

APPROVED  
*John Canning*  
COMMISSIONER OF PUBLIC SAFETY

Reviewed By  
Office of Town Attorney  
*Jim Molinar*

Meeting of February 26, 2019

RESOLUTION P-5-19

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

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

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

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

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Human Resources



Meeting of February 26, 2019

Resolution No. PA-4-2019

**WHEREAS**, Rebecca M. Alesia, Esq., a duly elected Councilman of the Town of Oyster Bay, submitted her resignation effective February 12, 2019; and

**WHEREAS**, Supervisor Joseph S. Saladino, by memorandum dated February 26, 2019, recommended the appointment of Stephen L. Labriola to fill the vacancy existing on the Town Board as a result of the aforesaid resignation,

**NOW, THEREFORE**, upon motion of Supervisor Saladino, duly seconded, it was

**RESOLVED**, That Steven L. Labriola, 181 Block Boulevard, Massapequa Park, New York 11762, be appointed by the Town Board of the Town of Oyster Bay as Councilman of the Town of Oyster Bay, effective February 26, 2019, at a salary of \$57,500 per annum, payable biweekly, to fulfill the unexpired term created by the resignation of Rebecca M. Alesia, Esq., and said appointment shall be effective through December 31, 2019.

*John Carini*  
COMMISSIONER OF HUMAN RESOURCES

APPROVED

*Ms. Elizabeth D. Jaudon*  
Reviewed By  
Office of Town Attorney

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Human Resources  
Payroll  
Town Board



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
007-19	DER	\$600.00	DER A 8090 47900 000 0000
			TO
		\$600.00	DER A 8090 47200 000 0000
			FROM
		\$900.00	DER A 8090 47680 000 0000
			TO
		\$900.00	DER A 8090 47200 000 0000
008-19	HWY	\$500.00	FROM HWY DB 5110 41400 000 0000
			TO
		\$500.00	HWY DB 5110 25000 000 0000
			FROM
		\$500.00	HWY DB 5110 41770 000 0000
			TO
		\$500.00	HWY DB 5110 25000 000 0000
			FROM
		\$1,000.00	HWY DB 5110 45100 000 0000
			TO
		\$1,000.00	HWY DB 5110 25000 000 0000
			FROM
		\$4,000.00	HWY DB 5110 46100 000 0000
			TO
		\$4,000.00	HWY DB 5110 25000 000 0000
			FROM
		\$2,000.00	HWY DB 5110 41600 000 0000
			TO
		\$2,000.00	HWY DB 5110 25000 000 0000
009-19	OTB	\$1,000.00	FROM OTB A 6410 47900 000 0000
			TO
		\$1,000.00	OTB A 6410 25000 000 0000

Reviewed By  
Office of Town Attorney  
*John M. Hutton*



010-19	HWY	\$2,500.00	FROM HWY DB 5110 46650 000 0000
		\$2,500.00	TO HWY DB 5110 25000 000 0000
011-19	DPW	\$400.00	FROM DPW A 1490 12000 000 0000
		\$400.00	TO DPW A 1490 47200 000 0000

#

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Environmental Resources  
Highway  
Town Board



2A

# Town of Oyster Bay

## Inter-Departmental Memo

February 5, 2019

TO: Memorandum Docket

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

SUBJECT: 2019 Transfer of Funds

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The Department of Environmental Resources requests Town Board authorization to transfer the following funds:

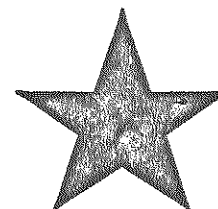
From: DER A 8090 47900 000 0000	Other Expenses	\$600.00
DER A 8090 47680 000 0000	Awareness Program	\$900.00
To: DER A 8090 47200 000 0000	Travel Expense	\$1500.00

This transfer is necessary for the payment of expenses related to Environmental Control Specialist mandated training classes.

  
George Baptista Jr.  
Deputy Commissioner

NOB/tml  
cc: Town Attorney - w/ 7 copies  
Steven Ballas, Comptroller

Der file no. G500  
Docket memo transfer of funds for Travel Expenses February 2019 .doc





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

February 6, 2019

**TO: MEMORANDUM DOCKET**

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

**SUBJECT: TRANSFER OF FUNDS**

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Town Board authorization is requested to transfer the following funds:

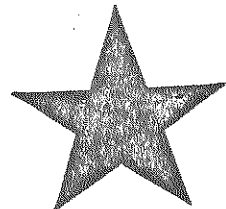
Account No.	Object Description	Amount
<u>From:</u> HWY DB 5110 41400 000 0000	UNIFORMS	\$500.00
HWY DB 5110 41770 000 0000	SAND, STONE & GRAVEL	\$500.00
HWY DB 5110 45100 000 0000	EQUIPMENT RENTAL	\$1,000.00
HWY DB 5110 46100 000 0000	EQUIPMENT MAINTENANCE	\$4,000.00
HWY DB 5110 41600 000 0000	MATERIALS AND SUPPLIES	\$2,000.00
 <u>To:</u> HWY DB 5110 25000 000 0000	 GENERAL EQUIPMENT	 \$8,000.00

This transfer is necessary to provide funds to purchase tools to repair small equipment not maintained by CVM.

  
John P. Bishop, Deputy Commissioner  
Highway Department

JPB/dp

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





2B

# Town of Oyster Bay Inter-Departmental Memo

February 14, 2019

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

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In order to provide funds for general equipment, the following transfer of funds is hereby requested:

Transfer from:							
OTB	A	6410	47900	000	0000	Other Expenses	\$ 1,000.00
Transfer to:							
OTB	A	6410	25000	000	0000	General Equipment	\$ 1,000.00

Thank you.



Robert Darienzo  
Director of Finance

RD/rd  
cc: Town Attorney (with 7 copies)  
Word/Documents/Docket/TOF 2019 OTB 6410



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

February 14, 2019

**TO: MEMORANDUM DOCKET**

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

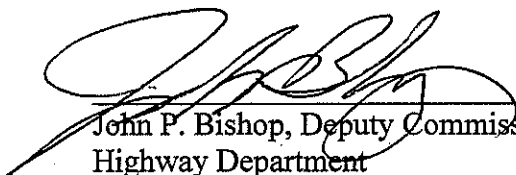
**SUBJECT: TRANSFER OF FUNDS 2019**

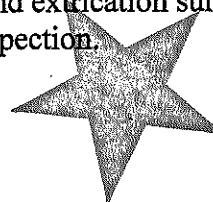
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Town Board authorization is requested to transfer the following funds:

Account No.	Object Description	Amount
<u>From:</u> HWY DB 5110 46650 000 0000	SECURE UNSAFE PROPERTY	\$2,500.00
<u>To:</u> HWY DB 5110 25000 000 0000	GENERAL EQUIPMENT	\$2,500.00

This transfer is necessary to provide funds to purchase respirators and extrication suits to protect Highway employees when entering unsafe properties for inspection.

  
John P. Bishop, Deputy Commissioner  
Highway Department



JPB/dp

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



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TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

FEBRUARY 15, 2019

TO : MEMORANDUM DOCKET

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

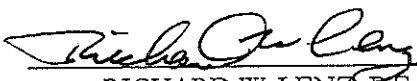
SUBJECT: TRANSFER OF FUNDS

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Kindly arrange for a Transfer of Funds for this Department's 2019 budget as follows:

FROM:	DPW A 1490 12000 000 0000 -----	\$400.00
	SALARIES PART-TIME	
TO:	DPW A 1490 47200 000 0000 -----	\$400.00
	TRAVEL EXPENSES	

The transfer is necessary to provide for attendance of Public Works employees at the 2019 Federation of New York State Solid Waste Associations conference.

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

  
RWL/JCT/MR/nm

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller

DOCKET TRANSFER OF FUNDS - INCREASE 2019 TRAVEL



Reviewed By  
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 31, 2019, requested Town Board authorization to sponsor the 2019 Annual Spring Festival, to be held on Saturday, April 27, 2019, from 1:00 p.m. to 4:00 p.m., at Syosset-Woodbury Community Park, Jericho Turnpike, Woodbury, New York, which will include crafts, games, inflatables, refreshments and other Spring Festival activities, with carnival equipment to be provided by Dynamic Entertainment Inc., along with a supervised petting zoo and pony rides; and

WHEREAS, funds for payment of these items and services, in an amount not to exceed \$5,000.00, are to be drawn from Account No. CYS A 7020 47660 000 0000; and

WHEREAS, any cost in excess of \$5,000.00 will be borne by Friends of Community Services Department, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Department of Community and Youth Services to sponsor the 2019 Annual Spring Festival on Saturday, April 27, 2019, from 1:00 p.m. to 4:00 p.m., at Syosset-Woodbury Community Park, Jericho Turnpike, Woodbury, New York, at a total cost not to exceed \$5,000.00; and be it further

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

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Community & Youth Services



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# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

January 31, 2019

TO: Memorandum Docket

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


SUBJECT: 2019 Annual Spring Festival

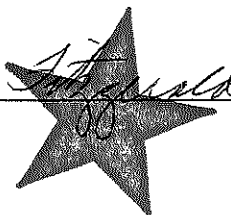
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The Department of Community and Youth Services is requesting Town Board authorization to sponsor the 2019 Annual Spring Festival. The Festival is scheduled to be held on Saturday, April 27, 2019 from 1:00 p.m. to 4:00 p.m. at Syosset-Woodbury Community Park, Jericho Turnpike, Woodbury. In the event of inclement weather the Festival will be held indoors in the Syosset-Woodbury Community Center.

If approved, this event will be free to the public and will include crafts, games, inflatables, refreshments and other Spring Festival activities. The carnival equipment will be provided by Dynamic Entertainment, Inc. and will be procured through a service order. Additionally, there will be a petting zoo and pony rides provided by the vendor, Dynamic Entertainment, Inc. and will be paid for by Friends of the Community Service Department, Inc. The petting zoo will be in a controlled and fenced-in area under the direct supervision of the vendor.

The Town's responsibility of the cost for this event will not exceed \$5,000. Funding will be available from account CYS A 7020 47660 000 0000, Special Events and will be supplemented from *Friends of the Community Service Department, Inc.*

  
Maureen A. Fitzgerald  
Commissioner



MAF:kf  
cc: Town Attorney (+7 copies)

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WHEREAS, New York Naval Militia, by letter dated January 9, 2019, from D. K. McKnight, Commander, requested permission to dock its 34 foot patrol vessel (with trailer and tow vehicle) at the John J. Burns Park boat ramp for the 2019 boating season in support of the New York State Military Emergency Boat Service; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 1, 2019, requested and recommended Town Board authorization to allow the New York Naval Militia to dock its 34 foot patrol vessel (with trailer and tow vehicle) at the John J. Burns Park boat ramp for the 2019 boating season without fee,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby granted, and the Department of Parks is hereby authorized to allow the New York Naval Militia to dock its 34 foot patrol vessel (with trailer and tow vehicle) at the John J. Burns Park boat ramp for the 2019 boating season without fee, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of the Department of Parks, or his duly designated representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforescribed activity; and
3. The said organization shall file with the Town evidence of self-retention status for liability purposes.

#

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Parks

Reviewed By  
Office of Town Attorney



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# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: February 1, 2019

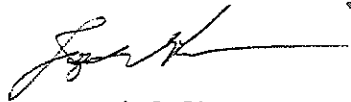
SUBJECT: New York Naval Militia at John J. Burns Park Ramp

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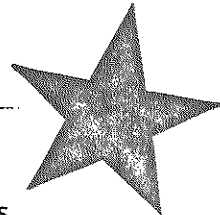
The Department of Parks requests Town Board authorization for the New York Naval Militia to dock their 34 foot catamaran patrol vessel, NY 3092 FR, with trailer and tow vehicle at John J. Burns Park ramp for the 2019 boating season, which begins April 15 and ends November 10, 2019, with no fee.

Request letter and all necessary documents are attached.

Therefore, this department recommends approval of this request for the 2019 boating season as the New York Navel Militia patrols the waters within the Town of Oyster Bay.



Joseph G. Pinto  
Commissioner of Parks



JGP:gv  
Cc: Town Attorney (+7 copies w/ attachments)

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STATE OF NEW YORK  
DIVISION OF MILITARY AND NAVAL AFFAIRS  
**NEW YORK NAVAL MILITIA**  
330 OLD NISKAYUNA ROAD, LATHAM, NEW YORK 12110

3500  
9JAN2019

Commissioner of Parks  
Town of Oyster Bay  
977 Hicksville Rd.  
Massapequa, N.Y. 11758

Subject: Support for New York State Naval Militia Vessel

Dear Commissioner:

In recent boating seasons, the Town of Oyster Bay has supported the New York State Military Emergency Boat Service by hosting one of our vessels at the John J. Burns Park, in Massapequa Park.

We request the use of the Town of Oyster Bay, John J. Burns Park facility to store one 34-foot (total length) patrol vessel (with trailer and tow vehicle) in the same manner as we have in past years. The duration of the request is for the 2019 boating season, April through November.

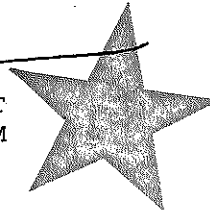
The State of New York is self-insured. A statement attesting to that fact is attached to this letter.

The current registration on PB 301 expires in March 2019. The State of New York will automatically issue a new registration for this vessel near that time.

Any questions regarding this matter may be directed to Naval Militia headquarters, at (518) 786-6021.

Thank you in advance for your continued support.

D. R. MCKNIGHT  
CDR NYNM  
By direction



Encl:  
Statement of self-insurance  
Boat Registration for PB 301





## Military and Naval Affairs

ANDREW M. CUOMO  
Governor  
Commander-in-Chief

PATRICK A. MURPHY  
Major General  
The Adjutant General

December 10, 2015

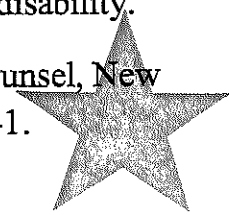
Legal Affairs Directorate  
(518) 786-4541

### MEMORANDUM

**SUBJECT:** Statement of Self-retention Status of New York State for Liability Purposes

The general liability exposures of the State of New York, as well as those of its agencies, are "self-retained," meaning that, unlike "self-insurance" based on a state insurance fund, the State of New York pays settlements and judgments handed down by courts of competent jurisdiction from an annual appropriation funded by State tax revenues. Suits against the State of New York and its agencies and employees for bodily injury and property damage are brought in the New York State Court of Claims. The Division of Military and Naval Affairs, the agency of the New York State Executive Department of which the Naval Militia is a part, is a New York State agency and is self-retained against risk of loss and disability.

Questions regarding this memorandum may be referred to Counsel, New York State Division of Military and Naval Affairs, at (518) 786-4541.







NEW YORK STATE BOAT REGISTRATION

NY3092FR

2006 CATAM DKRD4601C606

OTHE OUT GOVERNMENT

030 GAS UTD4024 MAR 02 2016

003 UTD21F EXPIRES

NON-TRANSFERABLE 03/31/19

NYS; DIVISION; OF

MILITARY; NAVAL; AFFRS

330 OLD NISKAYUNA RD

LATHAM NY

12110

Fee Paid

VOID IF ALTERED, COPIED,  
OR CHANGED IN ANY MANNER  
NY-83008 (8/08)

DB 331679

HERE IS YOUR WATER-REPELLENT BOAT REGISTRATION.

Please separate the registration from the rest of this card.

NYS; DIVISION; OF  
MILITARY; NAVAL; AFFRS  
330 OLD NISKAYUNA RD  
LATHAM NY 12110

PB301

NEW YORK	90158015	19	BOAT REGISTRATION	DEPARTMENT OF MOTOR VEHICLES	NEW YORK	90158015	19	BOAT REGISTRATION	DEPARTMENT OF MOTOR VEHICLES		
FCU	GEA	TMS	ICD	VON	CMO	FCU	GEA	TMS	ICD	VON	CMO
NAC	BTH	M	RPA	AM	Y	NAC	BTH	M	RPA	AM	Y
NU	NU	NU	NU	NU	NU	NU	NU	NU	NU	NU	NU





DO NOT PEEL STICKER FROM FRONT - SEE INSTRUCTIONS

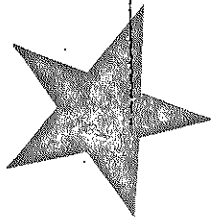
Keep this document to show to the police and courts.



EB039496



VOID



NEW YORK STATE REGISTRATION DOCUMENT

075008 STA  
2007 FORD NONTRANSFERABLE  
PICK DK/GY 1FDW57P67EA85129  
017950 D-8 EB039496 SEP 26 2006  
W/Bears Bell/Cyl GMR ALB016  
NYS DIV OF MILITARY AND NAVAL AFFAIRS  
330 OLD NISKAYUNA RD EXEMPT  
LATHAM NY 12110

EB039496 VOID IF ALTERED EXCEPT FOR ADDRESS

ANNUAL FEE  
ANT AND CUL VAD EB00

0 00





Meeting of February 26, 2019

Resolution No. 139-2019

 Reviewed By  
Office of Town Attorney

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 28, 2019, recommended that the Town Board authorize a refund to be paid to Nikki Grossman, in the amount of \$650.00 for her rental of the Syosset-Woodbury Community Park Ice Rink, which was canceled, due to extreme weather,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Parks is hereby authorized to issue a refund in the amount of \$650.00 from Account No. TWN SP11 000 00691 000 0000, and payment of said refunds 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Parks



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# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: January 28, 2019


SUBJECT: Resident Refund

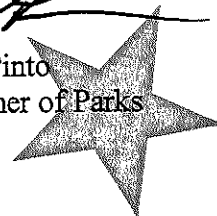
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The Department of Parks has received correspondence from Nikki Grossman requesting a refund for a rink rental at Syosset-Woodbury Community Park Ice Rink in the amount of \$650.00. Please see attached for pertinent information regarding this refund request.

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

Kindly debit account TWN SP11 0000 00691 000 0000.

  
Joseph G. Pinto  
Commissioner of Parks



JGP:lc

Attachments

CC: Office of the Town Attorney (original + 7 copies)



**Gabrielle Pontillo**

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**From:** Joseph Pinto  
**Sent:** Friday, January 18, 2019 2:30 PM  
**To:** 'nikki@redhookhost.com'  
**Cc:** Christopher Sabellico; Gabrielle Pontillo; Jacqueline Biondo; Greg Skupinsky; Frank Gatto  
**Subject:** FW: Monday birthday

Dear Nikki,

Your request for a refund is approved. Please tell your son Happy Birthday from the Town of Oyster Bay Parks Department.

Joe

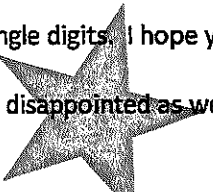
-----Original Message-----

**From:** Christopher Sabellico  
**Sent:** Friday, January 18, 2019 2:23 PM  
**To:** Joseph Pinto  
**Subject:** FW: Monday birthday

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

**From:** Nikki Cascone [mailto:[nikki@redhookhost.com](mailto:nikki@redhookhost.com)]  
**Sent:** Friday, January 18, 2019 2:21 PM  
**To:** Christopher Sabellico  
**Subject:** Monday birthday

Hello Commissioner,  
My son's birthday party was schedule at the Syosset - Woodbury Ice rink this Monday Jan 21st. The current weather forecast is saying it will be in the single digits. I hope you agree that it would not be safe for these 4-8 yr olds to be outdoors.  
Can you please issue us a refund in the full amount and we will try again next year. My son is very disappointed as we all LOVED it there for his birthday last year.  
Thank you in advance,



Nikki Cascone-Grossman

[REDACTED]

351 West Neck Road  
Lloyd Harbor NY 11743

(20)





TOWN OF OYSTER BAY  
Department of Parks  
GENERAL RECEIPT

3161

Name Nikki Grossman		Phone [REDACTED]
Street 351 W Neck Road		Age
Town Lloyd Harbor	Zip 11743	Day 1/21/19
Activity 5 Birthday Skating	Location Syosset Park	
Mo./Day/Year 10/5/18	Received By [Signature]	Fee \$ 650

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

PKS181340  
INV#81

Cash ☐

Check ☒

509



Town of Oyster Bay  
977 Hicksville Rd  
Massapequa, NY 11758  
Phone: (516) 797-4127  
Fax:



**Bill To**

Nikki Grossman  
351 Westneck Road  
Lloyd Harbor, New York 11743

Invoice Number  
Invoice Date  
Payments Due  
Created By

81  
10/9/2018  
1x by 10/9/2018  
Chris Sabellico

**Invoice**

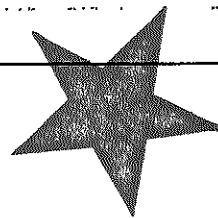
**Billed Items**

	Unit Price	Quantity	Discount	Revenue	Total
Date:	10/9/2018	Client: Nikki Grossman	Title:	POST&SYOSSET WOODBURY RINK NON-RESIDENT	
Description:	Post&Syosset Woodbury NON-RESIDENT				
Extra Info:	Syosset Woodbury Mon 1/21/2019 10:30 AM-12:30 PM				
	\$325.00	2	\$0.00	\$650.00	\$650.00
Totals:	\$325.00	2	\$0.00	\$650.00	\$650.00

**Payment Schedule and History**

Date	Receipt #	Due	Paid	DueToDate	PaidToDate	BalanceTo Date	Payment Method
10/9/2018		\$650.00	\$0.00	\$650.00	\$0.00	\$650.00	
10/12/2018	39	\$0.00	\$650.00	\$650.00	\$650.00	\$0.00	Check
Payment Memo:	509						

PLS181340 INV #81





Nikki  
Grossman

TOWN OF OYSTER BAY  
74 AUDREY AVENUE  
OYSTER BAY, NY 11771



DATE	DOLLARS	CENTS
10/12/18		
CURRENCY		
COIN		
CHECKS (List each separately)		
1 500	650	00
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
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26		
27		
28		
29		
TOTAL FROM OTHER SIDE		
PLEASE RE-ENTER TOTAL HERE	650	00

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL  
A HOLD FOR UNCOLLECTED FUNDS MAY BE PLACED ON FUNDS  
DEPOSITED BY CHECK OR SIMILAR INSTRUMENTS. THIS COULD  
DELAY YOUR ABILITY TO WITHDRAW SUCH FUNDS. DELAY IF  
ANY WOULD NOT EXCEED THE PERIOD OF TIME PERMITTED BY LAW.

5240 1020: 7919857867

PCS181340  
#81

\$

650.00



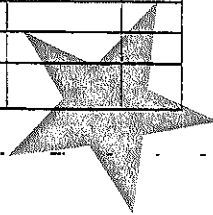
USING MULTIPLE PARTS.  
SEPARATE BEFORE WRITING

ADDITIONAL CHECK LISTING

CHECKS	DOLLARS	CENTS
30		
31		
32		
33		
34		
35		
36		
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47		
48		
49		
50		
TOTAL (LINES 30-50) FORWARD TO OTHER SIDE		

CURRENCY AND COIN FOR OFFICE USE ONLY

CURRENCY QUANTITY	VALUE	DOLLARS	CENTS
	X 100		
	X 50		
	X 20		
	X 10		
	X 5		
	X 2		
	X 1		
TOTAL CURRENCY FORWARD TO OTHER SIDE			
COIN QUANTITY	VALUE	DOLLARS	CENTS
	X 1.00		
	X .50		
	X .25		
	X .10		
	X .05		
	X .01		
TOTAL COIN FORWARD TO OTHER SIDE			





Meeting of February 26, 2019

Resolution No. 140-2019

7/4/19  
Reviewed By  
Office of Town Attorney

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 28, 2019, recommended that the Town Board authorize a refund to be paid to Tina Christodoulou, in the amount of \$75.00 paid for volleyball sessions at the Hicksville Athletic Center,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Parks is hereby authorized to issue a refund in the amount \$75.00 to Tina Christodoulou, from Account No. PKS A 0001 02001 510 0000 and payment of said refunds 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Parks



7

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: January 28, 2019

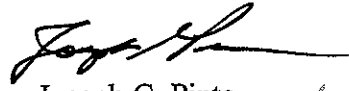
SUBJECT: Resident Refund

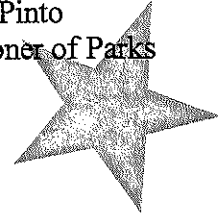
---

The Department of Parks has received correspondence from Tina Christodoulou requesting a refund for volleyball sessions at Hicksville Athletic Center in the amount of \$75.00. Please see attached for pertinent information regarding this refund request.

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

Kindly debit account PKS A 0001 02001 510 0000.

  
Joseph G. Pinto  
Commissioner of Parks



JGP:lc

Attachments

CC: Office of the Town Attorney (original + 7 copies)

---



Tina Christodoulou  
12 Fox Place  
Hicksville, NY 11801

January 15, 2019

Commissioner Joseph G. Pinto  
Town Hall South  
977 Hicksville Road  
Massapequa, NY 11758

Dear Mr. Joseph G. Pinto,

On December 7, 2018, I signed up for the Adult Volleyball Session 2 at Hicksville Athletic Center. I had gone to register with the intentions and hopes of signing up to enter in session 1. At that time, I was told that unfortunately session 1 was filled. Considering session 1 was the best time that worked for me, I was disappointed about this. However, I was informed that there was a possibility that session 2 would not get filled, in which case they would then merge the two sessions. With this, I signed up for session 2, with the hopes of potentially having the sessions merged to meet from 9pm until 10:30pm. I have not yet been able to attend any of the volleyball sessions, and am writing to ask for a refund in the amount of seventy-five dollars.

I appreciate your time in considering this refund. I look forward to more sessions offered in the future, that would possibly be made available during a day and time that works better for me. Should you have any questions, please contact me at [REDACTED] or via email at [tina.kaskabas@gmail.com](mailto:tina.kaskabas@gmail.com). Thank you again for your time and consideration.

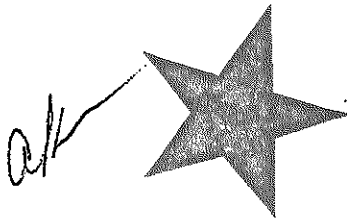
Sincerely,



Tina Christodoulou

3082  
OK # 286

W







TOWN OF OYSTER BAY  
Department of Parks  
GENERAL RECEIPT

3082

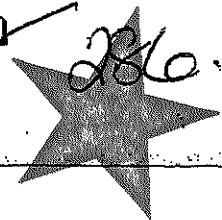
Name <i>Tina Christodoulou</i>			Phone <i>[REDACTED]</i>	
Street <i>12 Fox Place.</i>			Age <i>35</i>	
Town <i>Hicksville</i>		Zip <i>11801</i>	Day Hour	
Activity <i>Volley Ball session</i>		Location <i>2</i>		
Mo./ <i>Dec</i>	Day/ <i>- 7</i>	Year <i>2018</i>	Received By <i>Donna</i>	
Fee \$ <i>75.00</i>				

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

*Rec # 964 038 956*

Cash ☐

Check ☒





61101021902

DEPOSIT TICKET

PK5181398

TOWN OF OYSTER BAY  
74 AUDREY AVENUE  
OYSTER BAY, NY 11771



Volleyball R DOR# 088  
1:52:40.10201 79198578671

140500  
1125.00

DATE	DOLLARS	CENTS
12-14-18		
CURRENCY		
COIN		
CHECKS (List each separately)		
11197	75	00
2397	75	00
31398	75	00
41105	75	00
5449	75	00
61095	75	00
7646	75	00
8126	75	00
9128	50	00
10363910	50	00
11186	50	00
12286	75	00
13		
14		
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TOTAL FROM OTHER SIDE		
PLEASE RE-ENTER TOTAL HERE	\$1125	00

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL  
A HOLD FOR UNCOLLECTED FUNDS MAY BE PLACED ON FUNDS  
DEPOSITED BY CHECK OR SIMILAR INSTRUMENTS THIS COULD  
DELAY YOUR ABILITY TO WITHDRAWAL FUNDS THE DELAY IF  
ANY, WOULD NOT EXCEED THE PERIOD OF TIME PERMITTED BY LAW.



IMPORTANT: IF USING MULTIPLE PARTS,  
SEPARATE BEFORE WRITING

ADDITIONAL CHECK LISTING

CHECKS	DOLLARS	CENTS
30		
31		
32		
33		
34		
35		
36		
37		
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50		

TOTAL (LINES 30-50)  
FORWARD TO OTHER SIDE

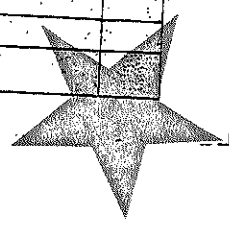
CURRENCY AND COIN FOR OFFICE USE ONLY

CURRENCY QUANTITY	VALUE	DOLLARS	CENTS
	X 100		
	X 50		
	X 20		
	X 10		
	X 5		
	X 2		
	X 1		

TOTAL CURRENCY  
FORWARD TO OTHER SIDE

COIN QUANTITY	VALUE	DOLLARS	CENTS
	X 1.00		
	X .50		
	X .25		
	X .10		
	X .05		
	X .01		

TOTAL COIN  
FORWARD TO OTHER SIDE







TOWN OF OYSTER BAY  
DEPARTMENT OF PARKS  
DAILY OPERATIONS REPORT

HICKSVILLE ATHLETIC CENTER

PKS181398/  
NO. 088 ✓

DATE 12-13-18

			NUMBER	RATE	AMOUNT
Fitness Membership (Res)	Starting	Ending	58	\$60.00	3480.00
Fitness Membership (NR)	Starting	Ending		\$70.00	
Volleyball/Badminton (Res)	Starting	Ending	46	\$75.00	3450.00
Volleyball/Badminton (NR)	Starting	Ending		\$100.00	
TOTAL					
				Group Total Closing	\$169,978.00
				Group Total Opening	\$163,048.00

REGISTER CLOSED \_\_\_\_\_ PM

CASH	_____
CREDIT/CHK	\$6,930.00
TOTAL	\$6,930.00

Remarks Volleyball Residents  
Yoga Residents, Zumba Resident (1)

Cashier \_\_\_\_\_ Facility Manager 

Copy Distribution: White, Yellow, Pink – Main Office  
Goldenrod – Facility



Reviewed By  
Office of Town Attorney

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 1, 2019, recommended that the Town Board authorize payment of a refund in the amount of \$600.00 to Mr. Sal Manzo of Sal Manzo Plumbing & Heating, 1480 Wantagh Avenue, Wantagh, New York 11793, for the payment of a building permit fee, Building Permit Number R18004980, paid in error since the dryer and oven range was covered under Building Permit Number R18002045 and Certificate of Approval Number G519088,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board authorizes payment of a refund to Mr. Sal Manzo of Sal Manzo Plumbing & Heating, in the amount of \$600.00, 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development



10

**TOWN OF OYSTER BAY**

**INTER-DEPARTMENTAL MEMO**

**Date:** February 1, 2019

**TO:** MEMORANDUM DOCKET


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

**SUBJECT:** RESIDENT REFUND – SAL MANZO PLUMBING & HEATING

-----

Pursuant to the Code of the Town of Oyster Bay, Mr. Sal Manzo, Manzo Plumbing & Heating, submitted a Plumbing Permit Number R18004980 in the amount of \$1,005.00 for the installation of one (1) dryer, one (1) range/oven, one (1) boiler, one (1) meter upgrade and Certificate of Approval. This permit was issued in error since the dryer and range/oven was covered under Building Permit Number R18002045 and Certificate of Approval Number G519088.

Therefore, in light of the aforementioned facts, a six hundred dollar (\$600.00) refund for the building permit fee associated with Building Permit Number R18004980 should be refunded to Mr. Sal Manzo, Sal Manzo Plumbing & Heating, 1480 Wantagh Avenue, Wantagh, New York 11793 under account number PAD B 0001 02555 000 0000.



  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:TRZ:ds

Cc: Town Attorney's office (w/7 copies)





**A full service company**

1480 Wantagh Avenue  
Wantagh, NY 11793

Phone: 516-783-0490  
Fax: 516-783-0587

Email:  
sal@manzoplumbing.com

Web:  
www.salmanzoplumbingteam.com

January 24, 2019

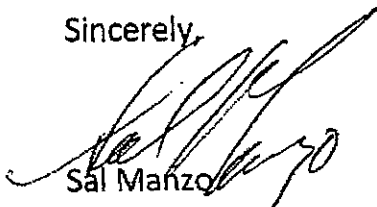
To whom it may concern:

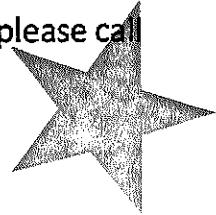
On October 17, 2018, I Sal Manzo owner of Sal Manzo Plumbing & Heating, Inc. went to the Town of Oyster Bay town hall to submit a plumbing permit for a meter upgrade only, at the residence of Jeanne Racioppi of 90 No. Queens Ave Massapequa, NY 11758. Unfortunately the permit was processed as a maintain permit for the amount of \$1005.00. Upon completion of the job on November 2, 2018 we had learned that the meter upgrade fee is only \$135.00, therefore the reason for this letter is to request the refund of the difference payable to Sal Manzo Plumbing & Heating, Inc. According to Tim the refund will be in the amount of \$600.00.

We appreciate your attention to this matter. If you have any questions please call the office @ 516-783-0790.

Thank you.

Sincerely,

  
Sal Manzo





TOWN OF OYSTER BAY

4 ITEMS OF 4

PERMIT RECEIPT

OPERATOR: sgerber  
COPY # : 1

Sec:48 Twp:Oyster B Rng: Sub: Blk:529 Lot:2  
SBL .....: 48-529-2

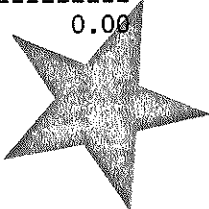
DATE ISSUED.....: 10/17/2018  
RECEIPT #.....: 01000447474  
REFERENCE ID # ....: 18100429

SITE ADDRESS .....: 90 N QUEENS AVE  
SUBDIVISION .....:  
CITY .....: NORTH MASSAPEQU  
IMPACT AREA .....:

OWNER .....: JEANNE RACIOPPI  
ADDRESS .....: 90 NORTH QUEENS AVENUE  
CITY/STATE/ZIP ....: NORTH MASSAPEQUA, NY 11758

RECEIVED FROM .....: SAL MANZO'S PLBG & H  
CONTRACTOR .....: MANZO, SALVATORE LIC # H2062  
COMPANY .....: SAL MANZO'S PLUMBING & HEATING  
ADDRESS .....: 1480 WANTAGH AVE  
CITY/STATE/ZIP ....: WANTAGH, NY 11793  
TELEPHONE .....: 516-783-0490

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-BOILER		1.00	300.00	0.00	300.00	0.00
B-CA	FIXTURES	1.00	105.00	0.00	105.00	0.00
B-DRYER		1.00	300.00	0.00	300.00	0.00
B-OVEN		1.00	300.00	0.00	300.00	0.00
TOTAL PERMIT :			1005.00	0.00	1005.00	0.00
METHOD OF PAYMENT		AMOUNT	REFERENCE NUMBER			
CHECK		1,005.00	11231			
TOTAL RECEIPT :		1,005.00				





SAL MANZOS PLUMBING & HEATING INC.

OPERATING ACCOUNT

1480 WANTAGH AVE

WANTAGH, NY 11793

T HW

18100429

11231

PAY TO THE ORDER OF

Town of Oyster Bay

One Thousand Five

00

00

DOLLARS

DATE

12/16/18

1-2/210

\$1,005

00

XX

CHASE

JPMorgan Chase Bank, N.A.

www.chase.com

FOR

Carrianni, John

Robert J. Carrianni

>065000090<

CAPITAL ONE, NA

10172018

RICHMOND, VA 23299

Deposit

PAY TO THE ORDER OF

TOWN OF OYSTER BAY

8240000000

74 AUDREY AVE 1ST FLOOR

For Deposit Only

Town of Oyster Bay

#1

Posting Date: 20181017

Sequence Number: 3170981939

Amount: \$1,005.00

Account:

Routing Transit Number:

Check/Serial Number:

Bank Number: 802

IRD Indicator: 0

BOFD: 000000000

Capture Source: PV

Entry Number:

UDK:

Cost Center:

Teller Number:

Teller Sequence Number:

Missing Image: 5

PE Indicator: N

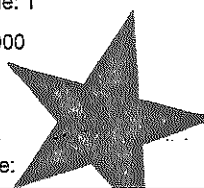
Application Code: 1

Trancode: 000000

DB/CR: DB

Item Type: P

Processing Date:





# Building Permit

R18004980

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: Farmingdale Section/Block/Lot: 48-529-2 Zone: R1-7 Application No.: 18100429 ZBA Number: ZBA Date: Receipt No.: 01000447474

Permittee	SAL MANZO'S PLUMBING & HEATING INC. 1480 WANTAGH AVE WANTAGH NY 11793 516-783-0490	Contractor	SAL MANZO'S PLUMBING & HEATING INC. 1480 WANTAGH AVE WANTAGH, NY 11793 516-783-0490
Property Owner	JEANNE RACIOPPI 90 NORTH QUEENS AVENUE NORTH MASSAPEQUA, NY 11758 (516) 509-1739	Plumber	SAL MANZO'S PLUMBING & HEATING INC. 1480 WANTAGH AVE WANTAGH NY 11793 516-783-0490
		Electrician	

## Address of Actual Construction

90 N QUEENS AVE NORTH MASSAPEQUA, NY 11758	Tenant
Permission Granted for the	MAINTENANCE OF
Estimated Cost of Construction	\$0

MAINTENANCE OF ONE GAS FIRED BOILER, ONE RANGE, ONE DRYER AS PER CODE.

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 acknowledgement 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
S	NORTH QUEENS AVENUE	172.00	E	EAST BOULEVARD
				NORTH MASSAPEQUA
DESCRIPTION	FEE	PAID	BALANCE	
BURNER	300.00	300.00	0.00	
CA	105.00	105.00	0.00	
PLUMBING	600.00	600.00	0.00	
*** FEE TOTALS ***	1,005.00	1,005.00	0.00	
TOTAL PAID AFTER APPLICATION FEE APPLIED:				\$1,005.00
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 inspection, until completion of the work and inspections.		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.		

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.
- \*Forms 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

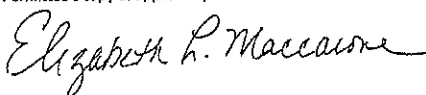
- \*Underground plumbing - before backfilling.
- \*Rough plumbing - before closed up and ready for test.
- \*Final inspection when all fixtures are set.
- \*Sewer connection - spur tie-in.
- \*Sanitary systems. (Excavation/Construction).
- \*Installation or replacement of burners. (oil, gas, electric).
- \*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:	10/18/2018	Work Must Start By:
CO must be issued by 10/19/2019 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		





**Certificate of Approval of Plumbing**  
Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Ave, Oyster Bay, NY 11771

No. G521000  
11/20/2018

Property Owner Information					
JEANNE RACIOPPI, 90 NORTH QUEENS AVENUE NORTH MASSAPEQUA, NY 11758					
Property Information		School District		Section/Block/Lot(s)	Zone
		Farmingdale		48-529-2	R1-7
Located on	Side of	Feet	OF	Post Office	
S	NORTH QUEENS AVENUE	172.00	E	EAST BOULEVARD NORTH MASSAPEQUA	
Plumber/Contractor Info:		SAL MANZO'S PLUMBING & HEATING INC.			
Address of Installation:		90 NORTH QUEENS AVENUE NORTH MASSAPEQUA, NY 11758			

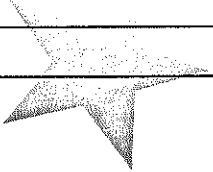
Appl. No.	Permit No.	Permit Date	Sewer No.	Sewer Date	Receipt No.	Insp	Date
18100429	R18004980	10/18/2018			01000447474	DM	11/2/2018

Work Completed

R18004980 - ONE (1) GAS FIRED BOILER, ONE (1) RANGE, ONE (1) DRYER.

This certifies that the above Plumbing and Drainage installed under the above Permit meets the requirements of the Plumbing code of the Town of Oyster Bay.

	Initials
Commissioner, Department of Planning and Development	





# Building Permit

R18002045

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.
Farmingdale	48-529-2	R1-7	18050082			03000001443

Permittee	ESSEX PLUMBING & HEATING INC. 2942 ESSEX RD WANTAGH NY 11793 (516)-781-7112	Contractor	ESSEX PLUMBING & HEATING INC. 2942 ESSEX RD WANTAGH, NY 11793 (516)-781-7112
Property Owner	JEANNE RACIOPPI 90 NORTH QUEENS AVENUE NORTH MASSAPEQUA, NY 11758 (516) 509-1739	Plumber	
		Electrician	

## Address of Actual Construction

90 N QUEENS AVE NORTH MASSAPEQUA, NY 11758	Tenant
Permission Granted for the	INSTALLATION OF
	Estimated Cost of Construction \$0

INSTALLATION OF ONE (1) NATURAL GAS FIRED RANGE/OVEN, AND ONE (1) NATURAL GAS FIRED DRYER AS PER CODE

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 acknowledgement 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
S	NORTH QUEENS AVENUE	172.00	E	EAST BOULEVARD
				NORTH MASSAPEQUA
DESCRIPTION	FEE	PAID	BALANCE	
CA	35.00	35.00	0.00	
PLUMBING	200.00	200.00	0.00	
*** FEE TOTALS ***	235.00	235.00	0.00	
TOTAL PAID AFTER APPLICATION FEE APPLIED: \$235.00				

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 inspection, until completion of the work and inspections.	Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.
---	---

## INSPECTIONS

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.
- \*Forms 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

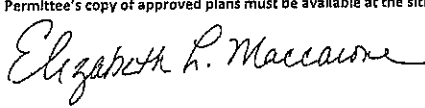
- \*Underground plumbing – before backfilling.
- \*Rough plumbing – before closed up and ready for test.
- \*Final inspection when all fixtures are set.
- \*Sewer connection – spur tie-in.
- \*Sanitary systems. (Excavation/Construction).
- \*Installation or replacement of burners. (oil, gas, electric).
- \*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:	05/03/2018	Work Must Start By:	11/3/2018
CO must be issued by 05/04/2019 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			





Certificate of Approval of Plumbing

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Ave, Oyster Bay, NY 11771

No. G519088

05/30/2018

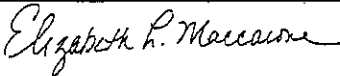
Property Owner Information					
JEANNE RACIOPPI, 90 N QUEENS AVENUE NORTH MASSAPEQUA, NY 11758					
Property Information		School District		Section Block Lot(s)	Zone
		Farmingdale		48-529-2	R1-7
Located on	Side of	Feet		Of	Post Office
S	NORTH QUEENS AVENUE	172.00	E	EAST BOULEVARD	NORTH MASSAPEQUA
Plumber/Contractor Info:		ESSEX PLUMBING & HEATING INC.			
Address of Installation:		90 N QUEENS AVENUE NORTH MASSAPEQUA, NY 11758			

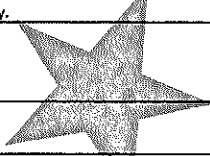
Appl. No.	Permit No.	Permit Date	Sewer No.	Sewer Date	Receipt No.	Insp	Date
18050082	R18002045	05/03/2018			03000001443	DM	05/15/2018
16120173	R17006045	12/28/2017			01000437859	DM	05/15/2018

Work Completed

R18002045-ONE (1) NATURAL GAS FIRED RANGE/OVEN AND ONE (1) NATURAL GAS FIRED DRYER.

R17006045-Nine (9) plumbing fixtures: (3-LAV, 2-WC, 1-BT, 1-SHR, 1-WM, 1-Laundry Sink)

This certifies that the above Plumbing and Drainage installed under the above Permit meets the requirements of the Plumbing code of the Town of Oyster Bay.	
	Initials
Commissioner, Department of Planning and Development	





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 August 27, 2018, authorized the Highway Department to clean up the premises located at 55 Colonial Drive, Farmingdale, New York 11735, also known as Section 49, Block 178, Lot 37 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 18, 2019, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 5, 2018, in the total amount of \$2,768.20, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 18, 2019, 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 \$2,768.20 may be assessed by the Legislature of the County of Nassau against the parcel known as 55 Colonial Drive, Farmingdale, New York 11735, also known as Section 49, Block 178, Lot 37 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*



12

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 18, 2019

SUBJECT: Property Cleanup Assessment  
55 Colonial Drive, Farmingdale, New York 11735  
Section 49, Block 178, Lot 37


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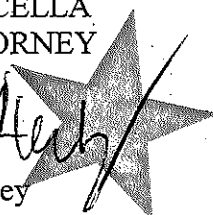
The Department of Planning and Development, by memorandum dated August 27, 2018, directed the Highway Department to clean the premises located at 55 Colonial Drive, Farmingdale, New York 11735, also known as Section 49, Block 178, Lot 37 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 6, 2018, advised that the property was cleaned by a crew from the Highway Department on September 5, 2018. The cost incurred by the Town of Oyster Bay was \$2,768.20.

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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel



RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)



DEPUTY COMM/HIGHWAY

TOWN OF OYSTER

Inter-Departmental Memo

August 27, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 55 Colonial Drive Farmingdale, NY 11735  
SBL:49-178-37

Nov. (No.17886) was issued to the owner of the above-referenced premises 08/17/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.

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

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made the 5<sup>th</sup> day of April, in the year 2017  
BETWEEN

CLAIRE L. FRYER, as surviving tenant by the entirety of Raymond D. Fryer and Claire L. Fryer, residing at 55 Colonial Drive, Farmingdale, New York 11735,

party of the first part, and

GERARD R. FRYER, residing at 34 Coolidge Avenue, Amity Harbor, New York 11701,

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,

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

See Schedule A attached hereto.

The premises conveyed herein are commonly known as 55 Colonial Drive, Farmingdale, New York 11735.

The premises conveyed herein are intended to be the same premises as that conveyed to the party of the first part by deed dated November 23, 1964 and recorded in the Office of the Nassau County Clerk on November 25, 1964, in LIBER 7339, PAGE 448.

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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 incumbered 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:

  
CLAIRE L. FRYER



AL

Town of Oyster Bay  
Inter- Departmental Memo

September 6, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

SUBJECT: 55 COLONIAL DRIVE, FARMINGDALE  
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 \$2,768.20.

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 55 COLONIAL DRIVE, FARMINGDALE TO P & D







## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-178-37) 55 COLONIAL DR FARMINGDALE 11735

Date Sep 5, 2018

Work Order # 51654

### Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK ORLANDO	General Maintenance	03:00	\$42.34	00:00	0	\$127.02
ANTHONY VOLLONO	General Maintenance	03:00	\$50.61	00:00	0	\$151.83
SEAN MCLAUGHLIN	General Maintenance	03:00	\$23.78	00:00	0	\$71.34
MICHAEL F FITZPATRICK	General Maintenance	03:00	\$15.00	00:00	0	\$45.00
Total Labor						\$395.19

### Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD682	TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	03:00	\$315.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	03:00	\$315.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	03:00	\$315.00
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	03:00	\$315.00
TR160	TRAILER 2009 HHAUL 5200 BLACK	\$105.00	03:00	\$315.00
Total Equipment				\$1575.00

### Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$85.74	0.56	\$48.01
Total Materials			\$798.01

**Grand Total \$2768.20**

### Description of Work:

CLEAN UP 55 COLONIAL DRIVE FM

Signature: \_\_\_\_\_

Name: Douglas Roballino

Title: Director of Highway Operations

Date: Sep 6, 2018



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 November 8, 2018, authorized the Highway Department to clean up the premises located at 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 16, 2019, 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 November 14, 2018, in the total amount of \$1,107.62, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 16, 2019, 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 \$1,107.62 may be assessed by the Legislature of the County of Nassau against the parcel known as 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Planning & Development

Reviewed By  
Office of Town Attorney  
Ralph P. Healey



13

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 16, 2019

SUBJECT: Property Cleanup Assessment  
37 Garfield Avenue, Glen Head, New York 11545  
Section 20, Block 6, Lot 218

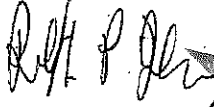
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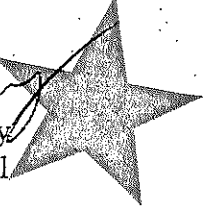
The Department of Planning and Development, by memorandum dated November 8, 2018, directed the Highway Department to clean the premises located at 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 15, 2018, advised that the property was cleaned by a crew from the Highway Department on November 14, 2018. The cost incurred by the Town of Oyster Bay was \$1,107.62.

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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel



RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)



2018-6910

lta

TOWN OF OYSTER

Inter-Departmental Memo  
November 8, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 37 Garfield Avenue Glen Head, NY 11545  
SBL: 20-6-218

Nov. (No.18730) was issued to the owner of the above-referenced premises 10/30/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: **I am directing that:**

- The grass and vegetation be cut.

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

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



6/4/6 Kc

1576

015603

Document No. 11, 1936  
Johanna and John Deed, with Contents against Owner's Demands in Disposition (Right of Use)  
405-01006  
CONVEYANCE FROM LAWYER BEING SIGNED THIS EVIDENCE - NOT WITHSTANDING PROVED BY DEED OF LAWYER'S OFFICE

THIS INSTRUMENT, made on the 22 day of SEPTEMBER, 1936, between

JANET PUGH, Formerly known as JANET TEMPLETON  
27 Garfield Avenue  
Glen Head, New York 11543

Party of the first part, and

ROBERT E. MORAN  
38-02 Bell Boulevard  
Bayside, New York 11361

Part of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable considerations paid by the party of the second part, did hereby grant and release unto the party of the second part, the title to and interest in the premises hereinafter described, to have and to hold unto the party of the second part forever.

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the GLENHEAD LANDS, MORE OF OTHER DAY, COUNTY OF NASSAU AND STATE OF NEW YORK, KNOWN AND DESIGNATED AS LOTS NOS. ALL OF LOT 18 AND PART OF LOT 19 IN BLOCK NO. 5 ON A CERTAIN MAP ENTITLED "MAP OF HILL TERRACE, GLENHEAD LANDS, NASSAU COUNTY, N.Y. WILLIAM JOHN CHERET, INC., ARCHITECTS, 441 LEXINGTON AVENUE, N.Y. JUNE, 1927, JOHN L. BOGART, LICENSED CIVIL ENGINEER AND LAND SURVEYOR, GLEN HEAD, L.I." AND FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF NASSAU, JUNE 10, 1927, AS MAP NO. 635, WHICH LOT AND PART OF LOTS WERE TAKEN TOGETHER ARE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF GARFIELD AVENUE DISTANT 175 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF GARFIELD AVENUE AND THE EASTERLY SIDE OF WILSON PLACE;

THENCE SOUTHERLY AT RIGHT ANGLES TO THE SOUTHERLY SIDE OF GARFIELD AVENUE 100 FEET;

THENCE EASTERLY AND PARALLEL WITH THE SOUTHERLY SIDE OF GARFIELD AVENUE 75 FEET;

THENCE NORTHERLY ALONG AT RIGHT ANGLES TO THE SOUTHERLY SIDE OF GARFIELD AVENUE 100 FEET TO THE SOUTHERLY SIDE OF GARFIELD AVENUE;

THENCE SOUTHERLY ALONG THE SOUTHERLY SIDE OF GARFIELD AVENUE 75 FEET TO THE POINT OR PLACE OF BEGINNING.

SAID PREMISES ALSO KNOWN AS . . . BY 37 GARFIELD AVENUE, GLEN HEAD, NEW YORK

SAID PREMISES BEING THE SAME AS THE CONVEYED TO THE PARTY OF THE FIRST PART BY DEED DATED APRIL 28, 1936, RECORDED JUNE 30, 1936, LIBER 9920 PAGE 547.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads intersecting the above described premises to the center lines thereof, TOGETHER with the appurtenances and all the rights and rights of the party of the first part in and to the 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.

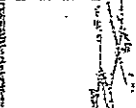
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Law, covenants that the party of the first part will receive such consideration for this conveyance and will apply the same first to the payment of the cost of the improvement before in any other purpose.

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

IN WITNESS WHEREOF, the party of the first part has duly executed this deed this 22nd day of September 1936.

IN WITNESS WHEREOF:



Janet Pugh by Richard Pugh  
attorney in fact  
JANET PUGH

RECORDED 1936 500



On the 27th day of September, 1991, before me came  
MICHAEL PRESOLIA to me known to be the individual who  
executed the foregoing instrument and to me known to be the attorney in fact of  
James H. Hahn, the individual described in and  
who, by said attorney in fact, executed said instrument and duly acknowledged  
to be executed the same as the act and deed of said James H. Hahn.  
by virtue of the power of attorney dated 9-3-91, and  
intended to be recorded in the Nassau County Clerk's Office  
simultaneously herewith.

Case 7-541  
JAN 21 1955  
FBI - NEW YORK

the corporation described in and which executed the foregoing instrument; that he signed the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so authorized by order of the board of directors of said corporation; and that he signed in pursuance thereof by like order.

described in and who executed the foregoing instrument, that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.


~~SECRET~~ PAGE

RETURN BY AIR TO

ROBERT E. NOBAX, ESQ.  
107 Northern Boulevard, Suite 411  
Great Neck, New York 11021

**ROBERT H. FOWLER**

ASSURED THAT NEW YORK BONDS IS THE UNDERWRITER  
Distributed by  
**SECURITY TITLE AND GUARANTY COMPANY**

CHECKED ONE  IN NEW YORK

1. *Phragmites australis* (Cav.) Trin. ex Steud.

[illegible]



AC

Town of Oyster Bay  
Inter- Departmental Memo

November 15, 2018

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

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


**SUBJECT:** 37 GARFIELD AVENUE, 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 \$1,107.62.

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 37 GARFIELD AVENUE, GLEN HEAD TO P & D

26.0 DEC 13 A 9:50  
TOWN OF OYSTER BAY  
CLERK OF THE BOARD  
OF SUPERVISORS





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (20-6-218) 37 GARFIELD AVE GLEN HEAD 11545

Date Nov 14, 2018

Work Order # 54321

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
NICHOLAS BENETOS	General Maintenance	01:00	\$42.37	00:00	0	\$42.37
PAUL LIZARDOS	General Maintenance	01:00	\$23.75	00:00	0	\$23.75
JOSEPH LOIODICE	General Maintenance	01:00	\$28.31	00:00	0	\$28.31
RODOLFO MERCADO	General Maintenance	01:00	\$25.11	00:00	0	\$25.11
BRIAN TROTTA	General Maintenance	01:00	\$28.08	00:00	0	\$28.08

Total Labor \$147.62

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD715	TRUCK DUMP 2012 FORD F-350 YW (T-115) - Power Wagons	\$105.00	01:00	\$105.00
TD737	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T-155)	\$105.00	01:00	\$105.00

Total Equipment \$210.00

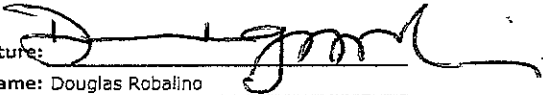
Materials

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

Total Materials \$750.00

Grand Total \$1107.62

Description of Work:  
CLEAN UP 37 GARFIELD AVENUE GH

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Nov 15, 2018



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 October 4, 2018, authorized the Highway Department to clean up the premises located at 45 Thirteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 48, 49, 57 and 58 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 16, 2019, 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 October 18, 2018, in the total amount of \$1,891.83, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 16, 2019, 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 \$1,891.83 may be assessed by the Legislature of the County of Nassau against the parcel known as 45 Thirteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 48, 49, 57 and 58 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Planning & Development

Reviewed By  
Office of Town Attorney  
Ralph P. Healey



14

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 16, 2019

SUBJECT: Property Cleanup Assessment  
45 Thirteenth Street, Locust Valley, New York 11560  
Section 30, Block 22, Lots 48, 49, 57 and 58


---

The Department of Planning and Development, by memorandum dated October 4, 2018, directed the Highway Department to clean the premises located at 45 Thirteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 48, 49, 57, and 58 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 24, 2018, advised that the property was cleaned by a crew from the Highway Department on October 18, 2018. The cost incurred by the Town of Oyster Bay was \$1,891.83.

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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)



2018-6919

TOWN OF OYSTER

Inter-Departmental Memo  
October 4, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 45 13<sup>th</sup> Street Locust Valley, NY 11560  
SBL: 30-22-48

Nov. (No.18556) was issued to the owner of the above-referenced premises 09/24/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.

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

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made the 10th day of June 2005

BETWEEN: JOSEPH BROWN and EDITH BROWN, residing at 110 Cross Street, Locust Valley, New York 11560, as administrators of the Estate of Gloria H. Brown, *aka* Gloria L. Brown and Gloria Brown, deceased

party of the first part, and JOSEPH BROWN, residing at 110 Cross Street, Locust Valley, New York 11560, as to a one hundred (100%) per cent fee interest

party of the second part

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament and in consideration of TEN DOLLARS \$ 10.00.00, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Glen Cove and the Town of Oyster Bay, Nassau County, New York, and known, distinguished and designated as Lots Numbered 48, 49, 57 and 58 on map filed in Nassau County Clerk's Office in the month of April, 1914 and entitled, "Subdivision Plan of Woodland Park, near Locust Valley, L.I., property of the Locust Valley Realty Company, Inc., March 1914, R.C. Harrington, C.E., Glen Cove, Long Island."

Said premises being bounded and described according to the above mentioned map as follows: BEGINNING at appoint on the easterly side of Fourteenth Street distant 75 feet southerly from the corner formed by the intersection of the easterly side of Fourteenth Street and the southerly side of Leona Place;

RUNNING THENCE easterly at right angles to the easterly side of Fourteenth Street 100 feet;

RUNNING THENCE southerly and parallel with Fourteenth Street 25 feet;

RUNNING THENCE easterly at right angles to Thirteenth Street 100 feet to the westerly side of Thirteenth Street;

RUNNING THENCE southerly along the westerly side of Thirteenth Street 50 feet;

RUNNING THENCE westerly at right angles to Thirteenth Street 100 feet;

RUNNING THENCE NORTHERLY PARALLEL WITH THIRTEENTH STREET 25 FEET;

Running thence westerly at right angles to Fourteenth Street 100 feet to the easterly side of Fourteenth Street;

RUNNING THENCE northerly along the easterly side of Fourteenth Street 50 feet to the point or place of BEGINNING.

Said premises is intended to be the same as: 45 Thirteenth Street, Locust Valley, New York; Section 30, Block 22, Lots 48, 49, 57 and 58.

Being and intended to be the same premises described in Deed dated February 7, 1957, recorded in Deed 6169, Page 517, on February 15, 1957

GRAHAM BROWN is granted a Life Estate interest in this property.

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 also, all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise, 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 signed and sealed these presents at the above written

IN PRESENCE OF

RECEIVED IN  
THIS CONDITION

JOSEPH BROWN  
EDITH BROWN



2

Town of Oyster Bay  
Inter- Departmental Memo

October 24, 2018

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

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

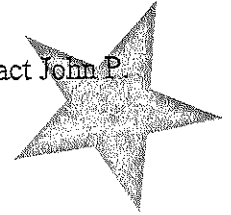
**SUBJECT:** 45 13<sup>TH</sup> STREET, LOCUST VALLEY  
CLEAN-UP

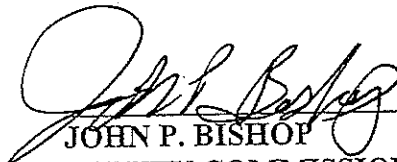
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Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,891.83.

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

2018 DEC 10 A 9 31  
TOWN OF OYSTER BAY  
CLERK OF THE BOARD  
OF SUPERVISORS

CLEAN - UP 45 13<sup>TH</sup> STREET, LOCUST VALLEY TO P & D



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

Location (30-22-48) 45 13TH ST LOCUST VALLEY 11560

Date Oct 18, 2018

Work Order # 53228

**Labor Costs**

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL BARRY	General Maintenance	03:00	\$30.19	00:00	0	\$90.57
ERIC GOLDEN	General Maintenance	03:00	\$37.48	00:00	0	\$112.44
PAUL LIZARDOS	General Maintenance	03:00	\$23.75	00:00	0	\$71.25
RODOLFO MERCADO	General Maintenance	03:00	\$25.11	00:00	0	\$75.33
BRIAN TROTTA	General Maintenance	03:00	\$28.08	00:00	0	\$84.24

Total Labor \$433.83

**Tools/Vehicle**

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD710	TRUCK DUMP 2012 INTER 7300 YW (T-151)- 6 Wheeler	\$131.00	03:00	\$393.00
TD737	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T-155)	\$105.00	03:00	\$315.00

Total Equipment \$708.00

**Materials**

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

Total Materials \$750.00

**Grand Total \$1891.83**Description of Work:  
CLEAN UP 45 13TH STREET LVSignature: 

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 22, 2018



WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department, pursuant to an Order of the Court dated September 19, 2018, to demolish the house located at 510 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 139, Lots 1, 2, 3 and 4 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 18, 2019, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of demolishing the aforementioned premises on October 16, 2018, in the total amount of \$24,208.75, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 18, 2019, 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 \$24,208.75 may be assessed by the Legislature of the County of Nassau against the parcel known as 510 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 139, Lots 1, 2, 3 and 4 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Planning & Development

Reviewed By  
Office of Town Attorney  
*[Signature]*



15

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 18, 2019

SUBJECT: Property Cleanup Assessment  
510 Clocks Boulevard, Massapequa, New York 11758  
Section 66, Block 139, Lots 1, 2, 3 and 4

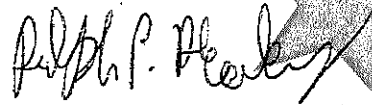
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By the emergency powers granted to the Department of Planning and Development, the Highway Department was directed to demolish the premises, located at the abovementioned property, pursuant to an Order of the Court dated September 19, 2018. The Highway Department has, by memorandum dated October 29, 2018, advised that the property was demolished by a crew from the Highway Department on October 16, 2018. The costs incurred by the Town of Oyster Bay were \$20,417.95 and \$3,790.80 for a total of \$24,208.75.

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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
Town Attorney (w/7 copies)



2018-6946  
2018 DEC -7 A 10:42  
TOWN OF OYSTER BAY  
CLERK OF TOWN COURT

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

**TO:** RICHARD LENZ, COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

**ATTENTION:** JOHN BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

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

**DATE:** SEPTEMBER 24, 2018

**SUBJECT:** DWELLING TO BE DEMOLISHED LOCATED AT  
510 CLOCKS BOULEVARD - MASSAPEQUA, NEW YORK

66-139-1 to 4

Please be advised, pursuant to a Decision and Order of the Honorable Robert A. Bruno, Justice of the Supreme Court of New York State, dated September 19, 2018 (copy attached), the above referenced dwelling is to be demolished.

The undersigned hereby requests that the Town's Highway Department demolish the abandoned dwelling at the earliest possible date. It is requested that the property be properly secured and that the dwelling is made safe to demolish. All utilities, including electric, gas, water and any oil tanks should be properly drained and disconnected to ensure the safety of the employees demolishing the structures. Additionally, this Department will monitor the property until the Highway Department can demolish the abandoned structure.

If you have any questions regarding this matter, kindly contact me at (516) 624-6294.

Very truly yours,

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:tz

Encls.

cc: Joseph Nocella, Town Attorney  
Michael Esposito, Code Enforcement Bureau  
Justin McCaffrey, Commissioner, Department of Public Safety  
New York American Water  
PSE&G Long Island  
National Grid  
Massapequa Fire District



SHORT FORM ORDER

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

PRESENT: HON. ROBERT A. BRUNO, J.S.C.

In the Matter of the Application of

THE TOWN OF OYSTER BAY,

Petitioner,

-against-

MARY CHESTNUT,

Respondent.

TRIAL/IAS PART 13

Index No.: 600217-18

Submission Date: 7/12/18

Motion Sequence: 002

DECISION & ORDER

For an Order Pursuant to Chapters 96 and 135 of the Town  
Code of The Town of Oyster Bay sounding in Declaratory and  
Injunctive Relief.

Papers Numbered

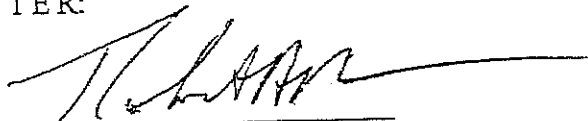
Sequence #002	
Notice of Motion, Affirmation & Exhibits .....	1
Affirmation in Opposition .....	x
Reply Affirmation.....	x

Upon the foregoing papers, petitioner's unopposed application for an Order: (a) pursuant to Oyster Bay Town Code §96-16 declaring the structure on the property located at 510 Clocks Boulevard, East Massapequa, NY 11517 to be a nuisance; (b) pursuant to Oyster Bay Town Code §96-16 directing the structure on the property located at 510 Clocks Boulevard, East Massapequa, NY 11517, be demolished, taken down and removed; and (c) leave to submit a subsequent fee application pursuant to Oyster Bay Town Code §96-13 and §96-19, is *granted*.

This constitutes the Decision and Order of this Court. Petitioner shall serve a copy of this Order upon Respondent within 15 days of the date hereof.

Dated: September 19, 2018  
Mineola, New York

ENTER:

  
Hon. Robert A. Bruno, J.S.C.



Plaintiff / Petitioner:

THE TOWN OF OYSTER BAY

Defendant / Respondent:

MARY CHESTNUT

## AFFIDAVIT OF SERVICE

Index No:  
600217-18

The undersigned being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at P.O. BOX 2155, HEMPSTEAD, NY 11551. That on Wed, Oct 03 2018 AT 05:54 PM AT 510 CLOCKS BLVD., MASSAPEQUA, NY 11517 deponent served the within SHORT FORM ORDER/DECISION & ORDER (Received Oct 2, 2018 at 1:00pm EDT) on MARY CHESTNUT.

- ☐ Individual: by delivering a true copy of each to said defendant, personally; deponent knew the person so served to be the person described as said defendant therein.
- ☐ Corporation: \_\_\_\_\_ a defendant, therein named, by delivering a true copy of each to \_\_\_\_\_ personally, deponent knew said corporation so served to be the corporation described, and knew said individual to be \_\_\_\_\_ thereof.
- ☐ Suitable Person: by delivering thereat, a true copy of each to \_\_\_\_\_ a person of suitable age and discretion.
- ☒ Affixing to Door: by affixing a true copy of each to the door thereof, deponent was unable with due diligence to find defendant, or a person of suitable age or discretion thereat, having called thereon; at 1) 10/03/2018 @ 05:54 PM
- ☐ Mailing: Deponent also enclosed a copy of same, in a postpaid sealed wrapper properly addressed to said defendant at defendant's last known residence, \_\_\_\_\_, and depositing said wrapper in a post office, official depository under the exclusive care and custody of the United States Post Office, department, with New York State. Mailed on \_\_\_\_\_.
- ☒ Military Service: I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. *Defendant wore ordinary civilian clothes and no military uniform.* The source of my information and the ground of my belief are the conversations and observations above narrated. Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

## Description:

Age: 70 Ethnicity: Caucasian Gender: Female Weight: \_\_\_\_\_  
Height: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Other: POSTING/PHOTOS

Sworn to before me on 10/3/18Leroy W. Carter  
LEROY W. CARTER, PROCESS SERVERMaria G. Ferri  
Notary Public

MARIA G. FERRI  
Notary Public, State of New York  
No. 01FE4908627  
Qualified in Nassau County  
Commission Expires December 12, 2024



KC

200  
C. Madison

T 581

Standard N.Y.R.T.H. Form 5001, 10¢ per copy & sale taxed,  
with receipt for each copy & sale - Paid, or Cash, or Credit, or Debit.

DATE CHG.

JULIUS BLUMBERG, INC. LAW BLANK PUBLISHERS

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

THIS INDENTURE, made the 1st day of September, nineteen hundred and eighty-one  
BETWEEN Augustus Hoffman and Mary Hoffman, his wife, residing at  
510 Clocks Boulevard, Massapequa, New York.

CODE COMPLIANCE BUREAU

2011 FEB 18 A 9:51

TOWN OF OYSTER BAY

party of the first part, and Mary Chestnut residing at 510 Clocks Boulevard, Massapequa,  
New York.

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.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being at Amityville, Town of Oyster Bay, County of Nassau and State  
of New York, known and designated as Lots 1, 2, 3 and 4 as shown on a certain  
map entitled, "Amended Map of Property of Seraph Holding Corp.", filed  
July 20, 1926 in the office of the Clerk of the County of Nassau as Map No. 350  
Case No. 2383, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of  
Trebzor Road with the easterly side of Clocks Boulevard; running thence north  
20 degrees 40 minutes east along the easterly side of Clocks Boulevard 120.08  
feet; thence south 69 degrees 20 minutes east 125.00 feet; thence south 20  
degrees 40 minutes west 120.08 feet to the northerly side of Trebzor Road; thence  
north 69 degrees 20 minutes west along the northerly side of Trebzor Road  
125.00 feet to the point or place of BEGINNING.

Said premises known as 510 Clocks Boulevard, Massapequa, New York.

This conveyance is made in the usual course of business actually conducted by  
the party of the first part.

This conveyance has been made with the unanimous consent in writing of all of  
the stockholders of the party of the first part.

Subject to a first mortgage in the sum of \$39,000.00 held by Dollar Federal  
Savings and Loan Association which the party of the second part hereby assumes.

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 instrument so requires.

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

IN PRESENCE OF:

*Mary Hoffman*  
*Augustus Hoffman*

Lot 1, 2, 3, 4  
Section 13  
139

①

100

REC 1155-170-2251



STATE OF NEW YORK, COUNTY OF KINGS  
On the 1ST day of SEPT 1981, before me  
personally came MARY HOFFMAN

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged that  
SHE executed the same.

ROBERT C. SHERWOOD  
NOTARY PUBLIC, State of New York  
No. 24-997175 - Kings County  
Term Expires March 28, 1982

*Robert C. Sherwood*

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me  
personally came  
to me known, who, being by me duly sworn, did depose and  
say that he resides at No.

that he is the  
of

The corporation described  
in and which executed the foregoing instrument; that he  
knows the seal of said corporation; that the seal affixed  
to said instrument is such corporation's seal; that it was so  
signed by order of the board of directors of said corpora-  
tion, and that he signed it in accordance with the order.

STATE OF NEW YORK, COUNTY OF KINGS  
On the 1ST day of SEPT 1981, before me  
personally came AUGUSTUS HOFFMAN

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged that  
HE executed the same.

ROBERT C. SHERWOOD  
NOTARY PUBLIC, State of New York  
No. 24-997175 - Kings County  
Term Expires March 28, 1982

*Robert C. Sherwood*

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me  
personally came  
the subscribing witness to the foregoing instrument, with  
whom I am personally acquainted, who, being by me duly  
sworn, did depose and say that he resides at No.

that he knows

to be the individual  
described in and who executed the foregoing instrument;  
that he, said subscribing witness, was present and saw  
execute the same; and that he, said witness,  
at the same time subscribed it as a witness thereon.

Sargatt and Galt, Inc.  
With Covenant Against Mortgages  
FILE No. 05-38911-4

Augustus Hoffman  
Mary Hoffman  
Mary Chestnut

TO

SECTION 65  
BLOCK 169  
LOT 1 to 4 Bath Inc.  
COUNTY ~~NEW YORK~~ NEW YORK

RETURN BY MAIL TO:

Trailman Realty  
13 Sunrise Highway  
Cityville, New York

As to 11/81  
11

289

SEP 4 1981

MASSACHUSETTS  
NOTARY PUBLIC  
STATE OF MASSACHUSETTS  
SEP 4 1981

MASSACHUSETTS  
NOTARY PUBLIC  
STATE OF MASSACHUSETTS  
SEP 4 1981

MASSACHUSETTS  
NOTARY PUBLIC  
STATE OF MASSACHUSETTS  
SEP 4 1981



CEB.

Town of Oyster Bay  
Inter- Departmental Memo

October 29, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT


SUBJECT: 510 CLOCKS BLVD., MASSAPEQUA  
HOUSE TAKE DOWN

---

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 \$20,417.95.

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

*plus \$3,790.80 for removal  
of oil tank*

20,417.95  
3,790.80  

---

\$24,208.75



2018 DEC -7 A 10 42

HOUSE TAKE DOWN 510 CLOCKS BLVD., MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (66-139-1) 510 CLOCKS BLVD MASSAPEQUA 11758

Date Oct 16, 2018

Work Order # 53487

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PETER BROWN	General Maintenance	08:00	\$41.77	00:00	0	\$334.16
MICHAEL GIORDANO	General Maintenance	08:00	\$29.95	00:00	0	\$239.60
ANTHONY ANTONUCCI	General Maintenance	08:00	\$41.57	00:00	0	\$332.56
JAMES CHADWICK, II	General Maintenance	08:00	\$44.80	00:00	0	\$358.40
STEVE DIAKOIANNIS	General Maintenance	08:00	\$39.61	00:00	0	\$316.88
RUBEN FOURNIER	General Maintenance	08:00	\$35.84	00:00	0	\$286.72
BRYAN HIGGINS	General Maintenance	08:00	\$36.45	00:00	0	\$291.60
CHRISTOPHER MOORE	General Maintenance	08:00	\$26.03	00:00	0	\$208.24
TIMOTHY OLSON	General Maintenance	08:00	\$39.96	00:00	0	\$319.68
DANIEL SWEENEY	General Maintenance	08:00	\$39.61	00:00	0	\$316.88
Total Labor						\$3004.72

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
BH013	BACK HOE 2008 KOMAT 200LC YW	\$168.00	08:00	\$1344.00
PLO90	Payloader 2013 Komat W380 Yellow	\$168.00	08:00	\$1344.00
PU438	PICK UP 2012 FORD F250 TAN (90)	\$79.00	08:00	\$632.00
TD597	TRUCK DUMP 2006 INTL 7400 YW (PT989) -10 Wheeler	\$93.00	08:00	\$744.00
TD598	TRUCK DUMP 2006 INTL 7400 YW (PT-999 / PT999) -10 Wheeler	\$93.00	08:00	\$744.00
TD599	TRUCK DUMP 2006 INTL 7400 YW (T-278) -10 Wheeler	\$93.00	08:00	\$744.00
TD695	TRUCK DUMP 2011 INTER 7400 YW (T-229) -10 Wheeler	\$93.00	08:00	\$744.00
TD709	TRUCK DUMP 2012 INTER 7400 YW (T-109) -10 Wheeler	\$93.00	08:00	\$744.00
TD734	TRUCK DUMP 2016 INTL - 10 WHEELER (T-129)	\$93.00	08:00	\$744.00
Total Equipment				\$7784.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$85.74	103.56	\$8879.23
Total Materials			\$9629.23

Grand Total \$20417.95

Description of Work:  
HOUSE DEMO 510 CLOCKS BLVD MS

Signature:

Name: Douglas Robalino


Title: Director of Highway Operations

Date: Oct 29, 2018

Removal of Oil Tank  
As attached

3,798.80  
24,208.75



  
DEPUTY COMMISSIONER HIGHWAY DEPARTMENT

ED BY **DON PASCUCCI**

DATE 11/28/2018 TITLE ADMINISTRATIVE AIDE II APPROVED



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 October 10, 2018, authorized the Highway Department to clean up the premises located at Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 16, 2019, 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 October 18, 2018, in the total amount of \$1,422.47, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 16, 2019, 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 \$1,422.47 may be assessed by the Legislature of the County of Nassau against the parcel known as Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Planning & Development

Reviewed By  
Office of Town Attorney  
*[Signature]*



10

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 16, 2019

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

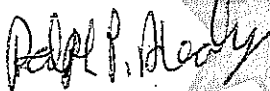
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The Department of Planning and Development, by memorandum dated October 10, 2018, directed the Highway Department to clean the premises located at Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 24, 2018, advised that the property was cleaned by a crew from the Highway Department on October 18, 2018. The cost incurred by the Town of Oyster Bay was \$1,422.47.

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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)



## TOWN OF OYSTER

Inter-Departmental Memo  
October 10, 2018

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

Nov. (No.18494) was issued to the owner of the above-referenced premises 10/02/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: **I am directing that:**

- The grass and vegetation be cut.

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

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
\_\_\_\_\_  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



ASSIGNMENT OF TAX LIENS

2

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

Dated: *Mineola, New York*  
*February 14, 1997*

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



State of New York )  
County of Nassau ) ss.



BULK SALE/ASSIGNMENT TO CAPITAL ASSET RESEARCH CORPORATION

TOWN	SCHOOL	SECTION	BLOCK	LOT	CERT. #	PROP CD	YEAR	TOTAL MERG	SC MERG	GEN MERG	TOTAL INT	MEMO	TOTAL AMT
3	6	28	4	50	299	31114	1995	175.26	11.26	84.02	108.91	157.98	52
3	6	28	4	238-239	300	31114	1995	300.57	222.84	128.03	193.04	255.88	86
3	6	29	1	146-148	283	31114	1996	839.90	502.04	337.86	311.53	824.93	201
3	6	29	D	208-808	271	21001	1993	8,986.42	4,927.56	2,954.86	2,461.68	1,884.81	1146
3	6	29	D	234	385	31114	1994	111.80	55.09	58.79	72.77	98.46	40
3	9	24	2	39	388	21001	1992	2,582.14	1,077.82	1,504.32	1,539.74	1,083.94	524
3	9	24	B	781	291	31114	1996	48.39	17.38	30.80	28.39	106.49	22
3	9	24	B	793	292	31114	1996	54.44	18.78	34.66	30.45	112.31	23
3	9	24	B	825	293	31114	1996	30.24	10.99	19.25	22.25	88.06	18
3	9	24	B	832	294	31114	1996	411.31	149.44	261.87	151.35	458.23	105
3	9	24	B	1013	298	31114	1998	175.41	63.73	111.68	71.43	228.56	51
3	9	24	B	1012	297	33014	1996	183.57	70.39	113.24	77.88	246.00	55
3	9	24	B	37-68	320	31211	1996	3,745.29	2,901.78	843.51	1,203.88	4,060.20	904
3	9	28	67	32-37	323	31114	1998	0.00	0.00	0.00	13.26	88.08	11
3	9	28	68	32-37	322	31114	1998	0.00	0.00	0.00	13.26	88.08	11
3	9	28	69	32-37	322	31114	1998	15,382.37	8,788.41	6,593.96	5,838.86	8,376.56	2958
3	12	15	F	1407	380	21001	1993	385.40	198.85	186.55	180.91	182.38	89
3	12	15	F	9	333	31114	1993	3,981.42	3,006.83	974.59	1,488.54	228.90	507
3	12	25	40	29	428	31114	1992	3,818.40	1,973.86	1,845.53	1,672.79	1,083.15	673
3	13	13	114	2	432	41212	1981	0.00	0.00	0.00	208.31	523.28	73
3	13	13	C	161	436	31114	1992	871.91	484.81	387.40	382.24	238.48	170
3	13	14	E	889	437	21001	1992	44,830.25	20,484.68	18,363.67	18,531.19	9,290.28	7285
3	14	15	56	6	461	21001	1992	19,733.88	10,204.63	8,839.28	8,985.44	4,573.42	3148
3	15	11	428	12	473	31114	1982	604.85	303.86	301.19	289.84	165.52	124
3	15	11	453	37	474	21001	1992	40,933.10	20,115.89	20,817.21	22,374.42	8,618.18	7202
3	15	17	9	133	405	31211	1996	0.00	0.00	0.00	34.13	213.29	24
3	15	17	D	2213	493	25001	1992	265,897.16	227,288.55	58,011.81	98,987.76	61,522.53	44270
3	16	11	284	36	436	47114	1996	13,963.23	6,230.23	7,725.00	4,171.99	9,887.33	2612
3	17	11	298	54	474	31114	1995	233.63	118.61	114.82	138.38	194.24	64
3	17	11	325	459	457	45414	1996	26,868.78	12,895.87	13,970.92	9,675.98	28,881.18	6344
3	17	11	413	47	469	31114	1996	58.48	28.07	30.41	17.52	40.77	15
3	17	11	422	21	561	31114	1981	2,441.03	1,218.05	1,221.88	1,042.27	475.98	419
3	17	11	4314	49	470	43314	1996	47,107.48	22,654.46	24,543.02	16,088.77	47,142.20	11136
3	17	12	404	122-125	516	21001	1992	24,487.89	12,137.34	12,340.55	0,282.08	4,906.70	3785
3	17	12	193	76	485	31114	1996	82.86	38.63	43.29	32.71	97.14	26
3	17	12	258	233	537	21001	1992	14,376.57	8,886.54	5,490.03	5,440.72	2,625.88	2254
3	17	43	62	49	529	31114	1992	708.96	352.11	367.85	320.76	198.04	142
3	17	45	70	145	488	31114	1986	13.78	6.60	7.18	8.45	38.23	9
3	17	45	369	145	488	21001	1992	17,180.46	7,982.19	9,218.26	5,828.82	3,692.68	2656
3	17	45	514	32	455	21001	1983	12,956.69	6,528.78	6,426.91	4,604.96	3,853.66	2157
3	17	46	125	3156	450	21001	1993	13,585.85	6,528.78	7,058.07	4,082.17	1,887.27	1968
3	17	46	191	6-8	522	34014	1995	7,335.83	3,723.24	3,612.59	3,642.81	4,254.16	1821



AL

Town of Oyster Bay  
Inter- Departmental Memo

October 24, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT


SUBJECT: NEWBRIDGE ROAD, HICKSVILLE  
CLEAN-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,422.47.

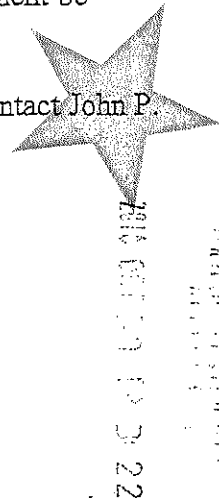
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP NEWBRIDGE ROAD, HICKSVILLE TO P & D





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

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

Date Oct 18, 2018

Work Order # 53174

**Labor Costs**

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL ZEREBAK	General Maintenance	01:30	\$25.11	00:00	0	\$37.67
MICHAEL SOLOMON	General Maintenance	01:30	\$23.75	00:00	0	\$35.63
CHRISTOPHER MADDEN	General Maintenance	01:30	\$24.86	00:00	0	\$37.29
RICHARD SANDIFORD II	General Maintenance	01:30	\$29.53	00:00	0	\$44.30
RAYMOND SWIERKOWSKI	General Maintenance	01:30	\$30.05	00:00	0	\$45.08

Total Labor \$199.97

**Tools/Vehicle**

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	01:30	\$118.50
TD670	TRUCK DUMP 2009 FORD F-350 YW (T-235) - Power Wagons	\$105.00	01:30	\$157.50
TD711	TRUCK DUMP 2012 INTER 7300 YW (T-231)- 6 Wheeler	\$131.00	01:30	\$196.50

Total Equipment \$472.50

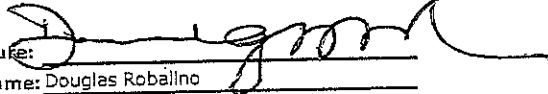
**Materials**

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

Total Materials \$750.00

**Grand Total \$1422.47****Description of Work:**

CLEAN UP NEWBRIDGE ROAD HICKSVILLE

Signature: 

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 22, 2018



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 October 22, 2018, authorized the Highway Department to clean up the premises located at 89A Ocean Avenue, Massapequa New York 11758, also known as Section 65, Block 213, Lot 68 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 16, 2019, 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 October 24, 2018, in the total amount of \$1,213.32, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 16, 2019, 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 \$1,213.32 may be assessed by the Legislature of the County of Nassau against the parcel known as 89A Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 213, Lot 68 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Planning & Development

Reviewed By  
Office of Town Attorney



17

# Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 16, 2019

SUBJECT: Property Cleanup Assessment  
89A Ocean Avenue, Massapequa, New York 11758  
Section 65, Block 213, Lot 68

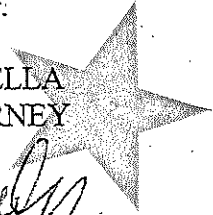
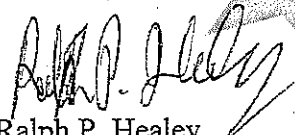
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Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for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

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)



## TOWN OF OYSTER

Inter-Departmental Memo  
October 22, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 89A Ocean Massapequa, NY 11758  
SBL: 65-213-68

Nov. (No.18069) was issued to the owner of the above-referenced premises 08/14/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- All plywood be replaced with poly carbonite where needed.

Pursuant to the provisions of Section <sup>96.</sup>~~135.54(C)~~ of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



WCB-2  
Rev. 8/99  
(uniform ack)

Standard N.Y.S.T. Form 1002

-Begin and Site Deed, with Covenant against Grantor's Acts-Individual or Corporation (single thing)

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

NYS  
Transfer  
Tax  
\$2,440.00

THIS INDENTURE, made the 5th day of June, in the year 2008

BETWEEN

Barbara F. Warner, 89A Ocean Avenue, Massapequa, New York 11758

RECEIVED IN  
THIS CONDITION

party of the first part, and

Peck Slip Associates Partners, LLC, 1900 Hempstead Turnpike,  
East Meadow, New York 11554

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,

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

SEE SCHEDULE "A" - DESCRIPTION ANNEXED HERETO AND MADE A PART HEREOF

Being and intended to be same premises conveyed to first party by deed dated May 25, 1994 and recorded June 6, 1994 in Liber 10431 at Page 306

Section  
65

Block  
213

Lot  
68

Premises also known by street address 89A Ocean Avenue,  
Massapequa, New York 11758

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.

CONVEYANCE EXCEPTED & VOID  
CONVEYANCE EXCEPTED & VOID

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:

*Maria Paterna*

*Barbara F. Warner*  
Barbara F. Warner



CEB      AC

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

October 31, 2018

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

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

**SUBJECT:** 89A OCEAN AVENUE, MASSAPEQUA  
BOARD-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,213.32.

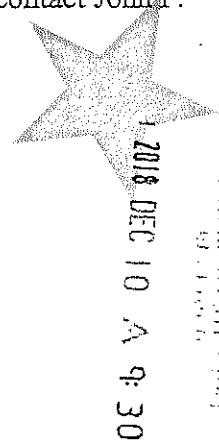
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN – UP 89A OCEAN AVENUE, MASSAPEQUA P & D







MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (65-213-68) 89 A OCEAN AVE MASSAPEQUA 11758  
Work Order # 53558

Date Oct 24, 2018

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JEFFREY VAN NOSTRAND	General Maintenance	02:00	\$44.64	00:00	0	\$89.28
JOHN KOZIKOWSKI	General Maintenance	02:00	\$34.02	00:00	0	\$68.04
Total Labor						\$157.32

Tools/Vehicle

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

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Clear Polycarbonate LEXAN 1/4 x 48 x 96	\$148.00	1	\$148.00
Total Materials			\$898.00

Grand Total \$1213.32

Description of Work:

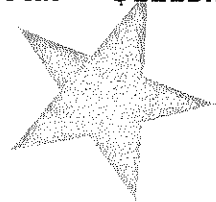
RE BOARD UP 89A OCEAN AVENUE MS WITH POLY CARBONITE

Signature:

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 31, 2018





WHEREAS, by Resolution No. 854-2017, adopted on December 12, 2017, the Town Board authorized and directed Nelson & Pope Engineers and Land Surveyors, PLLC to provide on-call engineering services in connection with Contract No. PWC 07-18, On-Call Engineering Services Relative to Civil Engineering, for a two-year term, from January 1, 2018 through December 31, 2019; and

WHEREAS, Nelson & Pope Engineers and Land Surveyors, PLLC, by letter dated January 4, 2019, set forth the scope of work to be performed under Contract No. PWC 07-18, in an amount not to exceed \$193,500.00, in connection with providing On-Call Engineering Services related to Civil Engineering including construction inspection services for Project No. 1903 HWY DB-04 (William Street, Glen Head); and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated February 8, 2019, requested Town Board authorization for Nelson & Pope Engineers and Land Surveyors, PLLC to provide On-Call Engineering Services relative to Civil Engineering under Contract No. PWC 07-18 as aforesaid, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$193,500.00 for this purpose; and

WHEREAS, funds in the amount of \$193,500.00, to satisfy said engineering costs are available in Account No. HWY H 5197 20000 000 1903 008,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted and approved, and Nelson & Pope Engineers and Land Surveyors, PLLC is hereby authorized to proceed to provide the aforementioned services in connection with Contract No. PWC 07-18, On-Call Engineering Services Relative to Civil Engineering, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$193,500.00, with funds to be drawn from Account No. HWY H 5197 20000 000 1903 008.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works

7/4/19  
Reviewed By  
Office of Town Attorney  
B. J. J.



30

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

February 8, 2019

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO: CIVIL ENGINEERING  
CONTRACT NO. PWC07-18  
ACCOUNT NO.: HWY H 5197 20000 000 1903 008  
PROJECT ID NO. 1903 HWY DB-04


---

The consultant, Nelson & Pope Engineers & Land Surveyors, PLLC., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-18 by Resolution No. 854-2017 for the subject project.

Attached is a letter dated January 4, 2019 from Nelson & Pope Engineers & Land Surveyors, PLLC., regarding the scope of work to be performed in an amount not to exceed \$193,500.00. Services to be performed include construction inspection.

Attached is an availability of funds in the amount of \$193,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1903 008.

It is hereby requested that the Town Board authorize by Resolution, Nelson & Pope Engineers & Land Surveyors, PLLC., under Contract No. PWC07-18, On-Call Engineering Services Relative to Civil Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

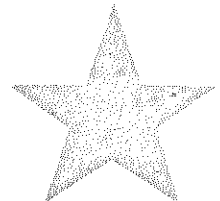
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

  
RWL/JCT/MR/HAS/nm

Attachment

cc: Office of the Town Attorney (w/7 copies)  
Steve C. Ballas, Comptroller  
Joh Bishop, Deputy Commissioner/HIGHWAY  
Kathy Stefanich, Administrative Division/DPW

PWC07-18 DOCKET NelsonPope \$193,500.00 for H17-165







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



Requesting Division/Department

Dept. of Environmental Resources

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

Contract Number PWC 07-18

Contract Period January 01, 2018 to December 31, 2019

Consultant/Contractor Nelson & Pope Engineers & Land Surveyors, PLLC.

Discipline Civil Engineering

Total Authorization \$ 330,000

Resolution No. 0845-2017 Date 12/12/2017

Funded To Date \$ 136,500.00

Amount Requested \$193,500.00

Account To Be Used H5197 20000 000 1903 008 - 1903 Hwy DB-07

If Capital Account, State The Related Contract Number: H17-165

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.

Construction of Highway & Drainage Improvements to the William Street Area

H17-165

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$                     

Requesting Division/Department

Signature

Title

Date

[Signature]  
DEPUTY COMMISSIONER OF HIGHWAYS  
2-7-19

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title

Date

[Signature]  
Commissioner of Public Works  
2/7/19

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 193,500.00

Unencumbered Balance 1,000,000.00

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

Signature

Date

[Signature]  
2/8/19





# TOWN OF OYSTER BAY

## WORK ORDER



*This Section To Be Completed By The Department Of Public Works*

Work Order No. \_\_\_\_\_

E.O. No. \_\_\_\_\_

Contract Start 1/1/2018

Contract No. PWC 07-18

Contract End 12/31/2019

Commencement Date 1/1/2018

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

Vendor Name and Address

Nelson & Pope Engineers & Land Surveyors, PLLC.

572 Walt Whitman Road

Melville, NY 11747-2188

(631) 427-5665

Requesting Town Department DPW Engineering

Contact Hans Stronstad Phone 516-677-5852

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

Civil Engineering for Contract H17-165

Construction of Highway & Drainage Improvements

to the William Street Area

**This work order shall not exceed \$ \$193,500.00**

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

**Requesting Division/Department**

Signature

Title

Date

DEPUTY COMMISSIONER  
Department of Highways

1-29-19

**Department Of Public Works Approval**

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date

1/25/19



Meeting of December 12, 2017

Resolution No. 854-2017

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

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

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

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

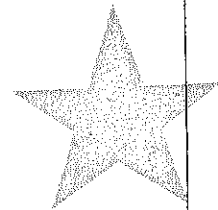
NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-18 with Nelson & Pope Engineers & Land Surveyor, PLLC, D&B Engineers & Architects, P.C., Holzmacher, McLendon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

#

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

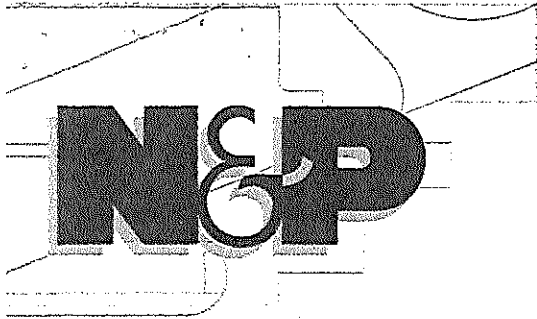
Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye
Councilman Imbroto	Absent
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller (2)  
Public Works



Reviewed By  
Office of Town Attorney  
*[Signature]*





*JF H.S.*

**NELSON & POPE**  
ENGINEERS & SURVEYORS

JOSEPH R. EPIFANIA, P.E. • ROBERT G. NELSON JR., P.E. • THOMAS F. LEMBO, P.E.  
GREGORY D. PETERMAN, P.L.S. • ERIC J. McFERRAN, P.E. • THOMAS C. DIMON, P.E. • RUSSELL Z. SCOTT, P.E.  
VICTOR BERT, P.E. • GARY S. BECKER, P.E.

572 WALT WHITMAN ROAD, MELVILLE NY 11747-2188  
(631) 427-5665 • FAX (631) 427-5620 • NELSONPOPE.COM

January 4, 2019

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

Re: Proposal for Construction Observation and Office Support  
William Street Area Roadway and Stormwater Improvements

Dear Commissioner Lenz:

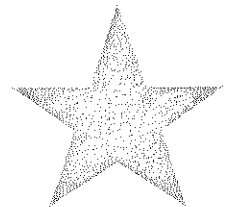
Nelson & Pope is pleased to submit this proposal to provide Construction Observation and Office Support services for the Roadway and Stormwater Improvement Project on William Street, Waverly Street, Sycamore Avenue, Edgewood Avenue, Orion Place, Ashley Place and Huron Street.

The proposed Scope of Services is provided as **Exhibit A**. The estimated budget for the project is \$193,500.00

I look forward to further discussion of how we can assist the Town in moving forward with project. Thank you for the opportunity to submit this proposal, and please contact me to discuss this submission at your convenience.

Sincerely,  
Nelson & Pope

Joseph R. Epifania, PE  
Partner





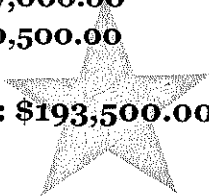
**EXHIBIT A**  
**SCOPE OF SERVICES AND FEES**  
**William Street**  
**Roadway and Stormwater Improvements**

Nelson & Pope will verify progress and completion of the work through full time site inspections for proposed improvements. The services to be provided by the construction support and inspection staff will include, but are not limited to, the following:

- Coordinate implementation of Work Zone Traffic Control plan developed for the project;
- Assist with coordination of various activities between the contractor, utility companies, and the Town representatives prior to and during construction;
- Coordinate with local residents, businesses, police, fire & safety officials and municipal agencies;
- Review contractor's proposals for modifications or substitutions and evaluate claims;
- Review manufacturer's certifications for substantial conformance with the specifications;
- Review contractor's submittals including work schedule, list of subcontractors and suppliers; monitor work schedule and address changes at weekly job meetings;
- Prepare change orders as the project requires for approval with the Town;
- Resolve any conflicts concerning the design drawings or for the interpretation of the plans and specifications;
- Observe and record work performed and maintain records in MURK formats;
- Observe that the contractor is in substantial compliance with the requirements of the approved plans and specifications;
- Prepare monthly contractor estimates and review contractor's claims for payment; and
- Prepare periodic punch lists for the completion and/or repair of improvement items as required.

**It is assumed that the Contractor's Contract Duration will be 7 months, approximately 30 weeks.**

• Full Time inspection for 30 weeks x 40 hr/week = 1,200 hours	
◦ Inspector for 1,200 hrs x \$130/hour =	\$156,000.00
• Office Support for 30 weeks x 8 hours/week = 240 hours	
◦ Project Manager for 180 hours x \$150/hour =	\$27,000.00
◦ Principal for 60 hours x \$175/hours =	\$10,500.00
<b>Anticipated Inspection Budget: \$193,500.00</b>	





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

January 24, 2019

*Lenore*  
REC'D BY HIGHWAY DEPT  
JAN 25 19 PM 4:41  
DEPUTY COMM/HIGHWAY

TO : JOHN BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF HIGHWAY

FROM : JOHN C. TASSONE, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

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

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS  
CONTRACT NO. PWC 07-18  
ON-CALL ENGINEERING SERVICES RELATIVE TO  
CIVIL ENGINEERING  
NELSON & POPE ENGINEERS & LAND SURVEYORS, PLLC.

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The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$193,500.00.

Funds are required for engineering services for Construction of Highway & Drainage Improvements to the William Street Area as per the attached letter from Nelson & Pope Engineers & Land Surveyors, PLLC., dated January 4, 2019.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$193,500.00 and Resolution No. 854-2017 authorizing Nelson & Pope Engineers & Land Surveyors, PLLC, for on-call services.

If you have any questions, please contact Hans A. Stronstad Sr., Division of Engineering, at extension 5852.

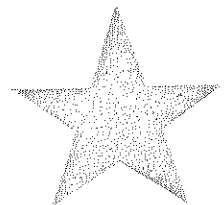
  
\_\_\_\_\_  
JOHN C. TASSONE  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

  
\_\_\_\_\_  
RICHARD W. LENZ  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

  
RWL/JC/MR/HAS/lk  
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC 07-18 ROAF \$193,500.00 for Nelson Pope on H17-165





RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, Audrey Avenue, Oyster Bay, New York on, the 12<sup>th</sup> day of March, 2019, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of BROADWAY SUN, INC., fee owner, and BOLLA OPERATING L.I. CORP., lessee, for a Special Use Permit to authorize and permit operation of a convenience store together with an existing gasoline service station, on premises located at 274 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block 299, Lot 624, on the Land and Tax Map of Nassau County ; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney

Elizabeth A. Taughman



PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 12, 2019, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from BROADWAY SUN, INC., fee owner, and BOLLA OPERATING L.I. CORP., lessee, for a Special Use Permit to authorize and permit operation of a convenience store together with an existing gasoline service station, on premises located at 274 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block 299, Lot 624, on the Land and Tax Map of Nassau County. The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: February 26, 2019, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

*Elizabeth A. Laughman*



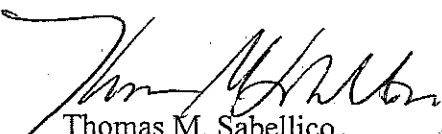
191  
Town of Oyster Bay  
Inter-Departmental Memo

**TO** : MEMORANDUM DOCKET  
**FROM** : OFFICE OF THE TOWN ATTORNEY  
**DATE** : February 1, 2019  
**SUBJECT:** Bolla Operating L.I. Corp. and Broadway Sun, Inc.  
Special Use Permit and Site Plan Approval  
Premises: 274 North Broadway, Hicksville, New York  
Section 11, Block 299, Lot 624

---

It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 12, 2019, in connection with the above referenced matter.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Thomas M. Sabellico  
Special Counsel

TMS:nb  
Enclosure  
File LA 2016-5578  
cc: Town Attorney (w 7/copies)

S:\Attorney\RESOS 2019\MD & RESO\MD for Public Hearing.doc





WHEREAS, James Altadonna, Jr., Town Clerk, by memorandum dated January 15, 2019, requested Town Board authorization to renew the Town of Oyster Bay's membership in the following organizations, which provide helpful information to the Town Clerk's Office and Town Administration in general, with annual membership dues as follows:

1. The Association of Towns of the State of New York: \$1,950.00;
2. New York State Town Clerk's Association: \$75.00; and
3. Nassau/Suffolk Town Clerk's Association: \$50.00.

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and James Altadonna, Jr., Town Clerk, is hereby authorized to renew the Town of Oyster Bay's membership in the abovementioned organizations for 2019, nunc pro tunc, at the abovementioned annual dues, for a total amount not to exceed \$2,075.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of duly certified claims, after audit, and that the funds for said payments are to be drawn from Account No. OTC A 1410 47900 000 0000.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Town Clerk

Reviewed By  
Office of Town Attorney



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

January 15, 2019

**TO: MEMORANDUM DOCKET**  
**FROM: JAMES ALTADONNA, JR., TOWN CLERK**  
**SUBJECT: RENEWAL OF VARIOUS TOWN MEMBERSHIPS**

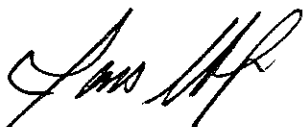
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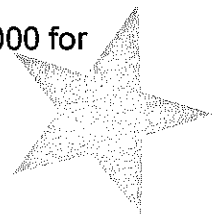
Through the Office of the Town Clerk, the Town has maintained memberships in various municipal government associations. Information received through these associations has often proved helpful to the Town Clerk's Office and the Town Administration in general.

Therefore, I request authorization to renew membership in the following associations:

1. The Association of Towns of the State of New York: \$1,950.00.
2. New York State Town Clerk's Association: \$75.00; and
3. Nassau/Suffolk Town Clerk's Association: \$50.00.

Sufficient funds are budgeted in Account Number OTC A 1410 47900 000 0000 for these memberships.

  
JAMES ALTADONNA JR.  
TOWN CLERK



JA:RTS  
Attachments  
cc: Town Attorney w/7 copies



**THE ASSOCIATION OF TOWNS  
of the State of New York**

**150 State Street, Albany, New York 12207**

*"Service and Representation for the 932 Town Governments of New York"*

**Gerry K. Geist, Executive Director - PHONE: [518] 465-7933 - FAX: [518] 465-0724  
Website and e:mail: [WWW.NYTOWNS.ORG](http://WWW.NYTOWNS.ORG)**

---

**January 1, 2019**

**Town of Oyster Bay  
County Of Nassau**

Annual Town Association Membership Dues for the year beginning  
January 1, 2019 as authorized by Article 8 of the Town Law.

**Dues: 1,950.00**

These dues are computed from the latest complete information of your  
town's "Total Town Revenue" as reported to the Office of the State  
Comptroller.

**Claimant's Certification**

I certify that the above bill is just, true and correct; that no part thereof has been paid except  
as stated and that the balance is actually due and owing, and that taxes from which the  
municipality is exempt are not included.

**GERRY K. GEIST**  
Executive Director



7/17  
Reviewed By  
Office of Town Attorney

Elizabeth A. Taughnan

WHEREAS, Resolution No. 764-2018, adopted on November 20, 2018, authorized the Department of Parks to conduct two Town of Oyster Bay, Car Show Long Island events to be held at TOBAY Beach, on Sunday, May 5, 2019, from 11:00 am to 4:00 pm, with a rain date set for Sunday, May 19, 2019; and on Sunday, September 22, 2019, from 11:00 am to 4:00 pm, with a rain date set for Sunday, October 13, 2019, or as otherwise determined by the Department, upon the terms as requested by Joseph G. Pinto, Commissioner, Department of Parks, including that food and beverage be available to the public for purchase, as determined by the Commissioner of the Department of Parks, or his designee; and

WHEREAS, Commissioner Pinto by memorandum dated February 11, 2019, detailed his determination that the use of food trucks to provide food and beverage would enhance the event and provide additional financial support for the event, and requested a waiver of the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers, for the Car Show Long Island events to be held at TOBAY Beach, provided that all vendors and merchants shall be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary, valid and current, insurance, permissions and permits required by the Nassau County Department of Health, and also requested authorization to charge each such participating food truck vendor a fee of Two Hundred Fifty (\$250.00) Dollars per event; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as set forth hereinabove are hereby accepted and approved, and the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers are hereby waived for the Car Show Long Island events to be held at TOBAY Beach, on Sunday, May 5, 2019, and on Sunday, September 22, 2019, or their rain dates, as applicable, provided that all vendors and merchants shall be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary, valid and current, insurance, permissions and permits required by the Nassau County Department of Health, and the Department of Parks is hereby authorized to charge each such participating food truck vendor a fee of Two Hundred Fifty (\$250.00) Dollars per event, to be deposited in the Town of Oyster Bay General Fund Account TWN A0001 02770 590 0000 in accordance with Resolution No. 764-2018.

#

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Parks



7

# TOWN OF OYSTER BAY

## Inter-Department Memo

**TO** : MEMORANDUM DOCKET

**TO** : Joseph G. Pinto, Commissioner, Department of Parks

**DATE** : February 11, 2019

**SUBJECT:** Amendment of Resolution No. 764-2018

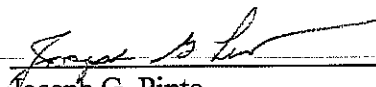
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By Resolution No. 764-2018, adopted on November 20, 2018, the Town Board authorized the Department of Parks to conduct two Town of Oyster Bay, Car Show Long Island events, to be held at TOBAY Beach, on Sunday, May 5, 2019 (with a rain date of Sunday, May 19, 2019), and on Sunday, September 22, 2019 (with a rain date of Sunday, October 13, 2019).

Pursuant to that Resolution, the Department of Parks was authorized to have vendors and merchants at the car shows and to have food and beverage be available to the public for purchase at these car shows, by food and beverage providers as determined by the Commissioner of the Department of Parks.

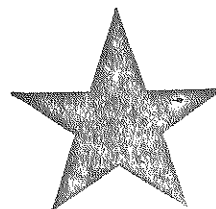
As part of the sponsorship of these events, the Department of Parks has determined that to have food trucks provide the food and beverage would enhance the event and provide additional financial support for the event. The Department of Parks requests that the Town Board waive the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers, for the Town Car Shows at TOBAY Beach, provided that all vendors and merchants shall be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary insurance, permissions and permits required by the Nassau County Department of Health, said insurance, permissions and permits to be valid and current. This Department also requests that the Town Board authorize a vendor fee for each participating food truck at \$250.00 per event.

---

  
Joseph G. Pinto  
Commissioner, Department of Parks

JGP:jgp  
Attachments

cc: Town Attorney (w/7 copies)





Reviewed By  
Office of Town Attorney

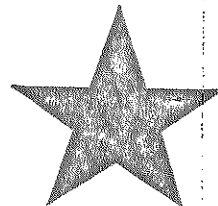
WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated November 2, 2018, requested Town Board approval to conduct two Town of Oyster Bay Car Show Long Island events, to be held at TOBAY Beach, on Sunday, May 5, 2019, from 11:00 am to 4:00 pm, with a rain date set for Sunday, May 19, 2019; and on Sunday, September 22, 2019, from 11:00 am to 4:00 pm, with a rain date set for Sunday, October 13, 2019, or as otherwise determined by the Department, as well as Town Board approval to accept registration fees for said event, along with sponsor fees, vendor fees, exhibitor fees and commemorative merchandise revenue; and

WHEREAS, Commissioner Pinto by the above-referenced memorandum requested that spectators attending each event be admitted to each event free of charge, and that food and beverage be available to the public for purchase, to be provided by the then-current (as of the date of each event) Town Concessionaire at TOBAY Beach or by an alternate food and beverage provider(s), as determined by the Commissioner of the Department of Parks, or his designee; and

WHEREAS, Commissioner Pinto by the above-referenced memorandum requested approval to set a Fifteen (\$15) Dollar Registration Fee for all vehicles pre-registered prior to the day of each event, and a Twenty-Five (\$25.00) Dollar Registration Fee for all vehicles registering on the day of each event; and

WHEREAS, Commissioner Pinto by the above-referenced memorandum requested approval to offer the following sponsorship levels with varying valuation amounts and promotional opportunities: Presenting Sponsor with a monetary valuation set by the Department, which value shall not exceed Five Thousand (\$5,000) Dollars, Event Sponsor with a monetary valuation set by the Department, which value shall not exceed Two Thousand Five Hundred (\$2,500) Dollars, Sponsor with a monetary valuation set by the Department, which value shall not exceed One Thousand (\$1,000) Dollars, In-Kind Sponsor based on their commitment of service and/or promotional value provided to the event, to be determined by the Commissioner of the Department of Parks or his designee; and

WHEREAS, Commissioner Pinto by the above-referenced memorandum requested approval to offer Vendors the opportunity to sell products directly to the public and to offer Exhibitors the opportunity to display product and distribute product related literature, each such Vendor or Exhibitor to be allotted a specific 10 x 15 area at the event as designated by the Department of Parks, and up to two 8 foot tables, one 6 foot table and one 10 foot x 10 foot tent, said tables and tents to be provided by each Vendor and Exhibitor, with a monetary valuation set by the Department, which value shall not exceed One Hundred Fifty (\$150.00) Dollars; and





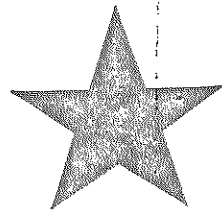
WHEREAS, Commissioner Pinto by the above-referenced memorandum requested approval to produce a commemorative merchandise, such as, but not limited to, a commemorative t-shirt to be offered for sale at each event only at a price to be determined by the Parks Department, which price shall not exceed Twenty (\$20.00) Dollars per item; and

WHEREAS, all monies collected from the event, including, but not limited to, vehicle Registration Fees, Sponsor Fees, Vendor Fees, Exhibitor Fees and commemorative merchandise revenue shall be deposited in the Town of Oyster General Fund Account TWN A0001 02770 590 0000. Upon event reconciliation, 35% of total monies received from the event shall be transferred to the Town of Oyster Bay Car Shows Program Trust Account TWN TA 0000 00085 438 0000 to be used to develop and execute future events for the Town of Oyster Bay; in addition, a working bank not to exceed Four Hundred (\$400.00) Dollars shall be established from Account No. TWN TA 0000 00085 438 0000 prior to each event to allow on site staff to facilitate the proper change for day-of registrants and/or t-shirt sales. Additional monies may be drawn from the Special Sporting Events Account No. PKS A 7110 47670 000 0000 as needed to supplement any promotional expense incurred from each event. In addition, the Department of Parks may hire an outside organization to arrange for insurance and transportation for specialty vehicles and/or show cars to appear in the show to help promote and/or benefit each event, the cost of which shall not exceed Five Hundred (\$500) Dollars per vehicle per event; and

WHEREAS, Commissioner Pinto by the above-referenced memorandum requested approval for event entertainment to be provided by the Department of Parks, the then-current (as of the date of each event) Town Concessionaire at Tobay Beach and/or the Participating Sponsor(s) of that event, with the talent selection to be approved by the Commissioner of the Department of Parks or his designee, with the entertainment fees to be satisfied solely by or in conjunction with the Department of Parks, the then-current (as of the date of each event) Town Concessionaire at Tobay Beach and/or the Participating Sponsor(s) of that event, with any partial or whole fees billed to the Town by the entertainment group to be drawn from the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000 in accordance with Guideline 5, Section b of the Town Procurement Policy; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as set forth hereinabove are hereby accepted and approved, and the Department of Parks is hereby



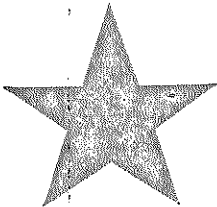


authorized to conduct two Town of Oyster Bay, Car Show Long Island events to be held at TOBAY Beach, on Sunday, May 5, 2019, from 11:00 am to 4:00 pm, with a rain date set for Sunday, May 19, 2019; and on Sunday, September 22, 2019, from 11:00 am to 4:00 pm, with a rain date set for Sunday, October 13, 2019, or as otherwise determined by the Department, upon the terms as requested by Commissioner Pinto and as set forth hereinabove.

#

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

	Supervisor Saladino	Aye
	Councilman Muscarella	Aye
	Councilman Macagnone	Aye
	Councilwoman Alesia	Absent
	Councilwoman Johnson	Aye
	Councilman Imbroto	Aye
	Councilman Hand	Aye
cc:	Supervisor	
	Town Attorney	
	Comptroller	
	Parks	





WHEREAS, by Resolution No. 604-2016, adopted on October 18, 2016, the Town Board granted Site Plan Approval in connection with a Change of Zone from a Residential R1-7 Zone to an "R-O" Residence Office District Zone, for premises located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, New York 11801, (the "subject premises"), said premises being described as Section 12, Block 294, Lot 45, on the Land and Tax Map of Nassau County; and

WHEREAS, 388 REALTY LTD., fee owner of the subject premises, has submitted an amended plan proposing minor parking space alterations to accommodate accessible parking on the subject premises as required by Covenant 7 of the Declaration of Restrictive Covenants executed in accordance with Resolution No. 604-2016, with all other aspects of the approved plan to remain unchanged; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 5, 2019, has advised that the Department of Planning and Development has reviewed the following one (1) amended plan prepared by Kurt Jacobs, R.A.:

SHEET NO.	TITLE	PREPARED BY	REVISED
	Site Plan	Kurt Jacobs, R.A.	01/18/19

WHEREAS, Commissioner Maccarone further reported that the plan submitted, as revised, was approved by the Town of Oyster Bay Planning Advisory Board, by Planning Advisory Board Resolutions Numbers 4-2016 and 2-2019, and complies with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommended Town Board approval for the site plan enumerated herein; and

WHEREAS, by Inter-Departmental Memo dated February 20, 2019, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, submitted an environmental report with respect to the subject proposed action pursuant to Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA), and its implementing regulations at 6 NYCRR Part 617, and the Town Environmental Quality Review (TEQR) law, at Chapter 110 of the Oyster Bay Town Code, which report classifies the subject proposed action as Type II under SEQRA and indicates that such action will not have a significant impact on the environment and is precluded from environmental review under the Environmental Conservation Law, Article 8, and the SEQRA regulations,

NOW, THEREFORE, BE IT RESOLVED, That the request of 388 REALTY LTD., fee owner, that the Amended Site Plan for premises located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, New York, and designated as Section 12, Block 294, Lot 45, on the Land and Tax Map of Nassau County, be APPROVED and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, February 6, 2019, the one (1) plan described herein is hereby approved.

—#—

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Environmental Resources

Reviewed By  
Office of Town Attorney  
Elizabeth A. Faughnan



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

**TO:** MEMORANDUM DOCKET

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

**DATE:** February 5, 2019

**SUBJECT:** AMENDED SITE PLAN REVIEW AND APPROVAL  
388 REALTY LTD  
388 SOUTH OYSTER BAY ROAD  
HICKSVILLE, NEW YORK 11801  
SECTION 12, BLOCK 294, LOT 45

This Department has reviewed amended plans for a previously approved Site Plan Application for the above-captioned project. The Department has reviewed the amended plans with regard to section, block and lot designation, zoning classification, existing variances, zoning violations and required off-street parking. The Department's review is made pursuant to Section 246-6.2.2.3 which requires Town Board Site Plan Approval prior to the issuance of a building permit (without the need of a public hearing) and after the approval from the Planning Advisory Board (P.A.B. Resolution Number(s) 4-2016 and 2-2019 attached) and Section 246.6 (Site Plan Review) of the Code of the Town of Oyster Bay.

The applicant obtained Site Plan Approval from the Town Board on October 18, 2016 (Town Board resolution number 604-2016 attached) for a Change of Zone from a Residential R1-7 Zone to an R-0 Residence Office District Zone. The applicant has submitted amended plans proposing minor parking space alterations to accommodate accessible parking on the subject premises as required by #7 of the Restrictive Covenants within Town Board Resolution #604-2016.

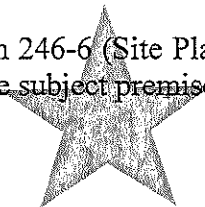
One (1) amended plans prepared by Kurt Jacobs, R.A. has been submitted for approval. The plans are as follows:

SHEET NUMBER/TITLE	PREPARED BY	LAST REVISED
	KURT JACOBS, R.A.	01/18/2019

Also submitted for your review are the following documents:

- 1) Town of Oyster Bay Planning Advisory Board Resolution Number(s) 4-2016, dated May 26, 2016 and 2-2019 dated January 17, 2019.
- 2) Town Board Resolution number #604-2016 dated October 18, 2016.

Said plans were prepared and modified using the standards set forth in Section 246-6 (Site Plan Review) of the Code of the Town of Oyster Bay as a guide. Development of the subject premises





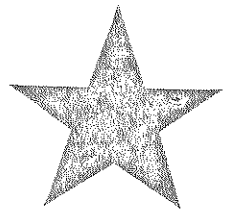
in accordance with the plans attached does, in this Department's opinion, comply with the requirements of Section 246-6 (Site Plan Review) of the Code of the Town of Oyster Bay and therefore, I recommend an amended Site Plan Approval by the Town Board.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:jv

Encls.

cc: Legislative Affairs (7 copies w/ attachments)





Town of Oyster Bay  
Planning Advisory Board  
Meeting of January 17, 2019

APPROVED AS TO FORM  
+ Imathy, R. Zylke, D.C.

WHEREAS, a proposed amended site plan has been submitted to the Town of Oyster Bay Planning Advisory Board by 388 Realty Ltd. (hereinafter "Applicant") 388 South Oyster Bay Road, Hicksville, New York 11801 for a proposed handicapped access aisle adjacent to the previously approved handicapped parking space, the relocation of one parking space and the designation of one employee parking space at 388 South Oyster Bay Road, Hicksville, New York 11801 (a/k/a Section 12, Block 294, Lot 45) currently located in the "R1-7" (One-Family Residence) District of the Town of Oyster Bay, and

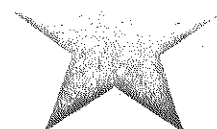
WHEREAS, the Planning Advisory Board at its regular meeting of May 26, 2016 granted site plan approval to the applicant (Planning Advisory Board Resolution Number 4-2016) for a proposed Change of Zone from an "R1-7" (One-Family Residence) District to an "RO" (Residence-Office) District, and

WHEREAS, the submitted amended site plan has been reviewed by the Department of Planning and Development in accordance with the requirements of Section 246-6 Site Plan Review of the Zoning Code of the Town of Oyster Bay, and

WHEREAS, the Planning Advisory Board conducted a public meeting held in the Hearing Room, Town Hall East, Oyster Bay, New York on January 17, 2019 and reviewed all relevant information submitted and entertained comments from all interested parties, and

WHEREAS, the Planning Advisory Board, based upon the relevant facts and circumstances presented at the public meeting, and based upon the facts and information within the personal knowledge of the members of the Planning Advisory Board, finds the following: that because of the area, location, nature and character of the subject property, the premises are adequate and suitable for the associated site improvements, and

WHEREAS, the Planning Advisory Board, after due deliberation, finds that the request for the proposed amended site plan will not constitute an over intensification of land use and will be compatible with the surrounding area and community at large, and





NOW, THEREFORE BE IT RESOLVED that the following one (1) drawing prepared by Kurt A. Jacobs, R.A., is identified as follows:

<u>TITLE AND NUMBER</u>	<u>LAST REVISED</u>
SITE PLAN	01-18-2019

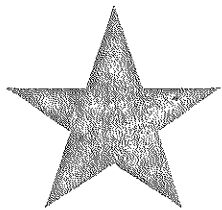
which is attached hereto, made part hereof and are hereby APPROVED by the Town of Oyster Bay Planning Advisory Board, subject to full compliance in all respects with the conditions and provisions provided in Planning Advisory Board Resolution Number 4-2016 dated May 26, 2016, and subject to final Town Board approval.

APPROVED AS TO FORM  
Timothy R. Zike, D.C.

A motion for adoption was made by Member Warner and seconded by Member DiLeonardo.

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

Chairman Stanco	Aye
Member DiLeonardo	Aye
Member Chabina	Nay
Member Warner	Aye
Member Castellane	Aye
Member Byrne	Aye





Town of Oyster Bay  
Planning Advisory Board  
Meeting of May 26, 2016

Resolution No. 4-2016

COPY

APPROVED AS TO FORM

*Amathy R. Zike, D.C.*

WHEREAS, an application and plans have been submitted to the Town of Oyster Bay Planning Advisory Board by 388 Realty Ltd. (hereinafter "Applicant") 388 South Oyster Bay Road, Hicksville, New York 11801 for Site Plan Approval only for a proposed Change of Zone from an "R1-7" (One-Family Residence) District to an "RO" (Residence-Office) District at 388 South Oyster Bay Road, Hicksville, New York 11801 (a/k/a Section 12, Block 294, Lot 45) currently located in the "R1-7" (One-Family Residence) District of the Town of Oyster Bay, and

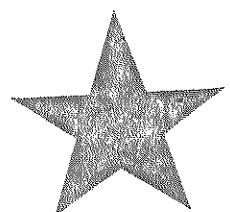
WHEREAS, the submitted site plans have been reviewed by the Department of Planning and Development in accordance with the requirements of Section 246-6 Site Plan Review of the Zoning Code of the Town of Oyster Bay and other various interested departments and governmental agencies, and

WHEREAS, the Planning Advisory Board conducted a public hearing held in the Hearing Room, Town Hall East, Oyster Bay, New York on May 26, 2016 and reviewed all relevant information submitted and entertained comments from all interested parties. and

WHEREAS, the Planning Advisory Board, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Planning Advisory Board, finds the area, location, nature and character of the subject property are adequate and suitable for the proposed "RO" District, and

WHEREAS, the Planning Advisory Board, after due deliberation, finds that the request for the Site Plan Approval for the proposed Change of Zone will not constitute an over intensification of land use and will be compatible with the surrounding area and community at large; and

NOW, THEREFORE BE IT RESOLVED that the following two (2) drawings prepared by Michael J. Palomba, R.A., are identified as follows:





TITLE AND NUMBERLAST REVISED

SITE PLAN – S-1

11-15-13

SITE PLAN, FLOOR PLAN &amp;

REFLECTED CEILING PLAN – A-1

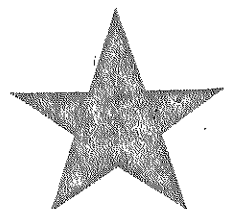
11-15-13

which are attached hereto, made part hereof and are hereby APPROVED by the Town of Oyster Bay Planning Advisory Board, subject to final Town Board Approval for the proposed Change of Zone, and subject to full compliance in all respects with the following conditions and provisions:

1. The site plans captioned above shall be strictly adhered to.
2. The exterior structures, the parking lot, landscaped areas and all other installations visible to the public shall be continually maintained and kept neat and in good repair.
3. The handicapped parking space shall be clearly marked on the subject site with the appropriate sign and parking lot striping.
4. A "Right Turn Only" sign shall be posted at the exit of the property
5. All garbage and rubbish shall be disposed in accordance with local standards.
6. No lighting shall be located on the subject site so as to cause any annoyance, inconvenience or glare to abutting neighbors or vehicular traffic.
7. The subject site shall be used and developed so as to comply with all local laws, ordinances, building codes, rules and regulations of any and all Town, County, State and/or Federal bodies, departments or agencies thereof.

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

Chairman Stanco	Aye
Member DiLeonardo	Aye
Member Spinelli	Absent
Member Chabina	Nay
Member Warner	Aye
Member Zike	Aye





Meeting of October 18, 2016

Resolution No. 604-2016

WHEREAS, STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, petitioned the Town Board for a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone, for premises located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on June 7, 2015, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Town Environmental Quality Review Commission, did, by Resolution No. 427-16, adopted on August 9, 2016, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by letter dated August 29, 2016, recommended local determination of said application; and

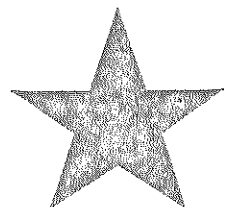
WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Timothy Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated June 2, 2016, has advised that the Department of Planning and Development has reviewed the following two (2) plans prepared by Michael J. Palomba, R.A.:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>DATE</u>
A-1	SITE PLAN, FLOOR PLAN & REFLECTIVE CEILING PLAN	Michael J. Palomba, R.A. 11/15/13
S-1	SITE PLAN	Michael J. Palomba, R.A. 11/15/13

WHEREAS, all of the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, petitioned the Town Board for a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone, for premises



748  
Reviewed By  
Office of Town Attorney



located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, in the Town of Oyster Bay, County of Nassau and State of New York, known as and by Lot 5 and part of Lot 6 in Block 294 as shown and designated on a certain map entitled "Map of Hill View Farms Section No. 1 at Hicksville, Town of Oyster Bay, Nassau County, N.Y., November 1948, Alfred J. Hicks, Licensed Land Surveyor, Lic. No. 18262, School House Road, N.Y." and filed in the Nassau County Clerk's Office on December 7, 1949 under file #4834, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of South Oyster Bay Road distant 84.65 feet northerly from the extreme northerly end of the arc connecting the westerly side of South Oyster Bay Road with the northerly side of Meran Place;

RUNNING THENCE along the westerly side of South Oyster Bay Road north 06 degrees 29 minutes east 72.01 feet;

THENCE north 83 degrees 51 minutes west 125.98 (Deed) 121.22 (Actual) feet;

THENCE south 06 degrees 09 minutes west 72 feet;

THENCE south 83 degrees 51 minutes east 125.56 (Deed) 120.81 (Actual) feet to the westerly side of South Oyster Bay Road, at the point or place of BEGINNING.

SAID premises are known and described as Section 12, Block 294, of the County of Nassau

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

I, ~~Leonard Genova, Town Attorney~~


Carol Ann Strafford, Director of Legislative Affairs

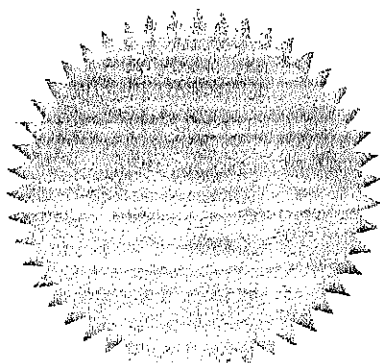
DO HEREBY CERTIFY that I have compared the annexed with the original

Resolution No. 604-2016, adopted by the Town Board of the Town of Oyster Bay at their meeting of October 18, 2016 GRANTING a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone for premises located at 388 South Oyster Bay Road, Hicksville, New York.

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

In Testimony Whereof, I have hereunto signed  
my name and affixed the seal of said Town  
this 26th day of October, 2016

  
Carol Ann Strafford  
Director, Legislative Affairs





## DECLARATION OF RESTRICTIVE COVENANTS

STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, (hereinafter "Declarants"), each having an address of 388 South Oyster Bay Road, Hicksville, New York, by this declaration, dated October 18, 2016 declare as follows,

WHEREAS, said Declarants petitioned the Town Board of the Town of Oyster Bay for a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone, for premises located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on October 18, 2016, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 604-2016, dated October 18, 2016, approved said application subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, does hereby voluntarily impose the following covenants and restrictions with respect to the premises located at 388 South Oyster Bay Road, Hicksville, New York, which will run with the land and be binding upon said Declarants, their successors and/or assigns,

NOW, THEREFORE, said Declarants, STEVEN BAKER AND 388 REALTY LTD., do hereby covenant and declare as follows:

1. That there shall be no substantial changes, alterations or additions to the exterior of the building situated on the subject premises.
2. That the exterior of the building, fencing, and appurtenances on the subject premises shall be continually kept and maintained in good and sufficient repair and condition.
3. That the landscaping on the subject premises shall be continually maintained in good and healthy condition.
4. The floor area within said building occupied shall comply with the approved plans as referenced herein or as subsequently modified with approval by the Town.
5. That lighting from the subject premises shall not be permitted to penetrate or intrude across the property line onto neighboring parcels or roadways.
6. That all debris, garbage and refuse on the subject premises shall be stored in covered garbage containers and properly disposed in compliance with applicable laws.
7. The handicapped parking space shall be clearly marked on the subject site with the appropriate sign and parking lot striping.
8. A "Right Turn Only" sign shall be posted at the exit of the property.

Reviewed By  
Office of Town Attorney

Theresa M. Baker

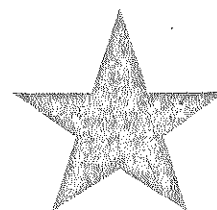
Sec: 12

Blk: 294

Lot: 45

Resolt#: 604/2016

10-18-16





9. That any and all signs to be erected and maintained on the subject premises are to comply with all applicable provisions of the laws and ordinances of the Town of Oyster Bay.

10. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the following two (2) plans prepared by Michael J. Palomba, R.A., reviewed in accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by the Deputy Commissioner of the Department of Planning and Development, by memorandum from Timothy Zike, dated June 2, 2016, and approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. The plans are as follows:

<u>SHEET NUMBER/TITLE</u>	<u>DATE</u>
A-1 SITE PLAN, FLOOR PLAN & REFLECTIVE CEILING PLAN	Michael J. Palomba, R.A. 11/15/13
S-1 SITE PLAN	Michael J. Palomba, R.A. 11/15/13

11. That in the event Declarants or a future owner of the Premises seek permission to make a change to the subject building or property after the date of the granting resolution, the Commissioner of the Department of Planning and Development shall determine whether the proposed change is a major or minor modification. If a proposed modification is deemed minor, the Commissioner shall have final approval of same. Any major modification to the exterior of the building or property shall be accomplished only by Town Board Resolution.

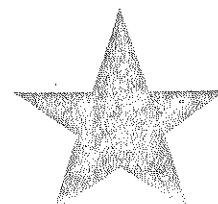
12. That there shall be strict compliance with any and all ordinances, laws, regulations or directives of the Town of Oyster Bay, the Nassau County Fire Marshal's Office, the Nassau County Department of Health and any and all other agencies or departments of the Town of Oyster Bay, County of Nassau, State of New York and/or United States of America.

13. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the relief granted herein, unless a cure for such violation has been commenced or is being diligently pursued.

14. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended, except with the consent of the Town Board of the Town of Oyster Bay.

#### SCHEDULE "A"

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, in the Town of Oyster Bay, County of Nassau





and State of New York, known as and by Lot 5 and part of Lot 6 in Block 294 as shown and designated on a certain map entitled "Map of Hill View Farms Section No. 1 at Hicksville, Town of Oyster Bay, Nassau County, N.Y., November 1948, Alfred J. Hicks, Licensed Land Surveyor, Lic. No. 18262, School House Road, N.Y." and filed in the Nassau County Clerk's Office on December 7, 1949 under file #4834, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of South Oyster Bay Road distant 84.65 feet northerly from the extreme northerly end of the arc connecting the westerly side of South Oyster Bay Road with the northerly side of Meran Place;

RUNNING THENCE along the westerly side of South Oyster Bay Road north 06 degrees 29 minutes east 72.01 feet;

THENCE north 83 degrees 51 minutes west 125.98 (Deed) 121.22 (Actual) feet;

THENCE south 06 degrees 09 minutes west 72 feet;

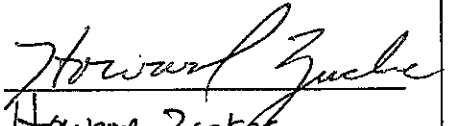
THENCE south 83 degrees 51 minutes east 125.56 (Deed) 120.81 (Actual) feet to the westerly side of South Oyster Bay Road, at the point or place of BEGINNING.

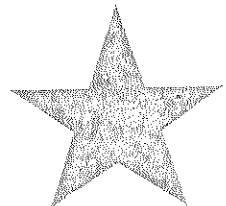
SAID premises are known and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of the County of Nassau.

IN WITNESS WHEREOF, the Declarants have hereunto set their hand the day and year first above written.

388 REALTY LTD.

  
STEVEN BAKER

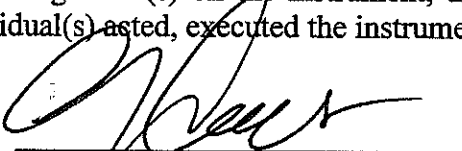
BY:   
Howard Zucker





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

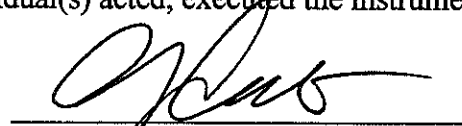
On the 31 day of Oct in the year 2016 before me, the undersigned, personally appeared Steven Boker personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

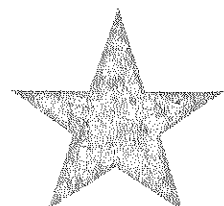
ANTHONY J. CINCOTTA  
Notary Public, State of New York  
No. 02010639324  
Qualified in Nassau County  
Commission Expires Aug. 31, 2017

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

On the 31 day of Oct in the year 2016 before me, the undersigned, personally appeared Havere Zucker personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

ANTHONY J. CINCOTTA  
Notary Public, State of New York  
No. 02010639324  
Qualified in Nassau County  
Commission Expires Aug. 31, 2017





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

February 20, 2019

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

**FROM:** GEORGE BAPTISTA, DEPUTY COMMISSIONER, DEPARTMENT OF ENVIRONMENTAL RESOURCES

**SUBJECT:** 388 SOUTH OYSTER BAY ROAD; CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): TYPE II

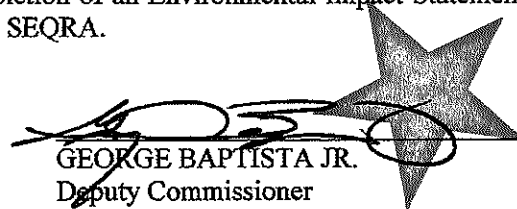
**LOCATION:** 388 SOUTH OYSTER BAY ROAD, PLAINVIEW;  
SECTION 12, BLOCK 294, LOT(S) 45

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Pursuant to Article 8 of the New York State Environmental Conservation Law, SEQRA, and the implementing regulations thereto at 6 NYCRR Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay), the Department of Environmental Resources has reviewed the above captioned proposed action. In connection with review of this subject action pursuant to SEQRA, the Department was provided with a project description from the Department of Planning and Development. The proposed action entails minor parking space alterations to accommodate accessible parking on the subject premises.

On the basis of our evaluation, the Department of Environmental Resources concludes that this proposed action is classified as Type II pursuant to the new SEQRA Type II Actions List, effective January 1, 2019, at 6 NYCRR §617.5(c), item #26, pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and Town of Oyster Bay Town Code, Chapter 110, Appendix B, item #5 pertaining to "The licensing or certifying of or the granting of a variance or permit for activities which are minor in nature and do not involve construction of any kind."

Actions or classes of actions identified as Type II in the above-referenced sections of the SEQRA regulations have been pre-determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8, and the SEQRA regulations. Inasmuch as the subject proposed action is classified under the aforementioned pre-determined Type II Action lists, the Department of Environmental Resources has applied the law and finds that said proposed action does not require the completion of an Environmental Impact Statement (EIS), or any review or other procedural activities pursuant to SEQRA.

  
GEORGE BAPTISTA JR.  
Deputy Commissioner

cc: Joseph Nocella, Town Attorney, Office of the Town Attorney  
Thomas M. Sabellico, Special Counsel, Office of the Town Attorney  
Carol Strafford, Director of Legislative Affairs

File: FILE/ DER Dept Files/TEQR/TYPE II/388 South Oyster Bay Road\_Plainview



Meeting of February 26, 2019

Resolution No. 154-2019

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 7, 2019, recommended that the Town Board authorize payment of a refund in the amount of \$420.00 to Universe Appliance Repairs, Inc., 3782 Merrick Road, Seaford New York 11783, for the payment of a building permit fee, Building Permit number R18004269, on a gas line installation which cannot be installed, due to a moratorium on the roadway,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board authorizes payment of a refund to Universe Appliance Repairs Inc., in the amount of \$420.00, 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

Reviewed By  
Office of Town Attorney



14  
**TOWN OF OYSTER BAY**

**INTER-DEPARTMENTAL MEMO**

**Date:** February 7, 2019  
**TO:** MEMORANDUM DOCKET  
**FROM:** ELIZABETH L. MACCARONE  
COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**SUBJECT:** RESIDENT REFUND – UNIVERSE APPLIANCE OF LYNBROOK

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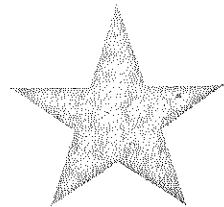
Pursuant to the Code of the Town of Oyster Bay, this department granted a Building Permit Number R18004269 in the amount of \$420.00. This permit was issued for one (1) gas-fired furnace and one (1) a/c condensing unit. Unfortunately, the Town of Oyster Bay Highway Department has a moratorium on Pleasant Avenue in Plainview and therefore, the road cannot be disturbed for three (3) years and gas cannot be installed at this time.

Therefore, in light of the aforementioned facts, a four hundred twenty dollar refund for the building permit fee associated with Building Permit Number R18004269 should be refunded to Universe Appliance of Lynbrook, 3782 Merrick Road, Seaford, New York 11783 under account number PAD B 0001 02555 000 0000.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:TRZ:ds

Cc: Town Attorney's office (w/7 copies)







GAS HEATING • CENTRAL AIR • PLUMBING  
ELECTRIC • APPLIANCE REPAIR • SOLAR

3782 Merrick Road, Seaford, NY 11783 • (516) 781-6565 • [www.universeappliance.com](http://www.universeappliance.com)

Town Hall North  
74 Audrey Avenue  
Oyster Bay, New York 11771

November 5, 2018

Attn: Commissioner Elizabeth L. Maccarone

I was instructed to write a letter to your attention. We applied for a permit to convert a home from oil to gas at 10 Pleasant Avenue, Plainview. The permit number is R18004269 and the fee was \$420.00.

National Grid applied to open the street and run the gas line but their request was denied. The road had recently been paved.

We would like the permit fee refunded as the cause of this installation not being done is not our or the homeowner's fault.

I thank you in advance for your consideration.

Joanne

Joanne Grand

*Installation & Sales Coordinator*

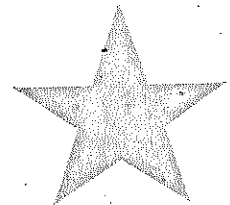
516-781-6565 ext 254 • FAX 516-826-8593

3782 Merrick Rd., Seaford, NY 11783

Visit us at [www.UniverseAppliance.com](http://www.UniverseAppliance.com)



GAS HEATING • CENTRAL AIR • PLUMBING • ELECTRIC • APPLIANCE REPAIR







**TOWN OF OYSTER BAY**  
**HIGHWAY DEPARTMENT**  
150 Miller Place  
Syosset, New York 11791-5699  
[www.oysterbaytown.com](http://www.oysterbaytown.com)

(516) 677-5770  
FAX (516) 677-5835

January 11, 2019

Universe Plumbing  
3782 Merrick Road  
Seaford, New York 11783  
ATTN: Joanne

RE: Fee Reimbursement – 10 Pleasant Avenue, Plainview

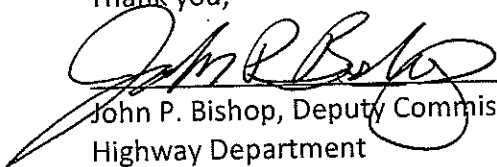
Dear Joanne,

The Town of Oyster Bay Highway Department is in receipt of your email. Universe Plumbing has submitted the amount of \$450.00 to perform work at 10 Pleasant Avenue in Plainview.

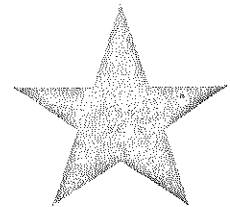
Due to the recent pavement of Pleasant Avenue, it is considered a moratorium road and cannot be disturbed for 3 years from date of the road being repaved. Since you are not able to complete this job, you will be reimbursed the \$450.00 you submitted to the Town Planning & Development Department.

If you have any questions, please feel free to contact me at (516) 677-5770.

Thank you,

  
John P. Bishop, Deputy Commissioner  
Highway Department

JPB/km





## TOWN OF OYSTER BAY

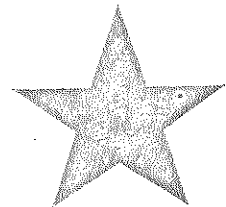
5 ITEMS OF 5

PERMIT RECEIPT

OPERATOR: klangber  
COPY # : 1Sec:13 Twp:Oyster B Rng: Sub: Blk:64 Lot:5  
SBL .....: 13-64-5DATE ISSUED.....: 09/07/2018  
RECEIPT #.....: 03000002591  
REFERENCE ID # ....: 18090027SITE ADDRESS .....: 10 PLEASANT AVE  
SUBDIVISION .....:  
CITY .....: PLAINVIEW  
IMPACT AREA .....OWNER .....: JOHN CAMMARANO  
ADDRESS .....: 10 PLEASANT AVE  
CITY/STATE/ZIP ....: PLAINVIEW, NY 11803RECEIVED FROM .....: RECEIPT INTERFACE  
CONTRACTOR .....: REEVES, ROLAND LIC # H0901  
COMPANY .....: UNIVERSE APPLIANCE OF LYNBROOK  
ADDRESS .....: 3782 MERRICK ROAD  
CITY/STATE/ZIP ....: SEAFORD, NY 11783  
TELEPHONE .....: (516) 781-6565

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-A/C COMM	PER UNIT	1.00	150.00	0.00	150.00	0.00
B-A/C RES	PER UNIT	1.00	100.00	0.00	100.00	0.00
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-FURNACE		1.00	100.00	0.00	100.00	0.00
TOTAL PERMIT :			420.00	0.00	420.00	0.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	420.00	1583
TOTAL RECEIPT :		420.00





## UNIVERSE APPLIANCE REPAIRS, INC.

01-18

1583

SPECIAL ACCOUNT  
3782 MERRICK RD  
SEAFORD, NY 117831-1367/260  
597DATE 9-4-18

CHECK AMOUNT

PAY  
TO THE  
ORDER OFTown of Oyster Bay  
four Hundred Twenty\$ 420.00

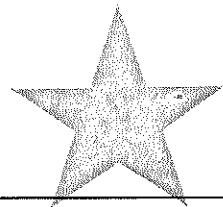
DOLLARS

Phone  
Life  
Deposit  
Interest

Bank

America's Most Convenient Bank®

FOR

Cammarano - 10 Pleasant AveAccount:  
Amount: 420.00  
PostDate: 20180907  
Tran\_ID: 751596541  
CheckNum: 1583  
DIN: 751596856  
ReturnReasonCode:



Page 2 of 2



Signature ELIZABETH L. MACCARONE Title COMMISSIONER Date                       
Department PLANNING & DEVELOPMENT Account PAD B 0001 02555 000 0000



## Building Permit

R18004269

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.
Plainview	13-64-5	R1-7	18090027			03000002591
Permittee	UNIVERSE APPLIANCE OF LYNBROOK 3782 MERRICK ROAD SEAFORD NY 11783 (516) 781-6565	Contractor	UNIVERSE APPLIANCE OF LYNBROOK 3782 MERRICK ROAD SEAFORD, NY 11783 (516) 781-6565			
Property Owner	JOHN CAMMARANO 10 PLEASANT AVE PLAINVIEW, NY 11803 (516) [REDACTED]	Plumber	UNIVERSE APPLIANCE OF LYNBROOK 3782 MERRICK ROAD SEAFORD NY 11783 (516) 781-6565			
		Electrician	UNIVERSE APPLIANCE ELECTRIC INC. 3782 MERRICK ROAD SEAFORD NY 11783 (516) 523-1612			

## Address of Actual Construction

10 PLEASANT AVE  
PLAINVIEW, NY 11803

Tenant

Permission Granted for the INSTALLATION OF Estimated Cost of Construction \$0

INSTALLATION OF ONE (1) GAS FURNACE AND ONE (1) A/C CONDENSER AS PER CODE AS PER APPROVED TOB  
PLANS DATED 9/7/18

Cancel - no road opening permit

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 acknowledgement 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
				PLAINVIEW
DESCRIPTION	FEE	PAID	BALANCE	
BLDG.	250.00	250.00	0.00	
CA	35.00	35.00	0.00	
CC	35.00	35.00	0.00	
PLUMBING	100.00	100.00	0.00	
*** FEE TOTALS ***	420.00	420.00	0.00	
TOTAL PAID AFTER APPLICATION FEE APPLIED: \$420.00				
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 inspection, until completion of the work and inspections.		Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.		

## INSPECTIONS

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.
- \*Forms 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 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.

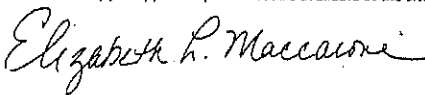

## DRAINAGE, SITE WORK, &amp; RETAINING WALLS:

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:	09/07/2018	Work Must Start By:	3/7/19
CO must be issued by 09/08/2019 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			
			



WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to fill in the sink hole at the premises located at 133 Morton Boulevard, Plainview, New York 11803, also known as Section 47, Block 21, Lot 16 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 18, 2019, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on November 29, 2018, in the amount of \$2,956.39, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 18, 2019, 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 \$2,956.39 may be assessed by the Legislature of the County of Nassau against the parcel known as 133 Morton Boulevard, Plainview, New York 11803 also known as Section 47, Block 21, Lot 16 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*



191

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 18, 2019

SUBJECT: Property Cleanup Assessment  
133 Morton Boulevard, Plainview, New York 11803  
Section 47, Block 21, Lot 16

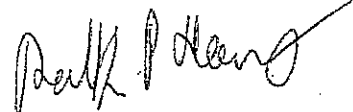
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By the emergency powers granted to the Department of Planning and Development, the Highway Department was directed to fill in the sink hole at the premises, located at 133 Morton Boulevard, Plainview, New York 11803, also known as Section 47, Block 21, Lot 16 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 4, 2018, advised that the property was secured by a crew from the Highway Department on November 29, 2018. The cost incurred by the Town of Oyster Bay was \$2,956.39.

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

Kindly place this matter on the Town Board Action Calendar:

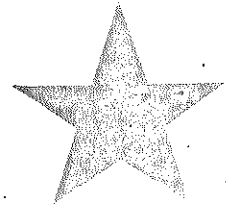
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
Town Attorney (w/7 copies)

S:\Any\DBS\Cleanup MD&Reso\MD 133 Morton Blvd, Sink Hole 1.18.19





2018-6922

AK

Ken B.

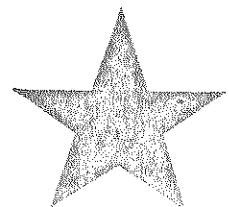
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From: Barbara Zito  
Sent: Friday, November 30, 2018 12:37 PM  
To: Ken Bishop  
Subject: 47-21-16

Please have Highway fill in the dangerous sink hole at 133 Morton Blvd., Plainview NY 11803

CC: Michael Esposito

2018 DEC 10 A 11:33  
PLAINVIEW TOWN  
CLERK OF COURT  
CLERK OF COURT  
CLERK OF COURT





Street Address: 133 Morton Boulevard, Plainview, NY 11803  
Tax billing address: \*\*

REFEREE'S DEED

THIS DEED, made the 4th day of October, 2018 between William Boccio, Esq., having an address at 22 Jericho Turnpike, Suite 103, Mineola, NY 11501, the Referee duly appointed in the action hereinafter mentioned ("Grantor"), and U.S. Bank Trust, N.A., as Trustee for LSP9 Master Participation Trust ("Grantee"), located at c/o 3701 Regent Blvd., Irving, TX 75063 \*\*.

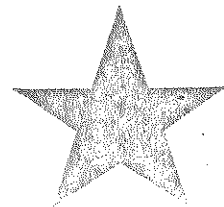
WITNESSETH that Grantor, the Referee appointed in an action by U.S. Bank Trust, N.A., as Trustee for LSP9 Master Participation Trust, against Dong-Soo Kim and Oh-Hui Kim, his wife, as Defendant(s), under Index No. 1402/2015, foreclosing a Mortgage recorded on January 20, 2005, in the Office of the Clerk of the County of Nassau in Liber M28244 at Page 850, pursuant to a Judgment of Foreclosure and Sale entered by the SUPREME Court of the State of New York, Nassau County, on May 18, 2017, and in consideration of Four Hundred Twenty One Thousand Six Hundred Thirty Eight 41/100 Dollars (\$421,638.41) bid by the plaintiff, being the highest sum bid at the sale under said judgment, does hereby grant and convey unto Grantee and the heirs, executors, administrators, successors and assigns of Grantee forever

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in New York, the County of Nassau, and the State of New York, being more particularly described in Exhibit A attached hereto and made a part hereof,

TOGETHER with the appurtenances and all the estate and rights of grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto Grantee and the heirs, executors, administrators, successors and assigns of Grantee forever.

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.





AL

Town of Oyster Bay  
Inter- Departmental Memo

December 4, 2018

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

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


**SUBJECT:** 133 MORTON BLVD., PLAINVIEW  
CLEAN -UP / *Fill Sink Hole*

---

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.

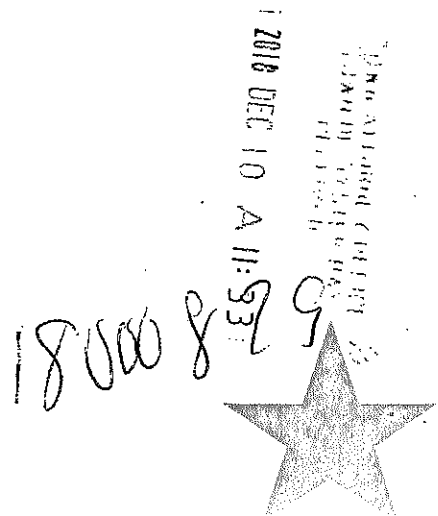
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,956.39.

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 133 MORTON BLVD, PLAINVIEW TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (47-21-16) 133 MORTON BLVD PLAINVIEW 11803

Date Nov 29, 2018

Work Order # 54975

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL ZEREBAK	General Maintenance	02:00	\$25.11	00:00	0	\$50.22
MICHAEL SOLOMON	General Maintenance	02:00	\$23.75	00:00	0	\$47.50
JOHN KOZIKOWSKI	General Maintenance	02:00	\$34.02	00:00	0	\$68.04
RAYMOND SWIERKOWSKI	General Maintenance	02:30	\$30.05	00:00	0	\$75.13
Total Labor						\$240.89

Tools/Vehicle

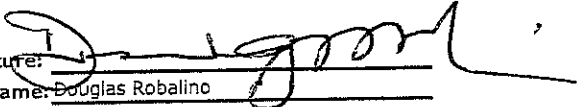
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PL091	PAYLOADER 2013 KOMAT WA380 YELLO (HT-2)	\$168.00	02:00	\$336.00
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	02:30	\$197.50
TD670	TRUCK DUMP 2009 FORD F-350 YW (T-235) - Power Wagons	\$105.00	02:00	\$210.00
TD711	TRUCK DUMP 2012 INTER 7300 YW (T-231)- 6 Wheeler	\$131.00	02:00	\$262.00
Total Equipment				\$1005.50

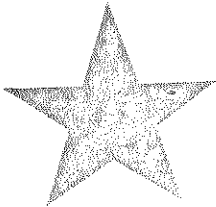
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Round Up Concentrate	\$80.00	12	\$960.00
Total Materials			\$1710.00

Grand Total \$2956.39

Description of Work:  
FILL SINK HOLE AT 133 MORTON BLVD. PL

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Dec 4, 2018





WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to secure the premises located at 9 Martin Street, Massapequa, New York 11758, also known as Section 53, Block 210, Lot 28 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 22, 2019, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on December 4, 2018, in the amount of \$2,846.86, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 22, 2019, 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 \$2,846.86 may be assessed by the Legislature of the County of Nassau against the parcel known as 9 Martin Street, Massapequa, New York 11758, also known as Section 53, Block 210, Lot 28 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*



20

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: January 22, 2019  
SUBJECT: Property Cleanup Assessment  
9 Martin Street, Massapequa, New York 11758  
Section 53, Block 210, Lot 28

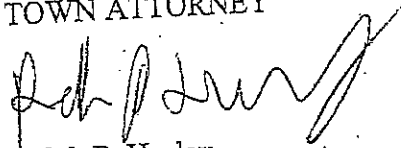
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By the emergency powers granted to the Department of Planning and Development, the Highway Department secured the premises of the house located at 9 Martin Street, Massapequa, New York 11758, also known as Section 53, Block 210, Lot 28 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 4, 2018, advised that the property was secured by a crew from the Highway Department on December 4, 2018. The cost incurred by the Town of Oyster Bay was \$2,846.86.

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

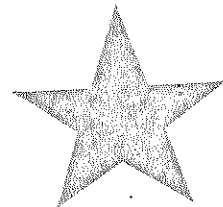
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
Town Attorney (w/7 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 9 Martin St. Bd Up 1.22.19





2018-6942

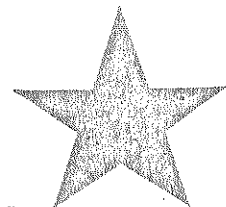
**Alicia Lazarek**

**From:** Justin McCaffrey  
**Sent:** Tuesday, December 18, 2018 2:06 PM  
**To:** Alicia Lazarek  
**Cc:** Michael Esposito  
**Subject:** Board up at House Fire 9 Martin ~~Place~~ Massapequa 12/4/18  
53-210-28 *Street*

Alicia;

The Department of Public Safety received a request from the Nassau County Police and Fire Marshall that on the early morning of 12/5/18 as a result of a serious house fire that resulted in a fatality at 9 Martin Street in Massapequa, The above premises would be needed to be secured. I directed our Operations Center to notify the Highway Department to complete this request. If I can be of any other assistance, please feel free to contact me at ext 5357.

Thank You  
Justin McCaffrey  
Commissioner  
Town of Oyster Bay Public Safety  
(516) 677-5357  
JMCCAFFREY2@OYSTERBAY-NY.GOV





First American Title Ins. Co. of New York  
165 East Post Road  
White Plains, New York 10601  
(914) 428-3433 (800) 942-1033

First American  
30.01-106691

--- Bargain and Sale Deed, with Covenant against Grantor's Acts --- Individual or Corporation (Single Sheet)

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

THIS INDENTURE, made the 17th day of October, in the year 2005

BETWEEN  
MARVIN CHEESE AND BARBARA CHEESE, residing at 9 Martin Street, Massapequa, NY 11758

party of the first part, and

ILETAN ALEXANDRE, residing at 456 Schenectady Ave, Brooklyn, NY 11203

party of the second part,

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

10 dollars

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, Cheese to Alexandre

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

SEE "SCHEDULE A" ATTACHED HERETO AND MADE A PART HEREOF

Sec. 53

Block 210 /

Lot 28

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.

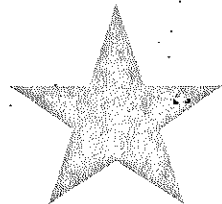
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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:

Martin Cheese  
MARVIN CHEESE  
Barbara Cheese  
BARBARA CHEESE





AL

Town of Oyster Bay  
Inter- Departmental Memo

December 4, 2018

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

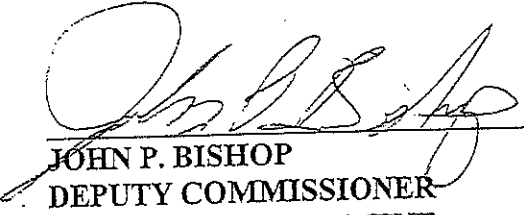
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

SUBJECT: 9 MARTIN STREET, MASSAPEQUA  
BOARD -UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,846.86.

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

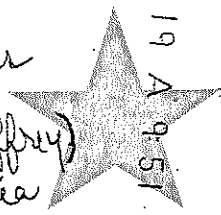
AS per  
Justin  
McCahey

BACK  
TO  
ALICIA  
12/18/18

Mike -  
Can not process  
this way - need  
memo, e-mail -  
Something besides  
(as per Justin McCahey)  
Alicia

2018 DEC 12 P 1:30

2018 DEC 19 A 9:51



PEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-210-28) 9 MARTIN ST MASSAPEQUA 11758

Date Dec 4, 2018

Work Order # 55003

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PETER BROWN	General Maintenance	00:00	\$41.77	05:30	1.5	\$344.60
RUBEN FOURNIER	General Maintenance	00:00	\$35.84	05:30	1.5	\$295.68
JEFFREY VAN NOSTRAND	General Maintenance	00:00	\$44.64	05:30	1.5	\$368.28
Total Labor						\$1008.56

Tools/Vehicle


Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU438	PICK UP 2012 FORD F250 TAN (90)	\$79.00	05:30	\$434.50
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	05:30	\$434.50
Total Equipment				\$869.00

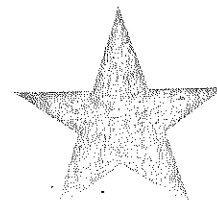
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Lumber 2"x4"x8'	\$3.20	4	\$12.80
Plywood 4'X8'X1/2"	\$20.65	10	\$206.50
Total Materials			\$969.30

Grand Total \$2846.86

Description of Work:  
board up 9 Martin Street Massapequa

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Dec 4, 2018





WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to replace the boarded up window of the house located at 3 Miller Road, Farmingdale, New York, also known as Section 49, Block 232, Lot 9, with poly carbonite, on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated February 1, 2019, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on December 7, 2018, in the amount of \$1,057.48, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated February 1, 2019, 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 \$1,057.48 may be assessed by the Legislature of the County of Nassau against the parcel known as 3 Miller Road, Farmingdale, New York 11735, also known as Section 49, Block 232, Lot 9 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

241  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey



21

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 1, 2019

SUBJECT: Property Cleanup Assessment  
3 Miller Road, Farmingdale, New York 11735  
Section 49, Block 232, Lot 9

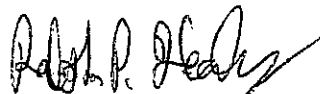
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By the emergency powers granted to the Department of Planning and Development, the Highway Department was directed to replace the boarded up window of the house located at 3 Miller Road, Farmingdale, New York 11735, also known as Section 49, Block 232, Lot 9, with poly carbonite, on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 11, 2018, advised that the property was secured by a crew from the Highway Department on December 7, 2018. The cost incurred by the Town of Oyster Bay was \$1,057.48.

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

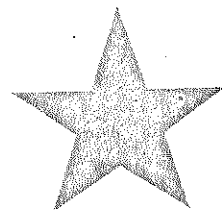
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
Town Attorney (w/7 copies)





**TOWN OF OYSTER**

**Inter-Departmental Memo**  
**December 4, 2018**

KonB

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER OF**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 3 Miller Rd. Farmingdale, NY 11735**  
**SBL: 49-232-9**

Nov. (No.18742) was issued to the owner of the above-referenced premises 11/28/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The boarded up window with plywood be replaced with poly carbonite.

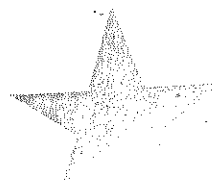
Pursuant to the provisions of Section 135.54<sup>96</sup>(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney





THIS INDENTURE, made the 3<sup>rd</sup> day of January, nineteen hundred and seventy-four  
BETWEEN HERMAN CHASE and MOLLY CHASE, his wife, both residing at 3 Miller Road  
Bethpage, New York,

party of the first part, and

CLIFFORD F. BOULD and JO-ANN BOULD, his wife, both residing at  
209 Seventh Street, Bethpage, New York

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.

ALL, this certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being ~~located~~ at Bethpage, in the Town of Oyster Bay, County of Nassau and State of New  
York and being more particularly described on a certain map entitled, "Milldale at Bethpage, be-  
longing to Ira L. Miller, surveyed February 1950 by Albert L. Loeffler, Land Surveyor, 3896  
Merrick Road, Seaford, N. Y. and filed in the Office of the Clerk of the County of Nassau on  
May 16, 1951 as Number 5221 and known as part of Lot 1, Block 232 which said part of lot is,  
according to said map, bounded and described as follows:

BEGINNING at a point on the westerly side of Miller Road distant 64.60 feet northerly  
from the extreme northerly end of the arc connecting the westerly side of Miller Road with the  
northerly side of Hempstead Turnpike (old line before widening); thence South 82 degrees 49  
minutes 00 seconds West, 158.16 feet; thence North 6 degrees 21 minutes 30 seconds West, 92.41  
feet; thence South 88 degrees 50 minutes 55 seconds East, 176.50 feet to the westerly side of  
Miller Road; thence along the westerly side of Miller Road the following two courses and distances:  
(1) South 9 degrees 13 minutes 50 seconds West, 41 feet; (2) southerly along the arc of a circle  
bearing to the left, having a radius of 220 feet, a distance of 34.83 feet to the point or place of  
BEGINNING.

Said premises being also known as 3 Miller Road, Bethpage, New York.

Subject to covenants, easements and restrictions of record.

Subject to any state of facts an accurate survey may show.

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 consid-  
eration 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.

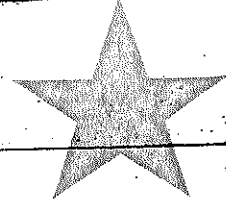
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above  
written.

Is FURNISHED BY:

Herman Chase

Molly Chase

REC-36411-473





Town of Oyster Bay  
Inter- Departmental Memo

17800455

December 11, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

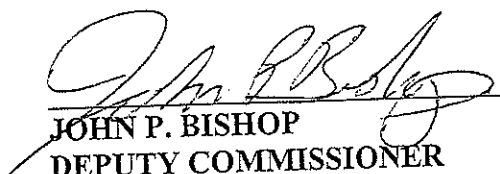
SUBJECT: 3 MILLER ROAD, FARMINGDALE  
BOARD UP

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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 \$1,057.48.

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

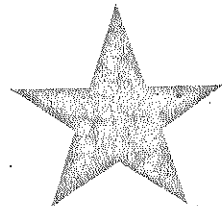
  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 DEC 13 A 11:38

2018 DEC 13 A 11:38



BOARD - UP 3 MILLER ROAD, FARMINGDALE TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Date Dec 7, 2018

Location (49-232-9) 3 MILLER RD FARMINGDALE 11735

Work Order # 55047

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RUBEN FOURNIER	General Maintenance	01:00	\$35.84	00:00	0	\$35.84
JEFFREY VAN NOSTRAND	General Maintenance	01:00	\$44.64	00:00	0	\$44.64
Total Labor						\$80.48

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$79.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Clear Polycarbonate LEXAN 1/4 x 48 x 96	\$148.00	1	\$148.00
Total Materials			\$898.00

Grand Total \$1057.48

Description of Work:

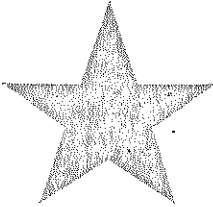
BOARD UP WINDOW AT 3 MILLER ROAD FM

Signature: \_\_\_\_\_

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Dec 11, 2018





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 October 19, 2018, authorized the Highway Department to clean up the premises located at 69 Carman Road, Farmingdale, New York 11735, also known as Section 53, Block 207, Lot 9 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 18, 2019, 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 October 23, 2018, in the total amount of \$3,786.93, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 18, 2019, 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 \$3,786.93 may be assessed by the Legislature of the County of Nassau against the parcel known as 69 Carman Road, Farmingdale, New York 11735, also known as Section 53, Block 207, Lot 9 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
*[Signature]*



22

# Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: January 18, 2019  
SUBJECT: Property Cleanup Assessment  
69 Carman Road, Farmingdale, New York 11735  
Section 53, Block 207, Lot 9

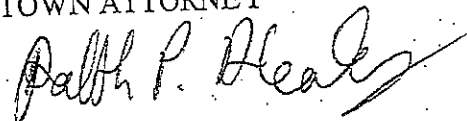
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The Department of Planning and Development, by memorandum dated October 19, 2018, directed the Highway Department to clean the premises located at 69 Carman Road, Farmingdale, New York 11735, also known as Section 53, Block 207, Lot 9 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 31, 2018, advised that the property was cleaned by a crew from the Highway Department on October 23, 2018. The cost incurred by the Town of Oyster Bay was \$3,786.93.

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

Kindly place this matter on the Town Board Action Calendar.

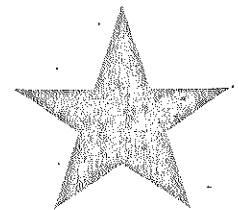
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)

S:\AML\CleanupMD&Reso\MD&Reso\MD 69 Carman Rd 1.18.19.doc





2018-6917  
ltr

TOWN OF OYSTER

Inter-Departmental Memo  
October 19, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 69 Carman Rd. Farmingdale, NY 11735  
SBL: 53-207-9

Nov. (No.18570) was issued to the owner of the above-referenced premises 10/10/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The litter and debris be removed throughout the property.

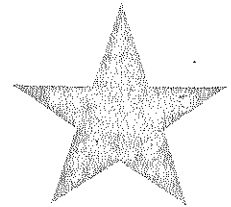
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney





THIS INDENTURE, made the 30 day of July, 2018

BETWEEN

Paul Cotruzzola,  
69 Carman Road, Farmingdale, New York 11735

party of the first part, and

Sandra Catena, as Trustee for  
The Pusello Family Irrevocable Trust, dated 4/18/17  
8 Atkinson Road, Rockville Centre, New York 11570  
party of the second part,

WITNESSETH, that the party of the first part, in consideration of \$10.00 dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the premises known as 69 Carman Road, Farmingdale, New York  
Section: 53, Block: 207, Lot: 9  
See Schedule A attached hereto.

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

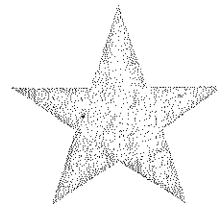
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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

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

IN PRESENCE OF

Paul Cotruzzola  
Paul Cotruzzola





AL

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

October 31, 2018

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

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

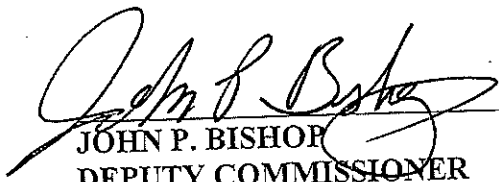
**SUBJECT:** 69 CARMAN ROAD, FARMINGDALE  
CLEAN-UP

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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 \$3,786.93.

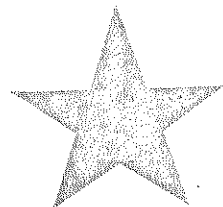
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 DEC -6 A 11:24



CLEAN - UP 69 CARMAN ROAD, FARMINGDALE P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-207-9) 69 CARMAN RD FARMINGDALE 11735

Date Oct 23, 2018

Work Order # 53486

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	04:00	\$29.53	00:00	0	\$118.12
PATRICK ORLANDO	General Maintenance	04:00	\$43.19	00:00	0	\$172.76
GEORGE TIEDEMANN	General Maintenance	04:00	\$43.19	00:00	0	\$172.76
ANTHONY VOLLONO	General Maintenance	04:00	\$51.61	00:00	0	\$206.44
SEAN MCLAUGHLIN	General Maintenance	04:00	\$24.27	00:00	0	\$97.08
Total Labor						\$767.16

Tools/Vehicle

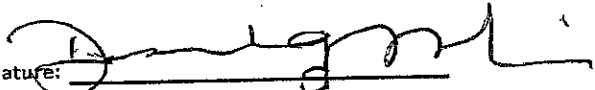
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	04:00	\$316.00
TD688	TRUCK DUMP 2010 INTER 7300 YW (T-211)- 6 Wheeler	\$131.00	04:00	\$524.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	04:00	\$420.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	04:00	\$420.00
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	04:00	\$420.00
Total Equipment				\$2100.00

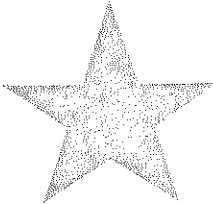
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$85.74	1.98	\$169.77
Total Materials			\$919.77

Grand Total \$3786.93

Description of Work:  
CLEAN UP 69 CARMANS RD FM

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Oct 31, 2018





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 November 19, 2018, authorized the Highway Department to clean up the premises located at 89 Cleveland Avenue, Massapequa, New York 11758, also known as Section 52, Block 177, Lots 3 and 541 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated February 1, 2019, 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 November 21, 2018, in the total amount of \$2,450.36, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated February 1, 2019, 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 \$2,450.36 may be assessed by the Legislature of the County of Nassau against the parcel known as 89 Cleveland Avenue, Massapequa, New York 11758, also known as Section 52, Block 177, Lots 3 and 541 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*



23

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 1, 2019

SUBJECT: Property Cleanup Assessment  
89 Cleveland Avenue, Massapequa, New York 11758  
Section 52, Block 177, Lots 3 and 541

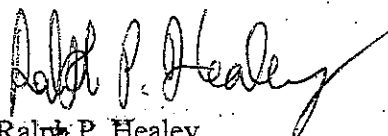
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The Department of Planning and Development, by memorandum dated November 19, 2018, directed the Highway Department to clean the premises located at 89 Cleveland Avenue, Massapequa, New York 11758, also known as Section 52, Block 177, Lots 3 and 541 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 4, 2018, advised that the property was cleaned by a crew from the Highway Department on November 21, 2018. The cost incurred by the Town of Oyster Bay was \$2,450.36.

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

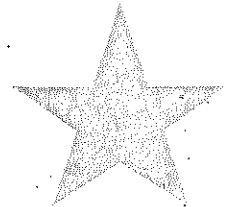
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)

S:\Atty\AML\Cleanup MD&Reso\Cleanup MD & Reso\MD 89 Cleveland Ave 2.1.19.doc





2019-6951

## TOWN OF OYSTER

### Inter-Departmental Memo November 19, 2018

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 89 Cleveland Avenue Massapequa, NY 11758  
SBL: 52-177-3+541

Nov. (No.18635) was issued to the owner of the above-referenced premises 10/29/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut in the front, side and rear of property.
- The litter and debris be removed throughout entire property.

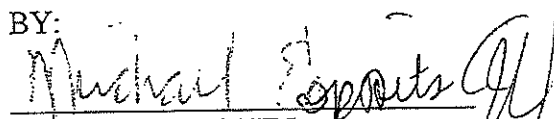
2018 DEC 10 A 11:34

COMMUNICATIONS OFFICE  
TOWN OF OYSTER  
MASSAPEQUA, NY

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

ELIZABETH L. MACCARONE  
COMMISSIONER

BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney





THIS INDENTURE, made the 20<sup>th</sup> day of December, nineteen hundred and eighty-two  
BETWEEN

95-65

JOHN S. MALIK and ADA R. MALIK, also known as ADA B. MALIK, his wife, both residing at 108 Bedford Avenue, New Port Richey, Florida

party of the first part, and

MARCO FERRARO and LAURA J. FERRARO, his wife, both residing at 89 Cleveland Avenue, Massapequa, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN (\$10.00)-----

----- dollars,

lawful money of the United States, paid

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~located~~ at Massapequa, Township of Oyster Bay, Nassau County, New York, and being more particularly bounded and described as follows:

PARCEL 1  
BEGINNING AT a point on the northerly side of Cleveland Avenue, distant 454.17 feet easterly from the corner formed by the northerly side of Cleveland Avenue and the easterly side of Hicksville Road; running thence northerly and at right angles to the northerly side of Cleveland Avenue 100 feet; running thence easterly and parallel with the northerly side of Cleveland Avenue 20 feet; running thence south and again at right angles to the northerly side of Cleveland Avenue 100 feet to the northerly side thereof; running thence westerly and along the northerly side of Cleveland Avenue 20 feet to the point or place of beginning.

PARCEL II

ALL that certain plot, piece or parcel of land, with the buildings thereon erected, situate, lying and being at Massapequa, in the Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lots numbers 539, 540 and part of Lot number 538 in Block 7 on a certain map entitled, "Map of Property of the Queens Land & Title Co., at Massapequa, L.I., Section D, surveyed 1907 by Alvin G. Smith, C.E., Freeport, L.I.", and filed in the office of the Clerk of the County of Nassau on January 29, 1908 as Old Map No. 41, New Map No. 303, and being more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Cleveland Avenue, distant 474.17 feet easterly from the corner formed by the intersection of the northerly side of Cleveland Avenue with the easterly side of Main Street (Hicksville Road); running thence northerly at right angles to Cleveland Avenue a distance of 100 feet; running thence easterly parallel with Cleveland Avenue a distance of 56 feet; running thence southerly again at right angles to Cleveland Avenue a distance of 100 feet to the northerly side of Cleveland Avenue; running thence westerly along the northerly side of Cleveland Avenue a distance of 56 feet to the point or place of BEGINNING.

Said premises also known as 89 Cleveland Avenue, Massapequa, New York.

3-4-54

ue  
ork.



As to Parcel I described herein, being the same premises described in deed to the parties of the first part herein by deed from John F. Milton dated 10/5/50, recorded 10/9/59 in Liber 4304 cp. 380.

As to Parcel II described herein, being the same premises described in deed to the parties of the first part herein by deed from John J. Dorr dated 4/26/49 recorded 5/10/49 in Liber 3830 dp 410.

Subject to, excepting, and reserving to the parties of the first part herein a life estate for the natural lives of the parties of the first part or the survivor of them in the so-called Studio Apartment on the second floor of the dwelling situate on the premises described herein. And the parties of the first part and the parties of the second part do hereby covenant and agree as follows:

That should said apartment be damaged or destroyed from any casualty loss whatsoever, same will be repaired or substantially replaced by a substantially similar apartment at the sole cost and expense of the parties of the second part; that the parties of the first part shall not be liable or responsible for waste; that the parties of the second part shall be responsible and liable for paying all so-called carrying charges and maintenance charges with reference to the within described property and all improvements thereon, including, but not limited to, mortgage payments, real estate taxes, water charges, utility charges, fire insurance premiums, maintenance and repair; that should title to the within premises be conveyed, transferred or devolve for any reason whatsoever to any person or party other than the party of the second part herein, then and in that event the life estate herein reserved shall terminate upon the payment to the parties of the first part or survivor the sum of \$4,000 or 6% of the selling price or 6% of the then fair market value of the premises, whichever sum or value is greater.





TOGETHER with all right, title and interest, if any, of the party of the first part of, 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 incumbered 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

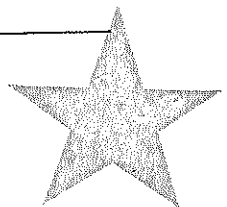
Mr. & Mrs. H. H. Morrow  
John C. Quinn

Marco Ferraro  
Laura J. Ferraro

Ada R. Malik, also known as  
Ada B. Malik

John S. Malik

DEED 9451 PAGE 523





FLORIDA  
STATE OF FLORIDA, COUNTY OF PASCO

On the 20th day of December, 1982, before me personally came

ADA R. MALIK, also known as ADA B. MALIK,  
to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

*Elizabeth H. Morrow*  
Notary Public

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES SEPT. 5, 1985

STATE OF NEW YORK, COUNTY OF NASSAU

On the 21st day of December, 1982, before me personally came

JOHN S. MALIK  
to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

*James C. Ription*  
JAMES C. RIPTION

NOTARY PUBLIC, State of New York  
No. 21-452472  
Qualified in Nassau County  
Commission Expires March 30, 1983

STATE OF NEW YORK, COUNTY OF

On the day of 1982, personally came to me known, who, being by me duly sworn, did say that he resides at No.

that he is the of the corporation, in and which executed the foregoing instrument knows the seal of said corporation; that the to said instrument is such corporate seal; the affixed by order of the board of directors of station, and that he signed his name thereto b

STATE OF NEW YORK  
COUNTY OF NASSAU ) ss.:

On the 25th day of December, 1982, before me personally came MARCO FERRARO and LAURA J. FERRARO, his wife, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

*Francis V. Glasser*  
FRANCIS V. GLASSER  
NOTARY PUBLIC, State of New York  
No. 21-452472  
Qualified in Nassau County  
Commission Expires March 30, 1983

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

JOHN S. MALIK and ADA R. MALIK,  
also known as ADA B. MALIK, his wife,  
TO

The land affected by the within instrument lies in:  
SECTION 52  
BLOCK 177  
LOT 3 and 541  
COUNTY OR TOWN Nassau

RECORDED AT THE REQUEST OF  
Lawyers Title Insurance Corporation

RETURN BY MAIL TO

STANDARD FORM OF  
NEW YORK BOARD OF TITLE UNDERWRITERS  
Distributed by  
**Lawyers Title Insurance Corporation**  
Home Office — Richmond, Virginia  
750 THIRD AVENUE AT 46TH STREET, NEW YORK, N. Y. 10017  
125-10 QUEENS BOULEVARD, KENY GARDENS, N. Y. 11415

Francis V. Glasser, Esq.  
50 Brooklyn Avenue  
Massapequa, N.Y. 11758

Reserve This Space For Use of Recording Office

JAN 11 1983

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ALBANY, N.Y.  
COUNTY OF NASSAU  
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\$ 45.65  
REAL ESTATE  
JAN 11 1983  
NASSAU COUNTY

RECORDED BY  
T. T. G. 2C



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Town of Oyster Bay  
Inter- Departmental Memo

December 4, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT


SUBJECT: 89 CLEVELAND AVENUE, MASSAPEQUA  
CLEAN -UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,450.36.

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

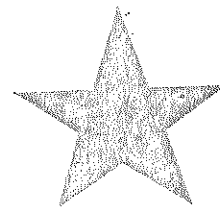
  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 DEC 10 A 11:33

2018 DEC 10 11:33  
TOWN OF OYSTER BAY  
DEPARTMENT OF PLANNING AND DEVELOPMENT



CLEAN -UP 89 CLEVELAND AVENUE, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-177-3) 89 CLEVELAND AVE MASSAPEQUA 11758

Date Nov 21, 2018

Work Order # 54542

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JAMES AJAMIAN	General Maintenance	04:00	\$45.56	00:00	0	\$182.24
VICTOR NIETO	General Maintenance	04:00	\$25.11	00:00	0	\$100.44
JOHN STERGIPOULOS	General Maintenance	04:00	\$24.86	00:00	0	\$99.44
MICHAEL CALAMIA	General Maintenance	04:00	\$25.56	00:00	0	\$102.24
DARIN S RIEFBERG	General Maintenance	04:00	\$15.00	00:00	0	\$60.00
Total Labor						\$544.36

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK458	SANI PACKER 2018 INTL 7400 TW	\$105.00	04:00	\$420.00
TD568	TRUCK DUMP 2005 FORD F-350 YW (HP925) - Power Wagons	\$105.00	04:00	\$420.00
TD664	PICK-UP TRUCK 2009 FORD F-250 YW (17 / 017)	\$79.00	04:00	\$316.00
Total Equipment				\$1156.00

Materials

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

Grand Total \$2450.36

Description of Work:

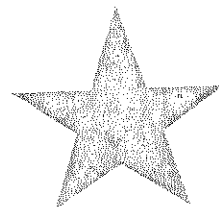
CLEAN UP 89 CLEVELAND AVENUE MS

Signature:

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Dec 4, 2018





Meeting of February 26, 2019

Resolution No. 160-2019

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 December 4, 2018, authorized the Highway Department to clean up the premises located at 191 North Detroit Avenue, North Massapequa, New York 11758, also known as Section 48, Block 5, Lots 44 to 48 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 29, 2019, 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 December 11, 2018, in the total amount of \$3,020.60, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 29, 2019, 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 \$3,020.60 may be assessed by the Legislature of the County of Nassau against the parcel known as 191 North Detroit Avenue, North Massapequa, New York 11758, also known as Section 48, Block 5, Lots 44 to 48 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
Ralph P. Healey



24

# Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 29, 2019

SUBJECT: Property Cleanup Assessment  
191 North Detroit Avenue, North Massapequa, New York 11758  
Section 48, Block 5, Lots 44 to 48

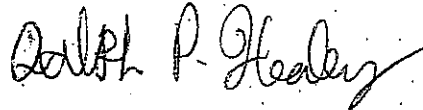
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The Department of Planning and Development, by memorandum dated December 4, 2018, directed the Highway Department to clean the premises located at 191 North Detroit Avenue, North Massapequa, New York 11758, also known as Section 48, Block 5, Lots 44 to 48 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 13, 2018, advised that the property was cleaned by a crew from the Highway Department on December 11, 2018. The cost incurred by the Town of Oyster Bay was \$3,020.60.

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

Kindly place this matter on the Town Board Action Calendar.

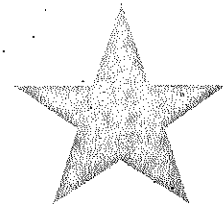
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)

S:\AML\CleanupMD&Reso\MD&Reso\MD 191 N Detroit Ave 1.29.19.doc





## TOWN OF OYSTER

Inter-Departmental Memo  
December 4, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 191 N. Detroit Avenue Massapequa, NY 11758  
SBL: 48-5-44 -48

Nov. (No.18708) was issued to the owner of the above-referenced premises 11/26/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The litter and debris be removed.
- The bushes creating a corner obstruction be trimmed.

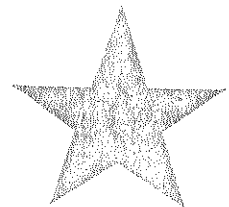
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney





CLARK

WARRANTY DEED WITH FULL COVENANTS  
(INDIVIDUAL AND CORPORATION)

FORM 8003 (short version), FORM 8008 (long version)

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

THIS INDENTURE, made the 24<sup>th</sup> day of August, 2011,

Between James Packer, 191 North Detroit Avenue, North Massapequa, New York 11758, and John Packer, 191 North Detroit Avenue, North Massapequa, New York 11758, as heirs at law, next of kin and distributees of the decedent, who died on January 31, 2011, a resident of Nassau County, New York, party of the first part, and A Mary Ellen Packer,

James Packer, individually as tenants in common, 191 North Detroit Avenue, North Massapequa, New York 11758 and John Packer, individually as tenants in common, 191 North Detroit Avenue, North Massapequa, New York 11758, party of the second part,

WITNESSETH, that the party of the first part, in consideration of 10.00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Oyster Bay, County of Nassau, State of New York known and designated as and by the Lot numbers, 44, 45, 46, 47 and 48 in Block #3, on a certain map entitled, "Map of Massapequa Centre, State Parkway, Section No. 2, Massapequa, New York" and filed in the Office of the Clerk of the County of Nassau on September 12, 1927, as Map # 638, which said Lots when taken together are more particularly bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of Detroit Avenue with the easterly side of New York Drive; running thence North 10 degrees 09 minutes East along the Easterly side of New York Drive one hundred (100) feet; running thence South 79 degrees 51 minutes East one hundred (100) feet; running thence South 10 degrees 09 minutes West one hundred (100) feet to the northerly side of Detroit Avenue; running thence North 79 degrees 51 minutes West along the northerly side of Detroit Avenue, one hundred (100) feet to the corner, the point or place of BEGINNING.

Sec 48

Blk 5

Lots 44 - 48

Said premises known as 191 North Detroit Avenue, North Massapequa, New York.  
Said premises being the same as conveyed the 13th day of September, nineteen hundred and sixty one and recorded with Nassau County Clerk's Office.

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, 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 costs 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.

AND the party of the first part covenants as follows:

FIRST. That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND. That the party of the second part shall quietly enjoy the said premises;

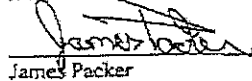
THIRD. That the said premises are free from encumbrances, except as aforesaid;

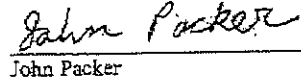
FOURTH. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH. That said party of the first part will forever warrant the title to said premises.

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

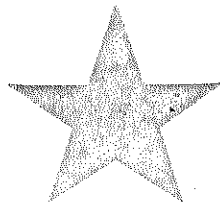
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

  
James Packer

  
John Packer

IN PRESENCE OF:







(CEB) AL  
17800001

Town of Oyster Bay  
Inter- Departmental Memo

December 13, 2018

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

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

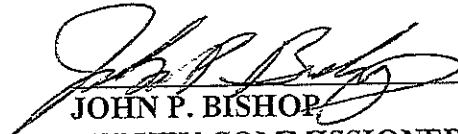
**SUBJECT:** 191 N. DETROIT AVENUE, MASSAPEQUA  
CLEAN-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$3,020.60.

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

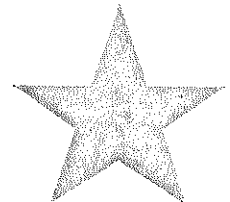
  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 191 N. DETROIT AVENUE, MASSAPEQUA TO P & D

2018 DEC 19 A 9:50







MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (48-5-44) 191 NORTH DETROIT AVE MASSAPEQUA 11758

Date Dec 11, 2018

Work Order # 55046

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	03:00	\$29.53	00:00	0	\$88.59
PATRICK ORLANDO	General Maintenance	03:00	\$43.19	00:00	0	\$129.57
MARK SCHLOSSER	General Maintenance	03:00	\$42.00	00:00	0	\$126.00
ANTHONY VOLLONO	General Maintenance	03:00	\$51.61	00:00	0	\$154.83
NICOLAS CAMMARANO	General Maintenance	03:00	\$24.96	00:00	0	\$74.88
Total Labor						\$573.87

Tools/Vehicle

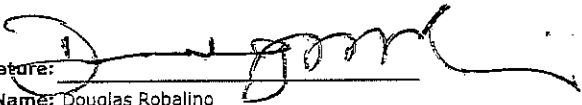
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD682	TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	03:00	\$315.00
TD688	TRUCK DUMP 2010 INTER 7300 YW (T-211)- 6 Wheeler	\$131.00	03:00	\$393.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	03:00	\$315.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	03:00	\$315.00
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	03:00	\$315.00
Total Equipment				\$1653.00

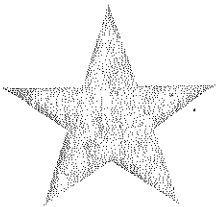
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$85.74	0.51	\$43.73
Total Materials			\$793.73

Grand Total \$3020.60

Description of Work:  
clean up 191 N. DETROIT AVENUE MS

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Dec 13, 2018





WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 27, 2018, authorized the Highway Department to clean up the premises located at 67A Belmont Avenue, Plainview, New York 11803, also known as Section 46, Block 146, Lot 184 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 29, 2019, 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 October 4, 2018, in the total amount of \$3,896.65, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 29, 2019, 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 \$3,896.65 may be assessed by the Legislature of the County of Nassau against the parcel known as 67A Belmont Avenue, Plainview, New York 11803, also known as Section 46, Block 146, Lot 184 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*



25

# Town of Oyster Bay Inter-Departmental Memo

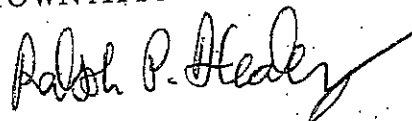
TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: January 29, 2019  
SUBJECT: Property Cleanup Assessment  
67A Belmont Avenue, Plainview, New York 11803  
Section 46, Block 146, Lot 184

The Department of Planning and Development, by memorandum dated September 27, 2018, directed the Highway Department to clean the premises located at 67A Belmont Avenue, Plainview, New York 11803, also known as Section 46, Block 146, Lot 184 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 10, 2018, advised that the property was cleaned by a crew from the Highway Department on October 4, 2018. The cost incurred by the Town of Oyster Bay was \$3,896.65.

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

Kindly place this matter on the Town Board Action Calendar.

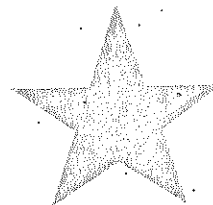
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments  
cc: Town Attorney (w/7 copies)

S:\AML\CleanupMD&Reso\MD&Reso\MD 67A Belmont Ave 1.29.19.doc





2019-6947  
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TOWN OF OYSTER

Inter-Departmental Memo  
September 27, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 67A Belmont Avenue Plainview, NY 11803  
SBL: 46-146-184

Nov. (No.18478) was issued to the owner of the above-referenced premises 09/17/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut in the front and side yards.

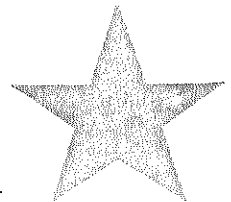
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



2018 DEC 10 2 40 PM  
TOWN OF OYSTER  
CLERK'S OFFICE  
RECEIVED



Bo1  
3

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

THIS INDENTURE, made the my 8 day of Sept, in the year 2007  
BETWEEN

WARREN MARSH and CYNTHIA KUCMIEROWSKI  
as joint tenants with rights of survivorship  
residing at 67A Belmont Avenue, Plainview, New York 11803

party of the first part, and

CYNTHIA KUCMIEROWSKI  
residing 67A Belmont Avenue, Plainview, New York 11803

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,

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

S E E A TTACHED SCHEDULE "A"

5 40  
11/16/06  
11/18/07

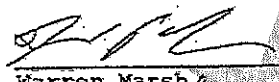
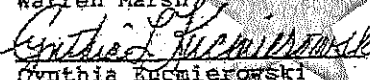
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; 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, 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.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.  
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, this mortgage has been duly executed by the mortgagor.

IN PRESENCE OF:

  
Warren Marsh  
  
Cynthia Kucmierowski



CEB  
AZ

Town of Oyster Bay  
Inter- Departmental Memo

October 10, 2018

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

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


**SUBJECT:** 67A BELMONT AVENUE, PLAINVIEW  
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 \$3,896.65.

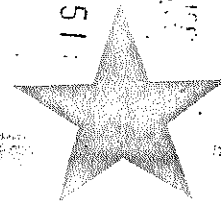
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 67A BELMONT AVENUE, PLAINVIEW TO P & D





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

Location (46-146-184) 67 A BELMONT AVE PLAINVIEW 11803

Date Oct 4, 2018

Work Order # 52845

**Labor Costs**

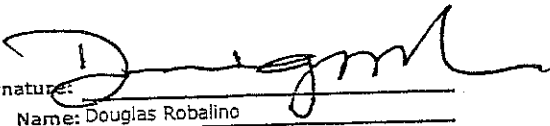
Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL ZEREBAK	General Maintenance	03:00	\$24.60	00:00	0	\$73.80
JAMES AJAMIAN	General Maintenance	03:00	\$44.67	00:00	0	\$134.01
JEFFREY CARTER	General Maintenance	03:00	\$38.84	00:00	0	\$116.52
VICTOR NIETO	General Maintenance	03:00	\$24.60	00:00	0	\$73.80
JOHN STERGIOPOULOS	General Maintenance	03:00	\$24.36	00:00	0	\$73.08
ROBERT SANZOVERINO	General Maintenance	03:00	\$25.15	00:00	0	\$75.45
RAYMOND SWIERKOWSKI	General Maintenance	03:00	\$26.65	00:00	0	\$79.95
KEITH H WENDEL	General Maintenance	03:00	\$15.00	00:00	0	\$45.00
DARIN S RIEFBERG	General Maintenance	03:00	\$15.00	00:00	0	\$45.00
Total Labor						\$716.61

**Tools/Vehicle**

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK459	SANI PACKER 2018 INTER 7400 YW	\$105.00	03:00	\$315.00
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	03:00	\$237.00
TD553	TRUCK DUMP 2004 INTL 7300 YW (T-163)- 6 Wheeler	\$131.00	03:00	\$393.00
TD664	PICK-UP TRUCK 2009 FORD F-250 YW (17 / 017)	\$79.00	03:00	\$237.00
TD670	TRUCK DUMP 2009 FORD F-350 YW (T-235) - Power Wagons	\$105.00	03:00	\$315.00
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	03:00	\$315.00
TO088	TRACTOR 1999 DEERE 5210 GREEN (LT-8 / LT8)	\$158.00	03:00	\$474.00
Total Equipment				\$2286.00

**Materials**

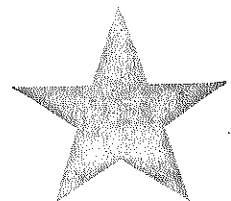
Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$85.74	1.68	\$144.04
Total Materials			\$894.04

**Grand Total \$3896.65**Description of Work:  
CLEAN UP 67A BELMONT AVE PVSignature: 

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 10, 2018





WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 16, 2018, authorized the Highway Department to clean up the premises located at 1129 North Broadway, Massapequa, New York 11758, also known as Section 52, Block 4, Lots 83 and 84 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated January 29, 2019, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 19, 2018. In the total amount of \$2,392.92, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated January 29, 2019, 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 \$2,392.92 may be assessed by the Legislature of the County of Nassau against the parcel known as 1129 North Broadway, Massapequa, New York 11758, also known as Section 52, Block 4, Lots 83 and 84 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

745  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey



24

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: January 29, 2019  
SUBJECT: Property Cleanup Assessment  
1129 North Broadway, Massapequa, New York 11758  
Section 52, Block 4, Lots 83 and 84

---

The Department of Planning and Development by memorandum dated October 16, 2018, directed the Highway Department to clean the premises located at 1129 North Broadway, Massapequa, New York 11758 also known as Section 52, Block 4, Lots 83 and 84 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 24, 2018, advised that the property was cleaned by a crew from the Highway Department on October 19, 2018. The total cost incurred by the Town of Oyster Bay was \$2,392.92.

Pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

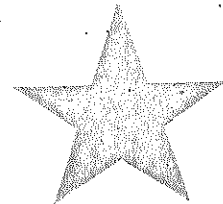


Ralph P. Healey  
Special Counsel

RPH:aml  
Attachment

Town Attorney (w/7 copies)

S:\Cleanup MD & Reso\MD 1129 Broadway Comm 1.29.19.doc





**TOWN OF OYSTER**

**Inter-Departmental Memo  
October 16, 2018**

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER OF**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 1129 N. Broadway Massapequa, NY 11758**  
**SBL:52-4-83**

Nov. (No.18565) was issued to the owner of the above-referenced premises 10/02/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.
- The litter and debris be removed from the dumpster corral.

182-22

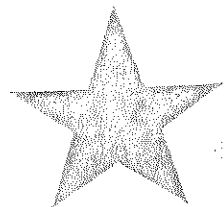
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney





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

348.  
THIS INDENTURE, made the 1<sup>st</sup> day of ~~January~~ <sup>February</sup> in the year 2013  
BETWEEN

FRANCES VALERIO and JOSEPH VALERIO, residing at 53 Anchor Drive, Massapequa, New York 11758,  
party of the first part, and

The 1129 N. Broadway, LLC, with an office at 53 Anchor Drive, Massapequa, New York 11758,  
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 part, the heirs or successors and assigns of the party of the second part forever,  
ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE ATTACHED SCHEDULE "A"

Being and intended to be the same premises conveyed to the party of the first part by deed dated July 3, 2012 and recorded at Liber 12382 Page 418 at the Office of the Clerk of the County of Nassau.

Said premises also known as 1129 N. Broadway, Massapequa, New York.

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, 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.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same, that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

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:

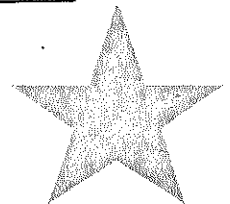
  
FRANCES VALERIO

SECTION: 52

BLOCK: 004

LOT: 83-84.

  
JOSEPH VALERIO





AL

Town of Oyster Bay  
Inter- Departmental Memo

October 24, 2018

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

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

**SUBJECT:** 1129 BROADWAY, MASSAPEQUA  
CLEAN-UP

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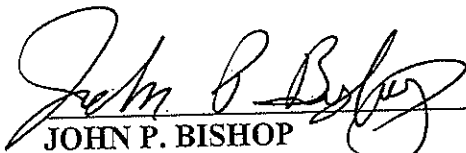
Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,392.92.

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

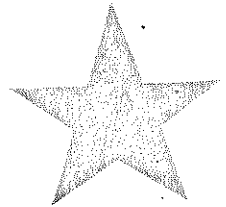
1 2018 DEC 4 P 3:32

RECEIVED  
TOWN OF OYSTER BAY  
DEPARTMENT OF PLANNING & DEVELOPMENT  
11/29/2018

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet



CLEAN - UP 1129 BROADWAY, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (52-4-83) 1129 BROADWAY MASSAPEQUA NY 11758

Date Oct 19, 2018

Work Order # 53385

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	02:30	\$29.53	00:00	0	\$73.83
ANTHONY VOLLONO	General Maintenance	02:30	\$51.61	00:00	0	\$129.03
NICOLAS CAMMARANO	General Maintenance	02:30	\$24.96	00:00	0	\$62.40
Total Labor						\$265.26

Tools/Vehicle

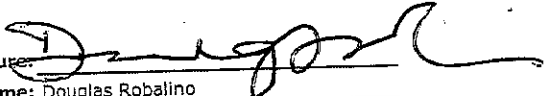
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	02:30	\$197.50
TD688	TRUCK DUMP 2010 INTER 7300 YW (T-211)- 6 Wheeler	\$131.00	02:30	\$327.50
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	02:30	\$262.50
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	02:30	\$262.50
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	02:30	\$262.50
Total Equipment				\$1312.50

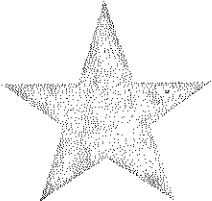
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$85.74	0.76	\$65.16
Total Materials			\$815.16

Grand Total \$2392.92

Description of Work:  
CLEAN UP 1129 N. BROADWAY MS

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Oct 22, 2018





Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated February 11, 2019, and deBruin Engineering, P.C., Consulting Engineers, by letter dated November 2, 2018, advised that it is necessary and essential to authorize Change Order No.1, submitted by the Contractor, Seaford Avenue Corp., relative to the Construction Phase of Contract No. DP16-136, Improvements to Pool Filter Systems at Various Town Parks, for a total net increase in the amount of \$125,447.46 to address structural, electrical and plumbing issues at the involved facilities that were necessary for project completion, and a necessary change to the originally specified chemical feeders due to operational issues, and recommended such authorization from the Town Board,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, Change Order No.1, relative to the Construction Phase of Contract No. DP16-136, is hereby approved, and the Supervisor, or his designee, is hereby authorized and directed to sign Change Order No.1, for a total net increase in the amount of \$125,447.46, and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS H 7197 20000 000 1310 013; and be it further

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

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works  
Parks



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

February 11, 2019

TO : MEMORANDUM DOCKET

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

SUBJECT : CHANGE ORDER NO. 1  
IMPROVEMENTS TO POOL FILTER SYSTEMS AT VARIOUS TOWN PARKS  
CONTRACT NO. DP16-136  
ACCOUNT NO. PKS H 7197 20000 000 1310 013  
PROJECT ID# 1310PKSSP-09

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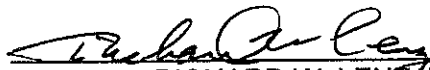
Attached is a letter from deBruin Engineering P.C. dated November 2, 2018 concerning Change Order No. 1 for a total net increase in the amount of \$125,447.46.

The above subject Change Order No. 1 is due to additional work required of the Contractor to address structural, electrical and plumbing issues at the involved facilities that were either not part of the scope of the project or could not be identified until construction commenced, but necessary for project completion; and, a necessary change to the originally specified chemical feeders due to operational issues. These changes are further described in the attached correspondence.

The contractor, Seaford Avenue Corp, has submitted his price quote for the proposed work and the consultant, deBruin Engineering, P.C. reviewed the contractor's price quote and finds the price of \$125,447.46 for the additional work to be fair and reasonable.

Funds are available for the described Change Order No. 1 in the amount of \$125,447.46 which represents the remaining amount reserved for "Potential Quantity Increases" in the amount of \$31,525.00 and in account number PKS H 7197 20000 000 1310 013 in the amount of \$93,922.46.

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 \$125,447.46 relative to the Construction Phase of Contract No. DP16-136.

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

RWL/JCT/MR/HAS/lk

Attachments

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Joseph G. Pinto, Commissioner/Parks  
Kathy Stefanich, Administrative Division/DPW

DP16-136 DOCKET CHANGE ORDER #1bB





November 2, 2018

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

Attn: Hans Stronstad

RE: **Improvements to Pool Filter Systems at Various Town Parks**  
**Contract No. DP 16-136**  
**de Bruin Order No. 6101**  
**Change Order No. 1**

Gentlemen:

This cover letter summarizes Change Order No. 1, submitted by Seaford Ave Corp, Inc. the General Contractor on the Improvements to Pool Filter Systems at Various Town Parks project.

**Item No. 1 – Reconstruction of Chemical Room Wall at Marjorie Post Park**  
**Change to Contract** Increase to contract of \$10,305.00.

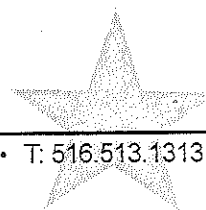
**Reason for Change** The original contract included the removal and replacement of existing drywall. Upon removal of the drywall it was revealed that the steel stud wall structure had corroded beyond repair and needs to be replaced.

**Item No. 2 – Replacement of Transformer at Marjorie Post Park**  
**Change to Contract** Increase to contract of \$6,985.00.

**Reason for Change** The transformer failed after the project was designed and as a result was not included the bid documents. The transformer was replaced in kind.

**Item No. 3 – Install Structural Beam Support at Marjorie Post Park**  
**Change to Contract** Increase to contract of \$8,833.00.

**Reason for Change** During construction the reinforced concrete beam seat for the first floor structural beam was found to be cracked. It was determined that the beam seat was compromised structurally and a support column was installed to replace the function of the beam seat.





**Item No. 4 – Pool Bonding Installation, Electrical Service Repair and Chlorine Tank Repair**

**Change to Contract** Increase to contract of \$85,361.94

**Reason for Change**

- a. Pool bonding systems at all parks were tested as part of the contract and it was determined that deck equipment at all pools was not tied to the bonding system. In order to comply with the National Electric Code and obtain a permit to open the pools the deck equipment had to be tied into the bonding system
- b. Upon startup of systems at Marjorie Post Community Park it was determined that electrical feeders had failed between the pump room switchgear and the splice manhole 250' from the pump room. Feeders had to be replaced to operate the pool equipment.
- c. Upon start-up it was determined that the ball valve on Chlorine Tank No. 3 at Syosset Community Park was leaking. Chlorine had to be pumped from the containment area and the valve replaced.

**Item No. 5 – Chemical Feeder Upgrades at all Locations**

**Change to Contract** Increase to contract of \$14,000.00.

**Reason for Change**

The chlorine pumps installed under the contract were designed to deliver chlorine at the rate specified by Code, but they were not keeping up with chlorine demand on hot, sunny days. Additional pumps were installed to increase the feed rate of chlorine to the pools.

**Item No. 6 – Contingency Reduction**

**Change to Contract** Decrease to contract of \$37.48.


**Reason for Change**

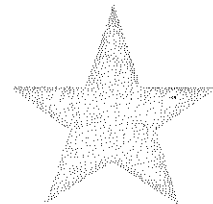
The contract was awarded with a \$10,000 contingency included in the award price. The contingency was used for the installation of isolation valves which totaled \$9,962.52 leaving \$37.48 unused.

de Bruin Engineering, P.C. has reviewed the Proposed Change Order documentation submitted by Seaford Ave Corp, Inc. and recommends that the Town of Oyster Bay approves the Change Order for the total amount of \$125,447.46.

Should you have any questions or concerns regarding this matter, please call.

Sincerely yours,

  
Jorge Ivan Aguirre, P.E.





Town of Oyster Bay  
Improvements to Pool Filter Systems at Various Town Parks  
Contract No. DP16-136  
Change Order No. 1

To: Seaford Avenue Corp.  
21 Brooklyn Avenue  
Massapequa, NY 11758

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay for the captioned contract:

**Item # 01: Reconstruct chemical room wall at Marjorie Post Community Park**

Description: The original contract included the removal and replacement of existing drywall. Upon removal of the drywall it was revealed that the steel stud wall structure had corroded beyond repair and needs to be replaced.

Increase to contract of \$10,305.00

**Item #02: Replace transformer in filter room at Marjorie Post Community Park**

Description: The transformer failed after the project was designed and as a result was not included the bid documents.

Increase to contract of \$6,985.00

**Item #03: Structural Beam Support in Pump Room at Marjorie Post Community Park**

Description: During construction the reinforced concrete beam seat for the first floor structural beam was found to be cracked. It was determined that the beam seat was compromised structurally and a support column was installed to replace the function of the beam seat.

Increase to contract of \$8,833.00

**Item #04: Bonding, new electrical feeders and chemical tank repair**

Description:

- a. Pool bonding systems at all parks were tested as part of the contract and it was determined that deck equipment at all pools was not tied to the bonding system. In order to comply with the National Electric Code and obtain a permit to open the pools the deck equipment had to be tied into the bonding system
- b. Upon startup of systems at Marjorie Post Community Park it was determined that electrical feeders had failed between the pump room switchgear and the splice manhole 250' from the pump room. Feeders had to be replaced to operate the pool equipment.
- c. Upon start-up it was determined that the ball valve on Chlorine Tank No. 3 at Syosset Community Park was leaking. Chlorine had to be pumped from the containment area and the valve replaced.

Increase to contract of \$85,361.94

**Item #05: Upgrade chemical feeders for swimming pools at Syosset Community Park, Plainview-Old Bethpage Community Park and Bethpage Community Park and for the Swimming and Diving pools at Marjorie Post Community Park**

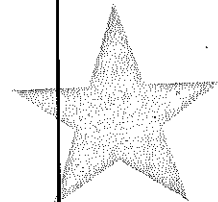
Description: The chlorine pumps installed under the contract were designed to deliver chlorine at the rate specified by Code, but they were not keeping up with chlorine demand on hot, sunny days. Additional pumps were installed to increase the feed rate of chlorine to the pools.

Increase to contract of \$14,000.00

**Item #06: Reduce contract amount for unused portion of contingency**

Description: The contract was awarded with a \$10,000 contingency included in the award price. The contingency was used for the installation of isolation valves which totaled \$9,962.52 leaving \$37.48 unused which results in a credit to the contract price.

Decrease to contract of (\$37.48)





The Original Contract Sum was	\$630,500.00
Net Change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$630,500.00
Net Increase: New Contract Items	\$125,484.94
Net Decrease:	\$ 37.48
Total Net Increase:	\$125,447.46
New Contract Sum Including Change Order#1	\$755,947.46

The above work is to be performed in accordance with a letter from de Bruin Engineering, PC, dated October 18, 2018 and the memorandum of the Commissioner of Public Works dated \_\_\_\_\_ for a NET TOTAL to the Town of Oyster Bay in the amount of

**One Hundred Twenty Five Thousand Four Hundred Forty Seven Dollars and Forty Six Cents**

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

Dated: Nov. 2/2018

\_\_\_\_\_  
Joseph S. Saladino  
Supervisor

Recommended By:

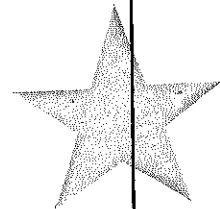
de Bruin Engineering, PC

Accepted By:

Seaford Avenue Corp.

\_\_\_\_\_  


\_\_\_\_\_





WHEREAS, by Resolution No. 854-2017, adopted on December 12, 2017, the Town Board authorized and directed Lockwood Kessler & Bartlett, Inc. to provide on-call engineering services in connection with Contract No. PWC 07-18, On-Call Engineering Services Relative to Civil Engineering, for a two-year term, from January 1, 2018 through December 31, 2019; and

WHEREAS, Lockwood Kessler & Bartlett, Inc., by letters dated November 13, 2018 and January 14, 2019, set forth the scope of work to be performed under Contract No. PWC 07-18, in an amount not to exceed \$152,230.29, in connection with providing On-Call Engineering Services related to Civil Engineering including surveying, design, bid and construction services for Project ID. No. 1903 HWY DB-03 (Linden Place, Glen Head); and

WHEREAS, Lockwood Kessler & Bartlett, Inc. requested to use Gayron deBruin Land Surveying & Engineering, P.C. as a sub-consultant for topographic survey and base mapping services, in connection with the aforesaid project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated February 7, 2019, requested Town Board authorization for Lockwood Kessler & Bartlett, Inc. to provide On-Call Engineering Services relative to Civil Engineering under Contract No. PWC 07-18 as aforesaid, and further requested that Lockwood Kessler & Bartlett, Inc. be authorized to retain Gayron deBruin Land Surveying & Engineering, P.C. as aforesaid, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$152,230.29 for this purpose; and

WHEREAS, funds in the amount of \$152,230.29, to satisfy said engineering costs are available in Account No. HWY H 5197 20000 000 1803 008,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted and approved, and Lockwood Kessler & Bartlett, Inc. is hereby authorized to proceed to provide the aforementioned services in connection with Contract No. PWC 07-18, On-Call Engineering Services Relative to Civil Engineering, and Lockwood Kessler & Bartlett, Inc. is hereby authorized to retain Gayron DeBruin Land Surveying & Engineering, P.C. as a sub-consultant for topographic survey and base mapping services, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$152,230.29, with funds to be drawn from Account No. HWY H 5197 20000 000 1803 008.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works  
Highway

Reviewed By  
Office of Town Attorney



256

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

February 7, 2019

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO CIVIL ENGINEERING  
AND USE OF SUBCONSULTANT  
CONTRACT NO. PWC07-18  
ACCOUNT NO.: HWY H 5197 20000 000 1903 008  
PROJECT ID NO. 1903 HWYDB-03


---

The consultant, Lockwood Kessler & Bartlett, Inc. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-18 by Resolution No. 854-2017 for the subject project.

Attached are letters dated November 13, 2018 and January 14, 2019 from Lockwood Kessler & Bartlett, Inc. regarding the scope of work to be performed in the total amount of \$152,230.29. Services to be performed include surveying, design, bid, construction services, and request to use, as a sub-consultant, Gayron deBruin, Land Surveying & Engineering PC, for topographic survey and base mapping services relative to the above-captioned project.

Attached is an availability of funds in the amount of \$152,230.29 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1903 008.

Therefore, it is hereby requested that Lockwood Kessler & Bartlett, Inc. be authorized by resolution to provide On-Call Engineering Services Relative to Civil Engineering, Contract No. PWC07-18, to utilize as a sub-consultant, Gayron deBruin, Land Surveying & Engineering PC, and that the Comptroller be directed to issue an encumbrance order for this purpose.

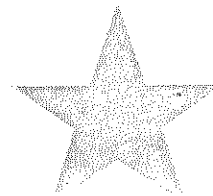
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

  
RWL/JCT/MR/DDM/ik

Attachment

cc: Office of the Town Attorney (w/7 copies)  
Steve C. Ballas, Comptroller  
John P. Bishop, Deputy Commissioner/HWY  
Kathy Stefanich, Administrative Division/DPW

PWC07-18 DOCKET LKB LINDEN PL GH 2019





TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

DEPUTY COMM/HIGHWAY

REC'D BY HIGHWAY DEPT  
JAN 25 11 54 AM '19

*Lenore*

January 24, 2019

TO : JOHN BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF HIGHWAY

FROM : JOHN C. TASSONE, DEPUTY COMMISSISONER  
DEPARTMENT OF PUBLIC WORKS

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

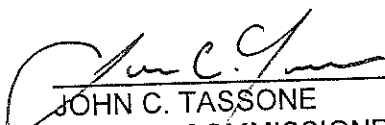
SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS  
CONTRACT NO. PWC07-18  
ON-CALL CIVIL ENGINEERING  
LOCKWOOD, KESSLER & BARTLETT, INC.


The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$152,230.29.

Funds are required for design, bid and construction services relative to drainage mitigation improvements on Linden Place, Glen Head, as per the attached letters from Lockwood, Kessler & Bartlett, Inc., dated January 14, 2019 and November 13, 2018.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$152,230.29 and Resolution No. 854-2017 authorizing Lockwood, Kessler & Bartlett, Inc. for on-call services.

If you have any questions, please contact Daniel D. Midgette, Division of Engineering, at extension 5897.

  
JOHN C. TASSONE  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

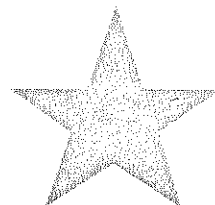
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL:JCT:DDM:lk

Attachments

c: Kathleen Stefanich, Administration/DPW

PWC 07-18 LKB HIGHWAY LINDEN FUNDS 2019







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



Requesting Division/Department

HIGHWAY

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

Contract Number PWC07-18

Contract Period JANUARY 1, 2018 - DECEMBER 31, 2019

Consultant/Contractor LOCKWOOD, KESSLER & BARTLETT, INC.

Discipline CIVIL ENGINEERING

Total Authorization \$441,230.29

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

Funded To Date \$289,000.00

Amount Requested \$152,230.29

Account To Be Used Highway 15197 20000000 1903 008 - 1903 Hwy DB-03

If Capital Account, State The Related Contract Number: \_\_\_\_\_

Description Of Work

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

LINDEN PLACE, GLEN HEAD DRAINAGE IMPROVEMENTS

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$ \_\_\_\_\_

Requesting Division/Department

Signature

DEPUTY COMMISSIONER OF HIGHWAYS

Date

1-29-19

DPW Approval

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date

1/25/19

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 152,230.29

Unencumbered Balance 1,500,000.00

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

Yes ☒ No ☐

Signature

Date

2/5/19





# TOWN OF OYSTER BAY



## WORK ORDER

*This Section To Be Completed By The Department Of Public Works*

Work Order No. \_\_\_\_\_

E.O. No. \_\_\_\_\_

Contract Start 1/1/2018

Contract No. PWC 07-18

Contract End 12/31/2019

Commencement Date \_\_\_\_\_

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

Vendor Name and Address

Lockwood, Kessler & Bartlett, Inc.

One Aerial Way

Syosset, New York 11791

Requesting Town Department HIGHWAY

Contact DANIEL MIDGETTE Phone 516-677-5897

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

Design, Bid and Construction services for flood mitigation

at Linden Place Glen Head, New York 11791

**This work order shall not exceed \$ 152,230.29**

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

**Requesting Division/Department**

Signature [Signature]  
Title DEPUTY COMMISSIONER  
Department of Highways

Date 1-29-19

**Department Of Public Works Approval**

**Only To Be Executed By The Commissioner**

Signature [Signature]  
**Commissioner of Public Works**

Date 1/25/19





January 8, 2019  
(Revised January 14, 2019)  
LKB #2017-0097

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

**Re: Contract No. PWC07-18 Civil Engineering On-Call  
Assignment 01A:  
Design for Mitigation of Roadway Flooding at Linden Place off Glen Cove Avenue  
On-Call Contract No.: PWC07-18**

Dear Commissioner:

Per your request, we are pleased to submit our proposal for this assignment.

It is our understanding this assignment is to provide engineering services for the design and preparation of construction documents for the mitigation of the chronic roadway flooding condition occurring at the easterly end of Linden Place near the intersection with Glen Cove Avenue.

As per our recommendation in our letter to you dated February 15, 2018 the design will be for installing three 40' deep by 10' diameter diffusion wells with interconnecting 12" diameter overflow pipes within the Linden Place roadway. As also indicated in the letter, the proposed system is estimated to accommodate a 1.3" in 24 hr. rain storm.

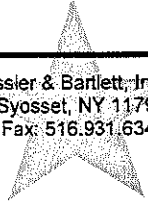
The design will also have the new diffusion wells connected to the existing drainage structures at or near the low point on Linden Place approximately 80' west of the Glen Head Avenue intersection. This should increase the service life of the new structures by having the existing (non-seeping) structures provide pre-treatment of sediments in the storm water flow.

The soil boring information indicated in the LKMA August 2007 "Drainage Report for Linden Place" is believed to be sufficient, and will be referenced to accomplish this assignment. Should it be determined during the design development process that additional soils information is necessary, LKB will solicit a soil boring contractor, subject to the approval of the Town. The cost of which to be on a pass-through basis to the Town.

We request the Town's approval to retain Gayron de Bruin, Land Surveying & Engineering, PC (a WBE firm) as our sub-consultant to perform topographic survey base mapping services necessary to accomplish the work.

---

Lockwood, Kessler & Bartlett, Inc.  
One Aerial Way, Syosset, NY 11791  
Phone: 516.938.0600 Fax: 516.931.6344





LKB's services to the Town will include the following:

- 1) Survey base mapping of the entire length of Linden Place (by Gayron de Bruin, Land Surveyors and Engineers, PC).
- 2) Plans, profiles, details for installation of the diffusion wells, connections to the existing drainage system, and restoration of the roadway disturbed during the construction.
- 3) Assisting the Town during the bid phase including analysis of bids received.
- 4) Construction inspection and engineering services during construction.
- 5) Upon completion of construction, provide the Town with record drawings (.pdf and 3 hard copies)

Our estimated fee to perform this work is indicated in the following table:

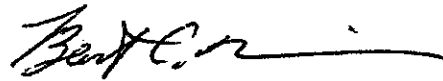
1	Survey Base Mapping (Gayron de Bruin)	\$9,000.00
2	Design & prepare construction documents & estimates	\$31,000.00
3	Bid phase	\$2,000.00
4	Construction Inspection (assumes 3 month duration)	\$84,000.00
5	Design services during construction	\$7,000.00
	Total Estimated Fee	\$133,000.00

Survey base mapping to be invoiced on a lump sum basis. Design and inspection costs to be invoiced in accordance with our on-call agreement (PWC07-18, Resolution 854-2017).

It is our pleasure to provide these engineering services to the Town of Oyster Bay, and we are prepared to commence work immediately upon your authorization to proceed. Should you have questions or comments on this proposal, please do not hesitate to contact me.

Very truly yours,

LOCKWOOD, KESSLER & BARTLETT, INC.



Bart A. Marino, P.E.  
Chief Civil Engineer





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

November 13, 2018  
LKB# 2017-0097

Richard W. Lenz, P.E.  
Commissioner  
Nassau County Department of Public Works  
1194 Prospect Avenue  
Westbury, NY 11590

**Re: Contract No. PWC07-16 Civil Engineering On-Call  
Assignment 01:  
Roadway Flooding at Linden Place off Glen Cove Avenue**

Dear Commissioner:

As authorized under Resolution No. 642-2017, dated October 3, 2017 regarding our On-Call Civil Engineering Contract PWC 07-16 with the Town, Lockwood, Kessler & Bartlett, Inc. (LKB) began providing the Town with engineering services related to addressing the roadway flooding condition at Linden Place in Glen Head.

LKB's civil engineering on call contract PWC 07-16 with the Town ended on December 31, 2017. We subsequently received a new on call contract PWC 07-18 beginning on January 1, 2018.

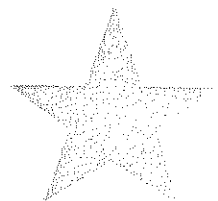
Prior to the end of contract PWC 07-16 LKB had expended \$5269.71 out of the \$25,500 total authorized. Work under this project continued into 2018 and is ongoing.

We request that the balance of the authorized funds (\$19,230.29) be authorized under our new on call contract PWC 07-18 to allow us to be compensated for work performed after December 31, 2017 and ongoing work.

LKB would appreciate your consideration of this request and appreciates the opportunity to provide our services to the Town. Should you have any questions or comments, please do not hesitate to contact us.

Very truly yours,  
LOCKWOOD, KESSLER & BARTLETT, INC.

Bart A. Marino, P.E.



AN EQUAL OPPORTUNITY EMPLOYER



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

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

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

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

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

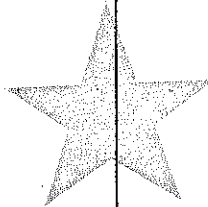
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The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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

cc: Supervisor  
Town Attorney  
Comptroller (2)  
Public Works

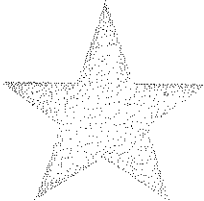
Reviewed By  
Office of the Town Attorney  
1/1/18  
[Signature]





LINDEN PLACE DRAINAGE  
BUDGETARY ENGINEERS ESTIMATE  
1/22/2019

Description	Unit Price	Unit	Quantity	Amount
Bituminous Concrete Saw Cut	\$ 2.50	LF	150	\$ 375
Furnish and Lay 12" dia. Class IV reinforced Concrete Pipe	\$ 15.00	LF	150	\$ 2,250
Connections to Existing Drainage Facilities	\$ 320.00	EA	3	\$ 960
Furnish and Install Precast Concrete Diffusion Well - 10 FT Dia, Complete	\$ 1,500.00	VLF	120	\$ 180,000
Furnish and Install Precast Concrete Heavy Duthy Flaot Slab for 10 FT Diameter Diffusion Well Including Chimney	\$ 640.00	EA	3	\$ 1,920
Asphaltic Concrete Resurfacing - 2" Thick	\$ 120.00	TON	100	\$ 12,000
Furnish and Install Miscellaneous Metals	\$ 5.00	LBS	1500	\$ 7,500
Dense Graded Aggregate - 4" Thick	\$ 38.00	CY	100	\$ 3,800
Filter Stone Collar for Diffusion Wells	\$ 19.00	CY	340	\$ 6,460
Maintenance and Protection of Traffic	\$ 1,500.00	LS	1	\$ 1,500
Construction Cost =				\$ 216,765
15% Contingency =				\$ 32,515
Total =				\$ 249,280
BUDGET TOTAL =				\$ 250,000





Meeting of December 12, 2017

CORRECTED COPY

Resolution No. 854-2017

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

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

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

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

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

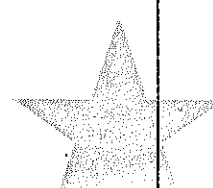
—#—

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

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

cc: Supervisor  
Town Attorney  
Comptroller (2)  
Public Works

Reviewed By  
Office of the Town Attorney  
*[Signature]*





## Daniel Midgette

---

**From:** John Tassone  
**Sent:** Tuesday, January 22, 2019 9:44 AM  
**To:** Daniel Midgette  
**Subject:** FW: Linden Place drainage design proposal  
**Attachments:** 20160097 Glen Head Drainage Proposal 01-08-19 rev011419.pdf

Danny – please proceed with the availability and docket for approval.

Thanks – John



**John C. Tassone**

Deputy Commissioner  
Department of Public Works  
150 Miller Pl. Syosset, NY 11791  
(516) 677-5722  
[Jtassone@oysterbay-ny.gov](mailto:Jtassone@oysterbay-ny.gov)

---

**From:** Marino, Bart [<mailto:bmarino@lkbinc.com>]  
**Sent:** Monday, January 14, 2019 9:07 AM  
**To:** Daniel Midgette  
**Cc:** Matt Russo; John Tassone; Ednie, Brian; Danny Haas  
**Subject:** RE: Linden Place drainage design proposal

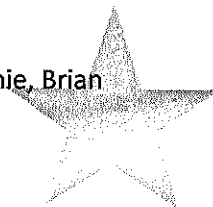
To All,

See revised proposal, attached.

Thanks.  
Bart

**From:** Daniel Midgette [<mailto:dmidgette@oysterbay-ny.gov>]  
**Sent:** Thursday, January 10, 2019 12:57 PM  
**To:** Marino, Bart <[bmarino@lkbinc.com](mailto:bmarino@lkbinc.com)>  
**Cc:** Matt Russo <[mrusso@oysterbay-ny.gov](mailto:mrusso@oysterbay-ny.gov)>; John Tassone <[jtassone@oysterbay-ny.gov](mailto:jtassone@oysterbay-ny.gov)>; Ednie, Brian <[ednie@lkbinc.com](mailto:ednie@lkbinc.com)>; Danny Haas <[dhaas2@oysterbay-ny.gov](mailto:dhaas2@oysterbay-ny.gov)>  
**Subject:** RE: Linden Place drainage design proposal

Bart,





Please see the attached notes from the Division of Engineering regarding your submitted proposal .

1. Are soil borings required?
2. Please correct the PWC # as indicated. PWC 07-18
3. Please include a sentence requesting the use of Gayron-deBruin as a subconsultant for surveying, mapping services.
4. Please include providing the town with an as built record drawing as part of the proposal. 3 hard copies + electronic copy(pdf, etc.)

Thanks,

*Daniel D. Midgette*

Town of Oyster Bay  
Department of Public Works  
Engineering Division  
150 Miller Place  
Syosset, NY 11791  
516 677-5897

---

**From:** Marino, Bart [<mailto:bmarino@lkbinc.com>]  
**Sent:** Tuesday, January 08, 2019 1:49 PM  
**To:** Daniel Midgette  
**Cc:** Matt Russo; John Tassone; Ednie, Brian  
**Subject:** Linden Place drainage design proposal

Dan,

As you requested, please find our proposal to perform engineering services for the design of drainage on Lindon Pl., attached.

Thanks.

**Bart A. Marino, PE**  
Chief Civil Engineer  
**Lockwood, Kessler & Bartlett, Inc.**  
One Aerial Way | Syosset, NY 11791  
P: 516.938.0600 x215 | F: 516.931.6344  
[www.lkbinc.com](http://www.lkbinc.com)

**Over 130 Years of Engineering Excellence**



This message contains confidential information and is intended only for the intended recipient(s). If you are not the named recipient you should not read, distribute or copy this e-mail. Please notify the sender immediately via e-mail if you have received this e-mail by mistake; then, delete this e-mail from your system. Thank you.  
Lockwood, Kessler & Bartlett Inc.



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated February 8, 2019, stated that the Department of Public Works has approved the specifications for Contract No. HBD19-189, Highway Requirements for Bulkheads and Drainage, and recommended that the Division of Engineering be authorized and directed to proceed with the bidding phase and construction phase for said Contract; and

WHEREAS, Commissioner Lenz by said memorandum requested that the Town Board authorize the Division of Purchasing to proceed with setting a date for receiving bids for this contract by contacting the Division of Engineering to establish the bid date,

NOW, THEREFORE, BE IT RESOLVED, that the recommendation and request as hereinabove set forth are hereby accepted and approved, and the Division of Engineering is authorized and directed to proceed with the bidding phase and construction phase for Contract No. HBD19-189, and the Division of Purchasing is hereby authorized to proceed with setting a bid date for receiving bids for Contract No. HBD19-189 by contacting the Division of Engineering to establish the bid date.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works  
Highway

Reviewed By  
Office of Town Attorney  




29

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

February 8, 2019

TO: MEMORANDUM DOCKET


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

SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASE  
HIGHWAY REQUIREMENTS CONTRACT FOR BULKHEADS AND DRAINAGE  
CONTRACT NO. HBD19-189

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The Commissioner of Public Works has approved the specifications. The estimated construction time for completion of this subject contract is 365 days from date of award.

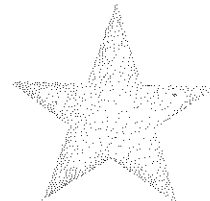
It is hereby requested that the Town Board authorize by Resolution that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract. They are requested to contact the Division of Engineering to establish a bid date.

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

  
RWL/JCT/MR/SC/nm

cc: Town Attorney (w/7 copies)  
Steven C. Ballas, Comptroller  
Eric Tuman, Commissioner/General Services  
John Bishop, Deputy Commissioner/Highway

HBD19-189\_REQ FOR BULKHEADS AND DRAINAGE-PERMISSION TO BID





WHEREAS, the Town of Oyster Bay has been approved to receive up to \$500,000.00 in Capital Assistance Program funding through the New York State Department of Transportation, as reimbursement eligible expenses in implementing a Downtown Oyster Bay Walkability/Bikeability Improvement Project; and

WHEREAS, through this Project, the Town proposes to complete the design and implementation of walkability and bikeability improvements to the Oyster Bay hamlet downtown area which shall create a safe and inviting environment for residents and visitors to enjoy the area's commercial and recreational opportunities; and

WHEREAS, receipt of this grant funding is contingent upon the execution of a Capital Project Agreement between the Town of Oyster Bay and the New York State Department of Transportation; and

WHEREAS, Frank Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated February 15, 2019, requested Town Board authorization: for the Town to enter into a Capital Project Agreement with the New York State Department of Transportation to be negotiated and approved by the Town Attorney, for the Supervisor, or his designee, to execute said agreement; and for Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, to be authorized to execute documents in connection with this grant funded project.

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned requests are hereby accepted and approved, the Supervisor, or his designee, is hereby authorized to execute a Capital Project Agreement with the New York State Department of Transportation to be negotiated and approved by the Town Attorney, and Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, be authorized to execute documents in connection with this grant funded project.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Intergovernmental Affairs

Reviewed By  
Office of Town Attorney



3

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

**TO:** MEMORANDUM DOCKET

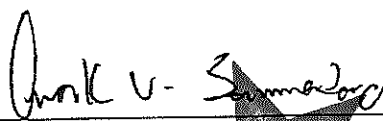
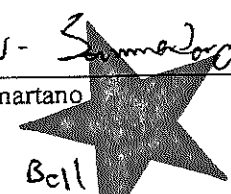
**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS

**DATE:** FEBRUARY 11, 2019

**SUBJECT:** NEW YORK STATE DEPARTMENT OF TRANSPORTATION CAPITAL  
ASSISTANCE PROGRAM FUNDING:  
WALKABILITY/BIKEABILITY IMPROVEMENTS TO OYSTER BAY  
HAMLET DOWNTOWN

---

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of February 26, 2019. Details will follow by supplemental memorandum.

  
\_\_\_\_\_  
Frank V. Sammartano  
Commissioner  
By Glin Bell 

cc: Town Attorney w/7 copies

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8

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

**TO:** MEMORANDUM DOCKET  
**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS  
**DATE:** FEBRUARY 15, 2019  
**SUBJECT:** SUPPLEMENTAL MEMORANDUM TO MD 2/12/19; ITEM # 13

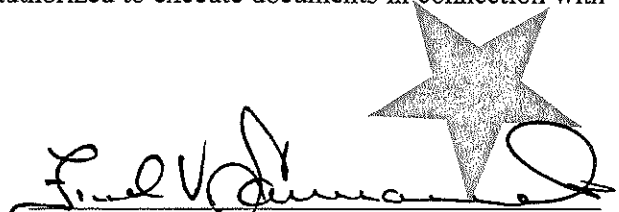
NEW YORK STATE DEPARTMENT OF TRANSPORTATION CAPITAL  
ASSISTANCE PROGRAM:  
WALKABILITY/BIKEABILITY IMPROVEMENTS TO OYSTER BAY HAMLET  
DOWNTOWN

---

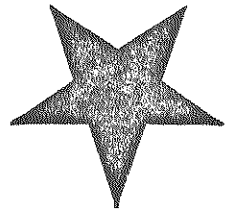
The Town of Oyster Bay has been approved to receive up to \$500,000 in Capital Assistance Program funding through the New York State Department of Transportation. This grant funding would be provided to the Town in reimbursement for eligible expenses in implementing a Downtown Oyster Bay Walkability/Bikeability Improvement Project (Project).

Through this Project the Town proposes complete the design and implementation of walkability and bikeability improvements to the Oyster Bay hamlet downtown area which shall create a safe and inviting environment for residents and visitors to enjoy the area's commercial and recreational opportunities. Proposed improvements include the installation of decorative paver crosswalks at intersections, the provision of covered bicycle rack(s) and further streetscaping amenities as identified during the Project's design phase and allowable through grant funded budget.

Receipt of this grant funding is contingent upon the execution of a Capital Project Agreement between the Town of Oyster Bay and the New York State Department of Transportation. Therefore, it is respectfully requested that the Town Board authorize the Town to enter into a Capital Project Agreement with the New York State Department of Transportation to be negotiated and approved by the Town Attorney and further authorize the Supervisor and/or his designee to execute said Agreement. It is further requested that Colin Bell be authorized to execute documents in connection with this grant funded project.

  
Frank V. Sammartano  
Commissioner

cc: Town Attorney w/7 copies






WHEREAS, John Canning, Commissioner, Department of Human Resources, and Vicki Spinelli, Deputy Commissioner, Department of Human Resources, by memoranda dated February 11, 2019, and February 21, 2019, requested and recommended Town Board authorization for the Town Supervisor to submit a waiver pursuant to New York State Retirement and Social Security Law Section 211, in order to have Justin T. McCaffrey continue to serve as Commissioner of the Department of Public Safety,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved, and the Town Board hereby authorizes the Town Supervisor to file a waiver request for Justin T. McCaffrey, pursuant to New York State Retirement and Social Security Law Section 211.

-#-

  
Reviewed By  
Office of Town Attorney  
Elizabeth O'Laughlin

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Human Resources



11

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

February 11, 2019

TO: MEMORANDUM DOCKET

FROM: JOHN CANNING  
COMMISSIONER  
DEPARTMENT OF HUMAN RESOURCES

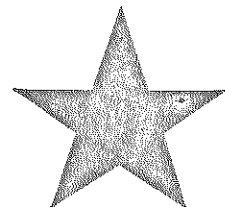
SUBJECT: Section 211 Application Submission  
SUPPLEMENTAL MEMO TO FOLLOW

---

Please reserve a space on the current docket for a resolution to be placed on the Town Board calendar for the February 26, 2019 meeting. A supplemental memorandum will follow.

*John Canning by*  
*Vicki Smith, Deputy*  
John Canning, Commissioner  
Department of Human Resources *Commissioner*

Cc: Town Board (+ 7 copies)  
Town Attorney





17

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

February 21, 2019

**TO:** Memorandum Docket

**FROM:** John Canning, Commissioner  
Department of Human Resources

**SUBJECT:** Section 211 Waiver Request for Justin T. McCaffrey  
(Supplemental Memo Docket 2/12/2019, Item #17)

---

This is to request that the Town Board authorize the Town Supervisor to submit the Section 211 Waiver Request to the New York State Civil Service Commission for Justin T. McCaffrey to remain as Commissioner of Public Safety.

*John Canning*

John Canning, Commissioner  
Department of Human Resources



JC/vls  
Attachments



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

February 21, 2019

TO: Supervisor Joseph S. Saladino

FROM: Vicki Spinelli, Deputy Commissioner

THROUGH: John Canning, Commissioner  
Department of Human Resources

SUBJECT: Interviews for Commissioner of Public Safety

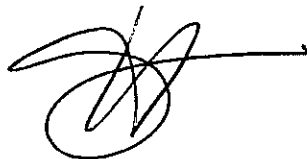
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The Selection Committee, consisting of Thomas M. Sabellico, Special Counsel, Ralph Raymond, Deputy Commissioner of General Services and Vicki Spinelli, Deputy Commissioner of Human Resources, has conducted interviews pursuant to Section 211 of the New York State Retirement and Social Security Law concerning a waiver for the position of Commissioner of the Department of Public Safety, currently held by Justin T. McCaffrey, who is retired from the New York City Police Department.

Canvas letters were sent to several police organizations, as per the attached list. The information was also posted on the ASIS International NYC Chapter website. Twenty applicants responded to the notification. The results of the review process determined that Justin T. McCaffrey is the most qualified of the applicants for the position of Commissioner of Public Safety and, therefore, should remain as Commissioner of Public Safety.

It is respectfully requested that the attached form be signed by the Appointing Authority, Supervisor Joseph S. Saladino.

Sincerely,  
JOHN CANNING  
Commissioner of Human Resources



Vicki Spinelli  
Deputy Commissioner of Human Resources



Attachments





Civil Service  
Commission

Albany, NY 12239

SECTION 211 APPLICATION

Application for Pension Waiver Pursuant to Section 211 of the  
New York State Retirement and Social Security Law

CSC-1 (8/16)

NOTE: THIS FORM IS TO BE COMPLETED IN DETAIL AND SUBMITTED BY THE APPOINTING AUTHORITY.  
USE THIS FORM ONLY FOR EMPLOYMENT UNDER SECTION 211. DO NOT USE FOR EMPLOYMENT UNDER  
SECTION 212. DISABILITY RETIREES ARE NOT ELIGIBLE FOR EMPLOYMENT UNDER SECTION 211.

SECTION A	Requesting Employer Town of Oyster Bay		Retiree's Last Name, First Name, and Middle Initial McCaffrey, Justin T.		
	Employer's Mailing Address, Street, City, State, Zip 54 Audrey Avenue, Oyster Bay, NY 11771		Retiree's Mailing Address, Street, City, State, Zip [REDACTED]		
	Title of Position to be Filled by Retiree Commissioner of Public Safety		Job Code (State agency use only)		
	Jurisdictional Classification of Position <input type="checkbox"/> Non-Comp. ( <input type="checkbox"/> Policy Influencing <input type="checkbox"/> Non-Policy Influencing) <input type="checkbox"/> Exempt <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Unclass. <input type="checkbox"/> Labor <input type="checkbox"/> Other		Appointment Type <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary <input type="checkbox"/> Provisional	Duration of Waiver (Two-Year Maximum) From 03/02/2019 (MM-DD-YY) To 03/01/2021 (MM-DD-YY)	Anticipated Annual Earnings \$ 136,794
	Name of Previous Public Employer NYC Police Department		Retirement System NYC Police Pension System		
	Will the retiree be employed by his or her former employer, as that term is defined in Retirement and Social Security Law (RSSL) §210? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
	If yes, the signatories will ensure compliance with the RSSL §211 Earnings Limitations referred to on page 4 of this application.				
	Retiree's SSN [REDACTED]		Retiree's Date of Birth [REDACTED]	Retiree's Retirement System Number [REDACTED]	
	Date of Retirement 10/31/2003		Type of Retirement <input checked="" type="checkbox"/> Service <input type="checkbox"/> Disability	Anticipated Annual Pension Amount \$	
	SECTION B	<b>IMPORTANT:</b> Has the retiree previously been granted a waiver under section 211 prior to October 7, 2008? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, when? From 03/02/17 To 03/01/19 For what position? Commissioner of Public Safety					
IF YES, COMPLETE NOTE 1 and NOTE 3. IF NO, COMPLETE NOTE 2 and NOTE 3.					
<b>NOTE 1 – Pre-October 7, 2008 criteria (attach all documentation and additional sheets as necessary)</b>					
1. Fully describe the duties of the position for which the waiver is requested. See Attached					
2. Fully explain the minimum qualifications of the position. Official civil service qualifications must be used for recruitment. <b>NOTE:</b> Where minimum qualifications are established by the agency (unclassified service, exempt and other) they must be included in the recruitment advertising.					
3. A formal recruitment effort must be conducted to determine that there are no other qualified non-retirees available for recruitment. If recruitment efforts are fruitless, such as hard to recruit or unique appointment process, you must provide a detailed explanation.					
4. Otherwise, check that you have completed and provided the following documentation:					
<input type="checkbox"/> Fully describe your recruitment efforts such as, conspicuous posting of the employment opportunity within the organization, public advertising, and evidence that the New York State Job Service has been contacted in the recruitment effort.					
<input type="checkbox"/> Aside from 211 experience, if any, indicate if retiree has unique skill sets and/or if the position requires unique skill sets.					



5. Fully discuss how the individual is duly qualified, competent and physically fit to perform the duties. (Note that the retiree must be qualified to perform the duties of the position, and this fact must be affirmed by signing the Certification.)  
  
See Attached

6. Describe how employment of the retiree is in the best interest of government service.  
  
See Attached

**NOTE 2 – Post-October 7, 2008 criteria (attach all documentation and additional sheets as necessary):**

1. Is the retiree seeking re-employment within one year of retirement ☐ Yes ☐ No (If no, skip ahead to question #3.)  
  
If yes, what is the date of retirement? \_\_\_\_\_,  
Title of position retired from: \_\_\_\_\_.

2. If within one year of the date of retirement, the retiree is barred from having the same duties and responsibilities. Fully explain how retiree will have different duties and responsibilities than performed in the prior position.

3. Fully explain the minimum qualifications of the position. Official civil service qualifications must be used for recruitment. **NOTE:** Where minimum qualifications are established by the agency (unclassified service, exempt and other) they must be included in the recruitment advertising.

4. **YOU MUST** select **ONE** of the following and provide detailed documentation and explanation that (attach additional sheets as necessary):

a) ☐ There is an urgent need for his or her services in such position as a result of an unplanned, unpredictable, and unexpected vacancy where sufficient time is not available to recruit a qualified individual and that such hiring shall be deemed as non-permanent rather than a final filling of such position. An explanation must be provided on the circumstances which created the unplanned, unpredictable, and unexpected vacancy for which a retiree is needed (for example, did the previous incumbent resign, transfer to another position, etc.) or that recruitment efforts are fruitless, such as hard to recruit or unique appointment process.

**OR**

b) ☐ I have undertaken extensive recruitment efforts to fill such vacancy and as a result thereof, have determined that there are no available non-retired persons qualified to perform the duties of such position. Documentation that the employer has undertaken extensive recruitment efforts to fill such vacancy must be provided. The documentation must support the fact that there are no available non-retired persons qualified to perform the duties of such position.

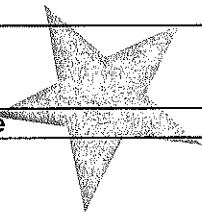
Check that you have completed and provided the following documentation:

- ☐ Fully describe your recruitment efforts such as, conspicuous posting of the employment opportunity within the organization, public advertising, and evidence that the New York State Job Service has been contacted in the recruitment effort.
- ☐ Aside from 211 experience, if any, indicate if retiree has unique skill sets and/or if the position requires unique skill sets.
- ☐ **YOU MUST** post for a reasonable duration and explain how you determined the appropriate posting period. Fully describe where you posted as well as the expected volume of circulation. Consider factors such as salary of position and location when determining the duration of posting.
- ☐ **YOU MUST** advertise for the salary you offer or explain why the salary is commensurate with experience.
- ☐ Attach a copy of the recruitment announcement and advertisement.
- ☐ You must specify the results of your recruitment effort and supply details regarding candidate responses to advertisements, interviews, and available candidates.

SECTION B



	5. Fully describe, in detail, your <u>future</u> recruitment plan to fill this position on a permanent basis with a qualified non-retiree.											
	6. Fully describe how the individual is duly qualified, competent and physically fit to perform the duties of such position.											
	7. Fully explain how employment of the retiree is in the best interest of government service.											
NOTE 3												
SECTION A	<b>Certification By Appointing Authority</b> I, the appointing authority, hereby affirm under penalties of perjury as provided for in Article 210 of the Penal Law, that the statements made herein (and on attached papers) are true and correct, to the best of my knowledge, and that I have determined that the applicable criteria prescribed for approval under section 211 have been satisfied and appropriate documentation has been provided.											
	<table><tr><td>* Signature of Appointing Authority</td><td>Date</td><td>Print Name and Title</td><td>Telephone Number</td></tr><tr><td colspan="4">*NOTE: Only persons with the lawful authority to appoint may certify this form. Appointing Authorities comprised of boards or commissions must attach a current resolution which certifies the information requested in NOTE 3.</td></tr></table>	* Signature of Appointing Authority	Date	Print Name and Title	Telephone Number	*NOTE: Only persons with the lawful authority to appoint may certify this form. Appointing Authorities comprised of boards or commissions must attach a current resolution which certifies the information requested in NOTE 3.						
* Signature of Appointing Authority	Date	Print Name and Title	Telephone Number									
*NOTE: Only persons with the lawful authority to appoint may certify this form. Appointing Authorities comprised of boards or commissions must attach a current resolution which certifies the information requested in NOTE 3.												
SECTION B	<b>Certification By Retiree</b> I hereby affirm that under penalties of perjury as provided for in Article 210 of the Penal Law, that the statements made in this application are true and correct, to the best of my knowledge, and if applicable, I acknowledge that I am barred from performing the same duties and responsibilities that I performed in the position from which I retired for one year following my retirement.  Fully describe how prior duties of the position differ (attach additional sheets as necessary).  X											
	<table><tr><td>Signature of Retiree</td><td>Date</td></tr><tr><td colspan="2">E-mail Notification – Distribution of final determination will be sent through e-mail. Please provide current e-mail addresses.</td></tr><tr><td>Requesting Employer Town of Oyster Bay</td><td>E-mail Address vspinelli@oysterbay-ny.gov</td></tr><tr><td>Retiree Justin T. McCaffrey</td><td>E-mail Address jmccaffrey2@oysterbay-ny.gov</td></tr><tr><td>Retirement System</td><td>E-mail Address</td></tr><tr><td>Disbursing Officer</td><td>E-mail Address</td></tr></table>	Signature of Retiree	Date	E-mail Notification – Distribution of final determination will be sent through e-mail. Please provide current e-mail addresses.		Requesting Employer Town of Oyster Bay	E-mail Address vspinelli@oysterbay-ny.gov	Retiree Justin T. McCaffrey	E-mail Address jmccaffrey2@oysterbay-ny.gov	Retirement System	E-mail Address	Disbursing Officer
Signature of Retiree	Date											
E-mail Notification – Distribution of final determination will be sent through e-mail. Please provide current e-mail addresses.												
Requesting Employer Town of Oyster Bay	E-mail Address vspinelli@oysterbay-ny.gov											
Retiree Justin T. McCaffrey	E-mail Address jmccaffrey2@oysterbay-ny.gov											
Retirement System	E-mail Address											
Disbursing Officer	E-mail Address											
SECTION C												
SECTION D	<b>For Civil Service Commission Operations Use Only</b>											
	<table><tr><td><b>Final Determination</b> <input type="checkbox"/> Approve From _____ To _____  <input type="checkbox"/> Disapprove</td><td><b>Comments/Recommendations</b></td></tr></table>	<b>Final Determination</b> <input type="checkbox"/> Approve From _____ To _____  <input type="checkbox"/> Disapprove	<b>Comments/Recommendations</b>									
<b>Final Determination</b> <input type="checkbox"/> Approve From _____ To _____  <input type="checkbox"/> Disapprove	<b>Comments/Recommendations</b>											
	X											
	<table><tr><td>Signature</td><td>Date</td></tr></table>	Signature	Date									
Signature	Date											





**GENERAL INFORMATION**

**Section 150** of the Civil Service Law provides, generally, that a retiree's pension shall be suspended during periods of reemployment in the public service. **Section 211** of the Retirement and Social Security Law provides for the reemployment of a retiree under certain circumstances without loss or diminution of pension. This Law has several requirements which are reviewed by the State Civil Service Commission in reaching a determination. **Section 212** of the Retirement and Social Security Law provides for the reemployment of a retired public employee, with an earnings limitation (currently \$30,000), without loss or diminution of pension. However, there are no earnings limitations on or after the calendar year in which the retiree attains age sixty-five. Information on current limitation and procedures for approval is available from the New York State Retirement System. <http://www.osc.state.ny.us/retire/>

Commission approval is not approval of an appointment. For agencies subject to the Civil Service Law, the appointment must meet the requirements of all applicable laws, including the Civil Service Law, rules and regulations, and policies for that agency. Questions about civil service appointments should be directed to the agency having jurisdiction. For further information regarding the New York State Civil Service Commission please visit our web site at <http://www.cs.ny.gov/commission/>.

**EARNINGS LIMITATIONS**

If the retiree returns to work for a former employer, the earnings may be subject to earnings limitations. The term "former employer" means the state or a political subdivision, public corporation, school district, board of cooperative educational services, county vocational education and extension board, or an agency or organization which contributes as a participating employer in a retirement system or pension plan administered by the state or any of its civil divisions, which directly paid the salary or compensation of a retired person at any time during the two years immediately preceding his/her retirement **and who paid the salary on which the retiree's retirement allowance is based.**

Please see Retirement and Social Security Law §211 for details regarding these earning limitations.

**Return form to:**

**Office of Commission Operations & Municipal Assistance  
New York State Civil Service Commission  
Albany, New York 12239**





**Justin T. McCaffrey**  
**Section 211 Waiver Application**  
**Additional Information – Section B**

The Department of Public Safety operates on a 24 hour/day, 7 day/week, 365 days/year schedule, providing security services to town facilities, monitoring and protecting town waterways, and handling Emergency Management issues as they arise. An administrative head is needed for the Department which consists of three divisions: Security, Emergency Management and Marine Enforcement. Currently, there are 34 full-time employees in the Department of Public Safety.

The duties and qualifications of the Commissioner of Public Safety are:

- Direct, plan and administer operation of complex and diversified Public Safety projects, programs and facilities.
- Formulate policy, plans and procedures for all Public Safety Divisions.
- Direct the preparation of reports, and maintenance of records.
- Direct and coordinate activities of subordinate administrative supervisory personnel.
- Direct the operation of all divisions and bureaus.
- Prepare and present departmental expense and capital expenditure budget.

The minimum qualifications are a Bachelor's Degree and 10 years of experience supervising security professionals including four years at an administrative or professional capacity either implementing or coordinating policies relating to disaster/emergency preparedness and/or disaster relief and coordinating and implementing an organization's security program. A Bachelor's Degree in Criminal Justice or related field is preferred.

The criteria for this position is significant managerial law enforcement experience; understanding of firefighting and emergency medical practice; experience with maintaining relationships with federal, state and local agencies; strong background in emergency management planning and policies; working knowledge of current emerging homeland security issues; familiarity with OSHA investigative techniques and safety programs; demonstrated experience with NYS security officer training and program requirements.

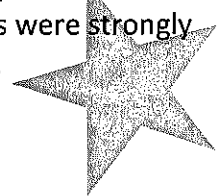
The Department of Human Resources has sent letters for posting to fourteen law enforcement agencies and associations from Nassau County, Suffolk County and New York City. The information was also posted on the Town of Oyster Bay website ([www.oysterbaytown.com](http://www.oysterbaytown.com)) and on the ASIS International NYC Chapter website. All applicants were given four (4) weeks to submit a resume. In addition to Justin T. McCaffrey, twenty (20) applicants responded to this notification. Of the twenty (20) candidates, eight (8) applicants were called to schedule an interview, one declined the interview, two (2) applicants cancelled their interviews for personal reasons.



After careful consideration and review for the position of Commissioner of Public Safety, the Selection Committee has chosen Justin T. McCaffrey to continue in the position as Commissioner of Public Safety since he is the most qualified applicant that was interviewed in the opinion of the Committee.

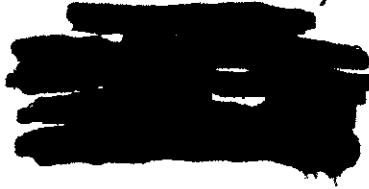
Due to Justin T. McCaffrey's extensive background, having served 20 years with the New York City Police Department in various divisions such as Organized Crime Control Bureau, Narcotics, Gang Investigations, and Intelligence Division, serving as both investigator and supervisor. He is a 30 year member of the Massapequa Fire Department where he has served in various ranks and is currently serving for a second time as Commissioner. Mr. McCaffrey was a member of the FEMA Disaster Assistance Response team deployed after Hurricane Katrina. Since his background is so extensive, a copy of his resume is enclosed. His selection was based upon his administrative experience and qualifications for the duties of such office in which he has currently served as Commissioner since 2006. Mr. McCaffrey holds a Bachelor's Degree in Public Administration and a Master's Degree in Homeland Security/Emergency Management.

The Department of Public Safety was instituted to ensure the protection of Town property and its employees in addition to the health, safety and welfare of the citizens of the Town of Oyster Bay. Since the events of September 11, 2001 and the security and safety concerns that continue, it is necessary for the Town of Oyster Bay, on behalf of its residents and their community, to employ a person who has the combination of professional experience and extensive training in law enforcement and public safety. These qualifications were strongly exhibited in the credentials, experience and interview of Justin T. McCaffrey.





Justin McCaffrey



RECEIVED

2010 OCT 25 P 4: 04

DEPT. OF HUMAN RESOURCES  
TOWN OF OYSTER BAY

#### QUALIFICATIONS

Currently Commissioner of Public Safety Town of Oyster Bay.  
20 years of law enforcement experience New York City Police Department  
Intelligence Division, 14 years as a Sergeant.  
New York State Emergency Medical Technician 36 years.  
Certified New York State Enhanced Security Officer Instructor.  
Certified CPR/AED & First Aid Instructor.  
New York State Certified Armed Security Officer  
Unrestricted Full Pistol Carry Permit/with HR Nationwide 218 Designation.  
Owner of Security & Safety Training, a training and consulting service company  
that has provided safety & security and executive protection training to over  
10,000 individuals.  
Volunteer firefighter 38 years, all ranks.  
Currently serving as Massapequa Fire Commissioner  
Advisory Board Member Long Island Infra-guard.  
Member FEMA Disaster Assistance Response Team Deployed to Hurricane Katrina.

#### EDUCATION

1980-1982- Associates Degree, Criminal Justice, Nassau Community College.  
1990-1993 Bachelors Degree, Public Administration, Long Island University.  
2012-2014 Advanced Certificate, Homeland Security & Emergency  
Management, Long Island University.  
2011-2016 Master's Degree, Homeland Security/Emergency Management, Long  
Island University.

#### EMPLOYMENT

2006 – Present- Commissioner, Department of Public Safety, Town of Oyster Bay.  
Overseeing a budget of 6.4 Million dollars, supervising a staff of 65  
peace officers and public safety officers. Providing safety and  
security services to over 27 facilities , including 200 parks, beaches,  
parking garages, golf courses, train stations and community centers.  
Responsible for emergency management and the planning of man  
made and natural disasters for over 100,000 homes and businesses in  
one of the largest towns in New York State.

1994- Present- Owner of Security & Safety Training Inc.  
I started this company in 1994, my company provides Security Officer  
Training & Consulting, as well as training in the following topics, First  
Aid & CPR, Fire Safety ,Building Evacuations, preparation of  
Emergency Response plans, Automatic External Defibrillator sales &  
training, OSHA & Disaster training, and Terrorism Awareness &  
Executive Protection training.





2000-2003 *Sergeant, New York City Police Department.*

Assigned to the Intelligence Division Public Security Section. In this position I supervised a team of Detectives and Intelligence Analyst, overseeing some of the most sensitive, confidential criminal and terrorism investigations occurring within and around the City of New York. In addition I oversaw threat assessments to public officials, police officers, and landmarks within the City of New York as well as a daily briefing to the Police Commissioner on terrorism activity all over the world.

This unit also provided dignitary protection to all visiting world leaders, including the President, the mayor and his family as well as other VIPs visiting the City of New York.

In this position I have conducted over 300 safety and security surveys. This unit also is the official liaison between the police department and the entire diplomatic community within the City of New York.

1998-2000 *Sergeant, New York City Police Department, Detective Bureau.*

In March of 1998, I was one of only 8 Sergeants selected to supervise the newly formed Gang Investigations Unit. This unit was tasked with stemming the flow of gang violence in New York City. My team was assigned to the Brooklyn North area which comprised some of the most violent and high crime areas within the city. This unit worked closely with federal agencies such as the DEA, FBI, ATF and Customs. This unit concentrated on the sale of guns, narcotics, homicides and violent gang activity. While assigned to this unit, I supervised hundreds of felony search warrant executions, and arrests.

1996-1998 *Sergeant, NYPD, Organized Crime Control Bureau.*

From 1996 - 1998 I was a supervisor in the Narcotics Division Major Case Unit. This unit conducted high level narcotics investigations targeting violent gun and drug traffickers. In 1998, I was sworn in as a United States Deputy Marshall, which enabled me to make arrests, conduct investigations, and execute search warrants anywhere in the United States.

1993-1996 *Sergeant, NYPD, Street Narcotics Enforcement Unit.*

From 1993-1996, I was assigned as the supervisor to the Street Narcotics Enforcement Unit in the 73 Precinct. This Unit was responsible for street narcotic enforcement in the Brownsville, East New York section of Brooklyn.

1989-1993 *Sergeant, NYPD Patrol Supervisor, 73 Precinct.*

Assigned as a patrol supervisor 73 Precinct supervising the daily operations of patrol officers and civilian employees.

1983 - 1989 - Police Officer, NYPD.

Assigned to a variety of patrol, anti-crime and narcotics investigation duties in the 69 Precinct in Brooklyn, and the Organized Crime Control Bureau (Brooklyn South Narcotics).





1980-Present *Volunteer Firefighter, Massapequa New York.*

Volunteer firefighter with 38 years' experience, I have served in the rank of firefighter, Lieutenant, Captain, Commissioner in one of the busiest Volunteer Fire Department in Nassau County. In addition I have over 1,600 hours of training at the Nassau County and New York State Fire Academy.

1982-2018 *New York State Emergency Medical Technician.*

For 36 years, I have been certified as a New York State EMT, responding to thousands of medical emergencies. In addition I have over 1,000 hours of emergency medical training.

1991-1999 &

2012 - Present *Fire Commissioner, Massapequa Fire District.*

In 1991, at the age of 28, I was elected as the youngest Fire Commissioner, in the State of New York. In this position I oversee the daily operations of the largest fire district in Nassau County. The Massapequa Fire District has 300 volunteer firefighters and EMTs, 17 full time paid employees, 28 vehicles, 3 firehouses and 1 headquarters building, with a yearly budget of 6.7 million dollars. In 2012, I was again elected to this position.

**Affiliations:**

Member American Society for Industrial Security

Member National Fire Protection Association

Member International Association of Emergency Managers

Member National Safety Council

Member American Society for Law Enforcement Training

Member International Association for Counter Terrorism & Security Professionals

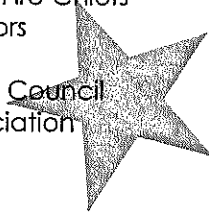
Life Member New York State Association of Fire Chiefs

International Society of Fire Service Instructors

International Association of Fire Chiefs

CPR/AED/First Aid Instructor National Safety Council

Member International Security Drivers Association





**New Job Opportunities from ASIS  
International NYC Chapter:  
In  
the Metro Area and Beyond**



**New Jobs and Opportunities.....**

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**Got new job openings at your company? Share them with us and we'll share them with over 15000 of your closest friends and associates at NO CHARGE. Drop an email with a 50-70 word summary of the job to:**  
[erica.harrison@gmail.com](mailto:erica.harrison@gmail.com)

**Please include how you want candidates to reach you. Questions? Call:  
484-218-8243**

**JOB OPPORTUNITIES -**

**St. Joseph's College, Patchogue NY seeks Full-Time Campus Security Officers for the 7a to 3p shift, Monday - Friday.**

Free tuition for officers after one year and free for your immediate family after two years of service. Full medical (dental & vision available), 2-weeks vacation, 10 sick days, 6 floating summer days, a December holiday shopping day and most holidays are PAID time off. Pension is 6% of salary funded by the College, with use of the gym and pool.

NYS Guard License or waiver and Valid US Driver's License required. Must pass drug and background screening. LEO, Military or Campus Security experience a plus, but not necessary.

Starts at \$13 an hour (non-negotiable) with available OT . EOE.

**Email your resume to [dbowe@sjcny.edu](mailto:dbowe@sjcny.edu)**

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**For Veterans: Career Program - visit:**

**<https://www.greatcareersphl.org/vet-career-info-panel-2018>**

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**The Town of Oyster Bay is seeking qualified individuals for the position of Commissioner of the Department of Public Safety. The following qualifications are necessary for consideration:**

Significant managerial law enforcement experience. Understanding of firefighting and emergency medical practice. Experience with maintaining relationships with federal, state and other local agencies

- \* Strong background in emergency management planning and policies
- \* Working knowledge of current emerging homeland security issues
- \* Familiarity with OSHA investigative techniques and safety programs
- \* Demonstrated experience with NYS security officer training & program requirements
- \* Bachelor's Degree in Criminal Justice or related field is preferred

**Interested persons should submit resumes via email to [personnel@oysterbay-ny.gov](mailto:personnel@oysterbay-ny.gov), or by mail to: Commissioner John Canning, Town of Oyster Bay, Human Resources, 54 Audrey Ave, 3rd FL, Oyster Bay NY 11771**

**All submissions must be received not later than Friday, November 9, 2018.**

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### **Arrow Security Seeks Security Officers to fill 3 Different Types of Positions:**

**Arrow Security** seeks NYS licensed security officers for a corporate setting in Deer Park, NY. This site requires clean shaven faces (for men) and requires all officers to pass a drug test. Shifts available: 4pm-12am, 12am-8am and weekends. Starting pay rate is \$12.10 an hour (non-negotiable), however there is opportunity for promotion. Paid vacation after a year. Prestigious setting.

**Arrow Security** seeks NYS licensed security officers for positions throughout Long Island. Full-time, part-time, and weekends - all available immediately. opportunities available. For those who do not yet have a NYS security license, Arrow can assist in the application process.

**Arrow Security** is also seeking Active or Retired Law Enforcement for East Hampton School District Security. Shifts: M-F 2 pm to 6pm, 11 am to 7pm and 1 pm to 9 pm. Pay rate is \$22.50, must have a law enforcement background in addition to required licensing. **SEND RESUMES TO:**

[alyssa@arrowsecurity.net](mailto:alyssa@arrowsecurity.net)

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**Guard Management Service Corp is seeking Security Officers for vacancies throughout Manhattan portfolio. Competitive wages and union benefits. Officers are responsible for tenant relations, access control systems, fire prevention and incident management, other duties as necessary. Required: 8/16 hour course, NYS Security License, NY Employment eligibility. Preferred: F01, F03, F04 Fire**







ASIS International NYC Chapter

[www.asishnyc.org](http://www.asishnyc.org)

[erica.harrison@gmail.com](mailto:erica.harrison@gmail.com)

ASIS International NYC Chapter, PO Box 5374, New  
York, NY 10185

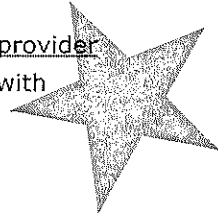
[SafeUnsubscribe™\\_mfd628@aol.com](mailto:SafeUnsubscribe™_mfd628@aol.com)

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John Canning  
Commissioner

Vicki Spinelli  
Deputy Commissioner

*Town of Oyster Bay*  
**DEPARTMENT OF HUMAN RESOURCES**  
54 AUDREY AVENUE OYSTER BAY, NY 11771-1592

(516) 624-6425  
FAX: (516) 624-6489  
[www.oysterbaytown.com](http://www.oysterbaytown.com)

October 15, 2018

The Town of Oyster Bay is seeking qualified individuals for the position of Commissioner of the Department of Public Safety. The following qualifications are necessary for consideration:

- Significant managerial law enforcement experience
- Understanding of firefighting and emergency medical practice
- Experience with maintaining relationships with federal, state and other local agencies
- Strong background in emergency management planning and policies
- Working knowledge of current emerging homeland security issues
- Familiarity with OSHA investigative techniques and safety programs
- Demonstrated experience with NYS security officer training and program requirements
- Bachelor's Degree in Criminal Justice or related field is preferred.


Interested persons should submit resumes via email to [personnel@oysterbay-ny.gov](mailto:personnel@oysterbay-ny.gov), or by mail to:

Town of Oyster Bay  
Department of Human Resources  
54 Audrey Avenue, 3<sup>rd</sup> Floor  
Oyster Bay, NY 11771  
Attn: Commissioner John Canning

All submissions must be received not later than Friday, November 9, 2018.

If you have any questions or need additional information, please call Julie Wass at (516) 624-6493. Thank you for your cooperation in this matter.

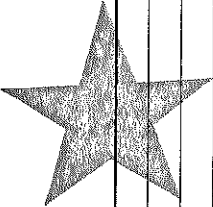
Sincerely,

  
John Canning  
Commissioner  
Department of Human Resources

JC/jbw



ORGANIZATION		NAME	STREET ADDRESS	CITY, STATE ZIP	PHONE	FAX	E-MAIL
Nassau County Police Department		Commissioner Patrick Ryder	1490 Franklin Avenue	Mineola, NY 11501	(516) 573-7000	(516) 573-7117	
Nassau County Superior Officers Association		Lt. Brian Hoesl	777 Old Country Road, Suite 201	Plainview, NY 11803	(516) 681-8624	(516) 681-8628	info@ncpdsoa.com
Nassau County Fraternal Order of Police	Lodge 69	President Michael Kutzma	P.O. Box 748	East Meadow, NY 11554	(516) 669-1177		nassaulodge69@gmail.com
Nassau County Fraternal Order of Police	Robert N. Lucente Memorial Lodge 25	President Robert Guendel	P.O. Box 1023	Patchogue, NY 11772	(631) 575-7836		RG10261@aol.com
Garden City Police Department		Kenneth O. Jackson, Commissioner	349 Stewart Avenue	Garden City, NY 11530	(516) 465-4110	(516) 465-4095	
Retired Police Officers Association of the State of New York Inc.		Phil Passaro, President	One Old Country Road, Suite 276	Carle Place, NY 11514-1884	(516) 294-4488	(516) 294-5129	Email RPASNY@aol.com
Nassau Police Conference		Steven Cammer, President	140 South Long Beach Ave	Freeport, NY 11520	(516) 379-0047		
Nassau County PBA		James McDermott, President	89 East Jericho Turnpike	Mineola, NY 11501	(516) 294-6230	(516) 742-0519	nassaupba@gmail.com
Suffolk County Police Department		Geraldine Hart, Commissioner	30 Yaphank Avenue	Yaphank, NY 11980	(631) 852-6000	(631) 852-6324	
Suffolk County Superior Officers Association		John P. Cowie, President	2518 Montauk Highway	Brookhaven, NY 11719-9501	(631) 654-0400	(631) 447-0977	
New York City Police Department		James O'Neill, Commissioner	One Police Plaza	New York, NY 10038	(646) 610-5000	(646) 610-8038	
New York City Captains' Endowment Association		Roy T. Richter, President	40 Peck Slip	New York, NY 10038	(212) 791-8292	(212) 226-8330	trichter@nypdcea.com
New York City Lieutenants' Benevolent Association		Louis Turco, President	40 Peck Slip	New York, NY 10038	(212) 964-7500	(212) 964-4240	lba@nypd-1ba.org
New York City Sergeants' Benevolent Association		Ed Mullins, President	35 Worth Street	New York, NY 10013	(212) 226-2180	(212) 431-4280	sba@shnyc.org





BE IT ORDAINED, by the Town Board of the Town of Oyster Bay, County of Nassau, State of New York, that the Code of the Town of Oyster Bay, New York, adopted October 5, 1971, and recodified April 23, 1991, as Chapter 233, as amended, be and the same is further amended as follows:

That the following locations be ADDED to SECTION 17-25 of the said Code establishing thereunder the following intersections as STOP intersections and stop signs shall be erected at appropriate places facing traffic on the stop street. All traffic on a stop street approaching a through street from either direction, unless otherwise designated, shall come to a full stop before entering the through street.

	<u>THROUGH STREET</u>	<u>STOP STREET</u>
BETHPAGE	ESSEX ROAD	BERKSHIRE ROAD, eastbound
	MEADE AVENUE	SEVENTH STREET, north & south
	PLAINVIEW ROAD	EVELYN DRIVE, westbound
		SALEM WAY, westbound
GLEN HEAD	FALMOUTH LANE	THIRD STREET, westbound
HICKSVILLE	HALSEY AVENUE	ESSEX ROAD, westbound
MASSAPEQUA	BAYVIEW AVENUE	CEDAR DRIVE, north & south
	PECONIC DRIVE	

That the following locations be DELETED from SECTION 17-25 of the said Code:

	<u>THROUGH STREET</u>	<u>STOP STREET</u>
MASSAPEQUA	PECONIC DRIVE	CEDAR DRIVE, east & west

That the following locations be ADDED to SECTION 17-152 of the said Code establishing NO STOPPING ZONES, which shall be appropriately designated by posted signs: BETHPAGE - Grant Avenue - south side - No Stopping Here to Corner - starting at a point 20 feet west of the west curbline of South 2<sup>nd</sup> Street; south side - No Stopping Here to Corner - starting at a point 25 feet east of the east curbline of South 2<sup>nd</sup> Street. GLENWOOD LANDING - Grove street - north side - No Stopping Here to Corner - starting at the east curbline of School House Hill Road, east for a distance of 50 feet. MASSAPEQUA - Boundary Avenue - south side - No Stopping Here to Corner - starting at the west curbline of Mohawk Drive, west for a distance of 55 feet. Cambridge Drive - west side - No Stopping Here to Corner - starting at the south curbline of Lake Shore Drive, south for a distance of 30 feet; west side - No Stopping Anytime - starting at a point 64 feet south of the south curbline of Lake Shore Drive, south for a distance of 45 feet. Boundary Avenue - north side - No Stopping Here to Corner - starting at the west curbline of Tulip Drive, west for a distance of 60 feet. OLD BETHPAGE - Round Swamp Road - east side - No stopping Here to Corner - starting at the north curbline of Haypath Road, north for a distance of 80 feet. OYSTER BAY - Orchard Street - No Stopping Here to Corner - south side - from the east curbline of Lexington Avenue, east for a distance of 74 feet. SYOSSET - Southwoods Circle - west side - No Stopping Here to Corner - starting at the south curbline of the southernmost intersection of Belmont Circle south for a distance of 35 feet. Jackson Avenue - west side - No Stopping Here to Corner - starting at the south curbline of Walters Avenue, south for a distance of 47 feet; No Stopping Here to Corner - starting at the north curbline of Devine Avenue, north for a distance of 40 feet. Orchard Street - west side - No Stopping Here to Corner - starting at the north curbline of Cold Spring Road, north for a distance of 40 feet. Cold Spring Road - south side - No Stopping Anytime - starting at the easternmost driveway to the Syosset Fire Department, east for a distance of 109 feet.

Reviewed By  
Office of Town Attorney  
*[Signature]*



That the following locations be DELETED from SECTION 17-152 of the said Code: BETHPAGE - Park Avenue - west side - No Stopping Here to Corner - from the south curbline of Baldwin Place, south for 60 feet. Grant Avenue - south side - No Stopping Here to Corner - starting at a point 35 feet west of the west curbline of South 2<sup>nd</sup> Street; south side - No Stopping Here to Corner - starting at a point 35 feet east of the east curbline of South 2<sup>nd</sup> Street. MASSAPEQUA - Cambridge Drive - west side - No Stopping Anytime - starting at the south curbline of Lake Shore Drive, south for a distance of 150 feet. OYSTER BAY - Orchard Street - No Stopping Here to Corner - south side - from the east curbline of Lexington Avenue, east for a distance of 50 feet. SYOSSET - Orchard Street - No stopping Here to Corner - starting at the north curbline of Cold Spring Road, north for a distance of 30 feet. Cold Spring Road - south side - No Stopping Anytime - starting at the east curbline of the Town of Oyster Bay Parking Field, east for a distance of 70 feet.

That the following location be ADDED to SECTION 17-153 of the said Code establishing NO STOPPING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: MASSAPEQUA PARK - Pittsburg Avenue - south side - No Stopping 8am to 4pm School Days - starting at the west curbline of Carmans Road, west for a distance of 94 feet.

That the following locations be ADDED to SECTION 17-165 of the said Code establishing NO PARKING ZONES, which shall be appropriately designated by posted signs: BETHPAGE - Broadway - east side - No Parking Anytime - starting at a point 45 feet north of the north curbline of Barbara Street, north for a distance of 40 feet. MASSAPEQUA - Roy Avenue - west side - No Parking Here to Corner - starting at the south curbline of S. Merrick Road, south for a distance of 60 feet; No Parking Here to Corner - east side - starting at the south curbline of Cherokee Street, south for a distance of 70 feet. Cherokee Street - south side - No Parking Here to Corner - starting at the east curbline of Roy Avenue, east for a distance of 40 feet. OYSTER BAY - Orchard Street - No Parking Anytime - south side - starting at a point 144 feet east of the east curbline of Lexington Avenue, east for a distance of 203 feet.

That the following locations be ADDED to SECTION 17-166 of the said Code establishing NO PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: GREENVALE (Glen Head) - Helen Street - No Parking 9am to 4pm except Saturday, Sunday and Holidays - north side - staring at a point 50 feet east of the east curbline of Glen Cove Road, east to the west curbline of Marion Street; south side - starting at a point 80 feet east of the east curbline of Glen Cove Road, east for a distance of 195 feet; south side - starting at the west curbline of Marion Street, west for a distance of 110 feet. HICKSVILLE - Sterling Place - No Parking 9am to 4pm Except Sundays - west side - starting at a point 87 feet south of the south curbline of Old Country Road, south to a point 203 feet north of the north curbline of 2<sup>nd</sup> Street; west side - starting at a point 30 feet north of the north curbline of 2<sup>nd</sup> Street, north for a distance of 136 feet. PLAINVIEW - Rex Place - east side - No Parking 8am to 8pm Except Saturday, Sunday and Holidays - starting at a point 40 feet north of the north curbline of Old Country Road, north for a distance of 240 feet. SYOSSET - Ira Road north side - No Parking 8am to 10am Except Saturday, Sunday and Holidays - starting at a point 481 feet west of the west curbline of Edward Lane, west for a distance of 64 feet.

That the following location be DELETED from SECTION 17-166 of the said Code: GREENVALE (Glen Head) - Helen Street - No Parking 10am to 3pm except Saturday, Sunday and Holidays - north side - staring at a point 50 feet east of the east curbline of Glen Cove Road, east to the west curbline of Marion Street; south side - starting at a point 80 feet east of the east curbline of Glen Cove Road, east for a distance of 195 feet; south side - starting at the west curbline of Marion Street, west for a distance of 110 feet. HICKSVILLE - Sterling Place - No Parking 9am to 4pm Except Sundays - west side - starting at a point 87 feet south of the south curbline of Old Country Road, south to a point 30 feet north of the north curbline of 2<sup>nd</sup> Street.



That the following location be ADDED to SECTION 17-168 of the said Code, establishing LIMITED PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: BETHPAGE - Grant Avenue - Four Hour Parking 8am to 4pm - except Saturday, Sunday and Holidays - north side - starting at the west curbline of S. 4<sup>th</sup> Street, west for a distance of 47 feet. Broadway - west side Four Hour Parking 11am to 5pm - except Saturday, Sunday and Holidays -- starting at a point 379 feet south of the south curbline of Burkhardt Avenue, south for a distance of 43 feet. Grant Avenue - north side - Four Hour Parking 8am to 4pm - except Saturday, Sunday and Holidays - starting at the west curbline of S. 1<sup>st</sup> Street, west for a distance of 45 feet. MASSAPEQUA - Veterans Blvd. Four Hour Parking 7am to 7pm - except Sunday and Holidays - north side - from the west curbline of Central Avenue, west for a distance of 220 feet; north side - Two Hour Parking 7am to 7pm except Sunday and Holidays - starting at a point 220 feet west of the west curbline of Central Avenue, west to a point 20 feet east of the east curbline of Hicksville Road. SYOSSET - Orchard Street - Two Hour Parking 8am to 4pm except Saturday, Sunday & Holidays - west side - starting at a point 30 feet south of the south curbline of East Street, south to a point 40 feet north of the north curbline of Cold Spring Road.

That the following location be DELETED from SECTION 17-168 of the said Code: MASSAPEQUA - Veterans Blvd. - north side - Two Hour Parking 7am to 7pm except Sundays and Holidays - from the west curbline of Central Avenue, west to a point 20 feet east of the east curbline of Hicksville Road. SYOSSET - Orchard Street - west side - Two Hour Parking 8am to 4pm except Saturday, Sunday & Holidays - starting at a point 30 feet south of the south curbline of East Street, south to a point 30 feet north of the north curbline of Cold Spring Road.

That the following locations be ADDED to SECTION 17-215 of the said Code, establishing NO TRUCKS OVER 4 TONS GROSS WEIGHT EXCEPT LOCAL DELIVERY which shall be appropriately designated by posted signs: HICKSVILLE - Mayfair Lane - west side - No Trucks Over 4 Tons Gross weight Except Local Delivery - south of the south curbline of Duffy Avenue. Suggs Lane - west side - No Trucks Over 4 Tons Gross Weight Except Local Delivery - south of the south curbline of Duffy Avenue. Po Lane - west side - No Trucks Over 4 Tons Gross weight Except Local Delivery - south of the south curbline of Duffy Avenue. Loretta Lane - west side - No Trucks Over 4 Tons Gross Weight Except Local Delivery - south of the south curbline of Duffy Avenue. Cornwall Street - east side - No Trucks Over 4 Tons Gross weight Except Local Delivery - north of the north curbline of Old Country Road. Burkland Lane - east side - No Trucks Over 4 Tons Gross weight Except Local Delivery - north of the north curbline of Old Country Road. Lee Place - east side - No Trucks Over 4 Tons Gross weight Except Local Delivery - north of the north curbline of Old Country Road.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Public Works  
Traffic Section



WHEREAS, the Town Attorney's Office issued a Request for Proposals to seven (7) insurance brokers seeking quotes/proposals from insurance carriers for the Town's Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance policy; and

WHEREAS, Salerno Brokerage Corp., the only insurance broker out of the said seven (7) insurance brokers to respond, advised the Office of the Town Attorney that six (6) insurance carriers either declined to offer coverage or could not offer a competitive quote, that it received only one (1) quote for the premium for said coverage, from the Town's current insurance carrier under this policy, Allianz Insurance Co., which provided a renewal option in its quotation for the requested coverage, and no other quotes were received; and

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Averna, Deputy Town Attorney, by memorandum dated February 19, 2019, determined that an adequate attempt was made to obtain proposals, in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town's Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance coverage be obtained from Allianz Insurance Co., from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., at a renewal premium of \$120,806.00,

WHEREAS, before said coverage could be procured, it became necessary to extend the term of the current policy, which expired on February 1, 2019, thirty (30) days to March 1, 2019, at a premium of \$9,302.00, and requested authorization to pay the premium to Salerno Brokerage Corp.; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the Town's Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance coverage from Allianz Insurance Co., for the period from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order in the amount of \$120,806.00 to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the extension of the term of the current policy by thirty (30) days from February 1, 2019 to March 1, 2019, *nunc pro tunc*, be confirmed and ratified, and that the premium for said thirty (30) day period in the amount of \$9,302.00 be paid to Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order for said amount to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payments for same, upon submission of duly certified claims 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney



13

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 19, 2019

SUBJECT: Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance Policy  
Policy No. MXI93047640  
Account No. TWN AMS 1910 43020 601 0000 000

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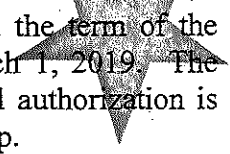
On February 5, 2019, the Town issued a Request for Proposals (“RFP”) seeking quotes for the Town’s Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance policy, in accordance with the requirements of the Town’s procurement policy. This insurance covers the Town’s boats, outboard motors, aquatic harvesters and barges. Requests were sent to seven (7) insurance brokers, to obtain quotes/proposals from insurance carriers. This RFP was also posted on the Town’s website.

Salerno Brokerage Corp. advised the Office of the Town Attorney that it had forwarded the Town’s Request for Proposals to 7 insurance carriers, all, but one (1) of which, declined to offer coverage or could not offer a competitive quote. Salerno Brokerage Corp. further advised that the Town’s current insurance carrier, Allianz Insurance Co., provided a renewal option in its quotation for the requested coverage. No other quotes were received.

This Office has determined that an adequate attempt was made to obtain proposals in compliance with Guideline 7 of the Town’s procurement policy.

This quote was reviewed and evaluated by the Office of the Town Attorney. Based on compliance with Guidelines 6 and 9 of the Town’s procurement policy, it is recommended that Allianz Insurance Co., through Salerno Brokerage Corp., be selected, at the renewal premium of \$120,806.00 for the period March 1, 2019 to March 1, 2020, with funds to be drawn from Account No. TWN AMS 1910 43020 601 0000 000.

Before coverage was procured, it became necessary to extend the term of the current policy, which expired on February 1, 2019, thirty (30) days to March 1, 2019. The premium for this thirty (30) day period is \$9,302.00. Therefore, Town Board authorization is further requested to pay said premium, nunc pro tunc, to Salerno Brokerage Corp.





Accordingly, kindly suspend the rules and place this item on the February 26, 2019 Town Board action calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Raymond J. Aversa  
Deputy Town Attorney

RJA:ba  
Enclosure  
cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2019\MD & Reso\2019EquipmentRollingStockIns.RJA.docx



## Raymond Avera

---

**From:** Nicole Morton <nlmorton@salernoins.com>  
**Sent:** Friday, February 15, 2019 4:44 PM  
**To:** Raymond Avera  
**Cc:** Jessica Catanzano  
**Subject:** Town of Oyster Bay - Response to RFP 1. Hull & Machinery and 2. Equipment Rolling Stock 3/1/19-20  
**Attachments:** Town of Oyster Bay - Hull & Machinery 2019 RFP Response.pdf; Town of Oyster Bay - Equipment Rolling Stock 2019 RFP Response.pdf  
**Importance:** High

Dear Mr. Avera:

We are pleased to attach the following quotes in response to the Town's RFP:

1. Hull & Machinery
2. Equipment Rolling Stock ✓

Please note that I will be out of the office the week of February 17<sup>th</sup>, returning February 25<sup>th</sup>.

If you should have any questions, please email me, as well as reach out to my assistant, Jessica Catanzano at ext. 213.

Please confirm receipt of this email and the quotes.

Thank you.

Nicole

***Nicole L. Morton***  
Salerno Brokerage Corp.  
117 Oak Drive  
Syosset, NY 11791  
516-364-4044 ext. 219  
516-364-5901 Fax  
[nlmorton@salernoins.com](mailto:nlmorton@salernoins.com)

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## SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

February 15, 2019

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901  
www.salernoins.com

Raymond J. Aversa, Esq.  
Deputy Town Attorney  
Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay, NY 11771

RE: Allianz – Policy #MXI93047640  
Equipment Floater/Rolling Stock

Dear Mr. Aversa:

We are pleased to advise on the Town's Equipment Floater/Rolling Stock renewal policy effective 3/1/2019.

**3/1/2019-2020 Premium Summary - Equipment Floater including Fine Arts:**

Allianz	\$120,806. (Upon renewal for an annual term, a 5% no claims bonus on the 2018-2019 policy will be issued around 60 days after the expiration. The no-claims bonus, provided there are no claims for this period, will be approximately \$5,500.)
U.S. Specialty	Declined
One Beacon	Declined based on pricing and loss limit
American Alternative	Declined
Markel	\$325,000 premium indication (but would have to decline due to schedule, limit and rate required)
Zurich	Declined
Berkshire Hathaway	Declined based on loss limit requested and pricing

The expiring 2/1/2018-2019 premium (subject to the annual adjustment) is \$119,925.

Allianz has, once again, offered a competitive renewal, even though, the Town suffered a \$175,000 loss during the 2/1/16-17 policy term and there is a claim pending on the 2/1/17-18 in the approximate amount of \$28,000.





## SALERNO BROKERAGE CORP.

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Page Two  
Town of Oyster Bay

February 13, 2019

**Allianz effective 3/1/2019 to 3/1/2020 – Equipment Floater/Rolling Stock and Fine Arts**

**The annual premium with a limit of \$50,000,000 including Terrorism is \$117,287.  
Plus \$3,519 for Terrorism for a total of \$120,806.**

The policy is outlined as follows:

**Equipment Floater/Rolling Stock Limit: \$50,000,000**

Description: as per schedule on file provided to the carrier for the 1/3/2019 renewal with values of \$82,684,391, as supplied to our office by the Town on 1/14/2019.

Valuation: Replacement Cost for items 5 years old or newer; Actual Cash Value for all other property.

Deductible: \$25,000

As respects Flood, there will be a sublimit of \$5,000,000 subject to a deductible of \$100,000, except for flood zones A, AE, B, D, X500 and Shaded X will have a limit of \$1,000,000 subject to a deductible of \$250,000.

Therefore, it is our suggestion that in the event that the Town receives knowledge of a major storm, that movable equipment be moved to higher ground. The locations that would be subject to a \$250,000 flood deductible would be Roosevelt Memorial Park, Centre Island Beach, Charles Ransom Beach, Stehli Beach, Tappan Beach, John J. Burns, Marjorie Post Park, and possibly Massapequa Community Center. Finally, any individuals who have 24-hour use of Town vehicles should be advised if their home is in a flood area, that they should move the vehicles to a safer, higher location such as Miller Place in Syosset, or any other Town location not subject to flooding that has the ability to park and store vehicles for a few days. Also, if the Town will continue to store equipment at John J. Burns Park, for its own protection, items should no longer be stored at ground level, but raised above the water level of Storm Sandy.

Once again, the final premium calculation will be based on your total values at the inception date of the policy and your values at the expiration date of the policy. An adjustment of the limit will be made at 50% of the annual rate, except all new equipment valued at \$250,000 or more must be reported within 30 days of the date that the Town takes ownership. For these items, an Endorsement and premium adjustment will be made.





**SALERNO BROKERAGE CORP.**

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Page Three  
Town of Oyster Bay

February 15, 2019

**Fine Arts - \$1,000 Deductible:**

Fine Arts: Per schedule on file – limit: \$1,357,620.

Exhibition Floater - Limit: \$100,000 – maximum any one item \$15,000.  
Location: Raynham Hall Museum, 20 West Main Street,  
Oyster Bay, NY 11771

**Coverage Enhancement for 2019-2020:**

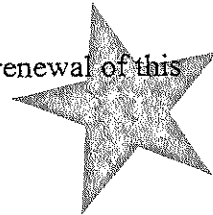
Upon renewal of the 2/1/2020-2021 policy, the Town will be eligible for a no claims bonus of 5% , if the losses for the 2/1/2019-2020 policy are under a 10% loss ratio. The loss ratio will be calculated 60 days after the expiration of the 2/1/19-20 policy.

Please review and advise. We advise that the Town should bind the renewal of this policy with Allianz.

Very truly yours

Nicole L. Morton

NLM:nm







**SALERNO BROKERAGE CORP.**

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901  
www.salernoins.com

February 13, 2019

Mr. Ray Averna  
Town of Oyster Bay  
Town Attorney's Office  
54 Audrey Avenue  
Oyster Bay, NY 11771

RE: Policy Type: Inland Marine – Rolling Stock including Fine Arts  
Carrier: Allianz - AGCS Marine Insurance Co  
Policy #: MXI93047640  
Policy Term: 2/1/2018 to 3/1/2019

Dear Ray:

Enclosed is an endorsement effective 2/1/2019, which amends the captioned policy as follows:

- **Extend the captioned policy to expire 3/1/19, per the request of the Town.**

Please attach this endorsement to the captioned policy.

The additional premium for this change is \$ 9,302.00. Our invoice is enclosed for this amount.

Thank you for the opportunity to be of service. Please carefully review this endorsement and advise our office immediately of any discrepancies, any requests for additional coverage or questions you may have.

Very truly yours,

Nicole L. Morton

NLM:jc  
Enc.

2019 FEB 19 A 9:59  
TOWN ATTORNEY'S OFFICE  
OYSTER BAY  
NY 11771



SALERNO BROKERAGE CORPORATION

117 Oak Drive  
Syosset, NY 11791

Town of Oyster Bay  
Town Attorney's Office  
54 Audrey Avenue  
Oyster Bay, NY 11771

INVOICE

Customer	Town of Oyster Bay
Acct #	1970
Date	02/11/2019
Customer Service	Towns & Villages Nicole Morton
Page	1 of 1

Payment Information	
Invoice Summary	\$ 9,302.00
Payment Amount	
Payment for	Invoice#62554 MXI93047640

Thank You

Please detach and return with payment

Customer: Town of Oyster Bay

Invoice	Effective	Transaction	Description	Amount
62554	02/01/2019	Policy change	Policy # MXI93047640 02/01/2018-03/01/2019 Allianz Global Corporate / AGCS Marine Insurance Co Inland Marine - 30 Day Extension Due Date: 2/11/2019	9,302.00
				Total
				\$ 9,302.00

Thank You

SALERNO BROKERAGE CORPORATION  
117 Oak Drive  
Syosset, NY 11791

(516)364-4044

Date
02/11/2019









Allianz Global Corporate & Specialty®

**POLICY NUMBER**  
MXI93047640

**Transaction Type**  
ENDORSEMENT 005

Coverage for policies other than  
**WORKERS' COMPENSATION**  
is provided in the following company  
54 - AGCS MARINE INSURANCE COMPANY

**MANDATORY PREMIUM TRANSACTION FORM**

**Named Insured and Mailing Address**

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

**Change Effective Date: 02/01/2019**

Policy Period Inception Date: 02/01/2018  
Expiration Date: 03/01/2019

**PREMIUM SUMMARY:**

**Premium**      **\$ 9,302.00**

**Producer: SALERNO BROKERAGE CORP.**  
117 OAK DRIVE  
SYOSSET, NY 117914625

**Transaction Date** 02/11/2019

THIS IS NOT A BILL

**Mandatory Premium Transaction Form**

**TRANS DEC 01 05**



Allianz Global Corporate & Specialty®

AGCS Marine Insurance Company

\*MXI93047640\*

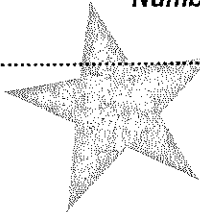
Table of Contents

POLICY NUMBER MXI-93047640

Named Insured  
TOWN OF OYSTER BAY

Producer  
SALERNO BROKERAGE CORP.  
117 OAK DRIVE  
SYOSSET, NY 117914625

Document	Number of Pages
IM 8005 01 10 - INLAND MARINE CHANGE ENDORSEMENT .....	1







Allianz Global Corporate & Specialty®

AGCS Marine Insurance Company

POLICY NUMBER    MXI93047640

Named Insured  
TOWN OF OYSTER BAY

Sequential Endorsement Number 005

CHANGE ENDORSEMENT  
Effective 02/01/2019, 12:01 A.M.,  
Standard Time at your mailing address shown above.

This is an Endorsement only. Other than changes shown, all other pre-existing coverage remains in full force and effect. Premium adjustments are shown.

PREMIUM SUMMARY:	ADDITIONAL PREMIUM DUE NOW: \$ 9,302 Flat Includig TRIA BASED ON ANNUAL PREMIUM: \$ NOT APPLICABLE
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The following change is made to the policy:  
  
Policy Expiration Date is amended to 03/01/2019.

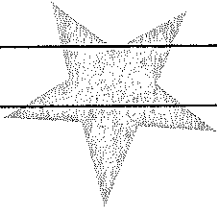
FORMS ATTACHED AT INCEPTION OF THIS CHANGE ENDORSEMENT

IM 8005 01 10

Countersignature of Authorized  
Agent: \_\_\_\_\_

Producer: SALERNO BROKERAGE CORP.  
117 OAK DRIVE  
SYOSSET, NY 117914625

Date  
02/11/2019





WHEREAS, the Town Attorney's Office issued a Request for Proposals to seven (7) insurance brokers seeking quotes/proposals from insurance carriers for the Town's Inland Marine – 2019 Hull & Machinery Insurance policy; and

WHEREAS, Salerno Brokerage Corp., the only insurance broker out of the said seven (7) insurance brokers to respond, advised the Office of the Town Attorney that four (4) insurance carriers either declined to offer coverage or could not offer a competitive quote, that it received only one (1) quote for the premium for said coverage, from the Town's current insurance carrier under this policy, Allianz Insurance Co., which provided a renewal option in its quotation for the requested coverage, and no other quotes were received; and

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Averna, Deputy Town Attorney, by memorandum dated February 19, 2019, determined that an adequate attempt was made to obtain proposals, in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town's Inland Marine – 2019 Hull & Machinery Insurance coverage be obtained from Allianz Insurance Co., from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., at a renewal premium of \$11,725.95; and

WHEREAS, before said coverage could be procured, it became necessary to extend the term of the current policy, which expired on February 1, 2019, thirty (30) days to March 1, 2019, at a premium of \$878.74, and requested authorization to pay the premium to Salerno Brokerage Corp.; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the Town's Inland Marine – 2019 Hull & Machinery Insurance coverage from Allianz Insurance Co., for the period from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order in the amount of \$11,725.95 to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the extension of the term of the current policy by thirty (30) days from February 1, 2019 to March 1, 2019, *nunc pro tunc*, be confirmed and ratified, and that the premium for said thirty (30) day period in the amount of \$878.74 be paid to Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order for said amount to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payments for same, upon submission of duly certified claims 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney



14

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 19, 2019

SUBJECT: Inland Marine – 2019 Hull & Machinery Insurance Policy  
Policy No. OHL92007801  
Account No. TWN AMS 1910 43020 601 0000 000

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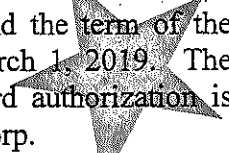
On February 5, 2019, the Town issued a Request for Proposals (“RFP”) seeking quotes for the Town’s Inland Marine – 2019 Hull & Machinery Insurance policy, in accordance with the requirements of the Town’s procurement policy. This insurance covers the Town’s boats, outboard motors, aquatic harvesters and barges. Requests were sent to seven (7) insurance brokers, to obtain quotes/proposals from insurance carriers. This RFP was also posted on the Town’s website.

Salerno Brokerage Corp. advised the Office of the Town Attorney that it had forwarded the Town’s Request for Proposals to 5 insurance carriers, all, but one (1) of which, either declined to offer coverage or could not offer a competitive quote. Salerno Brokerage Corp. further advised that the Town’s current insurance carrier, Allianz Insurance Co., provided a renewal option in its quotation for the requested coverage. No other quotes were received.

This Office has determined that an adequate attempt was made to obtain proposals in compliance with Guideline 7 of the Town’s procurement policy.

This quote was reviewed and evaluated by the Office of the Town Attorney. Based on compliance with Guidelines 6 and 9 of the Town’s procurement policy, it is recommended that Allianz Insurance Co., through Salerno Brokerage Corp., be selected, at the renewal premium of \$11,725.95 for the period March 1, 2019 to March 1, 2020, with funds to be drawn from Account No. TWN AMS 1910 43020 601 0000 000.

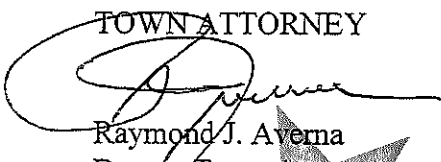
Before coverage was procured, it became necessary to extend the term of the current policy, which expired on February 1, 2019, thirty (30) days to March 1, 2019. The premium for this thirty (30) day period is \$878.74. Therefore, Town Board authorization is further requested to pay said premium, nunc pro tunc, to Salerno Brokerage Corp.





Accordingly, kindly suspend the rules and place this item on the February 26, 2019 Town Board action calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Raymond J. Ayerna  
Deputy Town Attorney

RJA:ba

Enclosure

cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2019\MD & Reso\2019Hull&MachineryIns.RJA.docx



WHEREAS, the Town Attorney's Office issued a Request for Proposals to seven (7) insurance brokers seeking quotes/proposals from insurance carriers for the Town's Inland Marine – 2019 Hull & Machinery Insurance policy; and

WHEREAS, Salerno Brokerage Corp., the only insurance broker out of the said seven (7) insurance brokers to respond, advised the Office of the Town Attorney that four (4) insurance carriers either declined to offer coverage or could not offer a competitive quote, that it received only one (1) quote for the premium for said coverage, from the Town's current insurance carrier under this policy, Allianz Insurance Co., which provided a renewal option in its quotation for the requested coverage, and no other quotes were received; and

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Averna, Deputy Town Attorney, by memorandum dated February 19, 2019, determined that an adequate attempt was made to obtain proposals, in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town's Inland Marine – 2019 Hull & Machinery Insurance coverage be obtained from Allianz Insurance Co., from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., at a renewal premium of \$11,725.95; and

WHEREAS, before said coverage could be procured, it became necessary to extend the term of the current policy, which expired on February 1, 2019, thirty (30) days to March 1, 2019, at a premium of \$878.74, and requested authorization to pay the premium to Salerno Brokerage Corp.; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the Town's Inland Marine – 2019 Hull & Machinery Insurance coverage from Allianz Insurance Co., for the period from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order in the amount of \$11,725.95 to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the extension of the term of the current policy by thirty (30) days from February 1, 2019 to March 1, 2019, *nunc pro tunc*, be confirmed and ratified, and that the premium for said thirty (30) day period in the amount of \$878.74 be paid to Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order for said amount to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payments for same, upon submission of duly certified claims therefor, after audit.

-#-

Reviewed By  
Office of Town Attorney



WHEREAS, the Town Attorney's Office issued a Request for Proposals to seven (7) insurance brokers seeking quotes/proposals from insurance carriers for the Town's Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance policy; and

WHEREAS, Salerno Brokerage Corp., the only insurance broker out of the said seven (7) insurance brokers to respond, advised the Office of the Town Attorney that six (6) insurance carriers either declined to offer coverage or could not offer a competitive quote, that it received only one (1) quote for the premium for said coverage, from the Town's current insurance carrier under this policy, Allianz Insurance Co., which provided a renewal option in its quotation for the requested coverage, and no other quotes were received; and

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Averna, Deputy Town Attorney, by memorandum dated February 19, 2019, determined that an adequate attempt was made to obtain proposals, in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town's Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance coverage be obtained from Allianz Insurance Co., from March 1, 2019 to March 1, 2020, through Salerno Brokerage Corp., at a renewal premium of \$120,806.00,

WHEREAS, before said coverage could be procured, it became necessary to extend the term of the current policy, which expired on February 1, 2019, thirty (30) days to March 1, 2019, at a premium of \$9,302.00, and requested authorization to pay the premium to Salerno Brokerage Corp.; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the Town's Inland Marine – 2019 Equipment Floater/Rolling Stock Insurance coverage from Allianz Insurance Co., for the period from March 1, 2109 to March 1, 2020, through Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order in the amount of \$120,806.00 to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the extension of the term of the current policy by thirty (30) days from February 1, 2019 to March 1, 2019, *nunc pro tunc*, be confirmed and ratified, and that the premium for said thirty (30) day period in the amount of \$9,302.00 be paid to Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order for said amount to be drawn from Account No. TWN AMS 1910 43020 601 0000 000; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payments for same, upon submission of duly certified claims therefor, after audit.

Reviewed By  
Office of Town Attorney



## Raymond Aversa

---

**From:** Nicole Morton <nlmorton@salernoins.com>  
**Sent:** Friday, February 15, 2019 4:44 PM  
**To:** Raymond Aversa  
**Cc:** Jessica Catanzano  
**Subject:** Town of Oyster Bay - Response to RFP 1. Hull & Machinery and 2. Equipment Rolling Stock 3/1/19-20  
**Attachments:** Town of Oyster Bay - Hull & Machinery 2019 RFP Response.pdf; Town of Oyster Bay - Equipment Rolling Stock 2019 RFP Response.pdf  
**Importance:** High

Dear Mr. Aversa:

We are pleased to attach the following quotes in response to the Town's RFP:

1. Hull & Machinery ✓
2. Equipment Rolling Stock

Please note that I will be out of the office the week of February 17<sup>th</sup>, returning February 25<sup>th</sup>.

If you should have any questions, please email me, as well as reach out to my assistant, Jessica Catanzano at ext. 213.

Please confirm receipt of this email and the quotes.

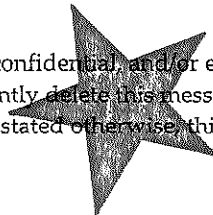
Thank you.

Nicole

***Nicole L. Morton***

Salerno Brokerage Corp.  
117 Oak Drive  
Syosset, NY 11791  
516-364-4044 ext. 219  
516-364-5901 Fax  
[nlmorton@salernoins.com](mailto:nlmorton@salernoins.com)

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**SALERNO BROKERAGE CORP.**

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901  
www.salernoins.com

February 15, 2019

Ray J. Averna, Esq.  
Deputy Town Attorney  
Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay, NY 11771

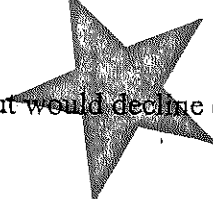
RE: Allianz – Policy #OHL92007801  
Hull & Machinery (Boats, Outboard Motors, Aquatic Harvesters & Barges)

Dear Mr. Averna:

We are pleased to advise on the Town's Hull & Machinery (Boats, Outboard Motors, Aquatic Harvesters & Barges) renewal policy effective 3/1/2019.

**3/1/2019-2020 Premium Summary:**

Allianz	\$11,225.95 + \$500 for TRIA
American Alternative	Declined
Markel	\$27,325 premium indication (but would decline due not able to be competitive)
Zurich	Declined
Berkshire Hathaway	Declined







**SALERNO BROKERAGE CORP.**

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901

www.salernoins.com February 15, 2019

Page Two

Town of Oyster Bay

**Hull & Machinery (Boats, Outboard Motors, Aquatic Harvesters & Barges)**

**Allianz effective 3/1/2019 to 3/1/2020**

The renewal for the boats, outboard motors, aquatic harvesters and barges follows:

Allianz Insurance Co. – Effective 3/1/2019 to 2/1/2020

Total Value - \$1,979,866. per schedule on file and supplied to our office on 1/14/2019. (Slight increase from the 2018-2019 schedule)

Deductible – Per occurrence - \$10,000

Annual Premium including Terrorism - \$11,725.95

The 2/1/17-18 expiring premium is \$11,086.02

We must be advised within 30 days (sooner if possible) when the Town purchases a new boat, outboard motor, barge or aquatic harvester. The policy will be amended, and premium charged. If items are eliminated, we must be advised within 30 days and the policy will be amended and a credit will be provided.

**Coverage Enhancement for 2019-2020 (new):**

Upon renewal of the 2/1/2020-2021 policy, the Town will be eligible for a no claims bonus of 5% , if the losses for the 2/1/2019-2020 policy are under a 10% loss ratio. The loss ratio will be calculated 60 days after the expiration of the 2/1/19-20 policy.

Please review and advise. We advise that the Town should bind the renewal of this policy with Allianz.

Very truly yours,

Nicole L. Morton

NLM:nm





**SALERNO BROKERAGE CORP.**

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901  
www.salernoins.com

February 13, 2019

Mr. Ray Avera  
Town of Oyster Bay  
Town Attorney's Office  
54 Audrey Avenue  
Oyster Bay, NY 11771

RE: Policy Type: Inland Marine (Hull and Machinery)  
Carrier: AGCS Marine Insurance Co  
Policy #: OHL92009965  
Policy Term: 2/1/2018 to 3/1/2019

Dear Mr. Avera:

Enclosed is an endorsement effective 2/1/2019, which amends the captioned policy as follows:

- **Extend the captioned policy to expire 3/1/19, per the request of the Town.**

Please attach this endorsement to the captioned policy.

The additional premium for this change is \$ 878.74. Our invoice is enclosed for this amount.

Thank you for the opportunity to be of service. Please carefully review this endorsement and advise our office immediately of any discrepancies, any requests for additional coverage or questions you may have.

Very truly yours,

Nicole L. Morton

NLM:jc  
Enc.

RECEIVED  
FEB 19 4 59 PM  
TOWN OF OYSTER BAY  
54 AUDREY AVENUE  
OYSTER BAY, NY 11771



SALERNO BROKERAGE CORPORATION

117 Oak Drive  
Syosset, NY 11791

Customer	Town of Oyster Bay
Acct #	1970
Date	01/24/2019
Customer Service	Towns & Villages Nicole Morton
Page	1 of 1

Payment Information	
Invoice Summary	\$ 878.74
Payment Amount	
Payment for:	Invoice#62408
OHL92009965	

Town of Oyster Bay  
Town Attorney's Office  
54 Audrey Avenue  
Oyster Bay, NY 11771



Customer: Town of Oyster Bay

Invoice	Effective	Transaction	Description	Amount
62408	02/01/2019	Policy change	Policy #OHL92009965 02/01/2018-03/01/2019 Allianz Global Corporate / AGCS Marine Insurance Co Inland Marine - 30 Day Extension Due Date: 2/1/2019	878.74
				Total
				\$ 878.74

SALERNO BROKERAGE CORPORATION  
117 Oak Drive  
Syosset, NY 11791

(516)364-4044

Date

01/24/2019





**TOWN OF OYSTER BAY  
CLAIM**

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER  
FEDERAL ID # ☐ SOCIAL SECURITY # ☐

CLAIMANT'S NAME	Salerno Brokerage Corp.
-----------------	-------------------------

CONTRACT #

ORDER #
---------

CLAIMANT'S ADDRESS  
117 Oak Drive Syosset NY 11791

CONTRACT NAME
---------------

TOWN DEPARTMENT  
Town Attorney

CLAIMANT INVOICE #  
62408

RESO #	
--------	--

**FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES**

### DETAILED DESCRIPTION OF MATERIALS OR SERVICES

[illegible]

Invoice # \_\_\_\_\_  
 \_\_\_\_\_ approved for payment

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

878.74

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 01/24/2019

Signature

Nicole L. Morten

Title

President

Print or type name **Nicole L. Morton**

Name of Company

Salerno Brokerage Corp.

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

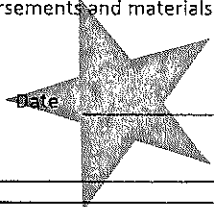
Signature

Title

Date \_\_\_\_\_

Department

Account





**HULL AND MARINE LIABILITY POLICY****POLICY EXTENSION**

This endorsement modifies insurance provided under:

Hull And Machinery/Protection & Indemnity Section(s) of this Policy

**SCHEDULE**

**Premium: \$ 878.74**

**In consideration of the additional premium shown in the schedule to this endorsement and subject to the terms and conditions of the policy, it is agreed that:**

Effective 02/01/2019, it is hereby understood and agreed that the policy has been extended till 03/01/2019

All other terms and conditions of this policy remain unchanged.

Insured: TOWN OF OYSTER BAY  
Effective Date: 02/01/2018

Policy No.  
Endorsement #

OHL 92011774  
14





## Allianz Global Corporate &amp; Specialty®

POLICY NUMBER	Transaction Type	Coverage for policies other than WORKERS' COMPENSATION is provided in the following company:
OHL 92011774	A/P	AGCS Marine Insurance Company

## MANDATORY PREMIUM TRANSACTION FORM

## Named Insured and Mailing Address

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

Change Effective Date: 02/01/2019  
Policy Period Inception Date: 02/01/2018  
Expiration Date: 03/01/2019  
Product: Hull

## PREMIUM SUMMARY:

Total Premium for this transaction:	878.74
All charges for War, TRIA, State Surcharges, Fees and the Cost of Capital are included in the Total Premium above.	
Direct Bill charges, if any, are not included.	

Producer	SALERNO BROKERAGE CORP. 117 OAK DRIVE SYOSSET, NY 117914625	Transaction Date: 01/21/2019
----------	---	------------------------------

Billing Cycle: 01/2019

THIS IS NOT A BILL

HML 100 05 10



WHEREAS, Resolution No. 110-2018, adopted on February 27, 2018, authorized the following professional court reporters to provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through December 31, 2018, with two (2) - one (1) year extension options, in an amount not to exceed \$15,000.00:

North Shore Court Reporters, Inc.  
P.O. Box 382  
Manhasset, New York 11030

NY Reporting, Inc.  
78 Division Avenue  
Massapequa, New York 11758

Fevola Reporting & Transcription, Inc.  
15 Franciscan Lane  
Smithtown, New York 11787

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Aversa, Deputy Town Attorney, by memorandum dated February 20, 2019, requested Town Board authorization to exercise the first extension option for the period from January 1, 2019 through December 31, 2019 nunc pro tunc, in an amount not to exceed \$15,000.00, with funds available in Account No. OTA A 1420 44800 000 0000,

NOW, THEREFORE BE IT RESOLVED, That the request hereinabove set forth is hereby approved, and the foregoing professional court reporting services are authorized to provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings for the period from January 1, 2019 through December 31, 2019 nunc pro tunc, in an amount not to exceed \$15,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44800 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney



15

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2019

SUBJECT: Stenographic Services – Employee Relations Matters and Disciplinary Proceedings  
Extension to December 31, 2019

---

Resolution No. 110-2018, adopted on February 27, 2018, authorized the following professional court reporters to provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through December 31, 2018, with two (2) - one (1) year extension options, in an amount not to exceed \$15,000.00 per year:

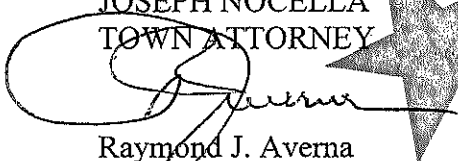
North Shore Court Reporters, Inc.  
P.O. Box 382  
Manhasset, New York 11030

NY Reporting, Inc.  
78 Division Avenue  
Massapequa, New York 11758

Fevola Reporting & Transcription, Inc.  
15 Franciscan Lane  
Smithtown, New York 11787

Based upon their qualifications and experience, it is recommended that the first extension option of said appointment be exercised, from January 1, 2019 through December 31, 2019 nunc pro tunc, in an amount not to exceed \$15,000.00 per year. Funds are available in Account No. OTA A 1420 44800 000 0000. Accordingly, kindly suspend the rules and place this item on the February 26, 2019 action calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Raymond J. Averna  
Deputy Town Attorney

RJA:rja  
Enclosure  
File No. 2016-5565  
cc: Town Attorney (w/7 copies)



WHEREAS, Resolution No. 110-2018, adopted on February 27, 2018, authorized the following professional court reporters to provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through December 31, 2018, with two (2) - one (1) year extension options, in an amount not to exceed \$15,000.00:

North Shore Court Reporters, Inc.  
P.O. Box 382  
Manhasset, New York 11030

NY Reporting, Inc.  
78 Division Avenue  
Massapequa, New York 11758

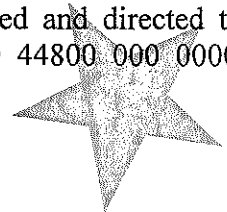
Fevola Reporting & Transcription, Inc.  
15 Franciscan Lane  
Smithtown, New York 11787

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Averna, Deputy Town Attorney, by memorandum dated February 20, 2019, requested Town Board authorization to exercise the first extension option for the period from January 1, 2019 through December 31, 2019 nunc pro tunc, in an amount not to exceed \$15,000.00, with funds available in Account No. OTA A 1420 44800 000 0000,

NOW, THEREFORE BE IT RESOLVED, That the request hereinabove set forth is hereby approved, and the foregoing professional court reporting services are authorized to provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings for the period from January 1, 2019 through December 31, 2019 nunc pro tunc, in an amount not to exceed \$15,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44800 000 0000, upon submission of a duly certified claim, after audit.

-#-



Reviewed By  
Office of Town Attorney



Meeting of February 27, 2018

Resolution No.110-2018

WHEREAS, Joseph Nocella, Town Attorney, and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated February 9, 2018, have recommended that the following court reporting companies provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through December 31, 2018, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year:

North Shore Reporting Agency, Inc.  
P.O. Box 382  
Manhasset, New York 11030

NY Reporting, Inc.  
78 Division Avenue  
Massapequa, New York 11758

Fevola Reporting & Transcription, Inc.  
15 Franciscan Lane  
Smithtown, New York 11787

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned court reporting companies are hereby authorized to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through and including December 31, 2018, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44800 000 0000, upon submission of a duly certified claim, after audit.

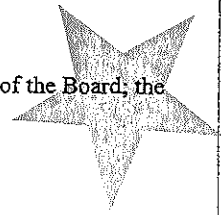
-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney  
*[Signature]*





WHEREAS, in November, 2017, the US Securities and Exchange Commission (the "SEC") brought a civil action asserting violations of the Securities Act of 1933 and the Securities Exchange Act of 1934 based upon alleged acts and/or inaction by the Town of Oyster Bay putatively occurring from August, 2010 through December, 2015, all of which time period was during the prior administration; and

WHEREAS, Joseph Nocella, Town Attorney, by memorandum dated February 21, 2019, advised that extensive negotiations between the Town and the SEC have culminated in a proposed settlement, subject to approval of both the Town Board and also of the SEC, the terms of which are as follows:

1. The Town will not pay any monetary fine or penalties;
2. The Town will agree to the entry of a final judgment on the alleged negligence based claims only and the SEC agrees to not pursue any claims alleging intentional violations of the securities laws;
3. The Town will neither admit nor deny, any violations of the negligence claims set forth in the final judgment; and
4. The Town will retain a municipal finance consultant, for a period of three years, whose tasks will include, among other things, reviewing the Town's securities disclosure practices and procedures. The consultant will also, if necessary, recommend improvements to the practices and procedures.

WHEREAS, Mr. Nocella, by the aforementioned memorandum, advised that the settlement is in the best interests of the Town and recommended that the Town Board authorize the Supervisor, or his designee, to execute any and all documents necessary to effectuate the proposed settlement with the SEC,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is authorized to execute any and all documents necessary to effectuate the proposed settlement with the U.S. Securities and Exchange Commission.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller

MS  
Reviewed By  
Office of Town Attorney  
*[Signature]*



16

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 21, 2019

SUBJECT: Settlement of Litigation with U.S. Securities and Exchange Commission

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In November, 2017, the US Securities and Exchange Commission (the "SEC") brought a civil action asserting violations of the Securities Act of 1933 and the Securities Exchange Act of 1934 based upon alleged acts and/or inaction by the Town putatively occurring from August, 2010 through December, 2015, all of which time period was during the prior administration. Extensive negotiations between the Town and the SEC have culminated in a proposed settlement, subject to approval of both the Town Board and also of the SEC. The terms of the proposed settlement are as follows:

1. The Town will not pay any monetary fine or penalties;
2. The Town will agree to the entry of a final judgment on the alleged negligence based claims only and the SEC agrees to not pursue any claims alleging intentional violations of the securities laws;
3. The Town will neither admit nor deny, any violations of the negligence claims set forth in the final judgment; and
4. The Town will retain a municipal finance consultant, for a period of three years, whose tasks will include, among other things, reviewing the Town's securities disclosure practices and procedures. The consultant will also, if necessary, recommend improvements to the practices and procedures.

It is this Office's opinion that the settlement is in the best interests of the Town particularly because there is no fine or monetary penalty within the settlement. Moreover, it is likely that the efforts of the outside consultant will give even greater confidence to the securities markets about the soundness of the Town's municipal bonds. This increased confidence can only further enhance the Town's already improving bond rating, which Standard & Poor's recently raised to investment grade. Consequently, these combined improvements will tend to lower the costs of any future Town borrowings, saving the taxpayers money.



Therefore, it is this Office's recommendation that the Town Board authorize the Supervisor, or his designee, to execute any and all documents necessary to effectuate the proposed settlement.

  
JOSEPH NOCELLA  
TOWN ATTORNEY

JN:jn  
Attachment  
2018-6660  
cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2019\MD & RESO\SEC Settlement.docx



Reviewed By  
Office of Town Attorney

**WHEREAS**, 3<sup>RD</sup> TRACK CONSTRUCTORS, a joint venture of Dragados USA Inc., John P. Picone Inc., CCA Civil Inc., Halmar International LLC, and Cameron Engineering, having an address at 900 Merchants Concourse, Westbury, New York 11590 (hereinafter the "Licensee"), is under contract with the New York State Metropolitan Transportation Authority ("MTA"), to provide services in connection with the design and construction of a third track for the Long Island Railroad; and

**WHEREAS**, in order to fulfill its contractual obligations with the MTA, Licensee requires the use of vacant land for the storage of clean gravel and clean soil, and has requested that the Town of Oyster Bay grant Licensee a license to use an approximate 5.00 acre parcel of vacant real property located on the northeast corner of the property owned by the Town at 150 Miller Place, Syosset, New York, for the storage of clean gravel and clean soil, in connection with its contractual obligations with MTA, for a six month period, commencing March 1, 2019 through August 31, 2019, with Licensee to have use of the area Mondays through Saturdays from 8:00 a.m. to 4:00 p.m., with access to be from Miller Place, Syosset, at a license fee of \$250,000.00, to be paid at the rate of \$41,666.67 per month; and

**WHEREAS**, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated February 22, 2019, requested authorization for the Town to enter into a License Agreement with 3<sup>RD</sup> TRACK CONSTRUCTORS for a six month period, commencing March 1, 2019 through August 31, 2019, with Licensee to have use of the area Mondays through Saturdays from 8:00 a.m. to 4:00 p.m., with access to be from Miller Place, Syosset, at a license fee of \$250,000.00, to be paid at the rate of \$41,666.67 per month,

**NOW, THEREFORE, BE IT RESOLVED**, that the recommendation as hereinabove set forth is accepted and approved, and the Town Board authorizes the Supervisor or his designee to execute a License Agreement with 3<sup>RD</sup> TRACK CONSTRUCTORS, to license the use of a 5.00 acre parcel of land at 150 Miller Place, Syosset, New York, in order to assist Licensee to fulfill its contractual obligations with MTA, for a period to commence March 1, 2019 through August 31, 2019, with access Mondays through Saturdays, 8:00 a.m. to 4:00 p.m., for a license fee of \$250,000.00, payable at the rate of \$41,666.67 per month.

-#-

DRAFT



TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

FEBRUARY 22, 2019

TO : MEMORANDUM DOCKET

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


SUBJECT: PERMISSION TO ENTER LICENSE AGREEMENT  
3<sup>RD</sup> TRACK CONSTRUCTORS / DEPARTMENT OF PUBLIC WORKS COMPLEX  
150 MILLER PLACE, SYOSSET

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The Town of Oyster Bay is requesting permission to enter into a License Agreement with 3<sup>rd</sup> Track Constructors for a six month period beginning March 1, 2019 and terminating on August 31, 2019 with a license fee of \$250,000.00 at 150 Miller Place, Syosset.

3<sup>rd</sup> Track Constructors will be utilizing approximately 5 acres of useful land located in the north/east corner of the Department of Public Works Complex located at 150 Miller Place, Syosset. Access will be Monday through Saturday with hours of operations starting at 8am through 4pm. Access to the site will be from Miller Place only. 3<sup>rd</sup> Track Constructors will be storing clean gravel and clean soil in conjunction with their contract obligations with the Metropolitan Transportation Authority (MTA).

At this time, this office recommends that permission to enter into a license agreement with 3<sup>rd</sup> Track Constructors be granted for use of approximately 5 acres of useful land at the Department of Public Works Complex located at 150 Miller Place, Syosset. Please suspend the rules and place this item on for action on the Town Board Calendar for February 26<sup>th</sup> 2019.

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

  
RWL/JCT/nm

C: Office of the Town Attorney (w/7copies)  
Steven Ballas, Comptroller

150 MILLER PLACE LICENSE AGREEMENT

