven years (whether or not closed) or is any bankruptcy proceeding pending by or against the vendor or its affiliates, regardless of the date of filing?

☐ Yes ☐ No

If yes, indicate if this is applicable to the submitting vendor or one of its affiliates:

If it is an affiliate, include the affiliate's name and FEIN:

Provide the court name, address and docket number:

Indicate if the proceedings have been initiated, remain pending or have been closed:

If closed, provide the date closed: _____

CERTIFICATION:

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the State of New York or its agencies or political subdivisions to make a determination regarding the award of a contract or approval of a subcontract; acknowledges that the State or its agencies and political subdivisions may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine of up to \$10,000 or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination; and states that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

The undersigned certifies that he/she:

- Has not altered the content of the questions in the questionnaire in any manner;
- Has read and understands all of the items contained in the questionnaire and any pages attached by the submitting vendor;
- Has supplied full and complete responses to each item therein to the best of his/her knowledge, information and belief;
- Is knowledgeable about the submitting vendor's business and operations;
- Understands that New York State will rely on the information supplied in this questionnaire when entering into a contract with the vendor; and
- Is under a duty to notify the procuring State Agency of any material changes to the vendor's responses herein prior to the State Comptroller's approval of the contract.

Name of Business

Signature of Officer

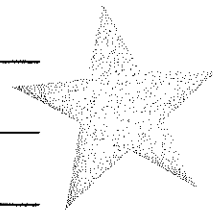
Address

Typed Copy of Signature

City, State, Zip

Title

Principal place of business if different from address listed above (include complete address):



Appendix III

FEDERAL CERTIFICATIONS

The funding for the awards granted under this contract is provided by the United States Department of Labor which requires the following certifications:

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participant shall attach an explanation to this proposal.
3. The prospective lower tier participant shall pass the requirements of A. 1. and A.2., above, to each person or entity with whom the participant enters into a covered transaction at the next lower tier.

B. CERTIFICATION REGARDING LOBBYING - Certification for Contracts, Grants, Loans, and Cooperative Agreements

By accepting this grant, the signee hereby certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The signer shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of facts upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. DRUG FREE WORKPLACE

By signing this application, the grantee certifies that it will provide a Drug Free Workplace by implementing the provisions at 29 CFR 94, pertaining to the Drug Free Workplace. In accordance with these provisions, a list of places where performance of work is done in connection with this specific grant will take place must be maintained at your office and available for Federal inspection.

D. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

(1) Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I - financially assisted program or activity;

(2) Title VI of the Civil Rights Act of 1964, as amended which prohibits discrimination on the basis of race, color, and national origin;

(3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

~~(4) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and~~

(5) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I - financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

E. BUY AMERICAN NOTICE REQUIREMENT

The grant applicant assures that, to the greatest extent practicable, all equipment and products purchased with funds made available under the Workforce Innovation and Opportunity Act will be American made. See WIOA Section 505 – Buy American Requirements.

F. SALARY AND BONUS LIMITATIONS

In compliance with Public Laws 110-161, none of the federal funds appropriated in the Act under the heading 'Employment and Training' shall be used by a subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-

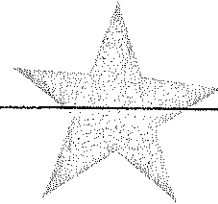
133. See Training and Employment Guidance Letter number 5-06 for further clarification. Where applicable, the grant applicant agrees to comply with the Salary and Bonus Limitations.

G. VETERANS' PRIORITY PROVISIONS

Federal grants for qualified job training programs funded, in whole or in part, by the U.S. Department of Labor are subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215). The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. Please note that to obtain priority service, a person must meet the program's eligibility requirements. Training and Employment Guidance Letter (TEGL) No. 5-03 (September 16, 2003) and Section 20 of the Code of Federal Regulations (CFR) Part 1010 (effective January 19, 2009) provide general guidance on the scope of the veterans priority statute and its effect on current employment and training programs. Where applicable, the grant applicant agrees to comply with the Veteran's Priority Provisions.

Contractor Signature

Date



APPENDIX IV



EQUAL OPPORTUNITY is THE LAW

It is against the law for the New York State Department of Labor (NYSDOL) as a recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary or programs financially assisted under Title I of the Workforce Innovation and Opportunity Act of 2014 (WIOA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIOA Title I- financially assisted program or activity; providing opportunities in, or treating any person with regard to such a program or activity; or making employment decisions in the administration of, or in connection with such a program or activity.

What to Do If You Believe You Have Experienced Discrimination

If you think you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: Omoye Cooper, Director, Division of Equal Opportunity Development, New York State Department of Labor, State office Campus, Building 12, Room 540, Albany, New York 12240, usaada@labor.state.ny.us – Phone: (518) 457-1984, (TDD) 1-800-662-1220, (VOICE) 1-800-421-1220; or you may file a complaint directly with: Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-4123, Washington, D.C. 20210; Local Workforce Investment Area, Equal Opportunity Officer: Brigid Hand, The Workforce Partnership, 977 Hicksville Road, Massapequa, New York 11758, bhand@oysterbay-ny.gov Phone: (516) 797-4560, Fax: (516) 797-4565.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center, (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does not give you a written Notice of Final Action on your complaint, but you are dissatisfied with decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

APPENDIX V

The Workforce Partnership

PROCEDURE FOR FILING COMPLAINTS

You have the right to file a complaint regarding the implementation of any Title I financially assisted program or activity if you think you have been discriminated against. The Grievance Officer, Ms. Brigid Hand, will be available to review all complaints, assist in their processing and provide any necessary forms or technical assistance. She may be contacted at 977 Hicksville Road, Massapequa, New York 11758, Telephone (516) 797-4560, Fax (516) 797-4565, or e-mail bhand@oysterbay-ny.gov.

Procedures for Complaints

Non-Criminal and Non-Discrimination Complaints

Complaints and Grievances from Participants and other Interested Parties affected by Local Workforce Development System, including One-Stop Partners and Service Providers.

All complaints must be in writing, signed and filed within one year of the facts that gave rise to the complaint. Prior to a formal hearing, the Grievance Officer will attempt to resolve the matter informally or at a conciliation conference. If no resolution is reached, the complainant is entitled to a hearing held on written notice. Such written notice must state date, place, and time of hearing. The complainant may be present at the hearing and may present evidence. The informal resolution and the hearing will be completed within 30 days of the filing of the grievance or complaint. ~~A written decision must be issued to the complainant within 60 days of the filing of the complaint and must include notification to the complainant of the right to request a State level review of the findings.~~

State level appeals must be submitted in writing to the State Hearing Officer within 10 days of receipt of the Local Area findings. In addition, if no decision is rendered at the Local Area level within the prescribed 30-day period, the complainant may, within 15 days after such decision was due, appeal for a State Review.

The information should be sent to: New York State Workforce Innovation and Opportunity Act Hearing Officer, New York State Department of Labor, State Office Building Campus, Building 12, Room 446, Albany, New York 12240. The Hearing Officer shall issue a decision within thirty days of receipt of a request for a review by a complainant.

Criminal Complaints

All information and complaints involving fraud, abuse, or other criminal activity shall be reported directly and immediately to the United States Department of Labor, Washington, D.C. 20210. At the same time, a copy should be sent to the New York State Department of Labor, in care of the State Representative, 303 West Old Country Road, Hicksville, New York 11801.

If your complaint is not related to the Workforce Innovation and Opportunity Act of 2014, it will be referred to the appropriate agency or agencies. Complaints may also involve or entitle complainants to recourse from State or Federal agencies pursuant to applicable laws.

Please be assured that the filing of a complaint will NOT result in negative treatment or denial of services to the complainant.

WIOA YOUTH PROGRAM PERFORMANCE BENCHMARKS

Nassau BOCES

APPENDIX VI

Page 1

October 1, 2021 - September 30, 2022 **PLAN**

Contact Person: Michele Cohen
Phone Number: (516) 622--6870

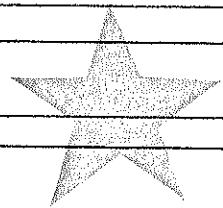
Target Group:
In-School
Out-of-School

X

Benchmark Category	Oct 1, 2021 - March 31, 2022		April 1 2022 - Sept 30, 2022	
Participants	Plan	Actual	Plan	Actual
Carry-in participants			7	
New Registrants	7		8	
Total	7		15	
Activities				
Career Zone	7		15	
LMI	7		15	
Financial Literacy	7		15	
Certificate Training	6		12	
Tutoring (Lit/Num)	2		5	
Leadership Skills	7		15	
Subsidized Employment	6		12	
Goal Attainments				
Employment	6		12	
Enrolled in PS Ed / Certificate Training	1		1	
Career Zone Modules	7		15	
Occ. Certificate	6		12	
Literacy/Numeracy (Basic Skills) Gains	1		1	
Military Service	0		0	

* All Planned / Actual numbers are cumulative from left to right on the table above.

Note: Goal attainments for youth exited in the 4th Quarter are not reflected in the above.



WIOA YOUTH PROGRAM PERFORMANCE BENCHMARKS

Nassau BOCES

APPENDIX VI

Page2

October 1, 2022 - September 30, 2023 PLAN

Contact Person: Michele Cohen
Phone Number: (516) 622-6870

Target Group:

In-School

Out-of-School

X

Benchmark Category	Oct 1, 2022-March 31, 2023		April 1, 2023 - Sept 30, 2023	
Participants	Plan	Actual	Plan	Actual
Carry-in participants			7	
New Registrants	7		8	
Total	7		15	
Activities				
Career Zone	7		15	
LMI	7		15	
Financial Literacy	7		15	
Certificate Training	6		12	
Tutoring (Lit/Num)	2		5	
Leadership Skills	7		15	
Subsidized Employment	6		12	
Goal Attainments				
Employment	6		12	
Enrolled in PS Ed. / Certificate Training	1		1	
Career Zone Modules	7		15	
Occ. Certificate	6		12	
Literacy/Numeracy (Basic Skills) Gains	1		1	

* All Planned / Actual numbers are cumulative from left to right on the table above.

Note: Goal attainments for youth exited in the 4th Quarter are not reflected in the above.

WIOA YOUTH PROGRAM PERFORMANCE BENCHMARKS

Nassau BOCES

October 1, 2023 - September 30, 2024 PLAN
Follow Up Year

Contact Person: Michele Cohen
Phone Number: (516) 622-6870

Target Group:
In-School
Out-of-School

X

Benchmark Category	Oct 1, 2023 - March 31, 2024		April 1, 2024 - Sept 30, 2024	
Participants	Plan	Actual	Plan	Actual
Carry-in participants				
New Registrants				
Total				
Follow Up Activities				
LMI	7		8	
Financial Literacy	7		8	
Leadership Skills	7		8	
Transition to PSEd/Employment	7		8	
Adult Mentoring	7		8	
Support Services	7		8	
Goal Attainments				
Employment	0		0	
Enrolled in PS Ed. / Certificate Training	0		0	
Occ. Certificate	0		0	

*No new participants are expected in the Follow Up year.

Oyster Bay-North Hempstead-Glen Cove Workforce Development Board

Policy on Sub-Recipient (CONTRACTOR) Budget Modifications

Sub-recipient Contract Budgets (Youth Programs)

The sub-recipient may at any time during the term of the Contract request a modification of budget lines. In no case may a total contract amount be increased. Requests for modifications must be in writing to the Commissioner of Intergovernmental Affairs, Frank V. Sammartano, specifying the changes sought and the reason for the changes. The Division of Employment and Training shall review the request for modification in terms of the appropriate laws, regulations, and program goals.

Substantial youth contract modifications shall be reviewed by the Youth Committee. Youth contract budget lines may be modified through a letter of agreement modification. The letter of agreement modification includes a letter that describes the modification elements requested, the modification elements approved, and a justification explaining the reasoning that supports the elements that are approved for change. The letter will include signature lines for the Commissioner of Intergovernmental Affairs and the contractor.

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

TO : Frank V. Sammartano, Commissioner,
Department of Intergovernmental Affairs

FROM : Thomas M. Sabellico, Special Counsel
Office of the Town Attorney

DATE : September 21, 2021

SUBJECT: Procurement of Employment and Training Services

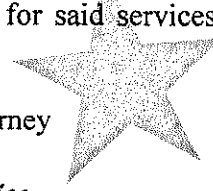
We are in receipt of your memorandum dated September 16, 2021, requesting the opinion of this office with respect to compliance with the Town's procurement policy regarding the procurement of employment and training services for eligible out-of-school youth.

In response to your inquiry, with respect to the above referenced matter, based upon the efforts you made to obtain proposals, including posting in Newsday, posting of the RFP on the Town's website, and sending same to the Local Workforce Development Board, it is the opinion of this office that you are in compliance with the Town's Procurement Policy despite having only received one response, and that you may proceed to request Town Board authorization to enter into a contract for said services with BOCES, the sole responder.

Office of the Town Attorney

Thomas M. Sabellico

Thomas M. Sabellico
Special Counsel



TMS:/nb

cc: Brian Noone, Inspector General
Frank Scalera, Town Attorney

TOWN OF OYSTER BAY
Inter-Departmental Memo

September 20, 2021

TO: MEMORANDUM DOCKET

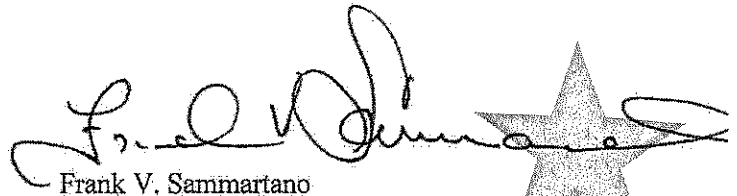
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

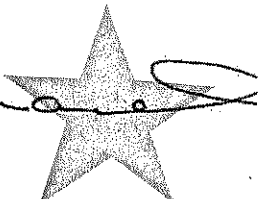
SUBJECT: SAVE THE SPACE
OUT OF SCHOOL YOUTH CONTRACT UNDER THE WORKFORCE
INNOVATION AND OPPORTUNITY ACT

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of October 5th 2021.

This is a Workforce Innovation and Opportunity Act eligible cost and therefore at no cost to the Town of Oyster Bay.

Memorandum Docket to follow with full details.


Frank V. Sammartano
Commissioner



WHEREAS, Mrs. Andrea Nordquist, President, and Mrs. Sandra Lachman, 1st Vice-President, Military Blue Star Mothers N.Y.14, Chartered Member of Blue Star Mothers of America, Inc., P.O. Box 7302, Hicksville, New York 11802, by letter dated September 15, 2021, requested the use of Municipal Parking Field M-9, Massapequa, from 9:00 a.m. though 5:00 p.m., on Saturday October 2, 2021, the posting of temporary "No Parking" signs upon said Field during that time, two (2) complete barricades, and four (4) traffic cones, for the organization's garage sale, to be held on the aforementioned date; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated September 23, 2021, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that he has no objection to providing the Military Blue Star Mothers N.Y. 14, with the use of Municipal Parking Field M-9, Massapequa, from 9:00 a.m. through 5:00 p.m., on Saturday, October 2, 2021, the posting of temporary "No Parking" signs upon said Field during that time, two (2) complete barricades, and four (4) traffic cones, for the organization's garage sale, to be held on the aforementioned date; and

WHEREAS, the 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, The request as hereinabove set forth is hereby approved, nunc pro tunc, and the Highway Department is hereby authorized to provide the Military Blue Star Mothers N.Y. 14, with the use of Municipal Parking Field M-9, Massapequa, from 9:00 a.m. through 5:00 p.m., on Saturday, October 2, 2021, the posting of temporary "No Parking" signs upon said Field during that time, two (2) complete barricades, and four (4) traffic cones, for the organization's garage sale, to be held on the aforementioned date, 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, Highway Department, or his duly authorized designee.

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all 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 that said organization maintains general liability insurance, in the amounts of \$1,000,000.00 for each occurrence, and \$2,000,000.00 in the general aggregate, and naming the Town of Oyster Bay as an additional insured, in connection with the afore-described activity.

Reviewed By
Office of Town Attorney

Ralph P. Deady

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

#20

572

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 23, 2021

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

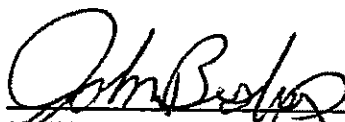
SUBJECT: MILITARY BLUE STAR MOTHERS OF NY 14 GARAGE SALE EVENT
OCTOBER 2ND 2021
(NUNC PRO TUNC)

Enclosed please find a copy of the letter from Andrea Nordquist, President, of Military Blue Star Mothers of NY 14 requesting our assistance in conducting a charity garage sale event Saturday, October 2nd 2021.

The Highway Department has no objection to Military Blue Star Mothers of NY 14 utilizing the Municipal Parking Field M-9 in Massapequa on Saturday, October 2nd 2021 for their garage sale event from 9:00 am until 5:00 pm and will post temporary "No Parking" sign for the above mentioned dates and times and will also provide two (2) barricades and four (4) cones for the event as well.

Military Blue Star Mothers of NY 14 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.

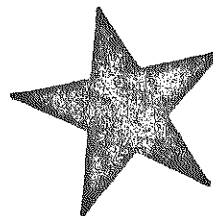
Also attached is a Certificate of Insurance, Endorsement Sheet, and Hold Harmless Agreement, and Covid-19 Compliance Agreement to cover this event, therefore, Town Board approval is requested.



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz
Attachments

CC: Richard Lenz, P.E., Commissioner DPW
Peter Brown, General Foreman 003
Steve Kelly, Sign Bureau Supervisor
Justin McCaffrey, Commissioner, Department of Public Safety
Grace SantaMaria, Highway Administration



MILITARY BLUE STAR MOTHERS NY14
Chartered Member of Blue Star Mothers of America, Inc.
P.O. Box 7302
Hicksville, NY 11802

September 15, 2021

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

Dear Town of Oyster Bay,

We are the Military Blue Star Mothers NY 14 - a 501(c)3 charity organization and a chapter of the National group - Blue Star Mothers of America, Inc.

The Military Blue Star Mothers NY 14 raise funds to send packages to our deployed military members, cook meals for our needy veterans, and help other veteran groups in Nassau County wherever there's a need.

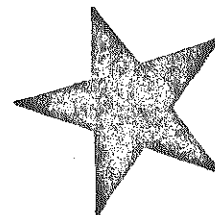
We approached the Marine Corps League located at 99 New York Avenue, Massapequa, (this is a change from the previous address we had requested) and asked if we could hold a Garage Sale on October 2, 2021 in their parking lot. They were more than willing to help us out with this endeavor, but told us that we need to get permission from the town first.

We met Tom Hand and Brian Nevin (who went to High School with my son) at the June Town Hall Meeting. They had invited us to lead the Pledge of Allegiance at the meeting. Tom has advised us that we needed to apply for a permit to allow us access to the lot.

We are hoping this will be allowed so that all the money we raise will help us with our cost of packages, meals that we cook, and supporting our current military members in Nassau County.

If there is anything else we need to do, please let me know. I appreciate any help you can give us with this matter and I look forward to hearing from you soon. I can be reached at (516) 476-9094 or by email.

Andrea Nordquist
President Military Blue Star Mothers NY 14
Sandra Lachman
1st VP Military Blue Star Mothers
Proud Military Moms





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/15/2021

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 Keats Agencies 485 Jericho Turnpike Mineola, NY 11501 License #: 832694	CONTACT NAME: Eric Abbey PHONE (A/C No. Ext.): (516) 334-1646 FAX (A/C No.): E-MAIL ADDRESS: eabbey@keatsagencies.com INSURER(S) AFFORDING COVERAGE INSURER A: USLI INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Military Blue Star Mothers of Nassau County po box 7302 Hicksville, NY 11802	NAIC #

COVERAGES

CERTIFICATE NUMBER: 00087304-13940

REVISION NUMBER: 1

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 INSURED	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
A X COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y	NBP021S0626	09/15/2021	09/15/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG COMBINED SINGLE LIMIT (EA accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY					EACH OCCURRENCE AGGREGATE
UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION					EACH OCCURRENCE AGGREGATE
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE OFF-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)
 Certificate Holder also listed as Additional Insured

CERTIFICATE HOLDER

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

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Reviewed By
 Office of Town Attorney

(ERA)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – STATE OR GOVERNMENTAL
AGENCY OR SUBDIVISION OR POLITICAL
SUBDIVISION – PERMITS OR AUTHORIZATIONS**

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS COVERAGE FORM

SCHEDULE

State Or Governmental Agency Or Subdivision Or Political Subdivision:

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

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Liability is amended as follows:

A. The following is added to Paragraph C. Who Is An Insured:

3. Any state or governmental agency or subdivision or political subdivision shown in the Schedule is also an additional insured, subject to the following additional provision:

This insurance applies only with respect to the following hazards for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization in connection with premises you own, rent or control and to which this insurance applies:

- a. The existence, maintenance, repair, construction, erection or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoistaway openings, sidewalk vaults, street banners or decoration and similar exposures;
- b. The construction, erection or removal of elevators; or
- c. The ownership, maintenance or use of any elevators covered by this insurance.

However:

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- b. 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 Paragraph D. Liability And Medical Expenses 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 15 day of September 2021, by Military Blue Star Mothers NY/14 (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as

99 New York Ave
Massapequa

for the event described as Outdoor Garage Sale

The property/equipment is needed from

9 AM to 5 PM

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

Military Blue Star Mothers of NC-NY/14

Address of Organization

PO Box 7302
Hicksville NY 11802

By: Sandra Lash
Authorized Representative

Title: LVP

Reviewed By
Office of Town Attorney

Telephone Number: 516-521-4277



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

Applicant Name: Military Blue Star Mothers of NC-NY14
Event Description: Outdoor Garage Sale
Event Date: Saturday 10/2/2021

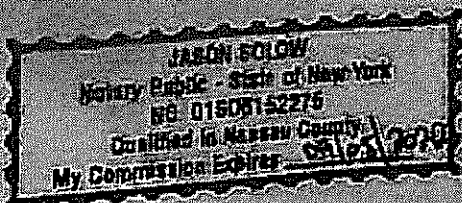
The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit 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 15th day of September, 2021, before me, the undersigned, personally appeared Sandra Lockman 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.




 Notary Public
 Reviewed By
 Office of Town Attorney Last Revised: May 5, 2021

DATE: 09/23/21

TO: HIGHWAY OPERATIONS

SUBJECT: Military Blue Star Mothers of NY 14 Garage Sale Event

PLEASE DELIVER TO:

DATE OF EVENT: October 2nd 2021

The parking Field M-9
In Massapequa

BARRICADES: 2

CONTACT: Andrea Lindquist
C: (516) 476-9094

CONES: 4

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: October 1, 2021


PICKUP ON: October 4, 2021

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: Dan Kornfeld
Peter Brown, General Foreman 002
Jack Grandine, Regional Foreman 007
Don Chandler Area Foreman 024

Public Safety Division



NR
Reviewed By
Office of Town Attorney
Ralph O. Peck

WHEREAS, Mr. Ryan Schlotter, President, Oyster Bay-East Norwich Chamber of Commerce, P.O. Box 21, Oyster Bay, New York 11771, by letter dated August 25, 2021, requested the closure of Audrey Avenue, in Oyster Bay, from South Street to Railroad Plaza, Municipal Parking Field O-8, in Oyster Bay, on the lower east side of Audrey Avenue, and along Shore Avenue, from Spring Street to Maxwell Avenue, from 7:00 a.m. through 7:00 p.m., the posting of temporary "No Parking" signs upon said area, fifteen (15) complete barricades, and twenty (20) traffic cones, for the Chamber's Oyster Bay Day, to be held on Saturday, October 16, 2021; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated September 24, 2021, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that he has no objection to providing the Oyster Bay-East Norwich Chamber of Commerce with the closure of Audrey Avenue, Oyster Bay, from South Street to Railroad Plaza, Municipal Parking Field O-8, in Oyster Bay, on the lower east side of Audrey Avenue, and along Shore Avenue, from Spring Street to Maxwell Avenue, from 7:00 a.m. through 7:00 p.m., the posting of temporary "No Parking" signs upon said area, fifteen (15) complete barricades, and twenty (20) traffic cones, for the Chamber's Oyster Bay Day, to be held on Saturday, October 16, 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 hereinabove set forth request is hereby accepted and approved, and the Highway Department is hereby authorized to provide the Oyster Bay-East Norwich Chamber of Commerce with the closure of Audrey Avenue, in Oyster Bay, from South Street to Railroad Plaza, Municipal Parking Field O-8, Oyster Bay, on the lower east side of Audrey Avenue, and along Shore Avenue, from Spring Street to Maxwell Avenue, from 7:00 a.m. through 7:00 p.m., the posting of temporary "No Parking" signs upon said area, fifteen (15) complete barricades, and twenty (20) traffic cones, for the Chamber's Oyster Bay Day, to be held on Saturday, October 16, 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, Highway Department, or his duly authorized designee.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all 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 that said organization maintains general liability insurance, in the amounts of \$1,000,000.00 for each occurrence, and \$2,000,000.00 in the general aggregate, and naming the Town of Oyster Bay 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 afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

#21

573

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 24, 2021

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: THE OYSTER BAY-EAST NORWICH CHAMBER OF COMMERCE
OYSTER BAY DAY EVENT
OCTOBER 16TH 2021

Enclosed please find a copy of the letter from Ryan Schlotter, Chamber President, requesting our assistance on behalf of the Oyster Bay-East Norwich Chamber of Commerce in hosting Oyster Bay Day on Audrey Avenue in Oyster Bay on October 16, 2021.

The Highway Department has no objection to the Oyster Bay-East Norwich Chamber of Commerce utilizing Audrey Avenue, lower Audrey Avenue and Spring Street in Oyster Bay from 7:00 am until 7:00 pm while hosting Oyster Bay Day on October 16, 2021. The event is to be held on Audrey Avenue from South Street, past the Town Hall buildings down to the Railroad Plaza, including Municipal Parking Field O-8 on the east side of lower Audrey Avenue and along Shore Avenue from Spring Street to Maxwell Avenue and will provide "No Parking signs" for the above mentioned date and times.

Further, the Oyster Bay-East Norwich Chamber of Commerce 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

The Highway Department will be pleased to provide fifteen (15) complete barricades, twenty (20) orange cones for the event.

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.


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz
Attachments

C: Richard L. LaMarca, Town Clerk
Peter Brown, General Foreman 002
Richard Lenz, Commissioner DPW
Steve Kelly, Sign Bureau Supervisor

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





2021 BOARD OF DIRECTORS

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Ryan Schlotter- President
Ravin Chetram- Vice President
Susan Dembo- Secretary
Jo Wider- Treasurer

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Meredith Maus
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Michele Vaccarella
RJ Virk

Administrator

Amy Rolly Hanley

Past Presidents

Michele Browner
Alex Gallego

Board Members Emeriti

Austin Azzaretto
Prige Dawson
Alex Gallego

PO Box 21
Oyster Bay, New York 11771
(516) 259-1842
info@visitoysterbay.com
www.visitoysterbay.com

August 25, 2021

Supervisor Joseph Saladino
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

Dear Supervisor Saladino,

The Oyster Bay-East Norwich Chamber of Commerce would like to sponsor/host a single-day Fall-themed community event called Oyster Bay Day. It will be a family-friendly street fair that highlights participating OBEN Chamber member businesses. The event will run from 10:00 a.m. to 6:00 p.m. We will have family-friendly activities and Chamber member participants will have tent/table set ups in the street.

The Oyster Bay-East Norwich Chamber of Commerce is hereby respectfully requesting the following:

- Closure of Audrey Avenue in Oyster Bay Hamlet (from South Street past Spring Street down lower Audrey Avenue to the Railroad Museum, and to the corner of Maxwell Avenue) as of 7:00 a.m. on 10/16/21 until 7:00 p.m.
- Closure of Spring Street (from West Main Street north to Lower Audrey Avenue).
- Use of the parking lot on the east side of Lower Audrey Avenue just north of Audrey Avenue.
- Garbage pick-up on Saturday morning before the event AND either Saturday night or Sunday morning after the event.
- Permit from 7:00 a.m. 10/16/21 with barricades being raised and street closure at 8:00 a.m.
- Use of 15 barricades, 20 cones and 12 recycle pallets if they are available.
- 20 additional trash receptacles placed throughout the street fair designated area
- A dumpster in the municipal lot at 54 Audrey Ave.
- Usage of electricity at the Gazebo.

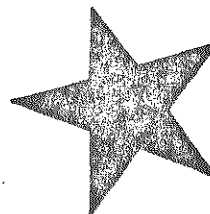
The required Certificate of Insurance with Endorsements naming the Town of Oyster Bay as additional insured is attached.

If approved, we ask that a copy of the resolution and an actual permit be sent to Oyster Bay-East Norwich Chamber of Commerce: PO Box 21, Oyster Bay, NY 11771 and emailed to info@visitoysterbay.com. We thank the Town for all its cooperation and assistance in making this event a success.

If there are any questions, please contact me directly at 631-987-7095.

Sincerely,

Ryan Schlotter
President, Oyster Bay-East Norwich Chamber of Commerce
ryan@oysterbaybrewing.com





OYSTEBAY-02

RLATHAM

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/18/2021

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
Brooks Robb & Callahan
PO Box 118
Oyster Bay, NY 11771

CONTACT
NAME: [REDACTED]
PHONE (A/C No. Ext): (516) 922-2000 FAX (A/C No.): (516) 922-2002
E-MAIL ADDRESS: [REDACTED]

INSURED

Oyster Bay - East Norwich Chamber of Commerce
PO Box 21
Oyster Bay, NY 11771

INSURER(S) AFFORDING COVERAGE
INSURER A: Hartford Ins Co of the Midwest
INSURER B:
INSURER C:
INSURER D:
INSURER E:
INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSURER	TYPE OF INSURANCE	ADD'L SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
CLASS		(INS) (VO)		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENT. AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	X	12SBMUQ1886	5/10/2021	5/10/2022	EACH OCCURRENCE 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 - COMPOUND AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		12SBMUQ3886	5/10/2021	5/10/2022	COMBINED SINGLE LIMIT (Per occurrence) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTH- ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is Additional Insured per policy form for Classic Cruise Cars
6/1/21 - 10/1/21

CERTIFICATE HOLDER

Town of Oyster Bay Dept of Public Safety
150 Miller Pl
Syosset, NY 11791

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Reviewed By
Office of Town Attorney

ACORD 25 (2016/03)

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

POLICY CHANGE

This endorsement changes the policy effective on the Inception Date of the policy unless another date is indicated below:

Policy Number: 12 SEM UQ3686 SB

Named Insured and Mailing Address; OYSTER BAY EAST NORWICH CHAMBER OF
COMMERCE
PO BOX 21
OYSTER BAY NY 11771

Policy Change Effective Date: 05/01/21

Effective hour is the same as stated in the
Declarations Page of the Policy.

Policy Change Number: 003

Agent Name: BC CONSULTING SERVICES LLC
Code: [REDACTED]

POLICY CHANGES:

HARTFORD CASUALTY INSURANCE COMPANY

ANY CHANGES IN YOUR PREMIUM WILL BE REFLECTED IN YOUR NEXT BILLING
STATEMENT. IF YOU ARE ENROLLED IN REPETITIVE EFT DRAWS FROM YOUR BANK
ACCOUNT, CHANGES IN PREMIUM WILL CHANGE FUTURE DRAW AMOUNTS.
THIS IS NOT A BILL.

NO PREMIUM DUE AS OF POLICY CHANGE EFFECTIVE DATE

FORM NUMBERS OF ENDORSEMENTS REVISED AT ENDORSEMENT ISSUE:

IHL2001185 ADDITIONAL INSURED - MANAGER/LESSOR

IHL2001185 ADDITIONAL INSURED - PERSON-ORGANIZATION

IHL2001185 ADDITIONAL INSURED - STATE/POLITICAL SUBDIVISION

PRO RATA FACTOR: 0.940

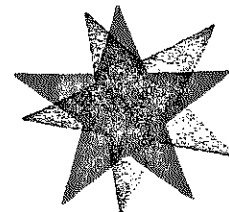
THIS ENDORSEMENT DOES NOT CHANGE THE POLICY EXCEPT AS SHOWN.

Form SS 12 11 04 05 T
Process Date: 05/21/21

Page 001

Reviewed By
Office of Town Attorney

Policy Effective Date: 05/10/21
Policy Expiration Date: 05/10/22



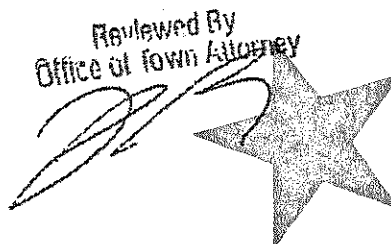
POLICY NUMBER: 12 SBM UQ3886



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - MANAGER/LESSOR

LOC 001 BLDG 001
TOWN OF OYSTER BAY DEPT OF PARKS
150 MILLER PL,
SYOSSET, NY 11771



POLICY NUMBER: 12 SBM UQ3886



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - PERSON-ORGANIZATION

LOC 001 BLDG 001
ISLAND PROPERTIES, LLC
255 SOUTH ST
OYSTER BAY NY 11771

LOC 001 BLDG 001
OYSTER BAY CHARITABLE FUND, OYSTER BAY ROTARY CLUB,
NEW YORK AUTO FEST, TOWN OF OYSTER BAY
PO BOX 132
OYSTER BAY, NY 11771

LOC 001 BLDG 001
TOWN OF OYSTER BAY DEPT OF PUBLIC WORKS
150 MILLER PL
SYOSSET, NY 11791

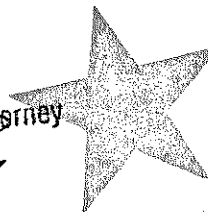
TOWN OF OYSTER BAY DEPT OF PUBLIC WORKS / HIGHWAY
150 MILLER PL
SYOSSET, NY 11791

OYSTER BAY WATER DISTRICT
45 AUDREY AVE
OYSTER BAY, NY 11771
LOC 001 BLDG 001
RENAISSANCE PROPERTY ASSOC
255 SOUTH ST
OYSTER BAY, NY 11771

TOWN OF OYSTER BAY DEPT OF PARKS
150 MILLER PL
SYOSSET, NY 11791

VERIZON
2020 WANTAGH AVE
WANTAGH, NY 11793
LOC 001 BLDG 001
PSEG
176 EAST OLD COUNTRY ROAD
HICKSVILLE, NY 11801

Reviewed By
Office of Town Attorney



POLICY NUMBER: 12 SBM UQ3886



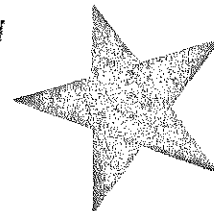
THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - PERSON-ORGANIZATION

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

Reviewed By
Office of Town Attorney

A handwritten signature, likely of the Town Attorney, written over the text "Reviewed By Office of Town Attorney".



POLICY NUMBER: 12 SBM UQ3886



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

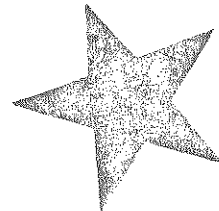
ADDITIONAL INSURED - STATE/POLITICAL SUBDIVISION

LOC 001 BLDG 001
TOWN OF OYSTER BAY
150 MILLER PL
SYOSSET, NY 11791

TOWN OF OYSTER BAY
DEPT OF PUBLIC WORKS/HIGHWAY
150 MILLER PLACE
SYOSSET, NY 11791

LOC 001 BLDG 001
TOWN OF OYSTER BAY
54 AUDREY AVE,
OYSTER BAY, NY 11771

Reviewed By
Office of Town Attorney



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

This Agreement is made this 4th day of SEPT 2021, by OBER CHAMBER OF COMMERCE (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as STREET PARK WITH 300+ STALLS, MUSIC ON THE MAIN STRAIGHT, INCLUDING AUDREY AVE, FROM 5TH ST. CORNER UP TO MAXWELL. ALSO INCLUDES SPRING ST, SOUTH AND NORTH OF AUDREY AVE. for the event described as OYSTER BAY DAY The property/equipment is needed from 10-16-21 to 10-16-21. 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

OPEN CHAMBER OF COMMERCE

Address of Organization

Oyster Bay

By: RAVIN CHELAM
Authorized Representative

Title: VICE PRESIDENT

Telephone Number: 917.939.0244

STACEY M. KALLOUDIS
Notary Public, State of New York
No. 01KAB401489
Qualified in Nassau County
Commission Expires December 9, 2023

Reviewed By
Office of Town Attorney



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

Applicant Name: OYSTER CHAMBER OF COMMERCE

Event Description: OYSTER BAY DAY

Event Date: 10-16-21

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.

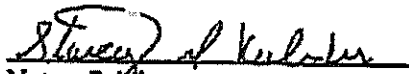
For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.


Applicant Signature

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

On the 14 day of September, 2021, before me, the undersigned, personally appeared RAVIN CHAMBER 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

STACEY M. KALOUDIS
Notary Public, State of New York
No. 01KA6401499
Qualified in Nassau County
Commission Expires December 9, 2023


Notary Public

Reviewed By
Office of Town Clerk

Last Revised: May 5, 2021

DATE: 9/24/2021

TO: HIGHWAY OPERATIONS

SUBJECT: OBEN Chamber of Commerce Weekly Classic Car Cruise Night

PLEASE DELIVER TO:

DATE OF EVENT: 10/16/2021

OBEN CC will contact
Lake ave yard to arrange delivery

BARRICADES: 15

CONTACT: Ryan Schlotter
631-987-7095

CONES: 20

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 10/15/21


PICKUP ON: 10/18/21

SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

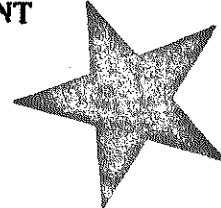
Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz



JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Peter Brown, General Foreman 002
Dan Kornfeld
Kevin Freiberg, Area Foreman 013
Public Safety Division



WHEREAS, pursuant to duly published notice, a hearing was held before the Town Board on October 5, 2021, to present the Contract for Fire Protection with the East Norwich Volunteer Fire Company No. 1, for the calendar year 2021, *nunc pro tunc*, for the East Norwich Fire Protection District, in a total amount not to exceed \$384,450.00; and

WHEREAS, the Town Board finds it desirable to authorize the Town to enter into a Contract with the East Norwich Volunteer Fire Company No. 1 for the period January 1, 2021–December 31, 2021, *nunc pro tunc*,

NOW, THEREFORE, BE IT RESOLVED, That the Supervisor or his designee is hereby authorized to execute the aforesaid Contract covering Fire Protection on behalf of the Town, for the total amount of \$384,450.00, to be effective, *nunc pro tunc*, January 1, 2021, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to the East Norwich Volunteer Fire Company No. 1, with funds to be drawn from Account No. TWN SF12 3410 44910 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

WHEREAS, by Resolution No. 334-2018, adopted on May 8, 2018, the Town Board authorized the retention of the law firm of Schiff Hardin, LLP, for the purpose of representing the Town's interests in the matter of *Town of Oyster Bay v. Northrop Grumman Corporation, et. al.*, 2:05-CV-01945; and

WHEREAS, by Resolution No. 752-2020, adopted on December 8, 2020, the Town Board authorized, for the calendar year 2021, the services of the various law firms, including Schiff Hardin, be utilized; and

WHEREAS, two civil actions were commenced entitled *South Farmingdale Water District v. Dow Chemical et al.*, Civil Action No: 2:19-CV-01404 and *New York American Water Company v. Dow Chemical et al.* Civil Action No: 2:19-CV-02150 in which the Town is a third-party defendant in each action; and

WHEREAS, the two recently commenced actions have similar factual and legal issues to those presented in the matter for which Schiff Hardin was previously retained pursuant to the aforementioned Resolution No. 334-2018; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated September 17, 2021, requested Town Board authorization to retain Schiff Hardin to defend the Town in the two aforementioned civil actions, in an amount not to exceed \$15,000.00, with funds available for payment in Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Office of the Town Attorney is hereby authorized to retain Schiff Hardin, LLP, 1185 Avenue of the Americas, Suite 3000, New York, New York 10036, for the purpose of providing legal services, defending the Town in two civil actions entitled *South Farmingdale Water District v. Dow Chemical et al.* 2:19-CV-01404 and *New York American Water Company v. Dow Chemical et al.* 2:19-CV-02150, in an amount not to exceed \$15,000.00; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$15,000.00, for legal services rendered, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

Reviewed By
Office of Town Attorney

575

Town of Oyster Bay Inter-Departmental Memo

TO: Memorandum Docket
FROM: Office of the Town Attorney
DATE : September 27, 2021
SUBJECT: Schiff Hardin, LLP,
Outside Counsel to the Town of Oyster Bay

By Resolution No. 334-2018, adopted on May 8, 2018, the Town Board authorized the retention of the law firm of Schiff Hardin, LLP, ("Schiff Hardin"), for the purpose of representing the Town's interests in litigation relative to the matter of *Town of Oyster Bay v. Northrop Grumman Corporation, et. al.*, 2:05-CV-01945.

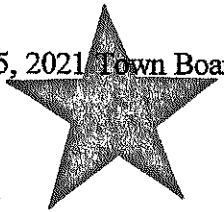
By Resolution No. 752-2020, adopted on December 8, 2020, the Town Board authorized, for the calendar year 2021, the services of the various law firms be utilized, including Schiff Hardin.

In September 2021, two civil actions entitled *South Farmingdale Water District, v. The Dow Chemical*, Civil Action No. 2:19-CV-01404, and *New York American Water Company v. The Dow Chemical*, Civil Action No. 2:19-CV-02150 were commenced against the Town, as third-party defendant.

This Office requests that the Town Board authorize the firm of Schiff Hardin to represent the Town in the two above-referenced actions, pending in the United States District Court, Eastern District of New York. Schiff Hardin has specialized knowledge regarding the facts and circumstances underlying the two actions, with similar factual and legal issues for which Schiff Hardin was retained pursuant to the aforementioned Resolution No. 334-2018. As legal issues and certain relevant documents would be similar, such retention would be economically beneficial to the Town. The retention of Schiff Hardin would be pursuant to the same terms and conditions as relating to their current representation pursuant to Resolution No. 334-2018. The Inspector General has reviewed Schiff Hardin's disclosure questionnaire and has approved same.

Town Board authorization is further requested to pay Schiff Hardin, 1185 Avenue of the Americas, Suite 3000, New York, New York 10036, for expenses incurred in connection with their work on behalf of the Town in amount not to exceed \$15,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

Kindly suspend the rules and place this matter on the October 5, 2021 Town Board Action Calendar.


FRANK M. SCALERA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JL:jl

Attachment

S:\Attorney\RESOS 2021\MD&RESO\Retain Schiff Hardin. JL.docx

Meeting of May 8, 2018

Resolution No. 334 -2018

WHEREAS, The Town Board previously adopted Resolution No. 595-2002, retaining the law firm of Rivkin Radler, LLP, as special counsel for the Town of Oyster Bay, to provide legal services with respect to various environmental law issues involving the Bethpage Community Park, including the handling of the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.* Rivkin Radler, LLP has since notified the Town that it will be withdrawing as counsel for the Town; and

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 27, 2018, have advised that pursuant to the Town's Procurement Policy, law firms were solicited by Requests for Proposals (RFP's) to assist the Office of the Town Attorney with respect to the civil action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*, 2:05-CV-01945, commenced in the United States District Court for the Eastern District of New York; and

WHEREAS, despite the Town Board, on February 27, 2018, adopting Resolution No. 123-2018 authorizing the retention of Young Sommer, LLC as counsel in the *Northrop* litigation, an appropriate retention agreement could not be reached;

WHEREAS, after a review of the qualifications, experience, and references of the law firms responding to the RFPs, the Office of the Town Attorney recommends that Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 be retained to assist the Office of the Town Attorney with said litigation at a rate of \$480.00 per hour, for Senior Partners, and Partners and Senior Of-Counsel shall bill the Town at a rate ranging from \$595.00 to \$690.00 per hour;

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth herein is hereby accepted and approved and that Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 is hereby authorized to provide legal services for the Town in connection with the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*; and be it further

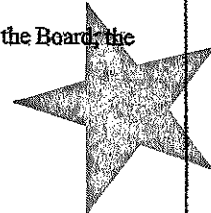
RESOLVED, That the Comptroller is hereby authorized and directed to make payment in an amount not to exceed \$40,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

#

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

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

cc: Supervisor
Town Attorney
Comptroller



Meeting of December 8, 2020

Corrected Copy
Resolution No. 752-2020

WHEREAS, pursuant to Resolution No. 603A-2020, adopted on October 27, 2020, the Town Board authorized and allocated funds in the 2021 Budget for the purpose of payment to outside counsel to the Office of the Town Attorney; and

WHEREAS, Frank M. Scalera, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated December 4, 2020, requested Town Board authorization to utilize the professional services of the following law firms in 2021 up to an amount not to exceed \$1,400,000 as approved in the 2020 Budget, with funds to be drawn from Account No. OTA A 1420 44110 000-0000:

<u>Law Firm</u>	<u>Procuring Resolution</u>
Bee Ready Fishbein Hatter and Donovan, LLP	515-2017 and 520-2018
Berkman Henoch Peterson Peddy & Fenchel, PC	297-2017 and 341-2019
Devitt Spellman Barrett LLP	520-2018
Jackson Lewis, PC	54-2018, 55-2018, and 557-2018
Kendric Law Group PC	447-2018
Kushnick Pallaci PLLC	254-2017
Leventhal, Cursio, Mullaney & Blinkoff, LLP	326-2015
Margolin Besunder LLP	569-2018
Milber Makris Plousadis & Seiden, LLP	708-2016
Miranda Sambursky, et al.	423-2018
Quinn Emanuel Urquhart & Sullivan, LLP	517-2015
Rosenberg, Calica & Birney, LLP	432-2020
Schiff Hardin LLP	334-2018
Sokoloff Stern, LLP	735-2019
Theodore Firetog, Esq.	47-2018 and 363-2019; and

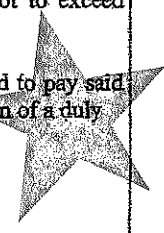
WHEREAS, the Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Town Attorney is authorized to utilize the professional services of the law firms herein listed in 2021 up to an amount not to exceed \$1,400,000, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly

Reviewed By
Office of Town Attorney

[Signature]



certified claim, after approval by the Town Attorney, and after audit, with funds available in
Account No. OTA A 1420 44110 000 0000.

##

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

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

Reviewed By
Office of Town Attorney

Ralph P. Deleary

WHEREAS, Mr. Ali A. Mirza, Chairman, Americans of Pakistani Heritage, Inc., 4 New Hyde Park Road, Suite #2, Franklin Square, New York 11010, by letter dated September 27, 2021, requested the closure of Municipal Parking Field H-14 in Hicksville, from 2:30 p.m. through 6:30 p.m., and the use of twenty (20) complete barricades and twenty (20) traffic cones, for the Organization to conduct its "Labak Ya Husayn (Walk With Husayn) – March for Peace and Humanity", on Sunday, October 10, 2021; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated September 29, 2021, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that he has no objection to providing the Americans of Pakistani Heritage, Inc., with the closure of Municipal Parking Field H-14 in Hicksville, from 2:30 p.m. through 6:30 p.m., and the use of twenty (20) complete barricades and twenty (20) traffic cones, for the Organization to conduct its "Labak Ya Husayn (Walk With Husayn) – March for Peace and Humanity", on Sunday, October 10, 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 abovementioned request is hereby accepted and approved, and the Highway Department is hereby authorized to provide Americans of Pakistani Heritage, Inc., with the closure of Municipal Parking Field H-14 in Hicksville, from 2:30 p.m. through 6:00 p.m., and the use of twenty (20) complete barricades and twenty (20) traffic cones, for the Organization to conduct its "Labak Ya Husayn (Walk With Husayn) – March for Peace and Humanity", on Sunday, October 16, 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, Highway Department, or his duly authorized designee.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all 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 that said organization maintains general liability insurance, in the amounts of \$1,000,000.00 for each occurrence, and \$2,000,000.00 in the general aggregate, and naming the Town of Oyster Bay 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 afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

576

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 29, 2021

TO: MEMORANDUM DOCKET

FROM: JOHN BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: WALK WITH HUSAYN DAY PARADE
SUNDAY, OCTOBER 10TH 2021

Enclosed please find a copy of the letter from Ali Mirza, Chairman of Americans of Pakistani Heritage Inc., requesting our assistance in conducting their Walk with Husayn Day Parade on Sunday, October 10th 2021.

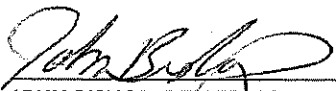
The Highway Department has no objection to closing off parking field H-14 in Hicksville on Sunday, October 10th 2021 from 2:30 P.M. to 6:30 P.M. for their Walk with Husayn Day Parade and will provide "Lot Closing Signs to close the parking field for the above mentioned date and times. The Highway Department will readily supply twenty (20) barricades and twenty (20) Cones, for the event.

The Americans of Pakistani Heritage, 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.

Permission for holding this event is granted on the express condition that the sponsors of the event will take all necessary measures that the provisions of Chapter 156 of the Code of the Town of Oyster Bay concerning noise, are complied with, and that should such event create a noise disturbance the permit will be revoked, and the provisions of Chapter 156 of the Code will apply.

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.

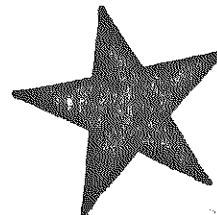
Kindly suspend the rules and walk this item onto the October 5th 2021 Town Board action calendar.



JOHN BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kaz

C: Richard Lenz, P.E., Commissioner DPW/HWY
Peter Brown, General Foreman
Justin McCaffrey, Commissioner of Public Safety
Steve Kelly, Sign Bureau Supervisor
Grace SantaMaria, Highway Administration
Cathy McWilliams, Department of Parks





Kim Z

HIGHWAY DEPARTMENT

Americans of Pakistani Heritage, Inc.

4 New Hyde Park Road, Suite # 2, Franklin Square, NY 11010

T - 516-457-5839 F - 516-502-6662 Email: AmericansofPakistaniHeritage@gmail.com

09/27/2021

TO: Office of The Town clerk - Town of Oyster Bay - 54 Audrey Avenue, Oyster Bay, NY 11771
Att: Cindy Maloney and Kimberly Zervos

As per our telephone discussions and previous correspondence, we are requesting approval for a Procession/Walk/March/Parade as follows:

Event: "Labaik ya Husayn - Walk With Husayn" to commemorate life and martyrdom of Imam Husayn a.s

Day, date & Time: Sunday, October 10, 2021 from 2:30 PM to 6:30 PM including assembly time and adjournment

Route:

Assembly & Starting Point: On South Broadway - Around 421 South Broadway, Hicksville, NY 11801

Will walk North on South Broadway

Will turn right on East Barclay Street

Will turn right on East rail Road Avenue

Ending at Field #H14 - L.I.R.R Parking Field - A/K/A Heitz Place

There will be a few speeches at the ending point and we would need Town's Show-Mobile (Mobile Stage)

We would need Cones and Barricades at both ends of the event - the starting point, and the ending point.

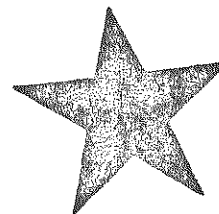
Your early approval and confirmation of the route will be highly appreciated
Please let us know if you have any questions

Thank you

Ali A. Mirza

Chairman

516-457-5839



OFFICE OF THE TOWN CLERK
TOWN OF OYSTER BAY
54 Audrey Avenue
Oyster Bay, New York 11771
Telephone: (516) 624-6339
Fax: (516) 624-6331

APPLICATION FOR PARADE / WALK APPROVAL

REQUIREMENTS:

- Please state the reason for this event
- If your proposed event/route falls under the jurisdiction of the State and/or any incorporated villages within the Town of Oyster Bay, it is your responsibility to contact said municipality(ies) for approval
- If your proposed event requires approval regarding the use of any Town of Oyster Bay Public Works parking lot, please call (516) 677-5766
- If your proposed event requires approval regarding the use of any Town of Oyster Bay Parks Department facility or showmobile, please call (516) 797-4120.
- Notification to the surrounding community(ies) of the proposed event concerning any road closures/traffic rerouting is your responsibility.
- RETURN THIS COMPLETED APPLICATION TO THE TOWN CLERK'S OFFICE IN ORDER THAT WE MAY CLEAR YOUR REQUEST THROUGH THE NASSAU COUNTY POLICE DEPARTMENT. YOU MUST FORWARD A COPIES OF THE ABOVE REQUESTED APPROVAL(S) AND NOTIFICATION TO SURROUNDING COMMUNITY PRIOR TO YOUR EVENT TO THE TOWN OF OYSTER BAY'S TOWN CLERK PRIOR TO THE ISSUANCE OF THIS PERMIT

Please print clearly and answer all questions. Application must be filed at least 30 days before date of event.

ALI A. HIRZA 4 NEW HYDE PARK RD. #2 FRANKLIN SQ. NY 11010
1. Name of Applicant Address Email Address Telephone Number
HERITAGE INC. 516-457-5839
AMEKANS OF JAKISSANI 4 NEW HYDE PARK RD. #2 FRANKLIN SQ. NY 11010
2. Name of Organization Address Telephone Number
516-502-6661
ALI A. HIRZA 4 NEW HYDE PARK RD. #2 FRANKLIN SQ. NY 11010
3. Name of person in charge Address Telephone Number
516-457-5839
10/10/2021 2:30 PM
4. Date of Event 5. Starting Time 6. Approximate Termination Time
750-1,000 THREE TWO PICK UP TRUCKS/VANS AND ONE BIG TRUCK
7. No. of Persons 8. Type of Vehicles 9. Type of Vehicles
NONE AS PER COVID 19 REQUIREMENTS 600-800 YARDS
10. No. and type of Animal(s) (if any) 11. Max. Intervals between Units 12. Max Length
HALF MILE AN HOUR ONE MILE AN HOUR 2:30 PM
13. Minimum Speed 14. Maximum Speed 15. Time of Assembly
AROUND 421 SOUTH BROADWAY HICKSVILLE, NY 11801 (422 SOUTH BROADWAY)
16. Assembly Area 16a Street 16b Hamlet
17. Route of Street(s) to be travelled
SCHEDULE: 421 SOUTH BROADWAY (ON THE ROAD) IS OUR MEMBER'S BUSINESS STORE
WILL WALK NORTH ON SOUTH BROADWAY TO
RIGHT (GOING EAST) ON EAST BARCLAY STREET TO
RIGHT (GOING EAST) ON EAST RAIL ROAD AVENUE TO
ENDING POINT (AND SPEECHES) LOCATED AT FIELD # H14 L.I.R.R.
PARKING LOT (HERTZ PLACE) AREA

(LABRIN YA HUSAYN - WALK WITH HUSAYN)

SIGNATURE OF APPLICANT

FOR OFFICE USE

Having filed an application which has been referred to and cleared by the Nassau County Police Department and being that there is no objection by the Town Board, the foregoing organization is granted permission to conduct an event under conditions stated above

Copies to: N.C.P.D. _____
Fire Dept(s) _____

Town of Oyster Bay
Town Board _____
Public Information _____
Highway Dept. _____
Public Safety _____

RICHARD LaMARCA, Town Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/27/2021

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 516-502-6661 516-502-6662
J. Mirza Insurance Agency, Inc.
4 New Hyde Park Road
Suite # 2
Franklin Square, NY 11010

CONTACT NAME: Ali A. Mirza
PHONE (A/C No. Exd): 516-502-6661 FAX (A/C No.): 516-502-6662
E-MAIL ADDRESS: jmirzainsurance@gmail.com

INSURED
Americans of Pakistani Heritage, Inc.
4 New Hyde Park Road
Suite #2
Franklin Square, NY 11010

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: United States Liability Insurance Co.	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSURER LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION	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"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SE 1025142	10/10/2021	10/12/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 1,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

"Labaik Ya Hussain" Parade/Procession/Walk - October 10, 2021. Certificate Holder is included as additional insured

CERTIFICATE HOLDER

Two of Oyster Bay
Highway Department
150 Miller Place
Syosset, NY 11791

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

Ali A. Mirza

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):

Effective Date: 10/03/2021

TOWN OF OYSTER BAY HIGHWAY DEPARTMENT

150 MILLER PLACE
SYOSSET, NY 11791

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

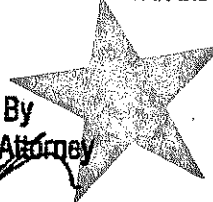
If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney



ENDORSEMENT #2

This endorsement, issued by United States Liability Insurance Company to **AMERICANS OF PAKISTANI HERITAGE, INC.** forms a part of Policy Number **SE 1025142** effective on **10/3/2021 (MO. DAY YR.)** at 12:01 A.M.

Amend Event

In consideration of no change in premium it is hereby agreed and understood that coverage for the location(s), event(s), and date(s) is

Event #1

Marching North on Route 107 South Broadway , Hicksville, NY 11801

Description	GL Class Code	Liq. Class Code	Start Date	End Date
Parade (applicant is the host of the event)	00414		10/10/2021	10/10/2021

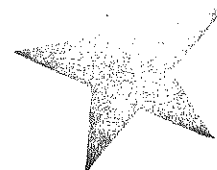
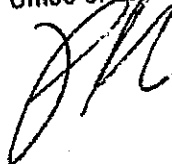
Additional Locations

Subject to the terms and conditions of this policy, coverage is provided for a maximum of twenty-four (24) hours after the scheduled end date of an event shown above.

If the end date shown above exceeds the current policy period, the policy period is amended to expire twenty-four (24) hours after the scheduled end date of an event shown above.

All other terms and conditions of this Policy remain unchanged.

Reviewed By
Office of Town Attorney



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

This Agreement is made this 27th day of SEPTEMBER 2021, by AMERICANS OF PAKISTANI HERITAGE, INC. (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as TOWN'S SHOWMOBILE (ALKA MOBILE STAGE) BARRICADES, CONES AND PARKING FIELD #H14 ALKA HEITZ PLACE

for the event described as LADAIK YA HUSAYN - MARCH FOR PEACE AND HUMANITY
The property/equipment is needed from 2 PM to 6:30 PM
The event for which the property and/or equipment is requested () is (X) is not a profit making event.

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

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

AMERICANS OF PAKISTANI HERITAGE, INC.

Address of Organization

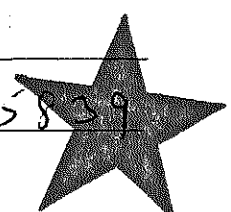
4 NEW HYDE PARK ROAD, SUITE #2
FRANKLIN SQUARE, NY 11010

By: L. M. H.

Authorized Representative

Title: CHAIRMAN

Telephone Number: 516-457-5839



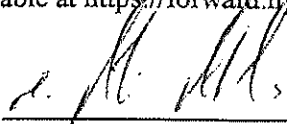


**TOWN OF OYSTER BAY
ADDENDUM TO PERMIT APPLICATION**

Applicant Name: ALI A. MIRZA / AMERICANS OF PAKISTANI HERITAGE, INC
 Event Description: "LABAIK YA HUSAYN" - MARCH FOR PEACE AND HUMANITY
 Event Date: SUNDAY, OCTOBER 10, 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/>.



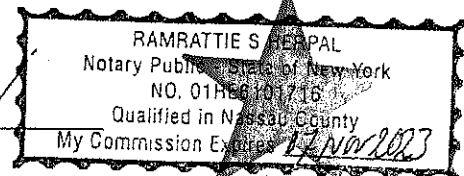
 Applicant Signature

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

On the 25th day of September, 2021, before me, the undersigned, personally appeared Ali A. Mirza 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



 Notary Public



Reviewed By
 Office of Town Attorney



Last Revised: May 5, 2021

DATE: 9/30/2021

TO: HIGHWAY OPERATIONS

SUBJECT: Imam Hussain Day Parade

PLEASE DELIVER TO:

Hicksville
Lot H-14

CONTACT: Ali Mirza
516-457-5839

DATE OF EVENT: 10/10/21

BARRICADES: 20

CONES:

SORT PAILS: 20

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: 10/8/21


PICKUP ON: 10/12/21

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
Joe Piczczatowski, Area Foreman 017
Public Safety Division

Reviewed By
Office of Town Attorney
Tom M. Sabellico

WHEREAS, by Resolution No. 36-2017 adopted on January 10, 2017, the Town Board approved the Memorandum of Agreement dated December 29, 2016, between the Town of Oyster Bay and Local 881 of the Civil Service Employees Association, Local 1000, AFSCME AFL-CIO ("CSEA"), and subsequently the Town and CSEA executed a Collective Bargaining Agreement for the period from January 1, 2017 through December 31, 2021, which Collective Bargaining Agreement was intended to embody all of the terms of the Memorandum of Agreement dated December 29, 2016; and

WHEREAS, Section 7-1.1.5 of the Collective Bargaining Agreement provided that the maximum number of vacation days allowed to be carried-over by permanent, full-time employees of the Town from year-to-year was sixty (60) days; and

WHEREAS, that in light of conditions caused by the COVID-19 pandemic, and in order to assist Town employees from losing accumulated vacation leave and to assist management in its mission to continue to have an adequate workforce to provide services, the Town and the CSEA, entered into a Memorandum of Agreement, dated October 1, 2020, which Memorandum of Agreement modified Section 7-1.1.5 of the Collective Bargaining Agreement, increasing the maximum number of vacation days allowed to be carried over by permanent, full-time employees to seventy (70) days for the year 2021, which Memorandum of Agreement was ratified and approved by the Town Board by Resolution No. 566-2020, adopted on October 1, 2020; and

WHEREAS, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated October 1, 2021, advised that because of the continued impact of the coronavirus on the use of vacation days, the Town and the CSEA determined that it was in the best interest of all parties to further extend Section 7-1.1.5 of the Collective Bargaining Agreement to extend the increased maximum number of vacation days allowed to be carried-over by permanent, full-time employees of the Town [seventy (70) days] through the calendar year 2022; and

WHEREAS, the Office of the Town Attorney, by said memorandum advised that a Memorandum of Agreement, dated October 1, 2021, was entered into between the Town and the CSEA, which Memorandum of Agreement was executed by Jarvis T. Brown, President of the CSEA and Patrick Naglieri, Labor Representative, CSEA, who asserted that they had the agency and authority to bind the CSEA, and by Joseph S. Saladino, Supervisor, on behalf of the Town, subject to ratification by the Town Board in order for the said Memorandum of Agreement to be binding upon the Town,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board approves the Memorandum of Agreement, dated October 1, 2021, which further amends Section 7-1.1.5 of the Collective Bargaining Agreement between the Town and CSEA for the period January 1, 2017 through December 31, 2021, to allow permanent, full-time employees to carry-over unused vacation days through the year 2022, provided that the sum of such carried-over vacation and the

employee's vacation entitlement of the year into which the carry-over is brought forward does not exceed seventy (70) days.

~~#~~

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

18

577

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : October 1, 2021

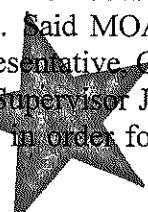
SUBJECT: Memorandum of Agreement between
The Town of Oyster Bay and the CSEA

By Resolution No. 36-2017 adopted on January 10, 2017, the Town Board approved a Memorandum of Agreement dated December 29, 2016 between the Town of Oyster Bay ("Town") and Local 881 of the Civil Service Employees Association Local 100 AFSCME AFL-CIO ("CSEA") and subsequently the Town and CSEA executed a Collective Bargaining Agreement for the period from January 1, 2017 through December 31, 2021 ("CBA").

Section 7-1.1.5 of the CBA provides for the scheduling of vacation, and allows permanent, full-time employees to carry-over unused vacation days from year to year, provided that the sum of such carried-over vacation and the employee's vacation entitlement of the year into which the carry-over is brought forward does not exceed sixty (60) days. Because of the coronavirus pandemic, many Town employees did not use a portion of their entitled vacation days in 2020. In order to assist employees from losing accumulated vacation leave and to assist management in its mission to continue to have an adequate workforce to provide services, the parties to the CBA understood the need to amend Section 7-1.1.5 of the CBA.

After negotiations, a Memorandum of Agreement, dated October 1, 2020, ("2020 MOA") was entered into between the Town and the CSEA to amend Section 7-1.1.5 of the CBA to allow for the vacation "bank" to be increased from sixty (60) days to seventy (70) days for the year 2021. The 2020 MOA was approved by the Town Board by Resolution No. 566-2020, adopted on October 1, 2020.

The Town and the Union, in recognition of the continuation of the COVID-19 pandemic, determined it desirable to extend the increased unused vacation day "bank" through the calendar year 2022, and after negotiations, a Memorandum of Agreement, dated October 2021, ("2021 MOA") was entered into, extending the vacation bank through 2022. Said MOA was executed by Jarvis T. Brown, President, CSEA and Patrick Naglieri, Labor Representative, CSEA, who asserted that they had the agency and authority to bind the CSEA and by Supervisor Joseph S. Saladino, on behalf of the Town subject to ratification by the Town Board in order for said MOA to be binding upon the Town.



MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is entered into on this _____ day of October, 2021 by and between the TOWN OF OYSTER BAY (the "Employer" or the "Town") and the CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., Local 1000, AFSCME, A.F.L.-C.I.O., by and through its Local 881 (the "Union" or "CSEA") (with the Employer/Town and the Union/CSEA hereinafter collectively referred to as "the Parties").

WITNESSETH:

WHEREAS, on December 29, 2016, the parties hereto entered into a Memorandum of Agreement regarding a new Collective Bargaining Agreement, which Memorandum of Agreement was approved by the Town Board on January 10, 2017, and subsequently the Town and CSEA executed a Collective Bargaining Agreement for the period from January 1, 2017 through December 31, 2021 ("CBA"); and

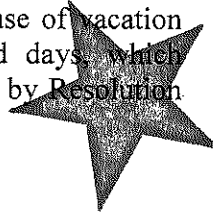
WHEREAS, on March 7, 2020, New York State Governor Andrew Cuomo issued Executive Order 202 and declared a statewide disaster emergency to address the coronavirus (COVID-19) threat; and

WHEREAS, Oyster Bay Town Supervisor Joseph Saladino declared a local state of emergency for the Town of Oyster Bay, effective March 16, 2020, and directed all Department Heads to comply with Executive Order 202 et seq.; and

WHEREAS, in 2020, the Parties acknowledged that the coronavirus impacted the use of vacation days by Town employees and that during the extraordinary times and circumstances the Parties were committed to continuing governmental operations and providing essential services to the residents of the Town; and

WHEREAS, the Parties discussed the method by which to assist employees from losing accumulated vacation leave and to assist management in its mission to continue to have an adequate workforce to provide services to Town residents; and

WHEREAS, the Parties, believing it would be mutually beneficial, entered into a Memorandum of Agreement, dated October 1, 2020, which addressed the use of vacation days by Town employees and the ability to bank a number of unused days, which Memorandum of Agreement was approved and ratified by the Town Board by Resolution No. 566-2020, adopted on October 6, 2020; and



WHEREAS, the Parties did not anticipate the COVID-19 pandemic continuing to this date, and the Memorandum of Agreement dated October 1, 2020, did not allow Town employees to use the extended vacation day bank in 2022; and

WHEREAS, the Parties, in negotiating a new Collective Bargaining Agreement, to be effective January 1, 2022, if agreed upon, executed, and approved, have addressed the issue of the unused vacation day bank, and understand and agree that in light of the continuance of the COVID-19 pandemic it would be beneficial to both Parties to allow Town employees use of the extended unused vacation day bank in 2022,

NOW THEREFORE, the Parties agree to the following:

1. Section 7-1.1.5 of the CBA shall be amended in its entirety to read as follows:

7-1.1.5 – Scheduling and Carry-Over

The scheduling of vacation, or the continuity thereof, shall be subject to the approval of the employee's Department Head, provided, however, that no employee shall be entitled to take in excess of ten (10) consecutive vacation and/or personal and/or compensatory days or in excess of ten (10) vacation and/or personal days in any one calendar month, and it is further provided that the employee's Commissioner or Department Head may override the ten (10) day limit. For all permanent, full-time employees the amount of vacation time earned, but unused in one year, may be carried over and added to the vacation entitlement for the next succeeding year, provided, however, that the sum of such carry-over and such vacation entitlement of the year into which the carry-over is brought forward shall not exceed seventy (70) days for the period of January 1, 2022 through and including December 31, 2022. Thereafter, the sum of such carry-over and such vacation entitlement in the year into which the carry-over is brought forward shall not exceed sixty (60) days.

2. This MOA represents the full and entire understanding and agreement between the parties with respect to the issues addressed herein.

3. Except as modified herein, or as previously amended or modified by any approved Memorandum of Agreement, all other terms of the CBA remain in full force and effect.

4. This MOA shall not be used or presented in any forum for any purpose, other than to enforce the terms and conditions of this MOA.

5. The CSEA President confirms that by executing this Agreement he has the authority to bind, and in fact binds, the CSEA and its membership to this Agreement, its terms and provisions, including but not limited to the aforementioned amendments to the CBA, and acknowledges that the Town has relied upon this material representation in executing this Agreement.

6. This Agreement may be executed in counterparts, each of which will be deemed an original document and will, together, be deemed to be one and the same instrument.

7. This Agreement is subject to and contingent upon formal approval and ratification by the Town Board, and will not be valid, binding or enforceable until it is fully executed by all the parties and approved by the Town Board. In the event that the Town Board does not approve and ratify this Agreement, it will become null and void and no adverse inference will be drawn against any party for having entered into it.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representative, have signed this Memorandum of Agreement the date and year above written.

TOWN OF OYSTER BAY

By: _____
Joseph S. Saladino
Supervisor

TOWN OF OYSTER BAY LOCAL 881,
CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC., AFSCME AFL-CIO

By: _____
Jarvis T. Brown, President

CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC., AFSCME AFL-CIO

By: _____
Patrick Naglieri
Labor Relations Specialist

