

*John Lanning*  
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Reviewed By  
Office of Town Attorney  
*Jim M. Mullen*

Meeting of March 13, 2018

RESOLUTION P-6-18

WHEREAS, The 2018 Budget, adopted October 24, 2017 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 2018 Budget, on October 24, 2017, 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	Recused
Councilwoman Alesia	Abstain
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Town Clerk  
Supervisor  
Town Attorney  
Comptroller  
Human Resources  
Payroll  
Town Board

Meeting of March 13, 2018

Resolution No. 133-2018

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 15, 2018, requested Town Board authorization to sponsor the 2018 Annual Spring Festival, to be held on Saturday, April 28, 2018, 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 said payment, 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 2018 Annual Spring Festival on Saturday, April 28, 2018, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Community & Youth Services

Reviewed By  
Office of Town Attorney

133

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

February 15, 2018

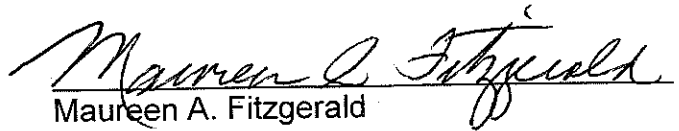
TO: Memorandum Docket  
FROM: Maureen A. Fitzgerald, Commissioner  
Department of Community and Youth Services  
SUBJECT: 2018 Annual Spring Festival

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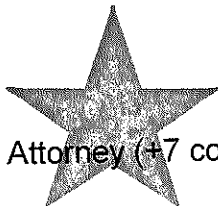
The Department of Community and Youth Services is requesting Town Board authorization to sponsor the 2018 Annual Spring Festival. The Festival is scheduled to be held on Saturday, April 28, 2018 from 1:00 p.m. to 4:00 p.m. at Syosset-Woodbury Community Park, Jericho Turnpike, Woodbury. In the event of 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:lw  
cc: Town Attorney (+7 copies)



WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 16, 2018, recommended that the Town Board authorize payment of a refund in the amount of \$200.00 to Mr. and Mrs. Christopher Layer, from Account No. PAD B 0001 02555 000 0000, for payment of Building Permit Number R34882, since it was superseded by Building Permit Number R41649,

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. and Mrs. Christopher Layer, 171 North Atlanta Avenue, N. Massapequa, New York 11758, in the amount of \$200.00, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

Reviewed By  
Office of Town Attorney

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134

**TOWN OF OYSTER BAY**

**INTER-DEPARTMENTAL MEMO**

**Date:** February 16, 2018

**TO:** MEMORANDUM DOCKET


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

**SUBJECT:** RESIDENT REFUND – CHRISTOPHER & CHRISTINE LAYER

-----

Pursuant to the Code of the Town of Oyster Bay, this department renewed a Building Permit Number R34882 in the amount of \$200.00 under the Amnesty Program. This permit was renewed in error since Building Permit Number R34882 was superseded by Building Permit Number R41649.

Therefore, in light of the aforementioned facts, a two hundred dollar (\$200.00) refund for the building permit fee associated with Building Permit Number R34882 should be refunded to Mr. & Mrs. Christopher Layer, 171 North Atlanta Avenue, North Massapequa, New York 11758 under account number PAD B 0001 02555 000 0000.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:TRZ:ds

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

★

2/5/2018 -  
Letter For Refund

Spano  
For Discussion

Kawila

Please Review  
SBL Folder +

Blues + Greens

+ bring to me  
to advise before

File is  
written

Spent

171 N. Atlanta Avenue  
N. Massapequa, NY 11758

2/5/18  
Need to  
Properly  
Void &  
Return  
EOT  
Fee

Town of Oyster Bay  
Department of Planning and Development  
Town Hall  
74 Audrey Avenue  
Oyster Bay, NY 11771  
Attn: Mr. Tim Zike  
RE: Permit #R34882

Dear Mr. Zike:

I received the enclosed letter regarding the above referenced permit (R34882) from 2005 that should have been voided and replaced by permit #R41649 in 2008; and I believe the plumbing permit R41210. I have enclosed copies of all related documents. Construction began on January 26, 2008 and was completed on or around July 1, 2008 specifically under R41649 (see enclosed certificate).


The work completed was for the subsequent drawings submitted, relative to R41649 only. I never filed an extension for R34882 (until this past December, thinking it necessary due to potential neglect to file a completion of work notice or the like); I did, however, file numerous extensions for R41649 as the work progressed over several months in 2008 (receipts enclosed).

Please advise as to how I can resolve this matter (void R34882 once and for all) and receive a refund for the \$200.00 paid on December 26, 2017 (Check #1271) to the TOB to extend a defunct permit.

I (or my wife Christine) can be reached at 516-██████ to resolve this error.

Thank you.

Sincerely,

  
Christopher Laver



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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

DATE: December 18, 2017

CHRISTOPHER LAYER  
171 N ATLANTA  
NORTH MASSAPEQUA, NY 11758

**EXPIRED BUILDING PERMIT**

RE: BUILDING PERMIT NUMBER: R34882  
SECTION: 48 , BLOCK: 7 , LOT(S): 59

Please be advised that the Residential Building Permit Amnesty Program for the Town of Oyster Bay expires December 31, 2017. The Residential Building Permit Amnesty was implemented by the Town Board as an opportunity for Town residents to close out Building Permit issues without any penalties and ensure compliance with Town and State ordinances.

This Department's records indicate that Building Permit Number R34882 is expired and that a Certificate of Occupancy/Completion was not issued. Typically, the renewal fee for this expired Building Permit is \$750.00; however, under the Residential Building Permit Amnesty Program, the renewal fee is \$200.00.

At this time, you can renew the Building Permit by mailing a check, payable to the "Town of Oyster Bay", to the Department of Planning and Development, 74 Audrey Avenue, Oyster Bay, New York 11771 or by visiting the Department personally in Oyster Bay or the Satellite Office located at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758. Once the Building Permit is renewed, a building inspection (and if necessary, a plumbing inspection) can be scheduled with the Department.

Thank you for your attention to this matter. Further information regarding this matter can be obtained by contacting the Department of Planning and Development, Certificate of Occupancy Room, at (516) 624-6379 or by visiting the Department in Town Hall North or the Satellite Office in Town Hall South. When you contact the Department, kindly have your Building Permit Number and your Section, Block and Lot Number available.

Very truly yours,

ELIZABETH L. MACCARONE  
COMMISSIONER

(Revised 09/13/2017)

## TOWN OF OYSTER BAY

ITEM 1 OF 1

PERMIT RECEIPT

OPERATOR: klebrigh  
COPY # : 1Sec:48 Twp:Oyster B Rng: Sub: Blk:7 Lot:59  
SBL ..... 48-7-59DATE ISSUED..... 12/27/2017  
RECEIPT #..... 03000000823  
REFERENCE ID # .... 04000214Permit Num ..... R34882  
SITE ADDRESS ..... 171 N ATLANTA AVE  
SUBDIVISION .....  
CITY ..... NORTH MASSAPEQU  
IMPACT AREA .....OWNER ..... CHRISTOPHER LAYER  
ADDRESS ..... 171 N ATLANTA  
CITY/STATE/ZIP .... NORTH MASSAPEQUA, NY 11758RECEIVED FROM ..... RECEIPT INTERFACE  
CONTRACTOR ..... PROPERTY OWNER LIC # C07885  
COMPANY ..... PROPERTY OWNER  
ADDRESS .....  
CITY/STATE/ZIP .... ,  
TELEPHONE .....

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-REXT5+	FLAT RATE	1.00	200.00	0.00	200.00	0.00
TOTAL PERMIT :			200.00	0.00	200.00	0.00
METHOD OF PAYMENT		AMOUNT	REFERENCE NUMBER			
CHECK		200.00	1271			
TOTAL RECEIPT :		200.00				

ATTN: Debbie

Here is a copy of the front  
and back of check we spoke about.

1-7050-2250 1271

CHRISTOPHER J. LAYER  
CHRISTINE LAYER  
171 N. ATLANTA AVENUE  
N. MASSAPEQUA, NY 11758

Date 12/26/17

PAY to the ORDER of Town of Oyster Bay \$ 200.00

Two Hundred and 00/100 DOLLARS

APPLE BANK FOR SAVINGS  
WWW.APPLEBANK.COM

for Permit

1271

1 of 2

Capital One, NA, Richmond, VA 065000090090  
46419RJT3170520171229000083609140

065000090<  
CAPITAL ONE, NA  
12292017  
RICHMOND, VA 013 21  
Deposit

DO NOT WRITE STRIP OR SIGN BELOW THIS LINE

PAY TO THE ORDER OF  
CAPITAL ONE BANK  
FOR DEPOSIT ONLY  
TOWN OF OYSTER BAY

ENDORSE HERE

2 of 2

Please call if ANY questions.

516 - [REDACTED]

Thank you

Chris Jayer

**TOWN OF OYSTER BAY**

## CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY # ☒

**CLAIMANT'S NAME**

CLAIMANT'S NAME  
Christopher & Christine Layer

**CONTRACT #**

ORDER #

**CLAIMANT'S ADDRESS**

171 No. Atlanta Avenue  
North Massapequa, NY 11758

[illegible]

**TOWN DEPARTMENT**

TOWN DEPARTMENT  
PLANNING & DEVELOPMENT

CLAIMANT INVOICE #

RESO #

**TRAINING & DEVELOPMENT**

**FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES**

### DETAILED DESCRIPTION OF MATERIALS OR SERVICES

[illegible]

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

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

\*\*\*Two hundred dollars and no cents\*\*\*\*

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.

Signature

Title

Print or type name

Name of Company

I HEARBY APPROVE this claim form for the sum of \*\*\*\$200.00\*\*\* for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature

Title:

COMMISSIONER

Date 02/06/2018

Department

ELIZABETH L. MACCARONE

Account

PAD-B-0001-02555-000-0000

נו. ח 34882

fixtures (1-WC, 1-LA, 1-BT)  
VO 1D

FEE FOR	AMOUNT
Construction	\$785.00
Plumbing	\$75.00
Burner	
AC Unit	
Tank	
Sanitary	
Constr Co	\$167.00
Cost of Comp	
Plumb CA	\$15.00
Dry Wells	
Maintain Existing	
Other	
<b>Total Fee</b>	<b>\$1,042.00</b>

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:

- \*Demolition inspections - Check with Building Division.
- \*Slump tests when required.
- \*Soil conditions - before footings and foundations are formed.
- \*Forms for footings, keyways and foundations including rebar.
- \*Footings, foundations and keyways - after poured
- \*Waterproofing, membrane and insulating - footings.
- \*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).

- \*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).
- \*Mercury 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.

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.

**\*Contact Planning and Development site engineer.**

**Commissioner, Department of Planning and Development**

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



**74 Audrey Avenue**  
**Town Hall, Oyster Bay, N.Y. 11771**  
**Fax 516-624-6240**

SD	Section	Block	Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
22	48	7	59	R1-7	0468	2008	//	H315339

<b>Permittee</b>	CHRISTOPHER LAYER 171 N ATLANTA NORTH MASSAPEQUA, NY 11758 516-249-9220	<b>Contractor</b>	PROPERTY OWNER
<b>Property Owner</b>	CHRISTOPHER LAYER 171 N ATLANTA NORTH MASSAPEQUA, NY 11758 516-249-9220	<b>Plumber</b>	

<b>Address of Actual Construction</b> 171 N ATLANTA AVE NORTH MASSAPEQUA, NY 11758	<b>Tenant</b> None
<b>Permission granted for the CONSTRUCTION OF</b>	

A 6.1' X 11.1' and a 6.1' X 10.8' (OA) (134 sq. ft.) two (2) second story side additions as per drawings prepared by Herbert Jaffe, P.E., dated 02/18/2008.

ALL WORK TO BE DONE AS SHOWN ON TOB APPROVED PLANS/SURVEY DATED: 03/04/2008

ZONING REVIEW: ONE FAMILY DWELLING ONLY

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

Please note that when two numbers are shown, the number on the left is the existing structure, the number on the right is the proposed structure.

Located on: **NE** Side of **NORTH ATLANTA AVENUE** Feet **0.00000** of **NEW YORK DRIVE** Post Office **NORTH MASSAPEQUA**

Structure Width	Depth	Height	Stories	Front Yard

Rear Yard	Side Yard	Side Yard	Front Side Yard	Est Val Cons
				\$13,359.00

Septic Tank: ☐ gal. Dry Wells: ☐ No. Pre-Cast: ☐ No. Fixtures: ☐ No. Burners: ☐ Oil ☐ Gas ☐ Coal ☐ Electric

Sprinkler Heads: ☐ Oil Tank Inside: ☐ gauge ☐ gal. Oil Tank Outside: ☐ gauge ☐ gal. Hot Water: ☐ Oil ☐ Gas ☐ Electric

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 respective parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Plans must be posted on the job site, visible to public inspection, until completion of the work and inspection.

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

FEE FOR	AMOUNT
Construction	\$205.00
Plumbing	
Burner	
AC Unit	
Tank	
Sanitary	
Constr Co	\$51.00
Cert of Comp	
Plumb CA	
Dry Wells	
Maintain Existing	
Other	
<b>Total Fee</b>	<b>\$256.00</b>

#### 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.
- \*Slump tests when required.
- \*Soil conditions - before footings and foundations are formed.
- \*Forms for footings, keyways and foundations including rebar.
- \*Footings, foundations and keyways - after poured
- \*Waterproofing, membrane and insulating - footings.
- \*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:

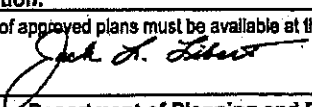
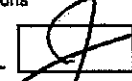
- \*Underground plumbing - before backfilling.
- \*Rough plumbing - before closed up and ready for test.
- \*Final inspection when all fixtures are set.
- \*Sewer connection - spur tie-in.
- \*Sanitary systems (Excavation/Construction).
- \*Installation or replacement of burners, (oil, gas, electric).
- \*All Tanks - In-ground or above. (Check with Building Division for required testing and inspections).
- \*Mercury 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:

##### 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

\*Contact Planning and Development site engineer.

<b>Date Issued</b> 03/12/2008	<b>Work must start by</b> 09/08/2008
<b>C.O. must be issued by</b> 03/12/2009 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	
 Initials	



# Certificate of Occupancy

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Avenue, Oyster Bay, New York 11771

No. A 63925  
02/06/2009

Property Owner Information									
CHRISTOPHER LAYER, 171 N ATLANTA NORTH MASSAPEQUA, NY 11758									
Property Information									
SD	Section	Block	Lot(s)	Zone					
22	48	7	59	R1-7					
Located on									
Side of	Feet	of			Post Office				
NE	NORTH ATLANTA	0.00000	NEW YORK DRIVE			NORTH MASSAPEQUA			
Address of Installation: 171 N ATLANTA AVE NORTH MASSAPEQUA, NY 11758									

Appl. No.	Permit No.	Permit Date	Receipt No.	Z.B.A. No.	Date	Town Board No.	Date	CA No.	Elec No.
4007	R41210	01/08/2008	H312637	05-249	05/24/2005		//	G53707	08-3564
0468	R41649	03/12/2008	H315339		//		//		

## Work Completed

R41210-A 7.3' x 12' second story side addition.  
R41649-A 6.1' x 11.1' and a 6.1' x 10.8' two (2) second story side additions.

This certifies that the above construction conforms with the approved plans and codes of the Town of Oyster Bay and the New York State Fire Prevention and Building Code.

TOBDDPD Certificate of Occupancy - SBL Copy

*Frederick P. Ippolito* initials  
Commissioner, Department of Planning and Development



# Certificate of Occupancy

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Avenue, Oyster Bay, New York 11771

No. A 63925  
02/06/2009

Property Owner Information									
CHRISTOPHER LAYER, 171 N ATLANTA NORTH MASSAPEQUA, NY 11758									
Property Information									
SD	Section	Block	Lot(s)	Zone					
22	48	7	59	R1-7					
Located on									
Side of	Feet	of			Post Office				
NE	NORTH ATLANTA	0.00000	NEW YORK DRIVE			NORTH MASSAPEQUA			
Address of Installation: 171 N ATLANTA AVE NORTH MASSAPEQUA, NY 11758									

Appl. No.	Permit No.	Permit Date	Receipt No.	Z.B.A. No.	Date	Town Board No.	Date	CA No.	Elec No.
4007	R41210	01/08/2008	H312637	05-249	05/24/2005		//	G53707	08-3564
0468	R41649	03/12/2008	H315339		//		//		

## Work Completed

R41210-A 7.3' x 12' second story side addition.  
R41649-A 6.1' x 11.1' and a 6.1' x 10.8' two (2) second story side additions.

This certifies that the above construction conforms with the approved plans and codes of the Town of Oyster Bay and the New York State Fire Prevention and Building Code.

TOBDDPD Certificate of Occupancy - SBL Copy

*Frederick P. Ippolito* initials  
Commissioner, Department of Planning and Development

Meeting of March 13, 2018

Resolution No. 135-2018

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 16, 2018, recommended that the Town Board authorize payment of a refund in the amount of \$200.00 to Mr. & Mrs. James Cascio, from Account No. PAD B 0001 02555 000 0000, for payment of the \$200.00 extension of time fee on Building Permit Number L38889, since the extension was not necessary,

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. & Mrs. James Cascio, 51 Marie Place, Massapequa, New York 11758, in the amount of \$200.00, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

Reviewed By  
Office of Town Attorney

135

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

February 16, 2018

**TO:** MEMORANDUM DOCKET

**FROM:** OFFICE OF THE COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT

**SUBJECT:** RESIDENT REFUND - JAMES CASCIO

---

Pursuant to the Code of the Town of Oyster Bay, this department granted an extension of time in the amount of \$200.00 for Building Permit Number L38889 dated May 18, 1994. An extension of time in the amount of \$200.00 was not necessary and therefore, the amount of \$200.00 is being refunded. A Certificate of Occupancy No. 34561 for Building Permit Number L38889 was issued on May 8, 1995.

Therefore, in light of the aforementioned facts, a two hundred dollar (\$200.00) refund for the building permit extension of time fee associated with Building Permit Number L38889 should be refunded to Mr. James Cascio, 51 Marie Place, Massapequa, New York 11758 under account number PAD B 0001 02555 000 0000.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:ds

cc: Town Attorney (w/7 copies)

2/6/18

o Planning & Development,

This letter is requesting a  
\$200 refund of a building  
permit renewal fee that  
was charged in error  
because we already had  
the C.O. for Permit #L38889.  
Attached please find  
additional documentation.

Thank you,

James Caser

Print a Copy



ATM/Debit Card: XXXX-XXXX-XXXX

As of 01-20-2018 18:51 EST

SERVICES Check Details

Account	Check #	Post Date	Amount
Jim Rita Interest Checking: 4886	5690	12/20/2017	\$ 400.00



576 799 4992

JAMES A. CASCIO  
RITA L. CASCIO  
31 MARIE PL  
MASSAPEQUA, NY 11758-7922

12/19/17

5690

Pay to the Order of Town of Oyster Bay \$400.00

Four Hundred and -- Dollars

CITIBANK, N.A.  
L38889/R35192

For Edgemoor extension James Cascio

5690

Capital One, N.A. Richmond VA 065000090

46386JPT5731120171219000078166733

>065000090<  
CAPITAL ONE, NA  
1219201  
RICHMOND, VA 08323  
Deposit

PAY TO THE ORDER  
FOR DEPOSIT ONLY  
TOWN OF OYSTER BAY

Security Tip: Check Image files may be automatically saved on the hard drive of this computer. If other people use this computer you should delete these files so that no one will have access to your check images and account information. [Learn more](#)



## TOWN OF OYSTER BAY

## CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY # ☐

CLAIMANT'S NAME

James Cascio

CONTRACT #

ORDER #

CLAIMANT'S ADDRESS

51 Marie Place, Massapequa, NY11758

CONTRACT NAME

TOWN DEPARTMENT

Planning &amp; Development

CLAIMANT INVOICE #

RESO #

FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES

## DETAILED DESCRIPTION OF MATERIALS OR SERVICES

DATE	DESCRIPTION	UNIT PRICE	TOTAL
1/17/18	REFUND FOR RENEWAL OF BUILDING PERMIT NUMBER L38889 ISSUED ON 05/18/1994 IN THE AMOUNT OF \$200.00. A CERTIFICATE OF OCCUPANCY NUMBER A34561 WAS ISSUED ON 05/08/1995. THE RENEWAL PAYMENT WAS NOT NECESSARY SINCE A CERTIFICATE OF OCCUPANCY WAS ISSUED.		\$200.00
	Form prepared by Debbie Smyth - Building Div.		
	Please return the completed form to:		
	Town of Oyster Bay		
	Department of Planning & Development		
	74 Audrey Avenue		
	Oyster Bay, NY 11771		

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

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

\*\*\*Two hundred dollars and no cents\*\*\*

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.

Signature

Title

Print or type name

JAMES CASCIO

Name of Company

TOTAL AMOUNT	\$200.00
CASH DISCOUNT %	
NET AMOUNT	

Date

1/22/18

I HEARBY APPROVE this claim form for the sum of \*\*\*\*\$200.00\*\*\*\* for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature

Elizabeth L. Maccarone

Title

Commissioner

Date

Department

Planning &amp; Development

Account

PAD-B-0001-02555-000-0000

# Building Permit

NO. L 38889

Town of Oyster Bay

Department of Planning and Development  
(516)624-6200



74 Audrey Avenue, Oyster Bay, New York 11771  
FAX (516) 624-6240

S.D.	Section	Block	Lot(s)	Zone	Application No.	ZBA Number	Receipt No.
23	65	208	01	D	1461 94		H95097
<b>Permittee</b> Gregory Meindl 115 Newbridge Road Hicksville New York 11801 935-3336				<b>Contractor</b> Larsen Home Improvement 115 Newbridge Road Hicksville, New York 11801 935-3336			
<b>Property Owner</b> James Cascio 51 Marie Place Massapequa New York 11758 799-4992				<b>Plumber</b> <b>AMENDED PLAN</b> <b>DATE</b> 6/6/94 <b>PERMIT #</b> L-38889 (Signature) 6/6/94			
				<b>Heating</b> <b>Sanitary</b>			

## Address of Actual Construction

51 Marie Place  
Massapequa New York 11758

Additional Information  
H.I. #H1848280000

Permission Granted for the Construction of:

One Story Frame Addition 1.58' x 12.01' and 2' x 6.42' to Kitchen per code.

**ZONING REVIEW: ONE FAMILY DWELLING ONLY**

Please note that when two numbers are shown, the number on the left is the existing structure number on the right is the proposed structure

Located on:		Side of:		Feet:		d:		Post Office:	
S/E/c		Marie Place		and		Swan Drive		Massapequa	
STRUCTURE	WIDTH	DEPTH	HEIGHT	STORIES	FRONT YARD				
47.60'		37.75'	39.75'	2	26.04'				
REAR YARD	SIDE YARD	SIDE YARD	FR SIDE YARD	SEWER	Est Val Cons				
25.75'	15.25'	26.94'	24.94'		\$3,380.00				
S BLOCK PRECAST SEPTIC TANK DRY WELLS NO PLUMB FIXTURES					No. Burners				
					OIL GAS COAL				
SPRINKLER HEAD OIL TANK INSIDE					OIL TANK OUTSIDE	HOT WATER HEATER			
GAUGE GAL					GAUGE GAL				

FEE FOR	AMOUNT
CONSTRUCTION	\$65.00
PLUMBING	
BURNER	
AC Unit	
TANK	
SANITARY	
CONSTR CO	\$8.00
Cert of Comp	
PLUMB CA	
TOTAL FEE	\$73.00

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 inspections of their respective parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit must be posted on job site, visual to public inspection, until completion of the work and inspections.

Changes regardless of size from the stamped approved plans must be submitted to the Department of Planning and Development and approved before the changes are made. Approved plans must be retained on the job and available to inspectors at all times.

Date Issued: 05/18/94	Work must start by: 11/18/94
C.O. must be issued by 05/18/95 or permit will expire unless renewed prior to expiration.	
Permittee's copy of approved plans must be available at the site for all inspections	
(Signature)	(Initials)
Commissioner, Department of Planning and Development	



# Certificate of Occupancy

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Avenue, Oyster Bay, New York 11771

No. A38736  
03/07/1997

Property Owner Information									
GREGORY BEDARD, 200 BAY DR MASSAPEQUA, NY 11758									
Property Information:		SD	Section	Block	Lot(s)	Zone			
		23	65	191	273	C			
Located on		Side of	Feet	of		Post Office			
E		BAY DRIVE	224.85	N	DARTMOUTH ROAD	MASSAPEQUA			
Address of Installation: 200 BAY DR MASSAPEQUA, NY 11758									
Appl. No.	Permit No.	Permit Date	Receipt No.	Z.B.A. No.	Date	Town Board No.	Date	CA No.	Elec No.
0521	L46804	06/12/1996	H117047		//		//		

## Work Completed

L46804 - A 5' x 20' Wood Float with 4' x 5' Platform and 2'6" x 13'9" Ramp

This certifies that the above construction conforms with the approved plans and codes of the Town of Oyster Bay and the New York State Fire Prevention and Building Code.

*Thomas S. Y. Gine*

GB initials

TOBDPD Certificate of Occupancy - SBL Copy

Commissioner, Department of Planning and Development



# Certificate of Occupancy

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Avenue, Oyster Bay, New York 11771

No. A38736  
03/07/1997

Property Owner Information									
GREGORY BEDARD, 200 BAY DR MASSAPEQUA, NY 11758									
Property Information:		SD	Section	Block	Lot(s)	Zone			
		23	65	191	273	C			
Located on		Side of	Feet	of		Post Office			
E		BAY DRIVE	224.85	N	DARTMOUTH ROAD	MASSAPEQUA			
Address of Installation: 200 BAY DR MASSAPEQUA, NY 11758									
Appl. No.	Permit No.	Permit Date	Receipt No.	Z.B.A. No.	Date	Town Board No.	Date	CA No.	Elec No.
0521	L46804	06/12/1996	H117047		//		//		

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*Thomas S. Y. Gine*

GB initials

TOBDPD Certificate of Occupancy - SBL Copy

Commissioner, Department of Planning and Development

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 16, 2018, recommended that the Town Board authorize payment of a refund in the amount of \$485.00 to Mr. Faucet Services Co., Inc., from Account No. PAD B 0001 02555 000 0000, for payment of the \$485.00 Plumbing Permit Number R17003429, since the homeowner decided not to go forward with the work under said Permit,

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. Faucet Services Co., Inc., 201 Northwest Drive, Suite 1, Farmingdale, New York 11735, in the amount of \$485.00, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

7/18  
Reviewed By  
Office of Town Attorney

7

-TOWN OF OYSTER BAY

136

INTER-DEPARTMENTAL MEMO

**Date:** February 16, 2018

**TO:** MEMORANDUM DOCKET

**FROM:** OFFICE OF THE COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT

**SUBJECT:** RESIDENT REFUND - MR. FAUCET SERVICES CO., INC.

---

Pursuant to the Code of the Town of Oyster Bay, this department granted a Plumbing Permit, #R17003429 dated July 26, 2017 in the amount of \$485.00 receipt #01000432938. The property owner decided not to go forward with the permit and therefore, the plumber is requesting a refund. A Representative from Mr. Faucet Services Co., Inc. came into the office personally to void Plumbing Permit #R17003429. A Building Inspector did verify that the work was not done.

Therefore, in light of the aforementioned facts, a four hundred eighty-five dollar (\$485.00) refund for the plumbing permit fee associated with Plumbing Permit #R17003429 should be refunded to Mr. Faucet Services Co., Inc., 201 Northwest Drive, Suite #1, Farmingdale, New York 11735 under account number PAD B 0001 02555 000 0000.

  
ELIZABETH L. MACCARONE  
COMMISSIONER



ELM:ds

cc: Town Attorney (w/7 copies)



School District	Section/Block/Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
Syosset	14-36-19	REC	17070441			01000432938
Permittee		Contractor	MR. FAUCET SERVICES CO., INC. 201 NORTHWEST DR. SUITE 1 FARMINGDALE, NY 11735 (516) 752-1000			
Property Owner	LAURIE TEICHMAN 11 CASTLE DR. WOODBURY, NY 11797	Plumber	MR. FAUCET SERVICES CO., INC. 201 NORTHWEST DR. SUITE 1 FARMINGDALE NY 11735 (516) 752-1000			
		Electrician				

Address of Actual Construction

11 CASTLE DR WOODBURY, NY 11797	Tenant
Permission Granted for the	Estimated Cost of Construction \$0

INSTALLATION OF ONE POOL HEATER (POOL C.O. #A20076) AND TWO ABOVE GROUND 120 GAL. LPN GAS TANKS AS PER CODE AND NASSAU COUNTY FIRE MARSHAL APPROVED PLANS 7/19/17.

Ok to Void  
1/29/18

This Permit has been issued specifically for the construction or maintenance of the improvement listed herein. 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 herein 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
		0.00		WOODBURY
DESCRIPTION	FEE	PAID	BALANCE	
BURNER	100.00	100.00	0.00	
CA	35.00	35.00	0.00	
PLUMBING	350.00	350.00	0.00	
*** PER TOWNS ***	485.00	485.00	0.00	
TOTAL PAID AFTER APPLICATION FEE APPLIED: \$485.00				

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 — spurtie-in.
- \*Sanitary systems: (Excavation/Construction).
- \*Installation or replacement of burners — (oil, gas, electric).
- \*All Tanks — in ground 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:	07/26/2017	Work Must Start By:
CO must be issued by 07/27/2018 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		

17070441

Town of Oyster Bay  
Department of Planning and Development  
Phone: 516-624-6200 Fax: 516-624-6240



74 Audrey Avenue  
Town Hall, Oyster Bay, NY 11771  
www.oysterbaytown.com

Instant Application for Other Than Plumbing Fixtures

Tax Bill and Survey Required.

- > Distance from Property line for all above ground outdoor equipment (pool heaters), Tanks, etc. *must be shown on Survey.*
- > Excavation form where applicable.
- > AN "ORIGINAL INSURANCE CERTIFICATE FOR WORKERS COMPENSATION REQUIRED AND CERTIFICATE HOLDER TO BE NAMED AS:

DEPARTMENT OF PLANNING AND DEVELOPMENT  
TOWN OF OYSTER BAY  
TOWN HALL - BUILDING DIVISION  
74 Audrey Avenue  
Oyster Bay, NY 11771

is required by all contractors for proposed work.

If contractor is self-employed, the appropriate worker's compensation forms are to be submitted.

- > ALL PLUMBING WORK IS TO BE DONE BY A LICENSED AND INSURED TOWN OF OYSTER BAY PLUMBER.
- > All commercial tank installations and/or removals are to be filed on a "Building Application" or "Other Than Building Application".

Permit Fees

Unit:	
CA:	
Sub-Total:	
Maintain:	
Total:	

Permit #

Receipt: 01000432938

JOB DESCRIPTION

Building Type:

RESIDENTIAL ☒  
COMMERCIAL ☐

Job Type:

PROPOSED ☒  
MAINTAIN ☐

Tenant:

Section: 14 Block: 036 Lot: 19 Zone: 2120 Town Woodbury

Address of actual installation

Address: 11 Castle Drive

Nearest Cross Street: Crossbow Lane

ROOF TOP HVAC AND MULTIPLE SUSPENDED SPACE HEATERS CANNOT BE FILED ON THIS APPLICATION, MUST USE "BUILDING APPLICATION"

NATURAL GAS FIRED

- ☐ Boiler
- ☐ Furnace
- ☐ H.W.H
- ☐ Range/Oven
- ☐ Dryer
- ☐ Heaters
- ☐ other

Survey & Zoning Required:  
Must show setback:

- ☐ Pool Heater
- ☐ Barbecue
- ☐ other

ELECTRICAL FIRED UNITS

MUST HAVE AN  
APPROVED ELECTRICAL  
CERTIFICATE

PROPANE / LP FIRED

Need Fire Marshal Approval before filing

- ☐ Boiler
- ☐ Furnace
- ☐ H.W.H
- ☐ Range/Oven
- ☐ Dryer
- ☐ Heaters
- ☐ other

Survey & Zoning Required:  
Must show setback:

- ☒ Pool Heater
- ☐ Barbecue
- ☒ Tank 100 lbs/gallon

- ☒ Above Ground
- ☐ Inground
- ☐ Inside
- ☐ Outside
- ☐ other

All Underground tanks need Excavation Affidavit.

OIL FIRED

- ☐ Boiler
- ☐ Furnace
- ☐ H.W.H
- ☐ Range/Oven
- ☐ Dryer
- ☐ Heaters
- ☐ other

Survey & Zoning Required:  
Must show setback:

- ☐ Pool Heater
- ☐ Barbecue
- ☐ Tank lbs/gallon

- ☐ Above Ground
- ☐ Inground
- ☐ Inside
- ☐ Outside
- ☐ Tank Cover
- ☐ other

SANITARY

- ☐ Cesspool \*
- ☐ Septic \*

# of heads Fire Sprinkler (max. 25 heads)

☐ Lawn Sprinkler/Vacuum Breaker Valve\*

\*: Need Excavation Affidavit

- ☐ "MUST MEET ALL REQUIREMENTS OF THE NC HEALTH DEPARTMENT"
- ☐ "MUST MEET ALL REQUIREMENTS OF THE NC FIRE MARSHAL'S OFFICE"

Type of Test:

- ☐ Mercury ☐ Hydrostatic
- ☐ Disc ☐ Five Pound Air/Soap

maximum fixtures: 5 (one (1) branch)

- ☐ Lavatory ☐ Sink ☐ Stop Sink
- ☐ W/C ☐ Shower ☐
- ☐ Bath Tub ☐ W/M ☐

Building Permit#:

Plumbing Fixtures for Residential Only!

UPON FINAL APPROVAL ONLY

Pool C.O. A20076

Town of Oyster Bay Inspector's Signature & Date

Owner: Laurie Teichman  
Address: 11 Castle Drive  
Town/Zip: Woodbury, 11797  
Phone: [REDACTED]

Plumber/  
Contractor: Mr. Faucet Service Co.  
Business  
Address: 201 Northwest Dr. Ste 1  
Town/Zip: Farmingdale, 11735  
Phone: (516) 752-1000  
License#: B1190 Exp.: 12/31/17

No Lead Solder for Potable Water Lines to comply with Section 900, New York State Building Code and Section 180, Town of Oyster Bay Plumbing Code

The Town of Oyster Bay Licensed Plumber signing this Form is Certifying that he / she is the person that will be performing or supervising the work.

I Hereby certify above statements are correct.

State of New York )  
County of Nassau ) SS: Paul Muhs

Contractor / Plumber Name (PRINT)

Signature: [Signature]

Contractor / Plumber

Sworn to me this day of 26 July 2017

[Signature]  
Notary Signature

7 Damun Drive  
Contractor / Plumber Home Address (PRINT)  
Farmingdale, NY 11735  
PRINT Town, State, ZIP  
(516) 807-0318  
Home Telephone Number

Lisa A. Alberio  
Notary Public, State of New York  
No: 01AL6091248  
Qualified in Nassau County  
Commission Expires: April 28th, 2019  
Notary Stamp

Please Note: If a Gas Meter is installed this form must be presented to the gas company prior to the installation of the meter.

## TOWN OF OYSTER BAY

3 ITEMS OF 3

PERMIT RECEIPT

OPERATOR: sgerber  
COPY # : 1Sec:14 Twp:Oyster B Rng: Sub: Blk:36 Lot:19  
SBL ..... 14-36-19DATE ISSUED..... 07/26/2017  
RECEIPT #..... 01000432938  
REFERENCE ID # .... 17070441SITE ADDRESS ..... 11 CASTLE DR  
SUBDIVISION .....  
CITY ..... WOODBURY  
IMPACT AREA .....:OWNER ..... LAURIE TEICHMAN  
ADDRESS ..... 11 CASTLE DR.  
CITY/STATE/ZIP .... WOODBURY, NY 11797RECEIVED FROM ..... RECEIPT INTERFACE  
CONTRACTOR ..... MUHS, PAUL E. LIC # B1190TOB  
COMPANY ..... MR. FAUCET SERVICES CO., INC.  
ADDRESS ..... 201 NORTHWEST DR. SUITE 1  
CITY/STATE/ZIP .... FARMINGDALE, NY 11735  
TELEPHONE ..... (516) 752-1000

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-CA	FIXTURES	1.00	35.00	0.00	35.00	0.00
B-GASTANK	GALLONS	2.00	350.00	0.00	350.00	0.00
B-POOL HTR		1.00	100.00	0.00	100.00	0.00
TOTAL PERMIT :			485.00	0.00	485.00	0.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	485.00	11460
TOTAL RECEIPT :	485.00	

Christine / Lisa



Online Banking

## MR FAUCET MAIN ACCT 7239: Account Activity Transaction Details

Check number: 000000 [REDACTED]

Post date: 07/26/2017

Amount: -485.00

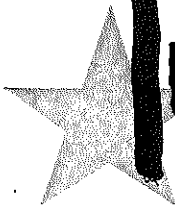
Type: Check

Description: Check

Merchant name: Check

Transaction category: Cash, Checks &amp; Misc: Checks

170764 41	MR. FAUCET SERVICE COMPANY, IN 516-752-1000 T#N 11460
OPERATING ACCOUNT	17076441 1 33218 NY 10047
201 NORTHWEST DR STE 1	DATE 7/24/17
FARMINGDALE, NY 11735-4920	
PAY TO THE ORDER OF <u>Town of Oyster Bay</u>	\$ <u>485.00</u>
<u>four hundred eighty five</u>	<u>00</u> DOLLARS
Bank of America	
ACH NIT 02100022	
FOR <u>11384, 11 Castle Dr, PP FCC</u>	<u>ha can</u>
[REDACTED]	

>065000090<		PAY TO THE ORDER OF CAPITAL ONE, NA TOWN OF OYSTER BAY RICHMOND, VA 23199
CAPITAL ONE, NA		
0031318228 07262017		
RICHMOND, VA 23122		
Deposit [REDACTED]		

<https://secure.bankofamerica.com/myaccounts/details/deposit/search.go?adx=dde49027f8...> 12/27/2017



Signature \_\_\_\_\_  
Town Comptroller

Meeting of March 13, 2018

Resolution No. 137-2018

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 16, 2018, recommended that the Town Board authorize payment of a refund in the amount of \$200.00 under the Amnesty Program to Mr. Paul Capucciati, 172 North Queens Avenue, North Massapequa, New York 11758, from Account No. PAD B 0001 02555 000 0000, for payment to renew Building Permit Number L37807, as the renewal fee was not necessary since a Certificate of Occupancy Number A32044 was issued on May 4, 1994,

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. Paul Capucciati, in the amount of \$200.00, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

Reviewed By  
Office of Town Attorney

8 137

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

**Date:** February 16, 2018  
**TO:** MEMORANDUM DOCKET  
**FROM:** ELIZABETH L. MACCARONE  
COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**SUBJECT:** RESIDENT REFUND - PAUL CAPUCCIATI

-----

Pursuant to the Code of the Town of Oyster Bay, this department renewed a Building Permit Number L37807 in the amount of \$200.00 under the Amnesty Program. This permit was renewed in error since a Certificate of Occupancy Number A32044 was issued on May 4, 1994. A copy of the Certificate of Occupancy is attached for your review.

Therefore, in light of the aforementioned facts, a two hundred dollar (\$200.00) refund for the building permit fee associated with Building Permit Number L37807 should be refunded to Paul Capucciati, 172 No. Queens Avenue, North Massapequa, New York 11758 under account number PAD B 0001 02555 000 0000.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:TRZ:ds

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

Paul Capucciati  
172 N. Queens Ave  
Massapequa, NY 11758  
February 5, 2018

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

Dear Town of Oyster Bay:

Attached please find my claim for refund for a building permit (#L37807) extension fee. This fee was erroneously charged when I made an inquiries about open building permits at the above address at Town Hall South.

Also attached is a copy of the building permit (#L37807) stamped with the receipt for the \$200 I paid for the extension of time I did not need. When I went to Audrey Avenue Town Hall the Certificate of Occupancy (# A32044 ) was found for the building permit(#L37807). A copy of the certificate of occupancy is also attached.

Please also find a copy of the check I wrote at Town hall south on 12/27/2017. My SSN is XX-XX-XXXX. My complete SSN is written on the claim form.

As requested on you cover letter, enclosed are copies of

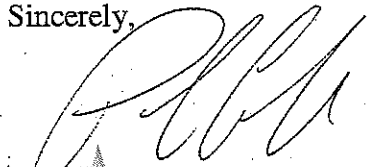
- This letter explain the reason for cliam
- The completed form
- Copy of the building Permit (#L37807)
- Receipt if payment
- Copy of cancelled check
- Also include is copy of Certificate of Occupancy

Town of Oyster Bay

February 5, 2018

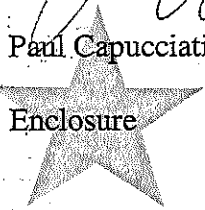
Page 2

Sincerely,



Paul Capucciati

Enclosure



## TOWN OF OYSTER BAY

## CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY #

CLAIMANT'S NAME PAUL CAPUCCIATI	CONTRACT #	ORDER #
CLAIMANT'S ADDRESS 172 NO QUEENS AVE., NO. MASSAPEQUA NY 11758	CONTRACT NAME	
TOWN DEPARTMENT PLANNING & DEVELOPMENT	CLAIMANT INVOICE #	RESO #

**FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES**

### DETAILED DESCRIPTION OF MATERIALS OR SERVICES

[illegible]

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

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

\*\*\*\*\*TWO HUNDRED DOLLARS AND NO CENTS\*\*\*\*\*

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 \_\_\_\_\_

Signature \_\_\_\_\_

Title

Print or type name

Name of Company

I HEREBY APPROVE this claim form for the sum of \*\*\*\*\*\$200.00\*\*\*\*\* for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature

Title COMMISSIONER

Date \_\_\_\_\_

Department PLANNING & DEVELOPMENT

Account

## TOWN OF OYSTER BAY

ITEM 2 OF 2

## PERMIT RECEIPT

OPERATOR: klangber  
COPY # : 1Sec:48 Twp:Oyster B Rng: Sub: Blk:76 Lot:441  
SBL ..... 48-76-441DATE ISSUED.....: 12/27/2017  
RECEIPT #.....: 03000000787  
REFERENCE ID # ....: 93003720Permit Num .....: L37807  
SITE ADDRESS .....: 172 N QUEENS AVE  
SUBDIVISION .....:  
CITY .....: NORTH MASSAPEQU  
IMPACT AREA .....OWNER .....: RAYMOND SADLO  
ADDRESS .....: 172 N QUEENS AVE  
CITY/STATE/ZIP ....: NO. MASSAPEQUA, NY 11758RECEIVED FROM .....: RECEIPT INTERFACE  
CONTRACTOR .....: \*MICHAEL CHIRILLO LIC # C02592  
COMPANY .....: \*MICHAEL CHIRILLO  
ADDRESS .....:  
CITY/STATE/ZIP ....: , NY  
TELEPHONE .....

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-REXT5+	FLAT RATE	1.00	200.00	0.00	200.00	0.00
TOTAL PERMIT :			200.00	0.00	200.00	0.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	400.00	1185
TOTAL RECEIPT :	400.00	



Check

Front

PAUL CAPUCCIATI  
ELIZABETH CAPUCCIATI  
172 N. QUEENS AVE.  
MASSAPEQUA, NY 11758

1-2-210 1185

12/27 2017

PAY TO THE ORDER OF TOWN OF OYSTER BAY \$400 <sup>XX</sup>/<sub>100</sub>

four hundred <sup>XX</sup>/<sub>100</sub>

JPMORGAN CHASE BANK  
270 PARK AVENUE  
NEW YORK, NY 10017

FOR 28908, 37807 1185

Back

Capital One, NA Richmond, VA 065000090  
46419RJT3170520171229000083609097

>065000090<  
CAPITAL ONE, NA  
RICHMOND, VA 013 22  
Deposit

PAY TO THE ORDER OF  
CAPITAL ONE BANK  
FOR DEPOSIT ONLY  
TOWN OF OYSTER BAY

Post date  
Dec 29, 2017

Check #  
1185

Check amount  
\$400.00



S.D.	Section	Block	Lot(s)	Zone	Application No.	ZBA Number	Receipt No.
22	48	76	441	D	3720 93	94-12 Date 01/20/94	H92047

<b>Permittee</b> Raymond Sadlo 172 North Queens Avenue North Massapequa New York 11758 795-2173	<b>Contractor</b>  <b>Plumber</b> Michael Chirillo 22 Crescent Lane Levittown, New York 11756
<b>Property Owner</b> Raymond Sadlo 172 North Queens Avenue North Massapequa New York 11758 795-2173	<b>Heating</b>  <b>Sanitary</b>

**Address of Actual Construction**

172 North Queens Avenue  
North Massapequa New York 11758

**Additional Information**  
Plumbers license # 1845 H

**Permission Granted for the Maintenance of:**

An 18' x 14' Raised Wood Deck with steps to grade located at rear area of Dwelling. Maintenance of 16' x 8' One Story Extension of Existing Den and Bath located at rear of Dwelling. Maintenance of two (2) Relocated Plumbing Fixtures (1-WC, 1-BT) located at First Floor Bath Extension.

**EXTENSION OF TIME**  
Expires ~~02/28/94~~ 3/28/94  
Receipt 03000000 787

All work shall comply with T.O.B. approved plans dated 01/31/94 **MUST COMPLY WITH PRESENT CODES**

**ZONING REVIEW: MUST COMPLY WITH BD. OF APPEALS DECISION 94-12 dated 01/20/94**

Please note that when two numbers are shown, the number on the left is the existing structure, the number on the right is the proposed structure


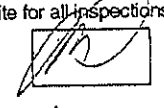
Please note that when two numbers are given, the first number is for the front yard and the second number is for the rear yard.										Post Office	
Located on:		Side of		Feet		East		West Boulevard		North Massapequa	
South		North Queens Avenue		200		East		West Boulevard			
STRUCTURE WIDTH		DEPTH		HEIGHT		STORIES		FRONT YARD		FEE FOR	
31.1'		32.3'						24.9'		CONSTRUCTION	
										\$110.00	
										PLUMBING	
										\$50.00	
										BURNER	
REAR YARD		SIDE YARD		SIDE YARD		FR SIDE YARD		SEWER		AC Unit	
28.8'		13.73'		5.06'						TANK	
								\$12,667.00		SANITARY	
S BLOCK		PRECAST		SEPTIC TANK		DRY WELLS		No PLUMB FIXTURES		CONSTR CO	
								No Burners		\$17.00	
				GAL		2		OIL GAS COAL		Cert of Comp	
SPRINKLER HEAD		OIL TANK INSIDE		OIL TANK OUTSIDE		HOT WATER HEATER				PLUMB CA	
		GAUGE GAL		GAUGE GAL						\$5.00	
										TOTAL FEE	
										\$182.00	

FEE FOR	AMOUNT
CONSTRUCTION	\$110.00
PLUMBING	\$50.00
BURNER	
AC Unit	
TANK	
SANITARY	
CONSTR.CO	\$17.00
Cert of Comp	
PLUMB CA	\$5.00
TOTAL FEE	\$182.00

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 inspections of their respective parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit must be posted on job site, visual to public inspection, until completion of the work and inspections.

- Inspections: Normally there are 14 or more required inspections of a new building and as many as apply to alterations and additions.
1. Soil Conditions-Before foundation footings are poured, Forms in place
  2. Foundation footings & key with re-bar.
  3. Foundation forms & re-bar before poured.
  4. Concrete walls and other concrete while being poured
  5. Foundation walls & Tar Membrane before backfill.
  6. Framing-Before insulation or lathing (foundation location survey)
  7. Rough enclosed (insulation)-Before exterior/interior finish is applied
  8. Final on construction-When ready for certificate of occupancy.
  9. Plumbing-Roughing, when ready for water test
  10. Flange inspection-8A sewer connection if used
  11. Plumbing final-when ready for certificate of approval
  12. Burner-When installed with tank in place
  13. Tanks-Outside before being covered
  14. Sanitary-(1)Excavation(2) Construction(3) Special

Changes regardless of size from the stamped approved plans must be submitted to the Department of Planning and Development and approved before the changes are made. Approved plans must be retained on the job and available to inspectors at all times.

Date Issued: 02/22/94	Work must start by: 08/22/94
C.O. must be issued by 02/22/95 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 Occupancy

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Avenue, Oyster Bay, New York 11771

No. A32044

05/04/94

### Property Owner Information:

Raymond Sadlo 172 North Queens Ave. No. Massapequa New York 11758 795-2173

### Property Information:

Section: Block:

48

76

Lot(s):

441

Zone:

D

SD

22

Located on:

Side of

Feet

of

South

North Queens Avenue

200

East

West Boulevard

Post Office

North Massapequa

Address: 172 North Queens Avenue North Massapequa

Appl No.	Bldg Per. No.	Date	Receipt No.	Z.B.A. No.	Date	Town Brd No.	Date
3720	L37807	02/22/94	H92047	94-12	01/20/94		

CA No  
G14280

Elec No  
N059688

### Work Completed

L37807 - An 18' x 14' Raised Wood Deck with steps, a 16' x 8' One Story Extension

This certifies that the above construction conforms with the approved plans and Codes of the Town of Oyster Bay and the New York State Fire Prevention and Building Code.

TOBDDPD Certificate of Occupancy - SBL Copy

Commissioner, Department of Planning and Development

Initials



## Certificate of Occupancy

Town of Oyster Bay Department of Planning and Development  
Division of Building, 74 Audrey Avenue, Oyster Bay, New York 11771

No. A32044

05/04/94

### Property Owner Information:

Raymond Sadlo 172 North Queens Ave. No. Massapequa New York 11758 795-2173

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48

76

Lot(s):

441

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D

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22

Located on:

Side of

Feet

of

South

North Queens Avenue

200

East

West Boulevard

Post Office

North Massapequa

Address: 172 North Queens Avenue North Massapequa

Appl No.	Bldg Per. No.	Date	Receipt No.	Z.B.A. No.	Date	Town Brd No.	Date
3720	L37807	02/22/94	H92047	94-12	01/20/94		

CA No  
G14280

Elec No  
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This certifies that the above construction conforms with the approved plans and Codes of the Town of Oyster Bay and the New York State Fire Prevention and Building Code.

TOBDDPD Certificate of Occupancy - SBL Copy

Commissioner, Department of Planning and Development

Initials

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 16, 2018, recommended that the Town Board authorize payment of a refund in the amount of \$200.00 under the Amnesty Program to Ms. Joan Deutsch, 334 North Delaware Avenue, North Massapequa, New York, 11758, from Account No. PAD B 0001 02555 000 0000, for payment to renew Building Permit Number M02665, as the fee was paid in error since the pool no longer exists, as verified on December 6, 2017 by a Building Inspector,

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 Ms. Joan Deutsch, in the amount of \$200.00, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

Reviewed By  
Office of Town Attorney

9

138

**TOWN OF OYSTER BAY**

**INTER-DEPARTMENTAL MEMO**

**Date:** February 16, 2018  
**TO:** MEMORANDUM DOCKET  
**FROM:** ELIZABETH L. MACCARONE  
COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**SUBJECT:** RESIDENT REFUND – JOAN DEUTSCH

---

Pursuant to the Code of the Town of Oyster Bay, this department renewed a Building Permit Number M02665 in the amount of \$200.00 under the Amnesty Program. This permit was renewed in error since the pool no longer exists and was verified on December 6, 2017 by a Building Inspector. A copy of his report is attached for your records.

Therefore, in light of the aforementioned facts, a two hundred dollar (\$200.00) refund for the building permit fee associated with Building Permit Number M02665 should be refunded to Joan Deutsch, 334 No. Delaware Avenue, North Massapequa, New York 11758 under account number PAD B 0001 02555 000 0000.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:TRZ:ds

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

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

**TO:** NOTE TO FILE

**FROM:** TIMOTHY R. ZIKE, DEPUTY COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT

**DATE:** FEBRUARY 8, 2018

**SUBJECT:** REFUND FOR EXTENSION OF TIME FEE  
BUILDING PERMIT NUMBER M02665  
SECTION 52, BLOCK 344, LOT 321  
334 N. DELAWARE AVENUE – MASSAPEQUA, NEW YORK

---

This memo serves to memorialize the events that led to a request for a refund of an Extension of Time Fee for the above referenced Building Permit at the subject location.

The subject property owner received an Expired Building Permit Notice, dated November 28, 2017 (copy attached) stating that Building Permit Number M02665 was expired and needed to be renewed. The property owner contacted the Building Division to request a Building Inspector to verify that above ground swimming pool, that was the subject of the Building Permit, was removed. On December 6, 2017, a Building Inspector verified that the swimming pool was removed (copy attached) and that the Building Permit should be voided. The Building Inspector requested that the Building Division forward a letter to the property owner explaining that the Building Permit was voided.

On December 13, 2017, the Building Division issued a Further Information Letter (copy attached) to the subject property owner. The property owner misinterpreted the letter and renewed the Building Permit (for \$200.00 on December 28, 2017) inadvertently since the property owner did not want to lose the opportunity to take advantage of the Residential Building Permit Amnesty Program which expired on December 31, 2017.

In light of those facts, Building Permit Number M02665, issued February 28, 2007, for the above-ground swimming pool, was voided. The Extension of Time Fee of \$200.00 for the Building Permit renewal should be refunded to the property owner.

ELIZABETH L. MACCARONE  
COMMISSIONER

  
\_\_\_\_\_  
Timothy R. Zike  
Deputy Commissioner

TZ  
Encls.



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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

DATE: November 28, 2017

JOSEPH & TAMARA DEUTSCH  
334 N DELAWARE AVE  
NORTH MASSAPEQUA, NY 11758

**EXPIRED BUILDING PERMIT**

RE: BUILDING PERMIT NUMBER: M02665  
SECTION: 52 , BLOCK: 344 , LOT(S): 321

Please be advised that the Residential Building Permit Amnesty Program for the Town of Oyster Bay expires December 31, 2017. The Residential Building Permit Amnesty was implemented by the Town Board as an opportunity for Town residents to close out Building Permit issues without any penalties and ensure compliance with Town and State ordinances.

This Department's records indicate that Building Permit Number M02665 is expired and that a Certificate of Occupancy/Completion was not issued. Typically, the renewal fee for this expired Building Permit is \$750.00; however, under the Residential Building Permit Amnesty Program, the renewal fee is \$200.00.

At this time, you can renew the Building Permit by mailing a check, payable to the "Town of Oyster Bay", to the Department of Planning and Development, 74 Audrey Avenue, Oyster Bay, New York 11771 or by visiting the Department personally in Oyster Bay or the Satellite Office located at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758. Once the Building Permit is renewed, a building inspection (and if necessary, a plumbing inspection) can be scheduled with the Department.

Thank you for your attention to this matter. Further information regarding this matter can be obtained by contacting the Department of Planning and Development, Certificate of Occupancy Room, at (516) 624-6379 or by visiting the Department in Town Hall North or the Satellite Office in Town Hall South. When you contact the Department, kindly have your Building Permit Number and your Section, Block and Lot Number available.

Very truly yours,

ELIZABETH L. MACCARONE  
COMMISSIONER

(Revised 09/13/2017)

<b>Mail to:</b>  Ms. Joan Deutsch 334 N. Delaware Ave. N. Massapequa, NY 11758  <b>Permit(s) Number:</b>  M02665	<b>Premises:</b>  SAME  <b>Tenant (if applicable):</b>  <table><tr><td><b>Section:</b></td><td><b>Block:</b></td><td><b>Lot(s):</b></td></tr><tr><td>52</td><td>344</td><td>321</td></tr></table>	<b>Section:</b>	<b>Block:</b>	<b>Lot(s):</b>	52	344	321
<b>Section:</b>	<b>Block:</b>	<b>Lot(s):</b>					
52	344	321					

Dear Sir/Madam,

We are unable to process the above referenced document(s) until we received the item(s) checked below.

Document(s) Required	Telephone #:	Comments:
Amended Building Construction Plans	Your Eng./Arch.	The above swimming pool permit was voided as per attached Building Inspector's Report dated 12/6/17.
Original Engineer/Architect Certification	Your Eng./Arch.	
Building Inspection	(516) 624-6222	*Please be advised you have an open code case #432006164 regarding existing parent/child use application #06002246 that was never approved a permit. Please note all alterations require a permit & inspection. If shed under 100 sq ft still on property & has not been relocated to comply with 3ft setback, a variance will be required.
Expired Building Permit/Renewal	(516) 624-6216	
Electrical Certificate of Approval	Your Electrician	
Plumbing Permit	(516) 624-6200	
Plumbing Inspection	(516) 624-6222	
Final Survey(s) #	Your Surveyor	
Final Supervision Affidavit	(516) 624-6216	
Elevator Certification	(516) 624-6239	
Concrete Certification	Your Engineer	
Steel Certification	Your Engineer	
Sewer Certificate of Approval	Your Plumber	
Cesspool Approval	Your Plumber	
Fire Sprinkler Test Approval	Your Plumber	
Flame Spread Certifications:		
Carpet	Your Supplier	
Floor	Your Supplier	
Walls	Your Supplier	
Ceiling	Your Supplier	
T.O.B. Public Lighting	(516) 677-5792	
T.O.B. Engineer and Drainage Approval	(516) 624-6246	
T.O.B. Parks Department Approval	(516) 797-4110	
T.O.B. Highway Approval	(516) 677-5935	
* ZBA Compliance	(516) 624-6232	
Park Fees	(516) 624-6150	
Code Compliance Bureau Approval	(516) 624-6250	
Additional Permits	(516) 624-6200	
Public Assembly License Approval	(516) 624-6220	
Landscaping Inspection and Approval	(516) 624-6227	
Final Fee	(516) 624-6219	
Letter from LIPA	(516) 933-2060	
Energy Star Compliance	Your Contractor	

Please send all documents to the attention of the Certificate of Occupancy Room

Date Reviewed	Reviewer	Telephone Number
12/13/17	Lisa L	624-6212

This is the front of your check

JOAN DEUTSCH  
334 N DELAWARE AVE  
MASSAREQUA, NY 11758  
(516) [REDACTED]

THS

1673  
1-357/260  
429

12-28-17

Date

Pay to the  
Order of


Town of Oyster Bay


\$ 200.-

Two hundred


00/100

Dollars

Photo  
Safe  
Deposit  
Check on back

TD Bank  
America's Most Convenient Bank®

For PERMIT #M02665 52 344 321

  
1673

TD Bank N.A.

This is the back of your check

Capital One, N.A. Richmond VA 065000090  
46386TID2110720180103000075831534  
>065000090<  
CAPITAL ONE, NA  
[REDACTED]  
RICHMOND, VA 096 23  
Deposit

PAY TO THE ORDER OF  
CAPITAL ONE BANK  
FOR DEPOSIT ONLY  
TOWN OF OYSTER BAY

DEPOSIT

PERMIT #  
VISITING  
0.2 PERM  
02665 FEB 28 5  
M  
PERMIT EXPIRES ONE YEAR FROM THE  
DATE INDICATED ABOVE

TYPE	PLUMBER	CONTRACTOR	APPLICANT	OWNER	LOCATION OF CONSTRUCTION
1					
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**FAST ORDER PERMIT**  
**MINOR STRUCTURES AND MECHANICAL INSTALLATIONS**

<div style="display: flex; justify-content: space-between;"> <span>334 N. Delaware Ave</span> <span>N. Massapequa</span> <span>11758</span> </div>	
NO. & STREET ADDRESS SEC <u>5a</u> BLOCK <u>344</u> LOT(S) <u>321</u>	
NAME <u>Deutsch</u> <u>Tamara</u> LAST FIRST MIDDLE INIT.	
ADDRESS <u>334 N. Delaware Ave</u> <u>N. Massapequa NY</u> <u>11758</u> <u>565</u> NO. & STREET POST OFFICE ZIP CODE PHONE#	
NAME _____ LAST FIRST MIDDLE INIT.	
ADDRESS _____ NO. & STREET POST OFFICE ZIP CODE PHONE#	
NAME <u>Maintain</u> ADDRESS _____ POST OFFICE _____ ZIP CODE _____	
NAME _____ BUSINESS ADDRESS _____ POST OFFICE _____ ZIP CODE _____ SIGNATURE _____ Sworn to before me this _____ day _____ Of _____	
PERMIT TYPE <input type="checkbox"/> PROPOSED <input checked="" type="checkbox"/> MAINTAIN	
<input checked="" type="checkbox"/> SWIMMING POOL <input type="checkbox"/> ABOVE GROUND <input type="checkbox"/> SEMI-INGROUND <input type="checkbox"/> INGROUND SIZE _____	FENCE HEIGHT _____ TOTAL LINEAR FEET _____ TYPE _____
A/C UNITS # OF UNITS _____	
OTHER (DESCRIBE) <u>Maintaining</u> <u>11' x 24' oval shaped above grd.</u> <u>Swimming pool w/ prefab Deck 5.5' x 15.8'</u> <u>as per plan.</u>	
COMMENTS _____ FOR OFFICE USE ONLY <div style="font-size: 48px; text-align: center; border: 1px solid black; padding: 10px;">COPY</div>	

FOR OFFICE USE ONLY

VERIFICATION OF WORKERS COMPENSATION  
 CURRENT \_\_\_\_\_ EXPIRED \_\_\_\_\_

VERIFICATION - NASSAU COUNTY HOME IMPROVEMENT LICENSE  
 CURRENT \_\_\_\_\_ EXPIRED \_\_\_\_\_

FOR OFFICE USE ONLY

VERIFICATION OF TOWN OF OYSTER BAY LICENSE  
 CURRENT \_\_\_\_\_ EXPIRED \_\_\_\_\_

SCHOOL DISTRICT - 18 ZONE R1-7

1. ZONING REVIEW ED BY \_\_\_\_\_  
 APPROVED \_\_\_\_\_ REJECTED (SEE REJECTION NOTICE)

2. PLANS REVIEWED BY \_\_\_\_\_  
 APPROVED \_\_\_\_\_ REJECTED (SEE REJECTION NOTICE)

FEES

CONSTRUCTION	115.00
PLUMBING	
CONSTRUCTION C.O.	33.00
CERT. OF COMP.	
PLUMB C.A.	
SUBTOTAL	248.00
MAINTAIN EXISTING	248.00
OTHER	
TOTAL	\$496.00

RECEIPT # - \_\_\_\_\_  
 THE OWNER & THE UNDERSIGNED AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE TOWN OF OYSTER BAY, COUNTY OF NASSAU & STATE OF NEW YORK.

#300969 g.

VOID -  
removed as  
per Bill  
Frost  
JSD 12/6/17

STATE OF NEW YORK COUNTY OF NASSAU		OWNER	
SS: _____		SS: _____	
_____ being duly sworn deposes and says: That he/she resides at _____ in the hamlet of _____ in the State of _____ and that he/she is authorized by the Owner _____ who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained therein are true to deponents own knowledge.		_____ being duly sworn deposes and says: That he/she resides at _____ in the hamlet of _____ in the State of _____ and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and all the statements contained therein are true to deponents own knowledge.	
Address _____ Phone _____		Address _____ Phone _____	
(Sign here) _____		(Sign here) _____	
Sworn to before me this _____ day Of _____ 20____		Sworn to before me this _____ day Of _____ 20____	
_____ NOTARY PUBLIC		_____ NOTARY PUBLIC	
OFFICE COPY - WHITE		SBL-GREEN	
INSPECTORS COPY - BLUE		APPLICANT - YELLOW	

## Building Inspector's Report

Date: 12/6/17 Time:      AM      PM I have reviewed (      ) previous reports.

Owner: \_\_\_\_\_ Contractor: \_\_\_\_\_ Sec. 52  
Address: 334 Delaware Ave. Address: \_\_\_\_\_ Blk. 344  
Telephone: 11488 Telephone: \_\_\_\_\_ Lot(s) 321

Permit #(s)	Type	Date Issued	Expiration Date
1102665	Above Ground Pool		Verification

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

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

### To Continue Work:

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

### To Obtain a Certificate of Occupancy:

\_\_\_\_\_ Must Obtain Electrical Certificate From  
Approved Electrical Inspection Service For:

\_\_\_\_\_ Must Submit Updated Property Survey

\_\_\_\_\_ Must Obtain Plumbing Approval

\_\_\_\_\_ Must Obtain Permit For:

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

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

COPY

**Comments/Observations/Information:**

Ok to Vord

Pool Removed

Stating Permit is Void to (40)

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

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

Received By: \_\_\_\_\_

Inspector's Signature: \_\_\_\_\_  
Inspector's Extension: (516) 624- \_\_\_\_\_

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

WHEREAS, Sinnreich Kosakoff & Messina, LLP by Resolution No. 260-2015, adopted May 12, 2015, was retained to provide legal services to the Department of Planning and Development with respect to the Zoning Board of Appeals for the period from May 26, 2015 through December 31, 2015; and

WHEREAS, Elizabeth L. Maccarone, Commissioner Department of Planning and Development, by memorandum dated February 16, 2018, has requested an authorization to pay Sinnreich Kosakoff & Messina, LLP, concerning representation provided in ongoing litigation representing the Zoning Board of Appeals nunc pro tunc from January 1, 2015 through May 25, 2015, in an amount not to exceed \$725.00, with funds available in Account No. PAD B 8010 44800 000 0000, and further requests that the Town Board grant a waiver of the Town of Oyster Bay Procurement Policy and Procedures for said payment,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the authorization of an amount not to exceed \$725.00 for purposes of payment to Sinnreich Kosakoff & Messina, LLP for legal fees, costs and disbursements as outside counsel for the Zoning Board of Appeals and grants a waiver of the Town of Oyster Bay Procurement Policy and Procedures for said payment; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly certified claim, after audit, with funds available in Account No. PAD B 8010 44800 000 0000.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

7ms  
Reviewed By  
Office of Town Attorney

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

**TO: MEMORANDUM DOCKET**

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

**DATE: FEBRUARY 16, 2018**

**SUBJECT: REQUEST FOR AUTHORIZATION OF EXPENDITURES  
FOR SERVICES RENDERED FOR CERTAIN MONTHS OF 2015  
FOR OUTSIDE COUNSEL FOR THE ZONING BOARD OF APPEALS  
LEGAL SERVICES FOR ZONING AND LAND USE LITIGATION  
ACCOUNT NUMBER PAD B 8010 44800 000 0000**

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On May 12, 2015, the Town Board adopted Resolution Number 260-2015 authorizing Sinnreich, Kosakoff and Messina, LLP, Goldberg Segalla, LLP and Walsh, Markus, McDougal & DeBellis, LLP to provide legal services for zoning and land use litigation to the Zoning Board of Appeals for the period from May 26, 2015 through December 31, 2015 with a one (1) year renewal option (copy enclosed).

However, during the time period of January 1, 2015 through May 25, 2015, this Department had ongoing litigation in which the law firm Sinnreich, Kosakoff and Messina, LLP represented the Zoning Board of Appeals.

In view of the above, it is respectfully requested that the law firm Sinnreich, Kosakoff and Messina, LLP be authorized for payment for services rendered, nunc pro tunc, from January 1, 2015 through May 25, 2015, in an amount not to exceed \$725.00. Additionally, it is respectfully requested that the Town Board grant a waiver of the Town of Oyster Bay Procurement Policy and Procedures for the above mentioned situation during those dates.

Funds for this request, in an amount not to exceed \$725.00 for January 1, 2015 through May 25, 2015, are available in Account Number PAD B 8010 44800 000 0000..

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:tz

Encls.

cc: Town Attorney (+ 7 copies)



Meeting of May 12, 2015

Resolution No. 260-2015

WHEREAS, Diana S. Aquiar, Deputy Commissioner of the Department of Planning and Development, by memorandum dated April 27, 2015, and Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated May 7, 2015, recommend that the following law firms be retained, for the period beginning May 26, 2015 through December 31, 2015, with a one (1) year renewal option, in order to assist the Zoning Board of Appeals with respect to zoning and land use litigation, at the following indicated rates:

Sinnreich, Kosakoff, and Messina, LLP  
267 Carelton Avenue, Ste. 301  
Central Islip, New York 11722

Partners: \$225.00 per hour  
Associates: \$175.00 per hour  
Paralegals: \$95.00 per hour

Goldberg Segalla, LLP  
200 Garden City Plaza, Suite 520  
Garden City, NY 11530

Partners: \$200.00 per hour  
Paralegals: \$70.00 per hour

Walsh Markus McDougal & DeBellis, LLP  
229 Seventh Street, Suite 200  
Garden City, New York 11530

Partners: \$200.00 per hour  
Paralegals: \$70.00 per hour

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the abovementioned law firms are hereby authorized to provide legal services to the Zoning Board of Appeals in connection with zoning and land use litigation for the period beginning May 26, 2015 through December 31, 2015, with a one (1) year renewal option, at the rates herein indicated.

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

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

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

Reviewed By  
Office of Town Attorney  
*M. J. [Signature]*

WHEREAS, by Resolution No. 279-2015, adopted on May 12, 2015, the Town Board granted Site Plan Approval to PLAINVIEW PROPERTIES, SPE, LLC, fee owner, and BEECHWOOD POB LLC, contract vendee, (collectively "Petitioners"), for premises located at the southwest corner of Old Country Road and Round Swamp Road, in Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 752A, 752B and 758B on the Land and Tax Map of Nassau County; and

WHEREAS, by Resolution No. 692-2016, adopted on December 13, 2016, the Town Board granted approval of an amended Site Plan, which decreased the number of proposed retail buildings and changed the proposed building footprints; and

WHEREAS, by Resolution No. 738-2017, adopted on November 14, 2017, the Town Board granted approval of an amended Site Plan, which revised the layout of Bank E (future Chase Bank) and proposed Restaurant A, and amended the layout of the drive-thru lane and the configuration of the parking spaces around proposed Building E, and the realignment of the retaining wall with the reduction of seven (7) parking spaces, and approved other minor modifications; and

WHEREAS, Petitioners have submitted a further amended Site Plan for approval which proposed amended Site Plan decreases the number of proposed residential buildings in Condo Section 4, by eliminating four (4) townhouse buildings, totaling eight (8) units (shown as Units 715-722 on the original approved Site Plan) and converting four (4) other townhouse buildings (shown as Units 737 through 744 on the original approved Site Plan) into villa style buildings, thereby providing sixteen (16) villa units in four (4) buildings instead of sixteen (16) townhouse units in eight (8) buildings; and relocating one (1) townhouse building (Units 749 and 750 on the original approved Site Plan) to the opposite side of Spruce Pond Circle (shown as Building No. 89), and shows a dumpster access drive to the Clubhouse and an electric charging station (Tesla) on the commercial portion of the Site Plan; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 16, 2018, has advised that the Department of Planning and Development has reviewed the following one (1) plan prepared by Michael P. Renhard, L.P.E., LiRo Engineers, Inc., Mineola, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
DWG.OS-1	OVERALL SITE PLAN	Michael P. Renhard, L.P.E.	02/08/2018

WHEREAS, said Commissioner further reported that the plan submitted 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,

NOW, THEREFORE, BE IT RESOLVED, That the request of Petitioners, requesting that the Site Plan approved by the Town Board by Resolution No. 279-2015, as previously amended by Resolution 692-2016 and Resolution No. 738-2017, be amended to reflect the decreased number of proposed residential buildings in Condo Section 4, by eliminating four (4) townhouse buildings, totaling eight (8) units (shown as Units 715-722 on the original approved Site Plan) and converting four (4) other townhouse buildings (shown as Units 737 through 744 on the original approved Site Plan) into villa style buildings, thereby providing sixteen (16) villa units in

Reviewed By  
Office of Town Attorney

four (4) buildings instead of (8) buildings, and relocating one (1) town house building (Units 749 and 750 on the original approved Site Plan) to the opposite side of Spruce Pond Circle (shown as Building Number 89), and shows a dumpster access drive to the Clubhouse and an electric charging station (Tesla) on the commercial portion of the Site Plan on the premises located on the southwest corner of Old Country Road and Round Swamp Road, in Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 753, 755, 756, 757, 758, 759 and 760 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 of the Department of Planning and Development, dated February 16, 2018, the one (1) plan described hereinabove is hereby approved.

-#-

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

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

- 2 -

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development

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

**TO: MEMORANDUM DOCKET**

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

**DATE: FEBRUARY 16, 2018**

**SUBJECT: REQUEST FOR AMENDED SITE PLAN APPROVAL  
TOWN BOARD RESOLUTION NUMBER 279-2015,  
TOWN BOARD RESOLUTION NUMBER 692-2016  
AND TOWN BOARD RESOLUTION NUMBER 738-2017  
SECTION 47, BLOCK E, LOT(S) 759, 760 (GB DISTRICT)  
SECTION 47, BLOCK E, LOT(S) 755-758 (RMF-16 DISTRICT)  
SECTION 47, BLOCK E, LOT(S) 753 (RSC-25 DISTRICT)  
F/K/A SECTION 47, BLOCK E, LOT(S) 751A, 751B, 751C & 751D  
COUNTRY POINTE AT PLAINVIEW  
OLD COUNTRY ROAD – PLAINVIEW, NEW YORK**

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This Department is in receipt of correspondence, dated February 13, 2018, from Vincent J. Pizzulli, Jr., requesting an amended Site Plan Approval for the above referenced property.

On May 12, 2015, the Town Board approved Resolution Number 279-2015 (copy attached) which granted a Change of Zone and granted Site Plan Approval for the construction and development of a mixed-use development located in an "RSC-25" (Multi-Family Senior Citizen Residence), "RMF-16" (Multi-Family Residence), and "GB" (General Business) Districts. According to the Declaration of Restrictive Covenants, Number 25, any "major" Site Plan modifications requires Town Board approval via a Resolution. Subsequently, the Town Board approved Resolution Numbers 692-2016 and 738-2017, on December 13, 2016 and November 14, 2017, respectively, for amended Site Plan Approvals (copies attached) for the above referenced project.

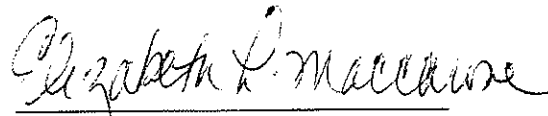
The Applicant has proposed an amended overall Site Plan which decreases the number of proposed residential buildings in Condo Section 4, pursuant to a Stipulation of Settlement in an Article 78 Proceeding commenced by nearby property owners. The proposal is to eliminate four (4) townhouse buildings, totaling eight (8) units (shown as Units 715-722 on the original approved Site Plan) and convert four (4) other townhouse buildings (shown as Units 737 through 744 on the original approved Site Plan) into villa style buildings, thereby providing 16 villa units in four (4) buildings instead of sixteen (16) townhouse units in eight (8) buildings.

The proposed Site Plan change also involves the relocation of one (1) townhouse building (Units 749 and 750 on the original approved Site Plan) to the opposite side of Spruce Pond Circle (shown as Building Number 89). Additionally, the amended overall Site Plan has been further revised to show a dumpster access drive to the Clubhouse and it also reflects the recently approved changes to the commercial Site Plan (Town Board Resolution Number 738-2017) which now delineates an electric charging station (Tesla) on the commercial portion of the Site Plan.

One (1) amended plan prepared by Michael P. Renhard, L.P.E., LiRo Engineers, Inc., Mineola, New York has been submitted for amended Site Plan Approval. The plan is as follows:

SHEET NO	TILE	PREPARED BY	LAST REVISED
DWG. OS-1	OVERALL SITE PLAN	MICHAEL P. RENHARD, L.P.E.	02/08/2018

This Department has reviewed the amended Site Plan for the above-captioned property using the standards and requirements of Chapter 246 (Zoning) of the Code of the Town of Oyster Bay. The Department's review finds that the amended Site Plan is in conformance with the guidelines of Chapter 246. Therefore, I recommend the Town Board approve the amended Site Plan herein enumerated in accordance with Section 246 of the Code of the Town of Oyster Bay and amend the prior Site Plan Approval granted by Town Board Resolution Numbers 279-2015, 692-2016 and 738-2017.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:tz

Encls.

cc: Legislative Affairs (+ 7 copies w/ attachments)



VINCENT J. PIZZULLI, JR. P.C.  
COUNSELOR AT LAW  
200 Robbins Lane, Suite D1  
Jericho, NY 11753

By e-mail

February 13, 2018

Leslie Maccarone, Commissioner  
Department of Planning and Development  
Town of Oyster Bay  
74 Audrey Avenue  
Oyster Bay, NY 11771

Re: Country Pointe at Plainview

Dear Commissioner Maccarone:

Please accept this letter as our request for approval of minor revisions to Lot A of the original "Site Development Plan for Country Pointe at Plainview", which was approved by the Town Board on May 12, 2015. In that regard, enclosed please find two (2) copies of the following plans:

1. The original, approved "Site Development Plan for Country Pointe at Plainview" (Sheet C-101), which has been marked with bubbles pertaining to the portions of Lot A that are proposed to be amended, and
2. The proposed Amended Overall Site Plan for the RMF-16 Multi-Family Residential Area (DWG.OS-1), which has also been marked with bubbles to highlight the changes to the original approved "Site Development Plan for Country Pointe at Plainview."

First, by way of history, please note that Lot C of the original, approved "Site Development Plan for Country Pointe at Plainview" has been previously amended, twice. Lot C is the commercially zoned ("GB" Business District) portion of the original, approved site plan and contains the Shop Rite supermarket and the balance of the proposed shopping center buildings. The first amendment of Lot C occurred on December 13, 2016 (Town Board Resolution No. 692-2016), and approved the revised layout of several shopping center buildings (currently Buildings A, B, C, and D). The second amendment of Lot C occurred on November 30, 2017 (Town Board Resolution No. 738-2017), and approved the slightly revised layout of Building E (Chase Bank) and Building A (the Iavarone restaurant building). Please also note that on December 14, 2017, the Nassau County Planning Commission approved a minor subdivision of Lot C in order to create separate tax lots for Shop Rite and the balance of the shopping center buildings.

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Office: (516) 681-1000 | Fax: (516) 681-6272 | Email: [vjp@vjpesq.com](mailto:vjp@vjpesq.com)

Secondly, in order to confirm the current tax map designations of the commercial and residential components of the Country Pointe at Plainview project, please note the following:

1. The commercial ("GB" Business District) component is now Section 47, Block E, Lots 759 and 760 (Shop Rite);
2. The age-restricted, residential ("RMF-16" Residence District) component is now Section 47, Block E, Lots 755 (Condo Sections 3 through 6), 756 (Condo Section 2), 757 (Condo Section 1) and 758 (Clubhouse); and
3. The affordable, Golden Age residential ("RSC-25" Residence District) component remains Section 47, Block E, Lot 753.

With regard to the proposed amended overall site plan, we have decreased the number of proposed residential buildings in Condo Section 4. Specifically, pursuant to a Stipulation of Settlement in an Article 78 proceeding commenced by nearby property owners, we are proposing to eliminate four townhouse buildings, totaling 8 units (shown as Units 715 through 722 on the original approved site plan), and convert four other townhouse buildings (shown as Units 737 through 744 on the original approved site plan) into villa style buildings, thereby providing 16 villa units in 4 buildings instead of 16 townhouse units in 8 buildings. The proposed plan change also involves the relocation of one townhouse building (Units 749 and 750 on the original approved site plan) to the opposite side of Spruce Pond Circle on the proposed amended site plan (shown as Building No. 89).

In addition to the foregoing, the proposed amended overall site plan has been further revised to show a dumpster access drive to the Clubhouse, and it also reflects the recently approved changes to the commercial site plan (Town Board Resolution #738-2017). Although it is not shown on the recently approved commercial site plan, the Tesla charging station has been added to the commercial portion of the overall amended site plan. We will submit a complete, as-built, commercial site plan upon completion of the shopping center development.

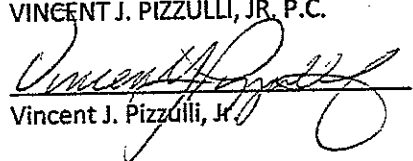
Kindly review the enclosed plans for Town Board approval at your earliest possible convenience. Upon completion of your review, we will submit an additional sixteen (16) copies.

Thank you for your courtesy and attention.

Very truly yours,

VINCENT J. PIZZULLI, JR. P.C.

By:

  
Vincent J. Pizzulli, Jr.

VJP:mf

Enclosures

cc: Timothy Zike, Deputy Commissioner (without enclosures)

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Office: (516) 681-1000 | Fax: (516) 681-6272 | Email: [vjp@vjpesq.com](mailto:vjp@vjpesq.com)

Reviewed By  
Office of Town Attorney

Meeting of May 12, 2015

Resolution No.279 -2015

WHEREAS, PLAINVIEW PROPERTIES, SPE, LLC, fee owner, and BEECHWOOD POB LLC, contract vendee, (hereinafter collectively referred to as the "applicants"), have petitioned the Town Board of the Town of Oyster Bay for a Change of Zone from the OB Office Building ("OB") and R1-1A One-Family Residence ("R1-1A") Districts to the RSC-25 Multi-Family Senior Citizen Residence ("RSC-25"), RMF-16 Multi-Family Residence ("RMF-16") and GB General Business ("GB") Districts, and rescission of a Declaration of Restrictive Covenants dated February 11, 1998 and recorded in the Office of the Clerk of Nassau County, and Site Plan Approval for property located at the southwest corner of Old Country Road and Round Swamp Road, in Plainview, Town of Oyster Bay, County of Nassau, State of New York, said premises being described as Section 47, Block E, Lots 747B, 747D, 747E, 748A, and 748D on the Land and Tax Map of Nassau County; and

WHEREAS, the proposed development of this site will provide much needed senior housing, including price-controlled housing wherein at least one householder in each unit is aged 62 years or greater and market-rate housing wherein at least one householder in each unit is aged 55 years or greater, and will provide open/recreational space, including the dedication of 58.93 acres to the Town of Oyster Bay; and

WHEREAS, the Town Board, acting as lead agency pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), Article 8 of the New York State Environmental Conservation Law, and the implementing regulations thereto at 6 NYCRR Part 617, deemed that the proposed action - consisting of the rezoning of a portion of the subject 143.25 acre property from R1-1A and OB Districts, to RMF-16, RSC-25, and GB Districts, while retaining a portion of the site in the existing R1-1A and OB Districts; Site Plan Approval for the portion of the subject property to be rezoned, including mixed, multi-family uses in the RMF-16-zoned area, price-controlled senior housing in the RSC-25-zoned area, and commercial uses in the GB-zoned area; Dedication of land to the Town of Oyster Bay for open space and recreation uses, pursuant to the Covenants and Restrictions adopted in 1998 in connection with the prior rezoning approval for the subject property which created the existing OB district; and Rescission of the 1998 Covenants and Restrictions, and establishment of new Covenants and Restrictions specific to the proposed development - has the potential for significant environmental impact and, accordingly, issued a Positive Declaration by Resolution No. 80-2012 adopted on January 17, 2012; and

WHEREAS, in accordance with the aforementioned Positive Declaration, the proposed action was the subject of a Draft Environmental Impact Statement ("DEIS"), dated March 2013, which document was accepted by the Town Board on April 9, 2013 by Resolution No. 264-2013, and thereafter was circulated for public review and comment, in accordance with the requirements of SEQRA; and

WHEREAS, a duly advertised public hearing was convened by the Town Board on February 4, 2014, at which time everyone wishing to comment on the DEIS, the proposed zoning legislation, and proposed redevelopment of the site were heard; and

WHEREAS, a Final Environmental Impact Statement ("FEIS") was prepared to address substantive issues raised during the public review of the DEIS, said FEIS, dated January 2015, being accepted by the Town Board on February 3, 2015 by Resolution No. 56-2015, and thereafter was circulated in accordance with the requirements of SEQRA; and

WHEREAS, subsequent to the issuance of the FEIS, the applicants engaged in discussions with the Town to identify possible additional modifications to the proposed action that would enhance the mitigation provided in the site plan presented in the FEIS; and

WHEREAS, as a result of the aforementioned, post-FEIS discussions, the applicants have amended their proposal to further reduce the overall residential yield, increase the proportion of age-restricted units in the residential component of the project, and increase the amount of open space and recreational land to be provided; and

WHEREAS, the applicants' amended site plan prepared subsequent to the FEIS has been submitted for the Town Board's consideration, superseding the site plan that was presented in the FEIS; and

WHEREAS, the Town Board has completed its review of the subject proposed action in accordance with the provisions of SEQRA and its implementing regulations at 6 NYCRR Part 617; and

WHEREAS, by Resolution No. 177-2015, adopted on March 24, 2015, the Town Board approved the Findings Statement, pursuant to the requirements of SEQRA, and directed the Department of Environmental Resources to distribute the Findings Statement in accordance with the requirements of SEQRA; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 9999-15, adopted on March 19, 2015, and Resolution No. 10004-15, adopted on April 16, 2015, has 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 R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated May 7, 2015, has advised that the Department of Planning and Development has reviewed the following document prepared by Nelson & Pope, Engineers & Surveyors, Melville, New York:

SHEET NO.	TITLE	DATE
C-101	OVERALL SITE PLAN	March, 2015

WHEREAS, said Deputy Commissioner further reports that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section

246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of PLAINVIEW PROPERTIES, SPE, LLC, fee owner, and BEECHWOOD POB LLC, contract vendee, requesting that the Town Board of the Town of Oyster Bay (the "Town Board") approve a Change of Zone for 64.53 acres from the Office Building ("OB") District and R1-1A One-Family Residence ("R1-1A") District to the RMF-16 Multi-Family Residence ("RMF-16") District (Lot A as described hereinbelow), for 3.72 acres from the Office Building ("OB") District to the RSC-25 Senior Citizen Residence ("RSC-25") District (Lot B as described hereinbelow), for 16.07 acres from the Office Building ("OB") District and R1-1A One-Family Residence ("R1-1A") District to the General Business ("GB") District (Lot C as described hereinbelow), for 1.00 acre from the R1-1A One-Family Residence ("R1-1A") District to the RMF-16 Multi-Family Residence ("RMF-16") District (Lot F as described hereinbelow), and for 57.93 acres to retain its split zoning of Office Building ("OB") District and R1-1A One-Family Residence ("R1-1A") District (Lots D, E, G, H and I, as described hereinbelow), and rescission of a Declaration of Restrictive Covenants dated February 11, 1998 and recorded in the Office of the Clerk of Nassau County in Liber 11017, page 315, and Site Plan Approval to erect mixed, multi-family housing in the RMF-16 Multi-Family Residence ("RMF-16") District area of the premises, price-controlled senior housing in the RSC-25 Senior Citizen Residence ("RSC-25") District area of the premises, and commercial uses in the General Business ("GB") District area of the premises, and to dedicate land to the Town of Oyster Bay for open space and recreation uses, for property located at the southwest corner of Old Country Road and Round Swamp Road, in Plainview, Town of Oyster Bay, County of Nassau, State of New York, said premises being described as Section 47, Block E, Lots 747B, 747D, 747E, 748A, and 748D on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows;

#### SCHEDULE A

BEGINNING at the westerly end of a curve connecting the southerly side of Old Country Road with the westerly side of Round Swamp Road;

RUNNING THENCE along the westerly side of Round Swamp Road the following twelve (12) courses:

- (1) Easterly along the arc of a curve bearing to the right, having a radius of 180.55 feet and a length of 277.38 feet;
- (2) Southerly along the arc of a curve bearing to the right, having a radius of 423.44 feet and a length of 345.46 feet;
- (3) S 64 degrees, 56 minutes, 18 seconds E, 12.49 feet;
- (4) S 25 degrees, 03 minutes, 46 seconds W, 204.90 feet;
- (5) S 27 degrees, 03 minutes, 21 seconds W, 494.67 feet;
- (6) S 19 degrees, 46 minutes, 31 seconds W, 461.26 feet;
- (7) Southerly along the arc of a curve bearing to the right, having a radius of 8,142.29 feet and a length of 544.75 feet;
- (8) S 23 degrees, 36 minutes, 31 seconds W, 400.16 feet;

- (9) Southerly along the arc of a curve bearing to the right, having a radius of 7,268.52 feet and a length of 498.42 feet;
- (10) S 27 degrees, 32 minutes, 15 seconds W, 306.99 feet;
- (11) S 31 degrees, 31 minutes, 17 seconds W, 435.51 feet;
- (12) S 23 degrees, 49 minutes, 18 seconds W, 225.56 feet;

THENCE the following seven (7) courses:

- (1) N 45 degrees, 03 minutes, 34 seconds W, 607.93 feet;
- (2) N 13 degrees, 26 minutes, 16 seconds E, 239.75 feet;
- (3) N 59 degrees, 08 minutes, 24 seconds W, 64.04 feet;
- (4) N 58 degrees, 56 minutes, 04 seconds W, 747.26 feet;
- (5) N 67 degrees, 50 minutes, 14 seconds W, 543.23 feet;
- (6) N 67 degrees, 54 minutes, 48 seconds W, 33.00 feet;
- (7) S 41 degrees, 06 minutes, 07 seconds W, 815.00 feet to the easterly side of Bethpage State Parkway (not constructed) (land of the Long Island State Park Commission);

THENCE along said road line the following two (2) courses:

- (1) Northerly along the arc of a curve bearing to the left, having a radius of 4,637.50 feet and a length of 144.43 feet;
- (2) N 21 degrees, 09 minutes, 46 seconds E, 1,525.76 feet;

THENCE the following four (4) courses:

- (1) S 77 degrees, 48 minutes, 06 seconds E, 455.56 feet;
- (2) N 21 degrees, 09 minutes, 47 seconds E, 25.53 feet;
- (3) Northerly along the arc of a curve bearing to the left, having a radius of 300.00 feet and a length of 228.80 feet;
- (4) N 22 degrees, 32 minutes, 03 seconds W, 361.66 feet; to the southerly side of Old Country Road;

THENCE along said road line the following two (2) courses:

- (1) Easterly along the arc of a curve bearing to the right, having a radius of 9,960.00 feet and a length of 1,032.82 feet;
- (2) N 70 degrees, 17 minutes, 42 seconds E, 1,639.47 feet to the POINT or PLACE of BEGINNING, containing within said bounds, 143.25 acres.

SAID PREMISES being described as Section 47, Block E, Lots 747B, 747D, 747E, 748A, and 748D on the Land and Tax Map of Nassau County,

  
**DESCRIPTION OF LOT A**

(Area to be rezoned to RMF-16 from OB and R1-1A)

BEGINNING at a point on the southerly end of a curve connecting the southerly side of Old Country Road with the westerly side of Round Swamp Road;

RUNNING THENCE South 64 degrees 56 minutes 18 seconds East, 12.49 feet;

THENCE along the westerly side of Round Swamp Road the following seven (7) courses:

1. South 25 degrees 03 minutes 46 seconds West, 204.90 feet;
2. South 27 degrees 03 minutes 21 seconds West, 494.67 feet;
3. South 19 degrees 46 minutes 31 seconds West, 461.26 feet;
4. Along the arc of a curve bearing to the right, having a radius of 8,142.29 feet and an arc length of 544.75 feet;
5. South 23 degrees 36 minutes 31 seconds West, 400.16 feet;
6. Along the arc of a curve bearing to the right, having a radius of 7,2268.52 feet and an arc length of 498.42 feet;
7. South 27 degrees 32 minutes 15 seconds West, 306.99 feet;

THENCE North 53 degrees 25 minutes 42 seconds West, 810.17 feet;

THENCE North 24 degrees 59 minutes 29 seconds East, 216.20 feet;

THENCE along the arc of a curve bearing to the left, having a radius of 455.00 feet and an arc length of 381.25 feet;

THENCE North 23 degrees 01 minutes 01 seconds West, 62.15 feet;

THENCE South 88 degrees 57 minutes 46 seconds West, 172.85 feet;

THENCE North 1 degree 02 minutes 14 seconds West, 946.04 feet;

THENCE North 68 degrees 23 minutes 40 seconds East, 260.67 feet to a point of non-tangency;

THENCE along the arc of a curve bearing to the right, having a radius of 212.00 feet and an arc length of 81.03 feet;

THENCE North 19 degrees 50 minutes 14 seconds West, 288.24 feet;

THENCE North 65 degrees 12 minutes 17 seconds West, 44.10 feet to the southerly side of Old Country Road;

THENCE along the southerly side of Old Country Road the following two (2) courses:

1. Along the arc of a curve bearing to the right, having a radius of 9,960.00 feet and an arc length of 124.38 feet;
2. North 70 degrees 17 minutes 42 seconds East, 7.06 feet;

THENCE South 25 degrees 13 minutes 44 seconds West, 42.47 feet;

THENCE South 19 degrees 50 minutes 14 seconds East, 189.94 feet;

THENCE along the arc of a curve bearing to the left, having a radius of 147.00 feet and an arc length of 87.09 feet;

THENCE North 70 degrees 17 minutes 42 seconds East, 734.51 feet;

THENCE North 19 degrees 50 minutes 14 seconds West, 25.00 feet;

THENCE North 70 degrees 17 minutes 42 seconds East, 521.38 feet;

THENCE North 70 degrees 17 minutes 39 seconds East, 491.95 feet to a point on a curve connecting the southerly side of Old Country Road with the westerly side of Round Swamp Road;

THENCE along the arc of a curve bearing to the right, having a radius of 423.44 feet and an arc length of 109.89 feet to the point or place of BEGINNING.

Containing within said bounds approximately 64.53 acres.

BEING AND INTENDED TO BE the same premises as depicted on a proposed Zoning Designation Map prepared by Nelson & Pope in March, 2015.

**DESCRIPTION OF LOT B**  
**(Area to be rezoned to RSC-25)**

BEGINNING at a point on the southerly side of Old Country Road, the following two (2) courses and distances from the northwesterly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road:

1. South 70 degrees 17 minutes 42 seconds West, a distance of 1,639.47 feet;
2. Along the arc of a curve bearing to the left, having a radius of 9,960.00 feet and an arc length of 124.38 feet to the POINT or PLACE OF BEGINNING;

RUNNING THENCE South 65 degrees 12 minutes 17 seconds East, 44.10 feet;

THENCE South 19 degrees 50 minutes 14 seconds East, 288.24 feet;

THENCE southerly along the arc of a curve bearing to the left, having a radius of 212.00 feet and an arc length of 81.03 feet;

THENCE South 68 degrees 23 minutes 40 seconds West, 260.67 feet;

THENCE North 01 degree 02 minutes 14 seconds West, 108.58 feet;

THENCE westerly along the arc of a curve bearing to the left, having a radius of 9,660.00 feet and an arc length of 245.92 feet;

THENCE North 22 degrees 59 minutes 30 seconds West, 300.00 feet to the southerly side of Old Country Road;

THENCE along said road line along the arc of a curve bearing to the right, having a radius of 9,960.00 feet and an arc length of 441.36 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 3.72 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

**DESCRIPTION OF LOT C**  
**(Area to be rezoned to GB)**

BEGINNING at a point distant 47.53 feet westerly from the westerly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road;

RUNNING THENCE South 19 degrees 42 minutes 18 seconds East, 221.70 feet;

THENCE North 70 degrees 17 minutes 42 seconds East, 226.96 feet to a point on a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road;

THENCE along said curve having a radius of 423.44 feet and an arc length of 188.16 feet;

THENCE South 70 degrees 17 minutes 39 seconds West, 491.95 feet;

THENCE South 70 degrees 17 minutes 42 seconds West, 521.38 feet;

THENCE South 19 degrees 50 minutes 14 seconds East, 25.00 feet;

THENCE South 70 degrees 17 minutes 42 seconds West, 734.51 feet;

THENCE along the arc of a curve bearing to the left, having a radius of 160.00 feet and an arc length of 27.89 feet;

THENCE along the arc of a curve bearing to the right, having a radius of 147.00 feet and an arc length of 87.09 feet;

THENCE North 19 degrees 50 minutes 14 seconds West, 189.94 feet;

THENCE North 25 degrees 13 minutes 44 seconds East, 42.47 feet to the southerly side of Old Country Road;

THENCE along said road line North 70 degrees 17 minutes 42 seconds East, 1,584.89 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 16.07 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

#### DESCRIPTION OF LOT D

(Area to remain the existing zone and to be dedicated to the Town of Oyster Bay for recreation area)

BEGINNING at a point distant the following three (3) courses and distances from the westerly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road:

1. South 70 degrees 17 minutes 42 seconds West, a distance of 1,639.47 feet;
2. Along the arc of a curve bearing to the left, having a radius of 9,960.00 feet and an arc length of 565.74 feet;
3. South 22 degrees 59 minutes 30 seconds East, 300.00 feet to the POINT or PLACE OF BEGINNING;

RUNNING THENCE along the arc of a curve bearing to the right, having a radius of 9,660.00 feet and an arc length of 245.92 feet;

THENCE South 01 degree 02 minutes 14 seconds East, 911.30 feet;

THENCE North 22 degrees 06 minutes 50 seconds West, 637.57 feet;

THENCE North 01 degree 02 minutes, 14 seconds East, 227.48 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 3.00 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

**DESCRIPTION OF LOT E**

(Area to remain the existing zone and to be dedicated to the Town of Oyster Bay for recreational area)

BEGINNING at a point distant the following two (2) courses and distances from the westerly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road:

1. South 70 degrees 17 minutes 42 seconds West, a distance of 1,639.47 feet;
2. Along the arc of a curve bearing to the left, having a radius of 9,960.00 feet and an arc length of 565.74 feet;

RUNNING THENCE South 22 degrees 59 minutes 30 seconds East, 300.00 feet;

THENCE South 01 degree 02 minutes 14 seconds West, 227.48 feet;

THENCE South 22 degrees 06 minutes 50 seconds East, 637.57 feet;

THENCE South 24 degrees 59 minutes 29 seconds West, 648.88 feet;

THENCE South 65 degrees 00 minutes 31 seconds East, 415.00 feet;

THENCE South 24 degrees 59 minutes 29 seconds West, 365.00 feet;

THENCE North 58 degrees 56 minutes 04 seconds West, 681.30 feet;

THENCE North 67 degrees 50 minutes 14 seconds West, 543.23 feet;

THENCE North 67 degrees 54 minutes 48 seconds West, 33.00 feet;

THENCE South 41 degrees 06 minutes 07 seconds West, 815.00 feet to the easterly side of Bethpage State Parkway – Marginal Road (not open);

THENCE along said road line North 21 degrees 09 minutes 46 seconds East, 1,525.76 feet;

THENCE South 77 degrees 48 minutes 06 seconds East, 455.56 feet;

THENCE North 21 degrees 09 minutes 47 seconds East, 25.53 feet;

THENCE along the arc of a curve bearing to the left, having a radius of 300.00 feet and an arc length of 228.80 feet;

THENCE North 22 degrees 32 minutes 03 seconds West, 361.66 feet to the southerly side of Old Country Road;

THENCE along said road line along the arc of a curve bearing to the right, having a radius of 9,960.00 feet and an arc length of 467.08 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 40.00 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

#### **DESCRIPTION OF LOT F**

(Area to be rezoned to RMF-16 and to be dedicated to the Town of Oyster Bay for recreational area)

BEGINNING at the westerly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road;

RUNNING THENCE along said curve bearing to the right, having a radius of 180.55 feet and an arc length of 277.38 feet;

THENCE along a curve bearing to the right having a radius of 423.44 feet and an arc length of 47.41 feet;

THENCE South 70 degrees 17 minutes 42 seconds West, 226.96 feet;

THENCE North 19 degrees 42 minutes 18 seconds West, 221.70 feet to the southerly side of Old Country Road;

THENCE along said road line North 70 degrees 17 minutes 42 seconds East, 47.53 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 1.00 acre.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

#### **DESCRIPTION OF LOT G**

(Area to remain the existing zone and to be dedicated to the Town of Oyster Bay for recreational area)

BEGINNING at a point distant the following five (5) courses and distances from the westerly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road:

1. South 70 degrees 17 minutes 42 seconds West, a distance of 1,639.47 feet;
2. Along the arc of a curve bearing to the left, having a radius of 9,960.00 feet and an arc length of 565.74 feet;
3. South 22 degrees 59 minutes 30 seconds East, 300.00 feet;
4. South 01 degree 02 minutes 14 seconds West, 227.48 feet;
5. South 22 degrees 06 minutes 50 seconds East, 637.57 feet;

RUNNING THENCE South 01 degree 02 minutes 14 seconds East, 143.32 feet;

THENCE North 88 degrees 57 minutes 46 seconds East, 172.85 feet;

THENCE South 23 degrees 01 minute 01 second East, 62.15 feet;

THENCE along the arc of a curve bearing to the right, having a radius of 455.00 feet and an arc length of 381.25 feet;

THENCE South 24 degrees 59 minutes 29 seconds West, 216.20 feet;

THENCE North 65 degrees 00 minutes 31 seconds West, 415.00 feet;

THENCE North 24 degrees 59 minutes 29 seconds East, 648.88 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 5.00 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

#### DESCRIPTION OF LOT H

(Area to remain the existing zone and to be dedicated to the Town of Oyster Bay for recreational area)

BEGINNING at a point on the westerly side of Round Swamp Road the following eight (8) courses and distances from the southerly end of a curve connecting the southerly side of Old Country Road with the westerly side of Round Swamp Road:

1. South 64 degrees 56 minutes 18 seconds East, 12.49 feet;
2. South 25 degrees 03 minutes 46 seconds West, 204.90 feet;
3. South 27 degrees 03 minutes 21 seconds West, 494.67 feet;

4. South 19 degrees 46 minutes 31 seconds West, 461.26 feet;
5. Along the arc of a curve bearing to the right having a radius of 8,142.29 feet, and an arc length of 544.75 feet;
6. South 23 degrees 36 minutes 31 seconds West, 400.16 feet;
7. Along the arc of a curve bearing to the right having a radius of 7,268.52 feet and an arc length of 498.42 feet;
8. South 27 degrees 32 minutes 15 seconds West, 306.99 feet to the POINT or PLACE OF BEGINNING;

RUNNING THENCE the following two (2) courses and distances along the westerly side of Round Swamp Road:

1. South 31 degrees 31 minutes 17 seconds West, 435.51 feet;
2. South 23 degrees 49 minutes 18 seconds West, 11.16 feet;

THENCE North 45 degrees 03 minutes 34 seconds West, 418.68 feet;

THENCE North 13 degrees 26 minutes 16 seconds East, 127.75 feet;

THENCE along the arc of a curve bearing to the left having a radius of 200.00 feet and an arc length of 253.34 feet;

THENCE North 59 degrees 08 minutes 24 seconds West, 64.04 feet;

THENCE North 58 degrees 56 minutes 04 seconds West, 87.24 feet;

THENCE North 24 degrees 59 minutes 29 seconds East, 163.87 feet;

THENCE South 53 degrees 25 minutes 42 seconds East, 810.17 feet to the westerly side of Round Swamp Road and the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 5.51 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

#### DESCRIPTION OF LOT I

(Area to remain the existing zone and to be dedicated to the Town of Oyster Bay for recreational area)

BEGINNING at a point on the westerly side of Round Swamp Road the following ten (10) courses and distances from the southerly end of a curve connecting the southerly side of Old Country Road with the westerly side of Round Swamp Road:

1. South 64 degrees 56 minutes 18 seconds East, 12.49 feet;
2. South 25 degrees 03 minutes 46 seconds West, 204.90 feet;
3. South 27 degrees 03 minutes 21 seconds West, 494.67 feet;
4. South 19 degrees 46 minutes 31 seconds West, 461.26 feet;
5. Along the arc of a curve bearing to the right having a radius of 8,142.29 feet, an arc length of 544.75 feet;
6. South 23 degrees 36 minutes 31 seconds West, 400.16 feet;
7. Along the arc of a curve bearing to the right having a radius of 7,268.52 feet and an arc length of 498.42 feet;
8. South 27 degrees 32 minutes 15 seconds West, 306.99 feet;
9. South 31 degrees 31 minutes 17 seconds West, 435.51 feet;
10. South 23 degrees 49 minutes 18 seconds West, 11.16 feet to the POINT or PLACE OF BEGINNING;

RUNNING THENCE along the westerly side of Round Swamp Road South 23 degrees 49 minutes 18 seconds West, 225.56 feet;

THENCE North 45 degrees 03 minutes 34 seconds West, 607.93 feet;

THENCE North 13 degrees 26 minutes 16 seconds East, 239.75 feet;

THENCE North 59 degrees 08 minutes 24 seconds West, 64.04 feet;

THENCE North 58 degrees 56 minutes 04 seconds West, 65.96 feet;

THENCE North 24 degrees 59 minutes 29 seconds East, 201.13 feet;

THENCE South 58 degrees 56 minutes 04 seconds East, 87.24 feet;

THENCE South 59 degrees 08 minutes 24 seconds East, 64.04 feet;

THENCE along the arc of a curve bearing to the right, having a radius of 200.00 feet and an arc length of 253.34 feet;

THENCE South 13 degrees 26 minutes 16 seconds West, 127.75 feet;

THENCE South 45 degrees 03 minutes 34 seconds East, 418.68 feet to the westerly side of Round Swamp Road and the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 4.42 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

**SUGGESTED DESCRIPTION OF OPEN SPACE AREA  
INCLUDING LOTS D, E, G, H and I**

BEGINNING at a point on the southerly side of Old Country Road distant the following two (2) courses and distances from the westerly end of a curve connecting the southerly side of Old Country Road and the westerly side of Round Swamp Road:

1. South 70 degrees 17 minutes 42 seconds West, a distance of 1,639.47 feet;
2. Along the arc of a curve bearing to the left, having a radius of 9,960.00 feet and an arc length of 565.74 feet;

RUNNING THENCE South 22 degrees 59 minutes 30 seconds East, 300.00 feet;

THENCE along the arc of a curve bearing to the right, having a radius of 9,660.00 feet and an arc length of 245.92 feet;

THENCE South 01 degree 02 minutes 14 seconds East, 1,163.20 feet;

THENCE North 88 degrees 57 minutes 46 seconds East, 172.85 feet;

THENCE South 23 degrees 01 minute 01 second East, 62.15 feet;

THENCE along the arc of a curve bearing to the right, having a radius of 455.00 feet and an arc length of 381.25 feet;

THENCE South 24 degrees 59 minutes 29 seconds West, 216.20 feet;

THENCE South 53 degrees 25 minutes 42 seconds East, 810.17 feet to the westerly side of Round Swamp Road;

THENCE along said road line the following two (2) courses and distances:

1. South 31 degrees 31 minutes 17 seconds West, 435.51 feet;
2. South 23 degrees 49 minutes 18 seconds West, 225.56 feet;

THENCE North 45 degrees 03 minutes 34 seconds West, 607.93 feet;

THENCE North 13 degrees 26 minutes 16 seconds East, 239.75 feet;

THENCE North 59 degrees 08 minutes 24 seconds West, 64.04 feet;

THENCE North 58 degrees 56 minutes 04 seconds West, 747.26 feet;

THENCE North 67 degrees 50 minutes 14 seconds West, 543.23 feet;

THENCE North 67 degrees 54 minutes 48 seconds West, 33.00 feet;

THENCE South 41 degrees 06 minutes 07 seconds West, 815.00 feet to the easterly side of Bethpage State Parkway – Marginal Road (not open);

Resolution No.279 -2015

THENCE along said road line the following two (2) courses and distances:

1. Along the arc of a curve bearing to the left, having a radius of 4,637.50 feet and an arc length of 144.43 feet;
2. North 21 degrees 09 minutes 46 seconds East, 1,525.76 feet;

THENCE South 77 degrees 48 minutes 06 seconds East, 455.56 feet;

THENCE North 21 degrees 09 minutes 47 seconds East, 25.53 feet;

THENCE along the arc of a curve bearing to the left, having a radius of 300.00 feet and an arc length of 228.80 feet;

THENCE North 22 degrees 32 minutes 03 seconds West, 361.66 feet to the southerly side of Old Country Road;

THENCE along said road line along the arc of a curve bearing to the right, having a radius of 9,960.00 feet and an arc length of 467.08 feet to the POINT or PLACE OF BEGINNING.

Containing within said bounds approximately 57.93 acres.

BEING AND INTENDED TO BE the same premises as depicted on a Proposed Zoning Designation Map prepared by Nelson & Pope in March 2015.

And be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioners, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, dated May 7, 2015, the site plan described hereinabove 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 Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

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

WHEREAS, by Resolution No. 279-15, adopted on May 12, 2015, the Town Board granted a Change of Zone and Site Plan Approval for the construction and development of a mixed-use development located in "RSC-25" (Multi-Family Senior Citizen Residence), "RMF-16" (Multi-Family Residence) and "GB" (General Business) Districts, at premises located at Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 752A and 752B on the Land and Tax Map of Nassau County; and

WHEREAS, Resolution No. 279-15 required that a Declaration of Restrictive Covenants be executed and recorded, which Declaration contained covenants and restrictions, specifically Covenant No. 25 which provides for Town Board approval of any major Site Plan Modification; and

WHEREAS, by letter dated November 8, 2016, Vincent J. Pizzulli, Jr., Esq., attorney for fee owner, requested that the Town Board approve the amended Site Plan as submitted; and

WHEREAS, Timothy R. Zike, Acting Commissioner of the Department of Planning and Development, by memorandum dated November 23, 2016, has advised that the Department of Planning and Development has reviewed the following two (2) plans prepared by Francis J. Antetomaso, P.E., Sidney B. Bowne & Son, Mineola, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
CC-1	SITE LAYOUT PLAN	Francis J. Antetomaso, P.E.	11/04/16
CC-2	SITE LAYOUT PLAN	Francis J. Antetomaso, P.E.	11/04/16

WHEREAS, said Acting Commissioner further reported that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommended Town Board approval for the site plans enumerated herein; and

WHEREAS, by Inter-Departmental Memo dated December 8, 2016, Neil O. Bergin, Commissioner of the Town of Oyster Bay 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 at 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 Vincent J. Pizzulli, Jr., Esq., dated November 8, 2016, that the Amended Site Plan be approved for premises located at Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, New York, and designated as Section 12, Block E, Lots 752A and 752B on the Land and Tax Map of Nassau County, be approved and be it further

RESOLVED, That in accordance with the memorandum of Timothy R. Zike, Acting Commissioner of the Department of Planning and Development, dated November 23, 2016, the two (2) plans described herein are hereby approved.

-#-

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

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

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

WHEREAS, by Resolution No. 279-2015, adopted on May 12, 2015, the Town Board granted Site Plan Approval to PLAINVIEW PROPERTIES, SPE, LLC, fee owner, and BEECHWOOD POB LLC, contract vendee, (collectively "Petitioners"), for premises located at the southwest corner of Old Country Road and Round Swamp Road, in Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 752A, 752B and 758B on the Land and Tax Map of Nassau County; and

WHEREAS, by Resolution No. 692-2016, adopted on December 13, 2016, the Town Board granted approval of an amended Site Plan, which decreased the number of proposed retail buildings and changed the proposed building footprints; and

WHEREAS, Petitioners have submitted a further amended Site Plan for approval, which proposed amended Site Plan slightly revises the layouts of Bank E (future Chase Bank) and proposed Restaurant A, and slightly revises the square footage by 10 square feet, and proposes to amend the layout of the drive-thru lane and the configuration of the parking spaces around proposed Building E, and the realignment of the retaining wall with the reduction of seven (7) parking spaces, still leaving more than required. Other minor modifications include the addition of a timber guide rail and decorative fence behind the retaining wall on Old Country Road (from the entrance driveway extending east toward the Shop Rite building), the addition of a dumpster enclosure near proposed Retail F building, and changes to transformer locations; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated November 6, 2017, has advised that the Department of Planning and Development has reviewed the following two (2) plans prepared by Zabdiel A. Blackman, P.E., Sidney B. Bowne & Son, Mineola, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
CC-1	SITE LAYOUT PLAN (COMMERCIAL)	Zabdiel A. Blackman, P.E.	08/28/2017
CC-2	SITE LAYOUT PLAN (COMMERCIAL)	Zabdiel A. Blackman, P.E.	08/28/2017

WHEREAS, said Commissioner further reported that the plan submitted 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,

NOW, THEREFORE, BE IT RESOLVED, That the request of Petitioners, requesting that the Site Plan approved by the Town Board by Resolution No. 279-2015, as previously amended by Resolution 692-2016, be amended to reflect a slight revision of the layouts of Bank E (future Chase Bank) and proposed Restaurant A, and slight revision of the square footage by 10 square feet, amendment of the layout of the drive-thru lane and the configuration of the parking spaces around proposed Building E, and the realignment of the retaining wall with the reduction of seven (7) parking spaces, still leaving more than required, the addition of a timber guide rail and decorative fence behind the retaining wall on Old Country Road (from the entrance driveway extending east toward the Shop Rite building), the addition of a dumpster enclosure near proposed Retail F building, and changes to transformer locations on the premises located at the southwest corner of Old Country Road and Round Swamp Road, in Plainview, Town of Oyster

Bay, County of Nassau, State of New York, and described as Section 47, Block E, Lots 752A, 752B and 758B 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 of the Department of Planning and Development, dated November 6, 2017, the two (2) plans described hereinabove 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	Absent
Councilman Macagnone	Absent
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

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

WHEREAS, James Altadonna, Jr., Town Clerk, by memorandum dated February 15, 2018, 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 2018, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Town Clerk

7/10  
Reviewed By  
Office of Town Attorney

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

February 15, 2018

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

---

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



WHEREAS, by Resolution No.858-2017, adopted on December 12, 2017, the Town Board authorized and directed Lizardos Engineering Associates, P.C., to provide on-call engineering services in connection with Contract No. PWC 18-18, On-Call Engineering Services Relative to Electrical Engineering, for a two-year term, from January 1, 2018 through December 31, 2019; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 15, 2018, and Lizardos Engineering Associates, P.C., by letter dated January 23, 2018, provided the Town Board with the scope of work necessary regarding parking lot lighting at the Syosset – Woodbury Community Park and Plainview-Old Bethpage Community Park, including construction inspection services and further requested that the Comptroller issue an encumbrance order in an amount not to exceed \$694.00, with funds to be drawn from Account No. PKS H 7197 20000 000 1504 013; and

WHEREAS funds for this purpose in the amount of \$694.00 are available in Account No. PKS H 7197 20000 000 1504 013;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth, is hereby approved, and Lizardos Engineering Associates, P.C., is hereby authorized to proceed to provide the construction inspection services referred to in its letter dated January 23, 2018, under Contract No. PWC 18-18, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of \$694.00, for Contract No. PWC 18-18, with funds in an amount not to exceed \$694.00 to be drawn from Account No. PKS H 7197 20000 000 1504 013.

-#-

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  
Public Works  
Parks

Reviewed By  
Office of Town Attorney  
*[Signature]*

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

February 15, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO ELECTRICAL ENGINEERING  
CONTRACT NO. PWC18-18  
ACCOUNT NO.: PKS H 7197 20000 000 1504 013  
PROJECT ID NO. 1504PKSSP-02

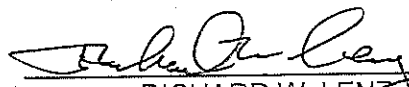
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The consultant, Lizardos Engineering Associates, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC18-18 by Resolution No. 858-2017 for the subject project.

Attached is a letter dated January 23, 2018 from Lizardos Engineering Associates, P.C. regarding the scope of work to be performed in an amount not to exceed \$694.02. Services to be performed include construction inspection services regarding the Parking Lot Lighting At Syosset/Woodbury & Plainview/Old Bethpage Community Parks.

Attached is an availability of funds in the amount of \$694.02 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1504 013.

It is hereby requested that the Town Board authorize, by Resolution, Lizardos Engineering Associates, P.C. under Contract No. PWC18-18, On-Call Engineering Services Relative to Electrical Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

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

RWL/JCT/MR/BK/lk

Attachment

cc: Office of the Town Attorney (w/7 copies)  
Steve C. Ballas, Comptroller  
Joseph Pinto, Commissioner of Parks  
Kathy Stefanich, Administrative Division/DPW

PWC18-18 DOCKET 694.02 LIZARDOS PARKING LOT LIGHTING



BK  
Docket

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

January 25, 2018

**TO :** JOSEPH PINTO, COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

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

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

**SUBJECT :** REQUEST FOR AVAILABILITY OF FUNDS  
CONTRACT NO. PWC18-18  
ON-CALL SERVICES RELATIVE TO ELECTRICAL ENGINEERING  
TOWN OF OYSTER BAY PARKING LOT LIGHTING AT SYOSSET/WOODBURY  
& PLAINVIEW/OLD BETHPAGE COMMUNITY PARKS

---

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 \$694.02.

Funds are required for construction inspection services, as per the attached letter from Lizardos Engineering Associates, P.C., dated January 23, 2018. Of this amount, \$694.02 is from funds not utilized under the previous contract period, and will be liquidated by the Director of Finance.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$694.02 and Resolution No. 858-2017 authorizing Lizardos Engineering Associates, P.C. for on-call services.

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



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




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

RWL:MR:BK:lk  
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC18-18 AVAIL 694.02 LIZARDOS





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



Requesting Division/Department

Parks

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

Contract Number PWC18-18

Contract Period January 1, 2018 through December 31, 2019

Consultant/Contractor Lizardos Engineering Associates, P.C.

Discipline Electrical Engineering

Total Authorization \_\_\_\_\_

Resolution No. 858-2017 Date 12.12.2017

Funded To Date \_\_\_\_\_

Amount Requested \$694.02

Account To Be Used PKS-H-7197-20000-000-1504-013 1504PKSSP-02

If Capital Account, State The Related Contract Number: \_\_\_\_\_

**Description Of Work**

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

Funds are required for construction inspection services regarding the

Parking Lot Lighting at Syosset/Woodbury & Plainview/Old Bethpage Community Parks

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ \_\_\_\_\_

**Requesting Division/Department**

Signature Joseph B. Park

Title Commissioner of Parks.

Date 2/2/18

**DPW Approval**

Only To Be Executed By The Commissioner

Signature Richard B. Long

Title Commissioner of Public Works

Date 1/26/18

**THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE**

Amount Requested 694.02

Unencumbered Balance 1,063,263.66

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

Yes ☒ No ☐

Signature [Signature]

Date 2/8/18



# 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. PWC18-18

Contract End 12/31/2019

Commencement Date \_\_\_\_\_

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

Vendor Name and Address

Lizardos Engineering Associates, P.C.

2000 Old Country Road

Suite 670

Mineola, NY 11501

Requesting Town Department Parks

Contact Brian Kunzig Phone 677-5741

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

Funds are required for construction inspection services regarding the

Parking Lot Lighting at Syosset/Woodbury & Plainview/Old Bethpage Community Parks

**This work order shall not exceed \$ 694.02**

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

**Requesting Division/Department**

**Department Of Public Works Approval**  
Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Commissioner of Parks

Commissioner of Public Works

Date 2-2-18

Date 2/5/18



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

NEW YORK CITY OFFICE  
240 West 35<sup>th</sup> Street Suite 304  
New York NY 10001  
v 212 967 7651 f 212 967 7654

www.leapc.com

PRINCIPALS

PRESIDENT AND CEO  
George A. Lombardo, PE LEED®

SENIOR VICE PRESIDENTS  
Ralph Aldorasi, PE LEED®  
John E. Lizardos, PE LEED®  
Daniel J. O'Sullivan, PE LEED®  
Marios C. Tinis, PE

ASSOCIATE VICE PRESIDENTS  
Dirk Anderson, PE LEED®  
Andrew Dubel, PE LEED®  
Steve Sonmez, PE LEED® CBCP CEM

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

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

SENIOR ASSOCIATES  
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Vladimir P. Lamin  
Linda A. McNulty LEED®  
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Ryan Achatz, PE  
Matthew R. Liff, PE  
Jack Ma, PE  
Jaime M. Moya, PE  
Patrick Tennant, PE CBCP CEM

FOUNDING PARTNER  
Evans J. Lizardos, PE LEED®

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

January 23, 2018

Commissioner Richard W. Lenz, P.E.  
Attn: Matt Russo, P.E.  
Town of Oyster Bay Department of Public Works  
Division of Engineering  
150 Miller Place  
Syosset, NY 11791

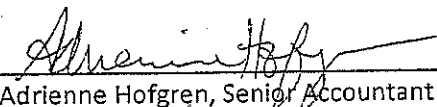
Re: Town of Oyster Bay Parking Lot Lighting at Syosset/Woodbury  
LEA 6654.00

Dear Commissioner Lenz:

Lizardos Engineering Associates, P.C. (Lizardos) has resubmitted this proposal to provide construction inspection services for the above subject project under the new On-Call Contract PWC18-18. Lizardos was previously authorized to provide professional services under Contract PWC18-16, On-Call Engineering Services Relative to Electrical Engineering, by Town Board resolution 321-2017 for \$16,000.00 (attached). As the design and bid phases are complete, we respectfully request the remaining balance of \$694.02 be rolled over to fund construction inspection services under PWC18-18.

Sincerely,

LIZARDOS ENGINEERING ASSOCIATES, P.C.

  
Adrienne Hofgren, Senior Accountant

cc: Ralph Aldorasi, P.E., LEA Senior Vice President



Meeting of June 6, 2017

Resolution No. 321-2017

Richard W. Lenz, P.E.  
Commissioner

**TOWN OF OYSTER BAY  
DEPARTMENT OF PUBLIC WORKS  
150 Miller Place**

Syosset, New York 11791-5699

WHEREAS, Resolution No. 762-2015, adopted on December 15, 2015, authorized Lizardos Engineering Associates, P.C., to provide engineering services under Contract No. PWC18-16, On-Call Engineering Services Relative to Electrical Engineering; and

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated May 19, 2017 has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$16,000.00, under Contract No. PWC18-16, for engineering services for electrical engineering relative to design and construction inspection services regarding park lighting at Plainview-Old Bethpage Park and Syosset-Woodbury Park, with funds to be drawn from Account No. PKS H 7197 20000 1502 001,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$16,000.00, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. PKS H 7197 20000 1502 001, for Contract No. PWC18-16, in connection with the abovementioned Project.

-#-

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

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

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

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 October 18, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Electrical Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC18-18; and

WHEREAS, in response to that Request for Proposals, seven (7) 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 Cashin Associates, P.C., LiRo Engineers, Inc., Lizardos Engineering Associates, P.C., and Lockwood Kessler & Bartlett, Inc. 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 authorize the Department of Public Works to enter into an agreement with Cashin Associates, P.C., LiRo Engineers, Inc., Lizardos Engineering Associates, P.C., and Lockwood Kessler & Bartlett, Inc., to provide Engineering Services relative to Electrical Engineering, in accordance with the specifications contained in Contract No. PWC18-18, 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. PWC18-18 with Cashin Associates, P.C., LiRo Engineers, Inc., Lizardos Engineering Associates, P.C., and Lockwood Kessler & Bartlett, Inc., 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 (2)  
Town Attorney  
Comptroller  
Public Works

Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 23, 2018, requested that the Town Board authorize the Town Wide Senior Trips for May and June 2018, listed below, and further authorize the Commissioner of Community and Youth Services to make adjustments, deletions or changes, as needed, provided that in the event of change, participants are permitted to receive a full refund if the change is not to his or her preference:

<u>Date</u>	<u>Place/Event and Cost</u>	<u>Cost Includes</u>
Wednesday, May 3, 2018	Salute to Seniors Crest Hollow Country Club \$30.00 per person	Transportation by Town or School Bus, if required Luncheon & Entertainment Valet Parking
Thursday, May 24, 2018	Belmont Race Track \$75.00 per person	Transportation by Town or School Bus, if required Lunch & Entrance fee
Tuesday, June 19, 2018	Long Island Ducks \$35.00 per person	Transportation by Town or School Bus, if required Picnic & Box Seat Ticket

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the abovementioned Town Wide Senior Trips for May and June 2018 are hereby authorized, and are to be conducted pursuant to the Department of Community and Youth Service's procedures for self-sustaining accounts; and be it further

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

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Community & Youth Services

Reviewed By  
Office of Town Attorney

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# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

February 23, 2018

TO: Memorandum Docket

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


SUBJECT: Senior Trips for May and June 2018

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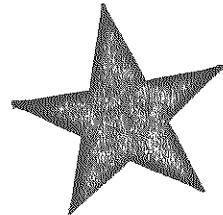
The Department of Community & Youth Services is requesting Town Board authorization to provide Senior Trips for May and June 2018 (see attachment).

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

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

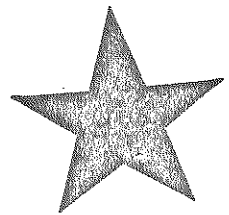
  
Maureen A. Fitzgerald  
Commissioner

MAF:dw  
Attachment  
cc: Town Attorney (+7 copies)



**2018**  
**TOWN WIDE SENIOR TRIPS**  
**May & June**

Date	Place & Cost	Includes
Thursday, May 3, 2018	Salute to Seniors Crest Hollow Country Club \$30.00	<ul style="list-style-type: none"><li>• Transportation by Town or School Bus, if required</li><li>• Luncheon</li><li>• Entertainment</li><li>• Valet Parking</li></ul>
Thursday, May 24, 2018	Belmont Race Track \$75.00	<ul style="list-style-type: none"><li>• Transportation by Town or School Bus, if required</li><li>• Entrance Fee</li><li>• Luncheon Buffet</li></ul>
Tuesday, June 19, 2018	Long Island Ducks \$35.00	<ul style="list-style-type: none"><li>• Transportation by Town or School Bus, if required</li><li>• Picnic &amp; Box Seat Ticket</li></ul>



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 23, 2018, requested Town Board authorization to employ a performer to provide entertainment for the Salute to Seniors Luncheon, at a total cost of \$845.00, as follows:

Walter Lazauskas d/b/a John Walters  
3983 Darby Lane, Seaford, New York 11758  
Performance Date: Thursday, May, 3, 2018  
Location: Crest Hollow Country Club

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is authorized to execute an agreement with the aforementioned performer for the aforementioned dates and locations for the purpose of providing entertainment for the Salute to Seniors Luncheon, at a total cost of \$845.00, to be paid for from funds available in the Town Senior Checking Account.

-#-

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  
Community & Youth Services

Reviewed By  
Office of Town Attorney

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# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

February 23, 2018

TO: Memorandum Docket

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


SUBJECT: Musician Services

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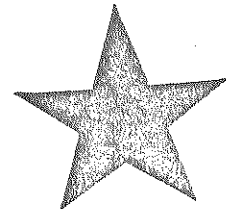
The Department of Community & Youth Services is requesting Town Board authorization to employ the services of Walter Lazauskas, d/b/a John Walters to provide entertainment for the Salute to Seniors Luncheon on Thursday, May 3, 2018 at the Crest Hollow Country Club.

The total cost for the performance will be \$845.00. Funds for the fees are available in the Town Senior Checking Account. In accordance with the Town Procurement Policy, this musician is exempt from the solicitation, written proposal or requirements of the policy.

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

  
Maureen A. Fitzgerald  
Commissioner

MAF:dw  
Attachment  
cc: Town Attorney (+7 copies)



**Contract**

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

Performance by: John Walters

Date: May 3, 2018

Location: Crest Hollow Country Club

Amount: \$845.00

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

WALTER LAZAUSKAS

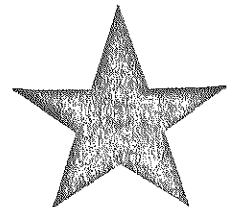
\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DATE: \_\_\_\_\_, 2018

TOWN OF OYSTER BAY

\_\_\_\_\_  
COMMISSIONER

DATE: \_\_\_\_\_, 2018



Meeting of March 13, 2018

Resolution No. 145-2018

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 22, 2018, requested Town Board authorization to employ a performer to provide entertainment for GAP Program participants at a total cost of \$600.00, as follows:

Timothy Aldridge  
38 Constable Lane  
Levittown, New York 11756  
Performance Date: April 20, 2018  
Location: Syosset-Woodbury Community Center  
Performance Date: May 15, 2018  
Location: Hicksville Community Center  
TOTAL Fee: \$600.00; \$300.00 for each performance

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is authorized to execute an agreement with the aforementioned performer for the aforementioned dates and locations for the purpose of providing entertainment to GAP Program participants at a total cost of \$600.00, to be paid by Friends of the Community Services Dept., Inc.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Community & Youth Services

Reviewed By  
Office of Town Attorney

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145

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

February 22, 2018

TO: Memorandum Docket


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

SUBJECT: Services for GAP

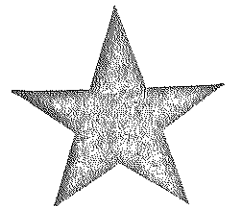
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The Department of Community & Youth Services requests Town Board authorization to employ the services of Timothy Aldridge to provide entertainment for the Group Activities Program (GAP). Timothy Aldridge, of 38 Constable Lane, Levittown, NY 11756 will provide entertainment on April 20, 2018 at Syosset-Woodbury Community Center and May 15, 2018 at Hicksville Community Center. The cost for each performance is \$300.00 for a total of \$600.00 These performances will be paid by Friends of the Community Services Dept., Inc.

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

  
Maureen A. Fitzgerald  
Commissioner

MAF:jd  
Attachment  
cc: Town Attorney (+7 copies)



**Contract**

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Timothy Aldridge, located at 38 Constable Lane, Levittown, New York 11756 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by: Timothy Aldridge  
Date: April 20, 2018  
Location: Syosset Woodbury Community Center  
Amount: \$300.00

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

TIMOTHY ALDRIDGE

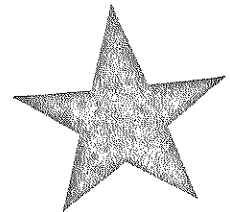
\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DATE: \_\_\_\_\_, 2018

TOWN OF OYSTER BAY

\_\_\_\_\_  
COMMISSIONER

DATE: \_\_\_\_\_, 2018



Meeting of March 13, 2018

Resolution No. 146-2018

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 22, 2018, has requested Town Board authorization to employ performers to provide entertainment for GAP Program participants at a total cost of \$650.00, as follows:

A Floating Affair Balloon Decorating Services, Inc.  
166-20 Pidgeon Meadow Road  
Flushing, New York, 11358  
Performance date: Friday, April 13, 2018  
Location: Syosset- Woodbury Community Center  
Fee: \$300.00

Jester Jim, Inc.  
56 Candido Avenue  
Shirley, New York 11967  
Performance date: Saturday, May 12, 2018  
Location: Marjorie R. Post Community Park  
Fee: \$350.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is authorized to execute an agreement with the aforementioned performers, for the aforementioned dates and locations, at a total cost of \$650.00, for the purposes of providing entertainment to GAP Program participants; and be it further

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

-#-

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  
Community & Youth Services

Reviewed By  
Office of Town Attorney

7

TOWN OF OYSTER BAY

146

Inter-Departmental Memorandum

February 22, 2018

TO: Memorandum Docket

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

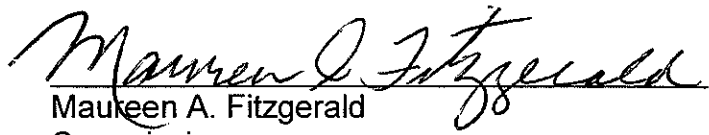
SUBJECT: Services for GAP

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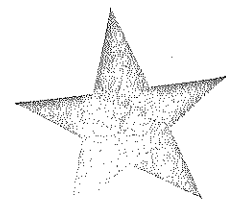
The Department of Community & Youth Services requests Town Board authorization to employ the services of the performers listed on the attached sheet for the dates and locations noted. They will be providing entertainment for GAP Program participants.

The total cost of these services is \$650.00. Funds will be available in Account CYS A 7020 47660 000 0000, *Special Events*. In accordance with Guideline 5, Section b, of the Town Procurement Policy, these services are exempt from the solicitation, written proposal or requirements of the policy.

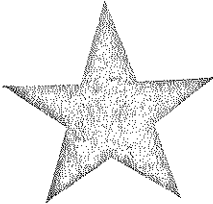
Therefore, it is respectfully requested that the Town Board authorize the Town to enter into an agreement as negotiated and attached and further authorize the Supervisor and/or his designee to execute said agreement.

  
Maureen A. Fitzgerald  
Commissioner

MAF:jd  
Attachments  
cc: Town Attorney (+7 copies)



Name / Check Made Payable To	Address	Performance Date	Performance Location	Fee
A Floating Affair	166-20 Pidgeon Meadow Road Flushing, NY 11358	Friday, 4/13/18	Syosset-Woodbury Community Center	\$300.00
Jester Jim Inc.	56 Candido Avenue Shirley, N.Y. 11967	Saturday, 5/12/18	Marjorie R. Post Community Park	\$350.00



**Contract**

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and A Floating Affair Balloon Decorating Service, Inc., c/o Kim Mitchell located at 166-20 Pidgeon Meadow Road, Flushing, New York 11358 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by:           A Floating Affair Balloon Decorating Service, Inc.  
Date:                       April 13, 2018  
Location:                 Syosset Woodbury Community Park  
Amount:                  \$300.00

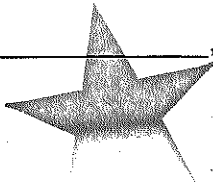
In consideration of these services, the TOWN agrees to pay CONTRACTOR the sum of Three hundred dollars. If CONTRACTOR fails to appear, or is incapacitated from rendering a performance through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be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

A FLOATING AFFAIR BALLOON  
DECORATING SERVICE, INC.

—————→  
CONTRACTOR  
—————→ DATE: \_\_\_\_\_, 2018

TOWN OF OYSTER BAY

—————  
COMMISSIONER  
DATE: \_\_\_\_\_, 2018



WHEREAS, Eileen A. Krieb, Co-Chairman of the St. Boniface Martyr Church, Feast by the Shore, 145 Glen Avenue, Sea Cliff, New York 11579, by letter dated January 15, 2018, has requested the use of Tappen Beach from Sunday, May 13, 2018 through Monday, May 21, 2018, and town property and equipment in connection with its annual Feast by the Shore, with the actual dates of the event to be Thursday, May 17, 2018 through Sunday, May 20, 2018; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 22, 2018, advised that Tappen Beach and the following property and equipment will not be required for use by the Town at that time, and that the Department of Parks has no objection to providing same, and requested Town Board authorization to grant the following requests of St. Boniface Martyr Church:

1. Use of Tappen Beach from Sunday, May 13, 2018 through Monday, May 21, 2018,
2. The waiver of the following ordinances of the Code of the Town of Oyster Bay: Section 168-5B, which prohibits gambling at parks, pools, and beaches, so as to allow raffles and other games of chance to be sold; and Section 168-22 to sell beer during the Feast by the Shore; and
3. The use of the Town Show Mobile and portable lighting units, twenty (20) trash receptacles and twenty (20) picnic tables from Thursday, May 17, 2018 through Sunday, May 20, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby authorized and approved, and that St. Boniface Martyr Church may use Harry Tappen Beach from Sunday, May 13, 2018 through Monday, May 21, 2018 for its annual Feast by the Shore; and be it further

RESOLVED, That the Town Board hereby waives Section 168-5B of the Code of the Town of Oyster Bay so as to allow raffles and other games of chance to be sold at and during the aforementioned Feast by the Shore; and Section 168-22 of the Code of the Town of Oyster Bay so as to allow the sale of beer during the Feast by the Shore, and be it further

MS  
Reviewed By  
Office of Town Attorney  
Elizabeth A. Faughnan

RESOLVED, That the Department of Parks, is hereby authorized to provide the abovementioned property and equipment to St. Boniface Martyr Church, for its Feast by the Shore to be held from Thursday, May 17, 2018 through Sunday, May 20, 2018, said property and equipment to be delivered as abovementioned, subject to the following conditions:

1. St. Boniface Martyr Church shall be responsible for obtaining all necessary permits for its Feast by the Shore, and will furnish copies of same to the Department of Parks prior to the start of the Feast;
2. St. Boniface Martyr Church shall be responsible for 24 hour security at Harry Tappen Beach from Sunday, May 13, 2018 through Monday, May 21, 2018;
3. The use of all Town property shall be in conformance with the direction of the Commissioner of the Department of Parks, or his duly authorized designee;
4. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in conduct of the aforementioned activities, except for Sections 168-5B and 168-22, as indicated above; and
5. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains commercial general liability insurance, in the amounts of \$1,000,000 with a general aggregate of \$2,000,000 and naming the Town as an additional insured, in connection with the aforementioned activities.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Parks



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Town of Oyster Bay  
Department of Parks  
Inter-Departmental Memo

February 22, 2018

TO: Memorandum Docket  
FROM: Joseph G. Pinto, Commissioner of Parks  
SUBJECT: Saint Boniface Martyr Feast by the Shore

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The attached letter dated January 15, 2018, Saint Boniface requests the use of Tappen Beach to hold their annual Feast by the Shore. The dates would be from Thursday, May 17<sup>th</sup> through Sunday, May 20<sup>th</sup>. The actual hours the Feast by the Shore would be open and operated are as follows:

Thursday, May 17	6:00pm – 11:00pm
Friday, May 18	6:00pm – 11:00pm
Saturday, May 19	1:00pm – 11:00pm
Sunday, May 20	1:00pm – 7:00pm

Set up will begin on Sunday, May 13 and final breakdown will be on Monday, May 21, 2018.

For this Feast by the Shore to take place at Tappen Beach, the following Town Ordinances for the Parks Department must be waived:

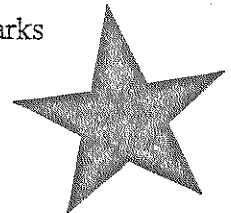
168-5B. Gambling is strictly prohibited in all areas of any park, pool or beach. Other games of chance will be sold during the course of the Feast by the Shore.

168-22. No person shall bring beer, ale or any other alcoholic beverage into any park or beach.

Other items that require Town Board authorization are:

The use of a showmobile and portable lights from Thursday, May 17 through Sunday, May 20, 2018. Fees are in conjunction with Resolution 174-2017, pertaining to permits for showmobile and portable lights.

The use of 20 trash receptacles and 20 picnic tables will be provided by the Parks Department.

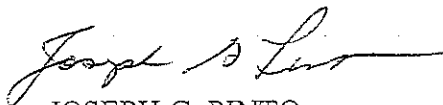


Page 2, St. Boniface

It is understood that St. Boniface must obtain insurance and all necessary permits from various regulating agencies in relation to the operation of this Feast by the Shore and supply the Department of Parks with copies of same. These copies must be in our possession prior to the start of the Feast by the Shore.

It is understood that St. Boniface will provide adequate 24-hour security at Tappen Beach from Sunday, May 13 through Monday, May 21. Security will include night coverage and patrol of the beachfront.

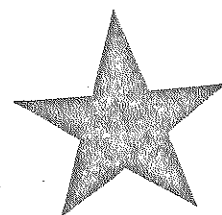
Town Board authorization is requested for the use of Tappen Beach and Town Equipment from Sunday, May 13, 2018 to Monday, May 21, 2018 by St. Boniface Martyr Church for its annual Feast by the Shore.



JOSEPH G. PINTO  
COMMISSIONER OF PARKS

FAN/DA

Cc: Town Attorney (original + 7 copies)  
Greg Skupinsky, Deputy Commissioner of Parks  
Frank Gatto, Deputy Commissioner of Parks  
Donna Antetomaso, Recreation Specialist III  
Chris Keener, Park Manager Tappen Beach  
Vincent Saviano, Operations Supervisor



# St. Boniface Martyr Feast by the Shore at Tappen Beach



January 15, 2018

Town of Oyster Bay  
Town Hall South  
977 Hicksville Road  
Massapequa, New York 11758  
Attn: Ms. Donna Antetomaso

Re : Feast By The Shore 2018/ Tappen Beach

Dear Donna,

The Town of Oyster Bay was very generous in its support of St Boniface Parish last Spring when we hosted our seventh Annual Feast By the Shore at Tappen Beach. The event during the past few years has been a great success for the parish and an enjoyable venue for the entire North Shore Community. I am writing to you to seek approval to repeat the Feast again this May, 2018 at Tappen . Here are some of the details:

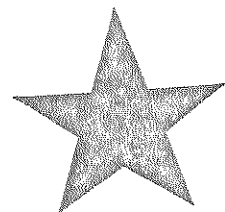
Feast Dates:	Thursday May 17 through Sunday May 20 <sup>th</sup> , 2018
Equipment Arrival	Sunday, May 13 <sup>th</sup> with set up beginning on Tuesday May 15 <sup>th</sup>
Equipment Departs	Sunday & Monday May 20 <sup>th</sup> & 21 <sup>st</sup>
Ride Vendor	Newton Shows

We also respectfully request the use of the Town Show Mobile for Thursday, Friday, Saturday evenings . As in the past we also had borrowed two portable light trailers available and the use of a dozen picnic tables.

I want to thank you for the tremendous support during the past several years and I look forward to working with the Town Of Oyster Bay team again this Spring .

Thank You  
Sincerely

  
Eileen A Krieb  
CO Chairman  
Cell 516 840 3796 [eikrieb@aol.com](mailto:eikrieb@aol.com)  
Cc: Supervisor Saladino



St. Boniface Martyr R.C. Church • 145 Glen Avenue • Sea Cliff, NY 11579 • 616-676-0676

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

This Agreement is made this 19 day of JANUARY 2018, by St Boniface Martyr  
(hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment  
located at and/or described as Tappan Beach use of parking lot, Shallowford  
portable trailers + 18 picnic tables, carnival rides across street, 13-20 May,  
Feast opens 5/17 thru 5/20.

for the event described as Feast By the Shore  
The property/equipment is needed from May 13th to May 21 (Event 5/17-5/20)  
The event for which the property and/or equipment is requested ( ) is ( ) is not a profit making event.

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

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

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

Name of Organization

St Boniface Martyr

Address of Organization

145 Glen Ave  
Sea Cliff NY 11579

By:

Eileen A. Krieb

Authorized Representative

Title:

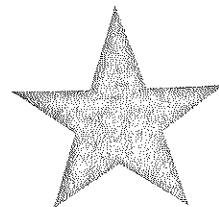
Business Mgr

Telephone Number:

516 840 3796 Cell  
Office 516 676 0676

Reviewed By  
Office of Town Attorney

EPR



Endorsement Number: 17  
Policy Number: PKG-2017-1 Date Effective: 11/01/2017

ADDITIONAL INSURED ENDORSEMENT

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

SCHEDULE

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

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

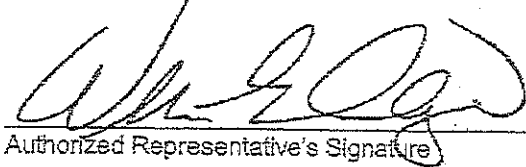
The amount of insurance shall not exceed the lesser of the amount of limits you agree to provide or the available limits of this insurance.

The obligations under this endorsement shall be primary and non-contributory as respects any other insurance available to the person or organization, whether primary, excess, or contingent.

All other terms and conditions remain unchanged.

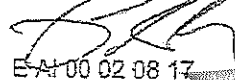
In witness whereof, this Endorsement has been executed in Rockville Centre, New York by the Company's authorized officer as set forth below.

ECCLESIA ASSURANCE COMPANY

  
Authorized Representative's Signature

9/10/2017  
Date

Reviewed By  
Office of Town Attorney

  
E-AI 00 02 08 17





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
01/16/2018

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

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

PRODUCER	Ecclesia Assurance Company d/b Porter & Curtis, LLC 225 State Road Media, PA 19053	CONTACT NAME	Garrett Gabriella
		PHONE (A/C, No, Ext)	
		FAX (A/C, No)	
		EMAIL ADDRESS	GGabriella@PorterCurtis.com
		INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED	ST. BONIFACE MARTYR CHURCH 145 GLEN AVENUE SEA CLIFF, NY 11579	INSURER A:	ECCLESIA ASSURANCE COMPANY 11952
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

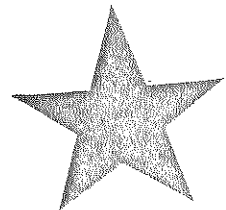
COVERAGES CERTIFICATE NUMBER: 387677 Account 000053 REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADD INSR	EXPIR DATE	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			PKG-2017-1	11/01/2017	11/01/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ex occurrence) \$ Included MED EXP (Any one person) \$ Not Covered PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ None Applicable PRODUCTS - COM/POR AGG \$ None Applicable \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> Hired AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ex accident) \$ BODILY INJURY (Per \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			EX-LIAB-2017-1	11/01/2017	11/01/2018	EACH OCCURRENCE \$ 14,000,000 AGGREGATE \$ None Applicable \$
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
The limits include applicable retentions. The certificate holder is included as an Additional Insured if required by written contract with respect to the Feast by the Shore Carnival held 05/14/2018 - 05/21/2018 at the Harry Tappan Beach (Parking Lot), Shore Road, Glenwood Landing, New York.

CERTIFICATE HOLDER	CANCELLATION
TOWN OF OYSTER BAY 54 AUDREY AVENUE OYSTER BAY, NY 11771  Reviewed By Office of Town Attorney 	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 



Meeting of March 13, 2018

Resolution No. 148-2018

WHEREAS, pursuant to Public Notice, bids were duly and regularly received on February 14, 2018, for Bid Proposal SE 010-18, Surplus Miscellaneous Office Equipment; and

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated February 26, 2018, recommended that Items 001-205, inclusive, of Bid Proposal SE 010-18 be awarded to E-Green Recycling Management, LLC, 3542 Route 112, Coram, New York, in the amount of \$800.00, as the highest and only responsible bidder, for the purchase of Surplus Miscellaneous Office Equipment,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that Items 001-205, inclusive of Bid Proposal SE 010-18, are hereby awarded to E-Green Recycling Management, LLC, 3542 Route 112, Coram, New York, as the highest and only responsible bidder.

-#-

Reviewed By  
Office of Town Attorney  
*Elizabeth A. Faughnan*

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  
General Services

148

13

Town of Oyster Bay  
Inter-Departmental Memo

To: MEMORANDUM DOCKET

From: ERIC TUMAN, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: February 26, 2018

Subject: SE 010-18, SURPLUS MISCELLANEOUS OFFICE EQUIPMENT  
OPENING DATE: February 14, 2018  
CONTRACT PERIOD: March 14, 2018

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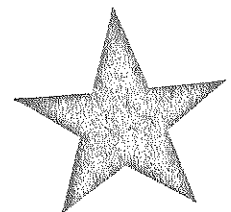
Please be advised that the "Notice to Bidders" was advertised in the following newspaper:  
NEWSDAY January 19, 2018

and that said notice was sent to interested parties from our vendor database.

The Town Board is hereby requested to give favorable consideration to the suggestion and recommendation to award as indicated below to the high and responsible bidder meeting specifications:

<u>TO:</u>	E-GREEN RECYCLING MANAGEMENT LLC 3542 Route 112 Coram, New York 11727	<u>TERMS:</u> Net	<u>FOB:</u> Dept.	
<u>ITEMS</u>	<u>OFFERING</u>	<u>BID QTY</u>	<u>UNIT</u>	<u>PRICE</u>
1-205	LIST ATTACHED	1	LUMP	\$800.00

CONTINUED ON PAGE: 2



Please be advised that Bid Proposal SE 010-18 is being awarded to the high and only responsible bidder meeting specifications.

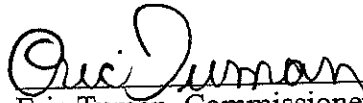
The undersigned feels the best interest of the Town would be served by favorable consideration of the recommended bid.

Should the Town Board concur, may the Town Attorney's office be directed to prepare a resolution to award SE 010-18 to the following high and responsible bidder:

- E-Green Recycling Management LLC

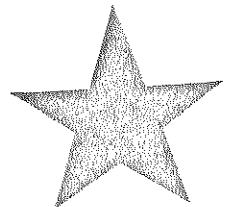
in accordance with the terms and conditions of Bid Proposal SE010-18 in the amount of \$800.00.

Bid summary sheets are attached.

  
Eric Tuman, Commissioner  
Department of General Services

ET/sc  
Attachments

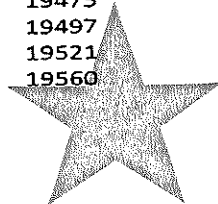
cc: Town Attorney (7)  
Comptrollers/Accounts Payable  
Comptrollers/Accounts Receivable  
General Services Department



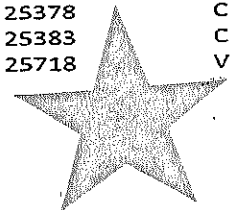
<u>MAKE</u>	<u>MODEL</u>	<u>DESCRIPTION</u>	<u>ASSET #</u>	<u>SERIAL #</u>
1. ADLER	120PD	ELECTRONIC CALCULATOR	6963	78225029
2. IBM	SELECTRIC III 6705	ELECTRIC TYPEWRITER	6980	6076769
3. IBM	SELECTRIC III 6705	ELECTRIC TYPEWRITER	6981	6076299
4. IBM	WHEELWRITER 3	ELECTRIC TYPEWRITER	7498	1723252
5. IBM	4245	LINE PRINTER	8934	27335
6. IBM	PRINTER 4019	LASER PRINTER	10999	F8386
7. IBM	9556	PC PROCESSOR	11944	23CL674
8. RCA	PROEDIT VHS CC507	CAMCORDER	11955	308430206
9. IBM	WHEELWRITER 3000	TYPEWRITER	12379	11DXHY2
10. PANASONIC	ELECTRONIC	ELECTRIC TYPEWRITER	12492	CM54A17907
11. PANASONIC	KXE-2020	TYPEWRITER	12548	A17832
12. IBM	404912R	LASER OPTRAR PRINTER	12682	11K4835
13. IBM	SELECTRIC	TYPEWRITER	12718	4233226
14. ADLER	ELECTRONIC	CALCULATOR	12795	45447907
15. RCA	4 HEAD	VCR HIFI STEREO	12902	9085405
16. RCA	VHS24XZOOM	CAMCORDER	12904	9085405
17. HP	1600-VLS	PERSONAL COMPUTER-16MB	13663	US72316612
18. HP	DESKJET 895C-XI	COLOR PRINTER	14489	SG8AK2W281
19. HP	DESK JET 895	PRINTER	14625	MY9291B1T9
20. APOLLO	OVERHEAD	PROJECTOR	14905	00A10267
21. HP	DESKJET 970CSE	PRINTER	15217	MY05C11H1
22. HP	DESIGN JET 336654	CM COLOR PLOTTER	15471	C6075A98A
23. HP	DESKJET 990PRO	PRINTER	15720	MY1291D15V
24. HP	C9634	CD-WRITER	15721	PH14531J1H
25. HP	DESKJET 990CXI	PRINTER	15888	MY2441915R
26. PANASONIC	PVL652	CAMCORDER	16347	J21A13869
27. SHARP	EL-263OP	CALCULATOR	16429	2D104115
28. TELECONFERENCER	277SD	VOICESTATION	16443	24100A91F
29. TELECONFERENCER	277SD	VOICESTATION	16444	24100H7EC
30. HP	C8648AABA-PSC2110	DESKJET PRINTER	16501	MY37AF62CN
31. HP	C8959BA2L-6127	DESKJET PRINTER	16517	MY36E3BOXN
32. HP	995CK	PRINTER	16582	MY39P0B1D4
33. DELL	POWER EDGE 2600SR	SERVER	16712	F2YDP41
34. HP	5650	DESKJET PRINTER	16770	MY44M4Q31H
35. HP	C7790B	DESIGN JET PRINTER	16814	SG19R170XH
36. EPSON	POWERLITE	PROJECTOR	16930	FWDG480750
37. OPTIPLEX	GX620	MINI TOWER PC	17225	SY08Q81
38. DELL	FLAT PANEL	19 INCH MONITOR	17230	02QS
39. DELL	FLAT PANEL	19 INCH MONITOR	17236	02PS
40. HP	LASER JET	COLOR PRINTER	17527	YYTT68732A
41. POWER EDGE	850	COMPUTER	17654	32G2T91
42. POWER EDGE	850	COMPUTER	17565	44G2T91
43. DELL	PENTIUM	MOBIL MINI TOWER	17583	554DW91
44. DELL	OPTIPLEX	MINI TOWER COMPUTER	17614	FBHPCB1
45. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17626	98HPCB1
46. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17630	HLCPCB1
47. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17634	11LPCB1
48. DELL	1707FP	FLAT PANEL MONITOR	17637	65U-OW2S
49. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17644	JOLPCB1
50. DELL	1110	LASER PRINTER	17684	BVYR491
51. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17699	41LPCB1
52. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17701	3BHPCB1
53. DELL	1707FP	FLAT PANEL MONITOR	17702	
54. DELL	OPTIPLEX GX520	MINI TOWER COMPUTER	17703	CBHPCB1
55. DELL	FLAT PANEL	MONITOR	17706	
56. DELL	ULTRA	FLAT SCREEN MONITOR	17716	BGHG
57. DELL	1707FP	FLAT PANEL MONITOR	17774	
58. DELL	1110	LASER PRINTER	17928	4GKW491
59. XEROX	45000	PHASER PRINTER	17940	JEA-2
60. DELL	1907FP	FLAT PANEL MONITOR	17941	CNOCC38871
61. DELL	1907FP	FLAT PANEL MONITOR	17942	CNOCC388
62. DELL	850	POWER EDGE SERVER	17976	GF47VB1
63. EPSON	PWERLITE 54	PROJECTOR	18096	3VF6Y1785L
64. DELL	LATTITUDE D620	COMPUTER NOTEBOOK	18316	DXTM4D1



<u>MAKE</u>	<u>MODEL</u>	<u>DESCRIPTION</u>	<u>ASSET #</u>	<u>SERIAL #</u>
65. DELL	1110	LASER PRINTER	18343	9QFQ0C1
66. DELL	1707FP	OPTIPLEX MONITOR	18393	
67. DELL	1707FP	OPTIPLEX MONITOR	18402	C18672BH9F
68. DELL	OPTIPLEX GX620	MINI TOWER COMPUTER	18449	4FLLQC1
69. DELL	OPTIPLEX GX620	MINI TOWER COMPUTER	18461	50LLQC1
70. DELL	1707FP	FLAT PANEL MONITOR	18491	
71. DELL	OPTIPLEX 745	COMPUTER	18507	4FWT9D1
72. DELL	OPTIPLEX 745	COMPUTER	18509	5HWT9D1
73. HP	MONITOR	MONITOR	18516	NC720P4CX
74. HP	COMPUTER	COMPUTER	18517	XL6480FOM
75. XEROX	WCP232	COPY CENTER	18520	URR897285
76. DELL	POWER EDGE 1950	SERVER	18527	4V841F1
77. APC	SMART-UPS 750AV	RACK MOUNT	18529	0650132639
78. EPSON	DFX 9000	MATRIX PRINTER	18625	KK0008531
79. DELL	POWER EDGE 860	SERVER	18627	9KHL8F1
80. DELL	OPTIPLEX 745	PC MINI TOWER	18640	HSWX0F1
81. DELL	OPTIPLEX 745	PC MINI TOWER	18652	BTWX0F1
82. DELL	OPTIPLEX 745	PC MINI TOWER	18665	FWWX0F1
83. DELL	POWER EDGE 860	SERVER	18939	J59N8F1
84. XEROX	PHASER 8860DN	PRINTER	18949	HAV0303673
85. DELL	OPTIPLEX 745	COMPUTER	19080	G1D6NF1
86. DELL	OPTIPLEX 745	COMPUTER	19088	C1D6NF1
87. DELL	OPTIPLEX 745	COMPUTER	19089	H2D6NF1
88. DELL	OPTIPLEX 745	COMPUTER	19096	8ZC6NF1
89. DELL	OPTIPLEX 745	COMPUTER	19101	F1D6NF1
90. DELL	OPTIPLEX 745	COMPUTER	19102	63D6NF1
91. DELL	OPTIPLEX 745	COMPUTER	19111	83D6NF1
92. DELL	OPTIPLEX 745	COMPUTER	19112	32D6NF1
93. DELL	OPTIPLEX 745	COMPUTER	19119	71D6NF1
94. DELL	OPTIPLEX 755	COMPUTER	19122	HWH4QF1
95. DELL	FLAT PANEL	17 INCH MONITOR	19130	
96. HP	PHOTOSMART	COMPACT PRINTER	19260	CN7AM4418N
97. HP	SCAN JET 5590	SCANNER	19262	L19118AC3
98. ADLER	121	CALCULATOR	19277	45489094
99. DELL	POWER EDGE 1850	SERVER	19329	4J41JF1
100. DELL	OPTIPLEX 755	COMPUTER	19352	1QWWBG1
101. DELL	OPTIPLEX 755	COMPUTER	19361	5RWWBG1
102. DELL	OPTIPLEX 755	COMPUTER	19362	5SWWBG1
103. DELL	OPTIPLEX 755	COMPUTER	19368	8RWWBG1
104. DELL	OPTIPLEX 755	COMPUTER	19369	8SWWBG1
105. DELL	OPTIPLEX 755	COMPUTER	19376	FPWWBG1
106. DELL	OPTIPLEX 755	COMPUTER	19378	GQWWBG1
107. DELL	OPTIPLEX 755	COMPUTER	19437	3CSWBG1
108. DELL	OPTIPLEX 755	COMPUTER	19440	4HSWBG1
109. DELL	OPTIPLEX 755	COMPUTER	19441	5BSWBG1
110. DELL	OPTIPLEX 755	COMPUTER	19442	5CSWBG1
111. DELL	OPTIPLEX 755	COMPUTER	19444	5GSWBG1
112. DELL	OPTIPLEX 755	COMPUTER	19445	6DSWBG1
113. DELL	OPTIPLEX 755	COMPUTER	19447	7CSWBG1
114. DELL	OPTIPLEX 755	COMPUTER	19448	8BSWBG1
115. DELL	OPTIPLEX 755	COMPUTER	19450	8FSWBG1
116. DELL	OPTIPLEX 755	COMPUTER	19452	8HSWBG1
117. DELL	OPTIPLEX 755	COMPUTER	19453	9CSWBG1
118. DELL	OPTIPLEX 755	COMPUTER	19454	9HSWBG1
119. DELL	OPTIPLEX 755	COMPUTER	19457	BGSWBG1
120. DELL	OPTIPLEX 755	COMPUTER	19459	CHSWBG1
121. DELL	OPTIPLEX 755	COMPUTER	19456	FDSWBG1
122. DELL	OPTIPLEX 755	COMPUTER	19468	GBSWBG1
123. DELL	OPTIPLEX 755	COMPUTER	19472	HFSWBG1
124. DELL	OPTIPLEX 755	COMPUTER	19475	4ISWBG1
125. DELL	CFLB3RB 1908 FPT	19 INCH MONITOR	19497	26183G5L7L
126. DELL	CFLB3RB	19 INCH MONITOR	19521	1808483C5L
127. DELL	OPTIPLEX 755	COMPUTER	19560	4YZP3G1



<u>MAKE</u>	<u>MODEL</u>	<u>DESCRIPTION</u>	<u>ASSET #</u>	<u>SERIAL #</u>
128. DELL	OPTIPLEX 755	COMPUTER	19570	9WZP3G1
129. DELL	OPTIPLEX 755	COMPUTER	19572	9YZP3G1
130. BROTHER	INTELLIFAX	FAX MACHINE	19602	4F7J661439
131. DELL	POWER EDGE 2950	SERVER	19651	9K7RHH1
132. DELL	OPTIPLEX 755	COMPUTER	19655	12VBKH1
133. DELL	OPTIPLEX 755	COMPUTER	19663	61VBKH1
134. DELL	OPTIPLEX 755	COMPUTER	19666	71VBKH1
135. BROTHER	INTELLIFAX	FAX MACHINE	19722	9J8J865289
136. XEROX	5655	COPIER	19742	WTD727761
137. DELL	COMPUTER	COMPUTER	19955	12V67J1
138. DELL	TOWER PC	COMPUTER	19958	23V67J1
139. DELL	TOWER PC	COMPUTER	19969	63V67J1
140. DELL	MONITOR	MONITOR	20018	45914GAAM
141. IBM	4000	STORAGE EXTENSION	20267	0019374
142. DELL	PC OPTIPLEX 960	MINI TOWER	20276	18WXSJ1
143. DELL	PC OPTIPLEX 960	MINI TOWER	20282	47WXSJ1
144. DELL	PC OPTIPLEX 960	MINI TOWER	20286	67WXSJ1
145. DELL	PC OPTIPLEX 960	MINI TOWER	20294	F7WXSJ1
146. DELL	PC OPTIPLEX 960	MINI TOWER	20295	G7WXSJ1
147. DELL	PC OPTIPLEX 960	MINI TOWER	20298	J7WXSJ1
148. DELL	PC OPTIPLEX 960	MINI TOWER	20306	8WWXSJ1
149. DELL	PC OPTIPLEX 960	MINI TOWER	20313	HVWXSJ1
150. DELL	PROCESSOR X5450	QUAD CORE XEON	20484	H8KCVH1
151. POWER EDGE	2161DS/2	16 PORT KEYBOARD	20542	25047372
152. BRAILLIANT	40 CELL	BRAILLE DISPLAY	20595	1G2MMK1
153. DELL	LATITUDE	LAPTOP E5500	21864	HF2MMK1
154. DELL	LATITUDE	LAPTOP E5500	21865	1138858
155. SONY	1080P NS710H/B	DVD PLAYER	21872	1HRHVH1
156. QUAD CORE XEON	E5405	PE 1950 PROCESSOR	21883	HAV043557
157. XEROX	8860/DN	PHASER PRINTER	22064	E010012612
158. MINOLTA	BIZHUM	COPIER C353	22207	WTD075487
159. XEROX	W5655PT	COPIER PRINTER FAX	22249	4LPVRL1
160. DELL	PC OPTIPLEX 960	PERSONAL COMPUTER	22396	TH0382315P
161. HP	A/O	LASER JET 6500	22548	TH03823178
162. HP	A/O	LASER JET 6500	22554	CN80107930
163. HP	CP1518NI	COLOR LASER JET	22559	CN80107897
164. HP	P4014N	LASER JET	22567	TH04K21OSH
165. HP	AIO	OFFICE JET PRINTER 6500	22575	TH02N230OX6
166. HP	LJ 6500W PRINTER	LASER JET PRINTER	22658	CNCCB7JOKW
167. HP	HPLJ3525N	PRINTER	22759	THOBG210S4
168. HP	6500	OFFICE JET PRINTER	23141	THOBG21ORT
169. HP	6500	OFFICE JET PRINTER	23143	THOBG21OSK
170. HP	6500	OFFICE JET PRINTER	23144	HP3HQP1
171. DELL	LATITUDE E5510	LAPTOP	23266	1109220782
172. APC	SMART UPS 1500	RACK MOUNT	23327	FF5TGQ1
173. DELL	OPTIPLEX 960	MINI TOWER BASE	23331	FF8SGQ1
174. DELL	OPTIPLEX 960	MINI TOWER BASE	23336	FF5WGQ1
175. DELL	OPTIPLEX 960	MINI TOWER BASE	23346	CN221H296
176. HP	ALL IN ONE	OFFICE JET 6700	24536	CN22A1G1ZF
177. HP	ALL IN ONE	OFFICE JET 6700	24538	CN22B1GOG1
178. HP	ALL IN ONE	OFFICE JET 6700	24545	CN339BSG3J
179. HP	CN583A	OFFICE JET PRO AIO6700	25156	CN336BSH3Z
180. HP	CN5883A	OFFICE JET PRO AIO6700	25161	CN344BSGRN
181. HP	6700	INK JET CN583A#B1H	25284	CN344BSGQW
182. HP	6700	INK JET CN583A#B1H	25288	CN344BSGRK
183. HP	6700	INK JET CN583A#B1H	25289	CN344BSGSC
184. HP	6700	INK JET CN583A#B1H	28291	CN344BSGRG
185. HP	6700	INK JET CN583A#B1H	25292	CN34CBQH75
186. HP	6700	INK JET CN583A#B1H	25366	CN344BSGV7
187. HP	6700	INK JET CN583A#B1H	25367	CN37UC5J6Q
188. HP	6700	INK JET CN583A#B1H	25376	CN37UC5J5F
189. HP	6700	INK JET CN583A#B1H	25378	CN37UC5HW5
190. HP	6700	INK JET CN583A#B1H	25383	VND3H56449
191. HP	LJP1102W	LASER JET PRINTER	25718	

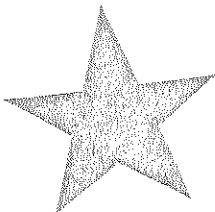


192.	HP	6700	OFFICE JET PRINTER	25787	CN41KDS27R
193.	DELL	860	POWER EDGE SERVER	26482	CLDD2C1
194.	DELL	2500	POWER EDGE SERVER	26483	6Q6HF11
195.	DELL	POWER VAULT 124T	TAPE AUTO LOADER	26484	D16WB71
196.	DELL	POWER VAULT 124T	TAPE AUTO LOADER	26485	4HH02C1
197.	OKI	ML320TU	PRINTER TURBO	26980	66061183E0
198.	OKI	ML391TU	PRINTER TURBO	26981	0782010050
199.	EPSON	LQ-2170	PRINTER	26982	2NJY045447
200.	DECISION DATA	EBL387C	14" COLOR TERMINAL	26983	383032
201.	NAKAJIMA	AE-740	TYPEWRITER	18710	A77300531
202.	XEROX	5675	COPIER	19734	WTM767377
203.	XEROX	WORK CENTER PRO	COPIER	18157	URT820879
204.	XEROX	W5655PT	PRINTER	22063	WTD072635E
205.	KODAK	35MM SURE SHOT	CAMERA-VR 35	8388	

RESERVE PRICE FOR ITEMS 1 THROUGH 205 \$750.00

AMOUNT BID \$\_\_\_\_\_

(LUMP SUM)



BID # SE 010-18

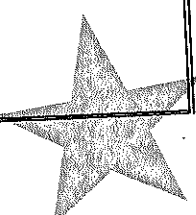
TITLE Surplus Miscellaneous Office Equipment

SURPLUS MISCELLANEOUS OFFICE EQUIPMENT  
(COMPUTERS, PRINTERS, TYPEWRITERS ETC.)

OPEN: February 19, 2018

RESERVE PRICE REQUESTED \$750.00

ITEM #			LUMP	
QUANTITY			SUM	
UNIT BID			ITEMS 001 THROUGH 206	
E. Green Recycling Management LLC			800.00	
3542 Route 112				
Coram NY 11727				
terms 800.00				
terms				
terms				
terms				



Meeting of March 13, 2018

Resolution No. 149-2018

WHEREAS, on November 27, 2017 Richard W. Lenz, P.E., Commissioner, Department of Public Works, proffered disciplinary charges against an employee, whose identity was revealed in Executive Session, for misconduct and which employee was suspended without pay for a period of thirty days, in accordance with New York State Civil Service Law Section 75; and

WHEREAS, the disciplinary proceeding has been resolved, resulting in the employee executing a Stipulation of Settlement; and

WHEREAS, Joseph Nocella, Town Attorney and Frank M. Scalera, Chief Deputy Town Attorney, recommend that the Town accept the terms of the Stipulation of Settlement and authorize the Supervisor to execute said Stipulation on behalf of the Town,

NOW, THEREFORE, BE IT RESOLVED, That the Town accept the terms of the Stipulation of Settlement and that the Supervisor be authorized to execute said Stipulation in connection with the disciplinary proceeding against the employee whose identity was revealed in Executive Session.

-#-

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

7/4/18  
Reviewed By  
Office of Town Attorney

14

Town of Oyster Bay  
Inter-Departmental Memo

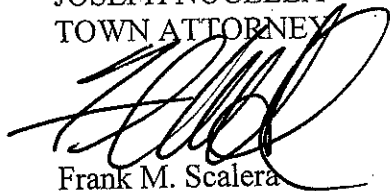
149

**TO** : MEMORANDUM DOCKET  
**FROM** : Office of the Town Attorney  
**DATE** : February 26, 2018  
**SUBJECT**: Employee Disciplinary Proceeding

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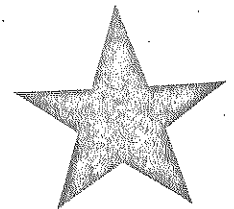
A Disciplinary Proceeding has been filed by the Town against an employee, which has resulted in the execution of a Stipulation of Settlement and the Office of the Town Attorney requests and recommends that the Town Board authorize the Stipulation of Settlement at the March 13, 2018 Town Board Meeting.

JOSEPH NOCELLA  
TOWN ATTORNEY



Frank M. Scalera  
Chief Deputy Town Attorney

FMS:mek  
cc: Town Attorney (w. 7 copies)



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

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

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated February 14, 2018, have advised that Claimant Richard Donohue alleges injuries as a result of a motor vehicle accident involving Claimant's car and a garbage truck, where it is alleged that on October 31, 2013, Town employee, Scott Saum, made a U-turn into plaintiff's vehicle on South Oyster Bay Road in Bethpage, New York, resulting in Claimant sustaining a fractured sternum and cardio hematoma; and

WHEREAS, after extensive negotiations, the matter can be settled for \$37,500.00 in full resolution of all claims of Claimant, and Mr. Nocella and Mr. Lesser recommend settlement of the claim for said amount,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as hereinabove set forth, the Town Board finds that it is just, reasonable, and in the best interests of the Town to settle this matter for the sum of \$37,500.00, the payment of which sum is hereby authorized and approved by the Town Board, as full settlement to Claimant, Richard Donohue, with regard to Claim No. 2014-4346 and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to "Richard Donohue and Joseph P. Ferri, P.C." in the amount of \$37,500.00; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney

15

150

# Town of Oyster Bay

## Inter-Departmental Memo

**TO** : MEMORANDUM DOCKET

**FROM** : Office of the Town Attorney

**DATE** : February 14, 2018

**SUBJECT:** SETTLEMENT OF NEGLIGENCE CLAIM  
Claimant: Richard Donohue v. Town of Oyster Bay  
Claim No.: 2014-4346

---

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

The above referenced claim arose as a result of an incident that occurred on October 31, 2013. Claimant, Richard Donohue alleges to have sustained personal injuries as a result of a motor vehicle accident on South Oyster Bay Road in Bethpage, New York. Town employee Scott Saum was driving a garbage truck on South Oyster Bay Road at 5:35 a.m. on October 31, 2013 when he suddenly made a U-turn turn, striking plaintiff's vehicle. Claimant Donohue sustained a fractured sternum and a hematoma near his heart, requiring admission and hospital observation by a cardiologist.

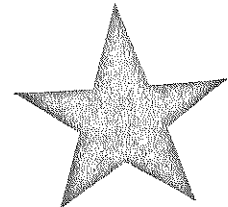
After extensive settlement negotiations, this matter was settled for a \$37,500.00. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town given the uncertainties associated with litigation.

Accordingly, we have attached a resolution authorizing payment of \$37,500.00, together with copies of the Stipulation of Settlement, Stipulation of Discontinuance and a General Release executed by Claimant, Richard Donohue. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Jeffrey A. Lesser  
Deputy Town Attorney

JAL:ba  
Attachment  
cc: Town Attorney (w/7 copies)



2013-7272  
JL

**LAW OFFICES OF ALAN J. REARDON**  
Attorney and Counselor at Law  
19 Park Avenue  
Williston Park, N.Y. 11596

Tel: 516 946 1195  
Email: [ajreardon19@gmail.com](mailto:ajreardon19@gmail.com)

February 12, 2018

Office of the Town Attorney  
Town of Oyster Bay  
Town Hall  
Oyster Bay, N.Y. 11771

Attn: Jeffrey Lesser,  
Deputy Town Attorney

Re: Richard Donohue v. TOB and Scott Saum  
ID No. 2014-4346

2018 FEB 13 A 9:50  
TOWN OF OYSTER BAY  
CLERK'S OFFICE

Jeffrey,

Enclosed please find the settlement papers for this matter, including Joseph P. Ferri's letter of 01/15/18, Richard Donohue's release, a fully executed stipulation of discontinuance and Mr. Ferri's W-9. I also have an email from Ferri that the 21 day payment requirement is waived. The Town has up to 60 days to process the settlement.

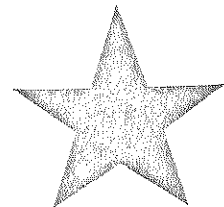
When the settlement check is issued the Stipulation should be filed with the County Clerk.

If you need anything additional, please let me know.

Thank you,

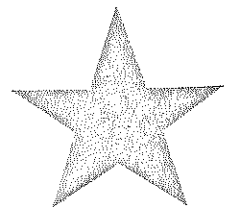


Alan J. Reardon



CC

Joseph P. Ferri, P.C.  
666 Old Country Road  
Garden City, NY 11530



**Joseph P. Ferri, P.C.  
Attorney At Law**

666 Old Country Road  
Suite 605  
Garden City, New York 11530

Ph: (516) 280-5620  
Fx: (516) 280-5621  
eMail: [josephferri@ferrilaw.com](mailto:josephferri@ferrilaw.com)

January 15, 2018

Via Email: REARDON8@AOL.COM

Law Offices of Alan J. Reardon  
19 Park Avenue  
Williston Park, New York 11596

Attention: Alan J. Reardon, Esq.

Re: Richard Donohue v. Town of Oyster Bay and Scott D. Saum  
Index No.: 8458/2014

Dear Mr. Reardon:

Pursuant to the settlement agreement, enclosed please find fully executed General Release releasing your client(s) in the amount of thirty-seven thousand five hundred and 00/100 dollars (\$37,500.00).

Further enclosed is the stipulation of discontinuance. Please sign same and file with the court and forward a copy of the signed stipulation for our file.

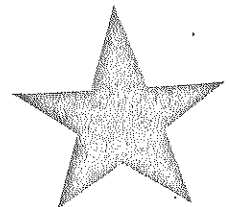
Kindly make the settlement draft payable to RICHARD DONOHUE and JOSEPH P. FERRI, P.C., as attorney and mail same to my office at 666 Old Country Road, Suite 605, Garden City, New York 11530. Please be also advised that my taxpayer identification number is 11-3509022 (W-9 attached).

Thank you for your courtesies and attention. If you have any questions, I would welcome your call.

Yours, etc.,

*Joseph P. Ferri, Jr.*  
JOSEPH P. FERRI, JR.

JPF/sq  
Encl.



**To All To Whom These Presents Shall Come or May Concern, Know That**

**RICHARD DONOHUE, as RELEASOR, in consideration of the sum of THIRTY-SEVEN THOUSAND AND FIVE HUNDRED AND 00/100 DOLLARS (\$37,500.00)**

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

**RELEASOR** knows of no lien against the proceeds of this settlement, and has never been a recipient of Medicare nor has he applied for Social Security Disability. If any entity asserts a lien against this settlement, **RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns** will hold harmless **TOWN OF OYSTER BAY and SCOTT D. SAUM**, against any lien, claim or action arising from the settlement or asserted against the settlement proceeds, and **RELEASOR. RELEASOR'S heirs, executors, administrators, successors and assigns** will have the sole responsibility to satisfy all liens and claims asserted against the settlement proceeds.

This **RELEASE** may not be changed orally.

In Witness Whereof, the **RELEASOR** has hereunto set **RELEASOR'S** hand and seal on the 25 day of January, 2018.

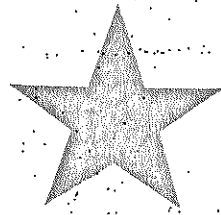
  
L.S.  
RICHARD DONOHUE

In presence of  
STATE OF NEW YORK }  
COUNTY OF NASSAU } S.S.

On the 25<sup>th</sup> day of January, 2018, before me personally came the above releasor, **RICHARD DONOHUE**, to me known and known to me to be the individual described in, and who executed the foregoing **RELEASE**, and duly acknowledged to me that they executed the same.

  
NOTARY PUBLIC

RIMMA ALTSHULER  
NOTARY PUBLIC, State of New York  
No. 01AL6156219  
Qualified in Westchester County  
Commission Expires November 6, 20 18



**Request for Taxpayer  
Identification Number and Certification**

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

Print or type  
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>JOSEPH P. FERRI, P.C.</b>	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) <b>666 OLD COUNTRY ROAD, SUITE 605</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>GARDEN CITY, NEW YORK 11530</b>	
7 List account number(s) here (optional)	

**Part I Taxpayer Identification Number (TIN)**

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

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

Social security number	
<div></div>	<div></div>
or	
Employer identification number	
1	1 - 3 5 0 9 0 2 2

**Part II Certification**

Under penalties of perjury, I certify that:

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

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

Sign  
Here

Signature of  
U.S. person ▶

Date ▶ **01/25/18**

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

**Purpose of Form**

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

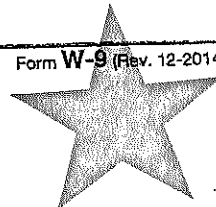
- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds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

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

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

By signing the filled-out form, you:

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



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

Index No.: 8458/2014

-----X  
RICHARD DONOHUE,

Plaintiff,

-against-

**STIPULATION OF  
DISCONTINUANCE**

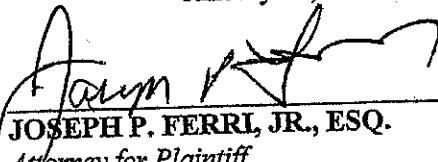
TOWN OF OYSTER BAY and SCOTT D. SAUM,


Defendants.  
-----X

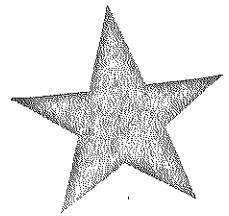
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for all parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject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

IT IS FURTHER STIPULATED AND AGREED that faxed and signed copies of this stipulation may be relied and acted upon by the parties hereto as if they were "originals". This Stipulation may be signed in counterparts and filed without further notice with the Clerk of the Court and an Order to that effect may be entered without further notice.

Dated: Garden City, New York  
January 25, 2018

  
\_\_\_\_\_  
**JOSEPH P. FERRI, JR., ESQ.**  
*Attorney for Plaintiff*  
RICHARD DONOHUE  
666 Old Country Road, Suite 605  
Garden City, New York 11530  
Tel (516) 280-5620

  
\_\_\_\_\_  
**LAW OFFICE OF ALAN J. REARDON**  
*Attorney for the Defendants*  
TOWN OF OYSTER BAY and SCOTT D. SAUM  
19 Park Avenue  
Williston Park, New York 11596  
Tel (516) 946-1195



Meeting of March 13, 2018

Resolution No. 151-2018

WHEREAS, the Town of Oyster Bay intends to commence legal proceedings in the Supreme Court of the State of New York, County of Nassau, entitled *Town of Oyster Bay v. Hamza Madina Corp., et al.*, wherein the Town will seek, among other things, a declaratory judgment and injunctive relief; and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated February 22, 2018, recommend that the Office of the Town Attorney be authorized and permitted to commence the aforesaid legal proceedings,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, the Office of the Town Attorney is hereby authorized and permitted to commence the aforesaid legal proceedings.

-#-

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

7/1/18  
Reviewed By  
Office of Town Attorney  
Matthew M. Rozea

19

# Town of Oyster Bay Inter-Departmental Memo

151

**TO** : Memorandum Docket  
**FROM** : Office of the Town Attorney  
**DATE** : February 22, 2018  
**SUBJECT** : Authorization to Commence Legal Proceedings  
Town of Oyster Bay v. Hamza Madina Corp, *et al.*

---

This Office has prepared litigation papers and intends to commence legal proceedings in the Supreme Court of the State of New York, County of Nassau against Hamza Madina Corp. and others. In the anticipated legal proceedings, the Town will seek, *inter alia*, a declaratory judgment and injunctive relief.

It is recommended and requested that the Town Board authorize this Office to commence such proceedings forthwith in order to seek the aforementioned relief.

A proposed resolution for consideration by the Town Board is attached hereto.

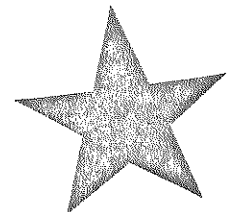
JOSEPH NOCELLA  
TOWN ATTORNEY



Matthew M. Rozea  
Deputy Town Attorney

MMR:mmr  
Attachment  
2018-6427  
cc: Town Attorney (w/7copies)

S:\Attorney\RESOS 2018\MD & Reso\Auth Legal Proceedings Hamza Madina Corp. MMR.doc



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 March 16, 2017, authorized the Highway Department to clean up the premises located at 2 Robin Court, Farmingdale, New York 11735, also known as Section 48, Block 553, Lot 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 February 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on April 10, 2017, in the total amount of \$1,084.76, 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 20, 2018, 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 \$1,084.76 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Robin Court, Farmingdale, New York 11735, also known as Section 48, Block 553, Lot 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney

*Ralph P. Healey*

20

152

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2018

SUBJECT: Property Cleanup Assessment  
2 Robin Court, Farmingdale, New York 11735  
Section 48, Block 553, Lot 4

---

The Department of Planning and Development, by memorandum dated March 16, 2017, directed the Highway Department to clean the premises located at 2 Robin Court, Farmingdale, New York 11735 also known as Section 48, Block 553, Lot 4 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated April 19, 2017, advised that the property was cleaned by a crew from the Highway Department on April 10, 2017. The cost incurred by the Town of Oyster Bay was \$1,084.76.

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.

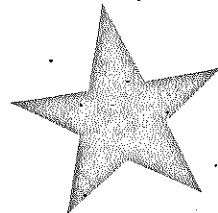
JOSEPH NOCELLA  
TOWN ATTORNEY

*Ralph P. Healey*

Ralph P. Healey  
Special Counsel

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

S:\DBS\Cleanups MD & Reso\MD 2 Robin Ct 2.20.18.doc



2017-6032  
used ltr

## TOWN OF OYSTER BAY

### Inter-Departmental Memo March 16, 2017

**To:** JOHN BISHOP: ACTING COMMISSIONER/HIGHWAY DEPT.  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 2 Robin Court Farmingdale, NY 11735  
SBL: 48-553-4

Notice of Violation (No.16591) was issued to the owner of the above-referenced premises 03/06/2017 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 be cut.
- The bushes be trimmed.
- The litter and debris be removed.
- The tree limbs and branches be removed.

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.

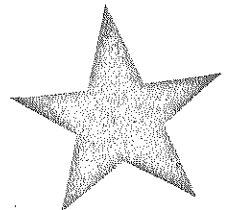
ELIZABETH L. MACCARONE  
COMMISSIONER

BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



SCAP 18173N

THIS INSTRUMENT, made the 9th day of October, 1951, being the day of ninety-eight

between JAMES P. MILLI, RESIDENT AT [REDACTED],  
INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF JOHN P. MILLI, DECEASED, and J. MILLI,  
RESIDING AT [REDACTED], ELIZABETH STREET, RESIDING  
AT [REDACTED] and JAMES P. MILLI, RESIDING AT [REDACTED]  
[REDACTED] and AS DISTRIBUTORS UNDER THE LAST WILL AND TESTAMENT OF  
JOHN P. MILLI, DECEASED, SAID WILL BEING NOW PROBATED IN THE NASSAU COUNTY  
SURROGATE'S COURT, FILE NO. 25322.

as witness of  
John P. Milli  
Farmingdale  
part of the first part and James P. Milli, residing at [REDACTED],  
[REDACTED]

the first and last instrument of  
[REDACTED], last of  
[REDACTED]

part of the second part,  
WITNESSETH, that the party of the first part, by virtue of the power and authority given to and by said last  
will and testament, and in consideration of ONE HUNDRED THIRTEEN THOUSAND TWO HUNDRED  
FIFTY AND 00/100 (\$113,250.00) Dollars,  
[REDACTED]

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,  
[REDACTED]

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being [REDACTED] near Farmingdale, Town of Oyster Bay, County of Nassau  
and State of New York, known and designated as Lot No. 4 in Block No.  
553 on a certain map entitled, "Map of Fortesque at Farmingdale, Section  
No. 1, situated near Farmingdale, Nassau County, New York, surveyed  
March 1954, by Baldwin Cornelius Co., civil engineers and surveyors,  
Freeport, N.Y." and filed in the Nassau County Clerk's Office on June  
29, 1951, as Map No. 6120, being more particularly bounded and described  
as follows:

BEGINNING at a point on the easterly side of Robin Court distant 40.00  
feet southeasterly from the extreme southeasterly end of an arc of a  
curve which connects the easterly side of Robin Lane with the easterly  
side of Robin Court;

RUNNING THENCE north 65 degrees 31 minutes east, 131.61 feet;

THENCE south 13 degrees 20 minutes east, 15.38 feet to a point;

THENCE south 5 degrees 11 minutes 20 seconds west, 135.50 feet;

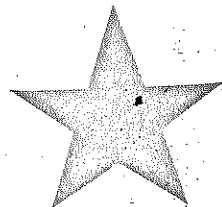
THENCE north 63 degrees 37 minutes west, 123.60 feet to the easterly  
side of Robin Court;

THENCE northerly along a curve which bears to the left having a radius  
of 50 feet and a length of 42.51 feet to the point or place of  
BEGINNING.

Said premises are more commonly known as 2 Robin Court, S. Farmingdale,  
New York.

Premises herein described are and intended to be the same as those  
described in deed recorded in Liber 5816 Page 540.

ENC. 18  
EX. 552  
BY 4



Nassau County Clerk  
RECORDS OFFICE  
RECORDING PAGE

Deed Number (RETT):  
RERE 008295

Type of Instrument: Deed

Recorded: 10/23/1998

At: 3:14:37 PM

Control No: 199810232069

In Liber: 10976

Of: Deed Book

JAMES F  
MILLI

From Page: 0740

Through Page: 0743

JAMES F  
MILLI

Refers to Liber: 00000

Of:

Page: 0000

Location: Section: Block: Lot: Unit:  
Oyster Bay (2824) 00000048 00553-00 00004

EXAMINED AND CHARGED AS FOLLOWS:

Consider Amt \$ 113,250.00

Received The Following Fees For Above Instrument

		Exempt			Exempt
Recording \$	27.00	NO	Equal/Cty \$	5.00	NO
GAINS			State Fee \$	4.75	NO
St.Fee/Cty \$	.25	NO	Trans Tax \$	454.00	NO
Surchg/Cty \$	3.00	NO	Surchg/WYS \$	22.00	NO

Fees  
Paid: \$ 516.00

Deed Number (RETT): RERE 008295

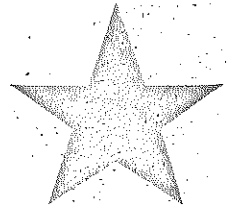
THIS PAGE IS A PART OF THE INSTRUMENT

GJS001

Karen V. Murphy  
County Clerk, Nassau County



179810232069



CCB  
Ken P DB  
HIGHWAY DEPARTMENT

707 APR 25 A 13 43

Town of Oyster Bay  
Inter- Departmental Memo

April 19, 2017

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

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

**SUBJECT:** 2 ROBIN COURT, 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 \$1,084.76.

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

  
JOHN P. BISHOP  
ACTING DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

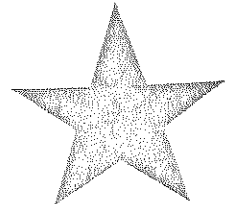
JPB/kjb

Enc. T & M sheet

CLEAN-UP 2 ROBIN COURT, FARMINGDALE TO P & D

TOWN ATTORNEY OFFICE  
TOWN OF OYSTER BAY  
677-5804

2017 MAY 23 P 2:27





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (48-553-4) 2 ROBIN CT FARMINGDALE 11735

Date Apr 10, 2017

Work Order # 35372

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	02:00	\$28.94	00:00	0	\$57.88
ROBERT FLEISCHER	General Maintenance	02:00	\$26.49	00:00	0	\$52.98
RICHARD JULIANO	General Maintenance	02:00	\$42.34	00:00	0	\$84.68
ANTHONY VOLLONO	General Maintenance	02:00	\$50.61	00:00	0	\$101.22

Total Labor \$296.76

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	\$105.00	02:00	\$210.00
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	02:00	\$158.00
TD738	TRUCK DUMP 2016 DODGE RAM 3500 POWER WAGON (T-275)	\$105.00	02:00	\$210.00
TR151	TRAILER 2007 CCOUN 510TS BLACK	\$105.00	02:00	\$210.00

Total Equipment \$788.00

Materials

Material	Cost Per Unit	Units	Line Cost
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Total Materials

Grand Total \$1084.76

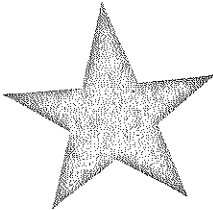
Description of Work:  
CLEAN UP 2 ROBIN COURT FM TO DOUG

Signature:

Name: Douglas Robalino

Title: Storeyard Supervisor

Date: Apr 18, 2017



Meeting of March 13, 2018

Resolution No. 153-2018

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 August 25, 2017, authorized the Highway Department to clean up the premises located at 53 Carmans Road, Farmingdale, New York 11735, also known as Section 53, Block 207, Lot 17 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 20, 2018, 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 11, 2017, in the total amount of \$1,871.75, 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 February 20, 2018, 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 \$1,871.75 may be assessed by the Legislature of the County of Nassau against the parcel known as 53 Carmans Road, Farmingdale, New York 11735, also known as Section 53, Block 207, Lot 17 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

21

153

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: February 20, 2018  
SUBJECT: Property Cleanup Assessment  
53 Carmans Road, Farmingdale, New York 11735  
Section 53, Block 207, Lot 17

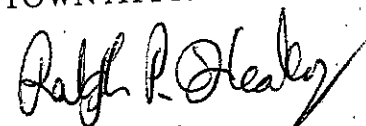
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The Department of Planning and Development, by memorandum dated August 25, 2017, directed the Highway Department to clean the premises located at 53 Carmans Road, Farmingdale, New York 11735 also known as Section 53, Block 207, Lot 17 on the Land and Tax Map of the County of Nassau. (See attached property card). The Highway Department has, by memorandum dated September 14, 2017, advised that the property was cleaned by a crew from the Highway Department on September 11, 2017. The cost incurred by the Town of Oyster Bay was \$1,871.75.

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.

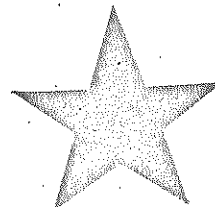
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

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

S:\DBS\Cleanups MD & Reso\MD 53 Carmans Rd 2.20.18.doc



2017-6227  
Need ltr  
dbs

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**  
**August 25, 2017**

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 53 Carmans Rd. Farmingdale, NY 11735  
SBL: 53-207-17

Notice of Violation (No.17175) was issued to the owner of the above-referenced premises 08/15/2017 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:

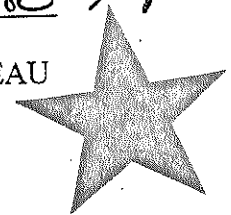
- The grass and weeds be cut
- The bushes be trimmed.
- The litter and debris be removed.

SEP 21 2 3 1

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



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

September 14, 2017

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

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

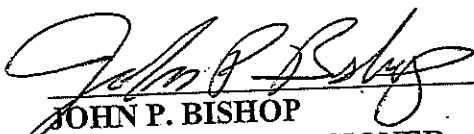
**SUBJECT:** 53 CARMANS ROAD, FARMINGDALE  
CLEAN-UP

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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.

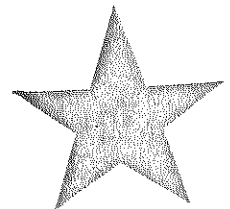
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,871.75.

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 53 CARMANS ROAD, FARMINGDALE TO P & D

---



# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Date Sep 11, 2017

Location (53-207-17) 53 CARMANS RD FARMINGDALE 11735

Work Order # 39704

Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
DONALD CHANDLER	General Maintenance	01:30	\$44.61	00:00	0	\$66.91
RICHARD JULIANO	General Maintenance	01:30	\$42.34	00:00	0	\$63.51
MICHAEL MARTIN	General Maintenance	01:30	\$24.36	00:00	0	\$36.54
JOSE NUNEZ	General Maintenance	01:30	\$38.36	00:00	0	\$57.54
JOHN PIETROSANTE	General Maintenance	01:30	\$44.49	00:00	0	\$66.74
MARK SCHLOSSER	General Maintenance	01:30	\$41.18	00:00	0	\$61.77
DERRICK SCOTT	General Maintenance	01:30	\$39.49	00:00	0	\$59.24
Total Labor						\$412.25

Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
TD589		PICK-UP TRUCK 2006 FORD F-250 YW (HP903)	\$79.00	01:30	\$118.50
TD633		PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	\$79.00	01:30	\$118.50
TD682		TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	01:30	\$157.50
TD683		TRUCK DUMP 2010 FORD F-350 YW (T-225) - Power Wagons	\$105.00	01:30	\$157.50
TD728		POWER WAGON 2015 T-245	\$105.00	01:30	\$157.50
Total Equipment					\$709.50

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

**Grand Total \$1871.75**

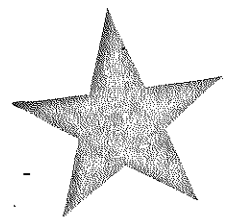
Description of Work:  
CLEAN UP 53 CARMANS ROAD FM

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

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Sep 14, 2017



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 July 20, 2017, authorized the Highway Department to clean up the premises located at 12 Spruce Avenue, Bethpage, New York 11714, also known as Section 46, Block 491, Lot 30 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 20, 2018, 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 July 28, 2017, in the total amount of \$1,334.57, 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 20, 2018, 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 \$1,334.57 may be assessed by the Legislature of the County of Nassau against the parcel known as 12 Spruce Avenue, Bethpage, New York 11714, also known as Section 46, Block 491, Lot 30 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

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

22

154

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2018

SUBJECT: Property Cleanup Assessment  
12 Spruce Avenue, Bethpage, New York 11714  
Section 46, Block 491, Lot 30

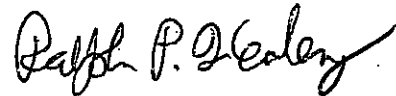
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The Department of Planning and Development, by memorandum dated July 20, 2017, directed the Highway Department to clean the premises located at 12 Spruce Avenue, Bethpage, New York 11714 also known as Section 46, Block 491, Lot 30 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 1, 2017, advised that the property was cleaned by a crew from the Highway Department on July 28, 2017. The cost incurred by the Town of Oyster Bay was \$1,334.57.

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.

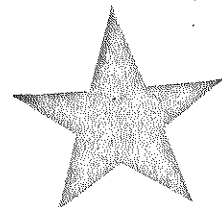
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

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

S:\DBS\Cleanups MD & Reso\MD 12 Spruce Ave 2.20.18doc



2017-6119

TOWN OF OYSTER BAY

Inter-Departmental Memo  
July 20, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: <sup>Quesne</sup> 12 Spruce Street Bethpage, NY 11714  
SBL: 46-491-30

CYPRESS AVE

46-491-30

Notice of Violation (No.17590) was issued to the owner of the above-referenced premises 07/12/2017 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 be cut.
- The bushes be trimmed.

MATLINGS TO  
553 BROADWAY  
MASSACHUSETTS

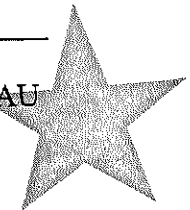
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney



291  
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

201  
THIS INDENTURE, made the <sup>30th</sup> ~~24th~~ day of April, in the year 2008  
BETWEEN

James Bradford Kenealy  
~~James Bradford Kenealy~~

party of the first part, and  
James Bradford Kenealy  
~~James Bradford Kenealy~~

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" ANNEXED HERETO)

1/2/08  
SAID premises also known as and by Section 46 Block 491 Westerly part of lot 29 at  
Spruce Ave. Bethpage, New York.

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.

C# 93690  
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.

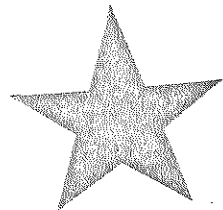
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and  
year first above written.

IN PRESENCE OF:

  
James Bradford Kenealy

MAY 01 2008

Lot 29, Ver. 30, Post 491, Lot 29, Block 491, Section 46



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

August 1, 2017

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

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

**SUBJECT:** 12 SPRUCE AVENUE, BETHPAGE  
CLEAN-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,334.57.

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

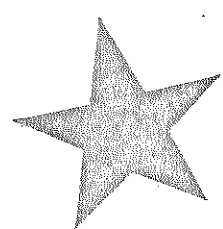
  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

166 Atlantic Office  
300 1st St  
Bethpage, NY 11762

2011 AUG -4 P 3 24



CLEAN - UP 12 SPRUCE AVENUE, BETHPAGE TO P & D



# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (46-491-30) SPRUCE AVE BETHPAGE 11714

Date Jul 28, 2017

Work Order # 38592

### Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL MAIORANA	General Maintenance	01:00	\$42.34	00:00	0	\$42.34
GREGORY MARCHESE	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
VICTOR NIETO	General Maintenance	01:00	\$24.60	00:00	0	\$24.60
PAUL HARABEDIAN	General Maintenance	01:00	\$23.27	00:00	0	\$23.27
Total Labor						\$137.57

### Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK406	SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932)	\$105.00	01:00	\$105.00
PU414	PICK UP 2011 FORD F250 YELLO (12 / 012)	\$79.00	01:00	\$79.00
TD706	TRUCK DUMP 2011 FORD F350 YELLO (T-125) - Power Wagons	\$105.00	01:00	\$105.00
TO108	Tractor 2011 New Holland T4020 BL (LT-12)	\$158.00	01:00	\$158.00
Total Equipment				\$447.00

### Materials

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

**Grand Total \$1334.57**

### Description of Work:

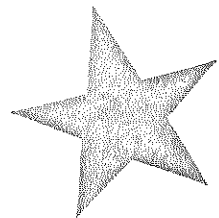
CLEAN UP 12 SPRUCE STREET BETHPAGE

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

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jul 31, 2017



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 24, 2017, authorized the Highway Department to clean up the premises located at 91 Dover Street, Massapequa, New York 11758, also known as Section 53, Block 16, Lot 54 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 20, 2018, 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 2, 2017, in the total amount of \$1,591.01, 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 20, 2018, 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 \$1,591.01 may be assessed by the Legislature of the County of Nassau against the parcel known as 91 Dover Street, Massapequa, New York 11758, also known as Section 53, Block 16, Lot 54 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

23

155

# Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2018

SUBJECT: Property Cleanup Assessment  
91 Dover Street, Massapequa, New York 11758  
Section 53, Block 16, Lot 54

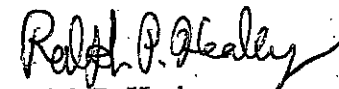
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The Department of Planning and Development, by memorandum dated August 24, 2017, directed the Highway Department to clean the premises located at 91 Dover Street, Massapequa, New York 11758 also known as Section 53, Block 16, Lot 54 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 5, 2017, advised that the property was cleaned by a crew from the Highway Department on October 2, 2017. The cost incurred by the Town of Oyster Bay was \$1,591.01.

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.

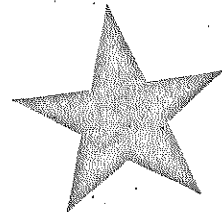
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

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

S:\DBS\Cleanups MD & Reso\MD 91Dover St 2.20.18doc



2017-6245  
Need ltr

## TOWN OF OYSTER BAY

### Inter-Departmental Memo August 24, 2017

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER OF  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 91 Dover Street Massapequa, NY 11758  
SBL: 53-16-54

Notice of Violation (No.17478) was issued to the owner of the above-referenced premises 08/17/2017 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 weeds be cut
- The bushes be trimmed.

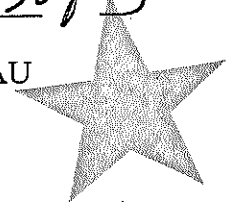
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ME/js

cc: Joseph Nocella, Town Attorney



ISW-8846

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

THIS INDENTURE, made the 26th day of April, in the year 2005

BETWEEN

Sara Seepersad, residing at [REDACTED]

party of the first part, and

Ashby Joseph and Gillymol Zachariah, <sup>his wife</sup> residing at [REDACTED]

party of the second part,

WITNESSETH, that the party of the first part, in consideration of one dollar and other valuable and sufficient 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, place or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Medford in the Town of Brookhaven, County of Suffolk and State of New York being a part of Plot No. 1200 on a certain map entitled, "Map No. 29, Map of Property of the O.L. Schwencke Land and Inv. Company" location Patchogue, Long Island and filed in the Suffolk County Clerk's Office on 5/4/1901 as Map No. 551 and being more particularly bounded and described as follows:

BEGINNING at a concrete monument placed for a bound on the Easterly side of Bridgeport Avenue and distant 300 feet Southerly from the intersection of the Southerly side of Olympic Avenue with the Easterly side of Bridgeport Avenue and from said point of beginning;

RUNNING THENCE South 84 degrees 36 minutes 10 seconds East a distance of 200 feet to a concrete monument set in the Westerly side of Sipp Avenue;

THENCE South 5 degrees 25 minutes 50 seconds West along the Westerly side of Sipp Avenue a distance of 100 feet to a concrete monument;

THENCE North 84 degrees 36 minutes 10 seconds West a distance of 200 feet to a concrete monument set in the Easterly side of Bridgeport Avenue;

THENCE North 5 degrees 23 minutes 50 seconds East along the Easterly side of Bridgeport Avenue a distance of 100 feet to the point or place of BEGINNING.

Premises more commonly known as 91 Dover Street, Massapequa, NY 11758

Being and intended to be the same premises conveyed to the Grantor herein by deed dated 8/25/04, and recorded 9/16/04 in Liber 11844 at Page 683.

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

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

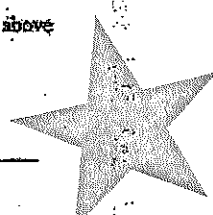
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

IN PRESENCE OF:

[Signature]

Sara Seepersad  
SARA SEEPERSAD



S  
53  
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T  
1492

DBS

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

October 5, 2017

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

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

**SUBJECT:** 91 DOVER STREET, 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 \$1,591.01.

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

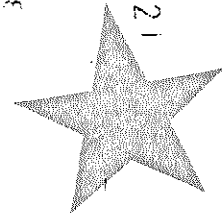
  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

ADMINISTRATIVE OFFICE  
TOWN OF OYSTER BAY  
1000 ROUTE 11A  
OYSTER BAY, NY 11771

1 2611 NOV -9 A 10:52



CLEAN - UP 91 DOVER STREET, MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (53-16-54) 91 DOVER ST MASSAPEQUA 11758

Date Oct 2, 2017

Work Order # 39701

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL MARTIN	General Maintenance	01:30	\$24.36	00:00	0	\$36.54
MICHAEL MCGEEVER	General Maintenance	01:30	\$27.75	00:00	0	\$41.63
DERRICK SCOTT	General Maintenance	01:30	\$39.49	00:00	0	\$59.24
ANTHONY VOLLONO	General Maintenance	01:30	\$50.61	00:00	0	\$75.91
NICOLAS CAMMARANO	General Maintenance	01:30	\$24.46	00:00	0	\$36.69
Total Labor						\$250.01

Tools/Vehicle

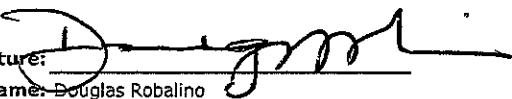
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	01:30	\$118.50
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:30	\$157.50
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:30	\$157.50
TR160	TRAILER 2009 HHAUL 5200 BLACK	\$105.00	01:30	\$157.50
Total Equipment				\$591.00

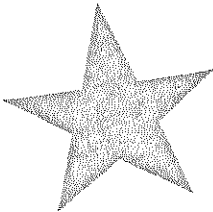
Materials

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

Grand Total \$1591.01

Description of Work:  
CLEAN UP 91 DOVER STREET MS

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Oct 4, 2017



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 March 8, 2017, authorized the Highway Department to clean up the premises located at 145 Greenwood Drive, Massapequa, New York 11758, also known as Section 52, Block 385, Lot 8 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 20, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on April 10, 2017, in the total amount of \$542.38, 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 20, 2018, 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 \$542.38 may be assessed by the Legislature of the County of Nassau against the parcel known as 145 Greenwood Drive, Massapequa, New York 11758, also known as Section 52, Block 385, Lot 8 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

24

156

# Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2018

SUBJECT: Property Cleanup Assessment  
145 Greenwood Drive, Massapequa, New York 11758  
Section 52, Block 385, Lot 8

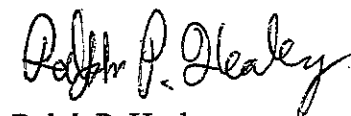
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The Department of Planning and Development, by memorandum dated March 8, 2017, directed the Highway Department to clean the premises located at 145 Greenwood Drive, Massapequa, New York 11758 also known as Section 52, Block 385, Lot 8 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated April 19, 2017, advised that the property was cleaned by a crew from the Highway Department on April 10, 2017. The cost incurred by the Town of Oyster Bay was \$542.38.

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

Kindly place this matter on the Town Board Action Calendar.

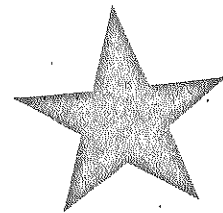
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

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

S:\DBS\Cleanups MD & Reso\MD 145 Greenwood Dr 2.20.18.doc



2017-6033 DB  
Need ltr

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

**March 8, 2017**

**To: JOHN BISHOP: ACTING COMMISSIONER/HIGHWAY DEPT.**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER OF**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 145 Greenwood Drive Massapequa, NY 11758**  
**SBL: 52-385-8**

---

Notice of Violation (No.16585) was issued to the owner of the above-referenced premises 02/28/2017 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 be cut.
- The bushes be trimmed.
- The litter and debris be removed.

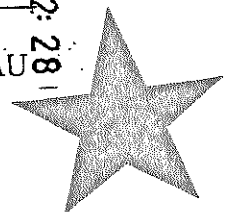
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER

BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

1 2011 MAY 23 P 2:28



ME/js

cc: Joseph Nocella, Town Attorney

Name and Address of Preparer:

RICHARD M. SHERIDAN, ESQ.  
158 BROADHOLLOW RD, STE 360  
MELVILLE, NY 11747

Return to:

JAMES G. DEPALMA

[REDACTED]

W4ID 53202 BARGAIN and SALE DEED

This indenture, made the 11TH day of JUNE, 2003 between  
JAMES G. DEPALMA AND DEBRA A. DEPALMA, RESIDING AT [REDACTED]  
party of the first part, and JAMES G. DEPALMA, RESIDING AT [REDACTED]  
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 ATTACHED SCHEDULE A).

BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO THE PARTY OF THE FIRST PART, WHO ACQUIRED TITLE FROM DAVID L. GINSBERG DATED 9/3/86 RECORDED 11/14/86 AT LIBER 9766 PAGE 465.

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

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

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

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

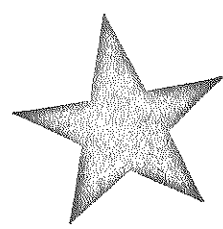
In witness whereof, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]  
(Witness)  
[Signature]  
(Witness)

[Signature]  
JAMES G. DEPALMA  
[Signature]  
DEBRA A. DEPALMA

To order this form call INFO-PRO at 800-655-2021



145 Greenwood Dr.

NASSAU COUNTY CLERK'S OFFICE  
ENDORSEMENT COVER PAGE

Recorded Date: 07-21-2003  
Recorded Time: 3:48:43 p

Record and Return To:  
RICHARD M SHERIDAN ESQ  
150 BROADHOLLOW RD - STE 360  
MELVILLE, NY 11747

Liber Book: D 11642  
Pages From: 310  
To: 312

Control  
Number: 2660  
Ref #: RE 027718  
Doc Type: D01 DEED

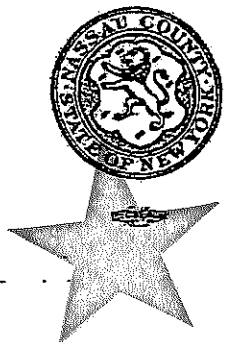
Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0052	00385-00	00008	

	Taxes Total	.00
	Recording Totals	99.00
KLB001	Total Payment	99.00

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED  
KAREN V. MURPHY  
COUNTY CLERK



2003072102650



CCB  
KrenB  
JG

HIGHWAY DEPARTMENT

MAY 15 2017

Town of Oyster Bay  
Inter- Departmental Memo

April 19, 2017

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

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

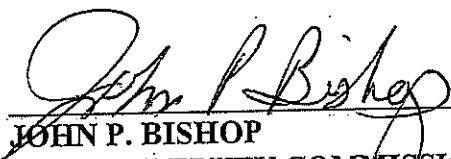
**SUBJECT:** 145 GREENWOOD DRIVE, MASSAPEQUA  
CLEAN UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$542.38.

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

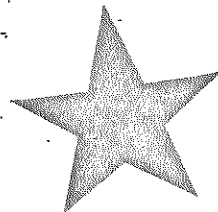
  
\_\_\_\_\_  
JOHN P. BISHOP  
ACTING DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

COMMUNICATIONS  
DIVISION  
MAY 15 2017

2017 MAY 23 P 2:28



CLEAN-UP 145 GREENWOOD DRIVE, MASSAPEQUA TO P & D



# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-385-8) 145 GREENWOOD DR MASSAPEQUA 11758

Date Apr 10, 2017

Work Order # 35151

## Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	01:00	\$28.94	00:00	0	\$28.94
ROBERT FLEISCHER	General Maintenance	01:00	\$26.49	00:00	0	\$26.49
RICHARD JULIANO	General Maintenance	01:00	\$42.34	00:00	0	\$42.34
ANTHONY VOLLONO	General Maintenance	01:00	\$50.61	00:00	0	\$50.61
Total Labor						\$148.38

## Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	\$105.00	01:00	\$105.00
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	01:00	\$79.00
TD738	TRUCK DUMP 2016 DODGE RAM 3500 POWER WAGON (T-275)	\$105.00	01:00	\$105.00
TR151	TRAILER 2007 CCOUN 510TS BLACK	\$105.00	01:00	\$105.00
Total Equipment				\$394.00

## Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

**Grand Total \$542.38**

## Description of Work:

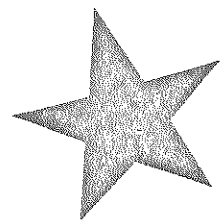
CLEAN UP 145 GREENWOOD DRIVE MS TO DOUG

Signature: 

Name: Douglas Robalino

Title: Storeyard supervisor

Date: Apr 18, 2017



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 25, 2017, authorized the Highway Department to clean up the premises located at 34 Bloomingdale Road, Hicksville, New York 11801, also known as Section 46, Block 519, Lot 2 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 20, 2018, 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, 2017, in the total amount of \$1,203.56, 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 20, 2018, 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 \$1,203.56 may be assessed by the Legislature of the County of Nassau against the parcel known as 34 Bloomingdale Road, Hicksville, New York 11801, also known as Section 46, Block 519, Lot 2 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

25

157

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2018

SUBJECT: Property Cleanup Assessment  
34 Bloomingdale Road, Hicksville, New York 11801  
Section 46, Block 519, Lot 2


---

The Department of Planning and Development, by memorandum dated August 25, 2017, directed the Highway Department to clean the premises located at 34 Bloomingdale Road, Hicksville, New York 11801 also known as Section 46, Block 519, Lot 2 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 8, 2017, advised that the property was cleaned by a crew from the Highway Department on September 5, 2017. The cost incurred by the Town of Oyster Bay was \$1,203.56.

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.

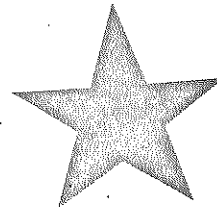
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

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

S:\DBS\Cleanups MD & Reso\MD 34 Bloomingdale Rd 2.20.18doc



2017-6226  
Need ltr

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**  
**August 25, 2017**

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER OF**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 34 Bloomingdale Rd. Hicksville, NY 11801**  
**SBL: 46-519-2**

Notice of Violation (No.PG035) was issued to the owner of the above-referenced premises 08/15/2017 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 weeds be cut
- The bushes 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



360  
301  
3

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

FORM 8007

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

THIS INDENTURE, made the 23rd day of September, 2004.

between

Joseph A. Buonagura and Barbara V. Buonagura, as tenants by the entirety, of [REDACTED]  
[REDACTED] party of the first part, and

James R. Buonagura of [REDACTED] party of the second part.

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected,  
situate, lying and being at Bethpage, Town of Oyster Bay, County of Nassau, State of New York,  
known as and by Lot 2 in Block 519, "Map of Hicksville Homes Section 1, situate at Bethpage Town of  
Oyster Bay, Nassau County, N.Y., William H. Parry, Inc., Land Surveyors 161-10 Jamaica Avenue,  
Jamaica, New York, May 15, 1951, owned by Belmont Homes, Inc., 179-26 80th Road, Jamaica, N.Y.",  
and filed in the office of the Clerk of the County of Nassau on September 28, 1951, under file number  
5313, which said lot according to said map is bounded and described as follows:

BEGINNING at a point on the westerly side of Bloomingdale Road at the extreme southerly end of an  
arc connecting the westerly side of Bloomingdale Road and the southerly side of Michigan Drive;  
RUNNING THENCE along the westerly side of Bloomingdale Road, south 12 degrees 19 minutes 15  
seconds west, 51.86 feet;  
THENCE north 77 degrees 40 minutes 45 seconds west, 100 feet;  
THENCE north 12 degrees 19 minutes 15 seconds east, 70 feet to the southerly side of Michigan Drive;  
THENCE along the southerly side of Michigan Drive, south 79 degrees 01 minutes 00 seconds east,  
79.56 feet to the extreme westerly end of the first above mentioned arc;  
THENCE along said arc and along a curve bearing to the right having a radius of 20 feet a distance of  
31.88 feet to the point or place of BEGINNING.

BEING the same premises conveyed to Joseph A. Buonagura and Barbara V. Buonagura by deed  
dated August 5, 1988 and recorded August 24, 1988 in Liber 9937 page 342.

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 15 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.

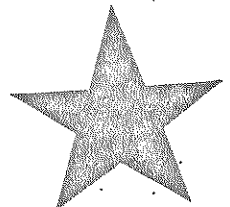
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year  
first above written.

sec  
46  
block  
519  
lot  
2

*Joseph A. Buonagura*  
Joseph A. Buonagura  
*Barbara V. Buonagura*  
Barbara V. Buonagura

IN PRESENCE OF:

*James R. Buonagura*  
James R. Buonagura





NASSAU COUNTY CLERK'S OFFICE  
ENDORSEMENT COVER PAGE

Recorded Date: 10-12-2004  
Recorded Time: 1:57:15 p

Liber Book: D 11856  
Pages From: 999  
To: 1001

Record and Return To:  
FRANCIS X MORONEY  
ATTORNEY AT LAW  
497 WESTBURY AVE.  
CARLE PLACE, NY 11514

Control  
Number: 1779  
Ref #: RE 007845  
Doc Type: D01 DEED

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0046	00519-00	00002	

Consideration Amount: 90,000.00

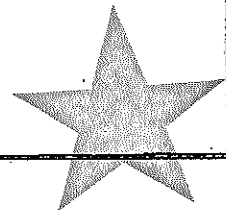
KAL001

Taxes Total	360.00
Recording Totals	124.00
Total Payment	484.00

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED  
KAREN V. MURPHY  
COUNTY CLERK



2804101201779



DBS

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

September 8, 2017

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

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

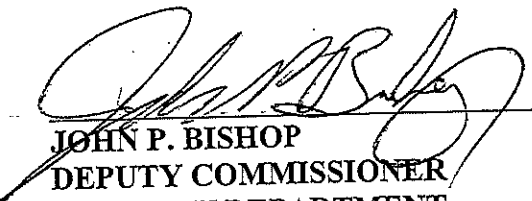
**SUBJECT: 34 BLOOMINGDALE ROAD, HICKSVILLE  
CLEAN-UP**

---

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 \$1,203.56.

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

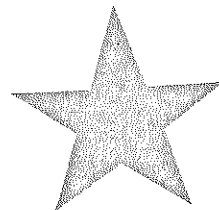
  
\_\_\_\_\_  
**JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT**

JPB/kjb

Enc. T & M sheet

CLEAN - UP 34 BLOOMINGDALE ROAD, HICKSVILLE TO P & D

---





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (46-519-2) 34 BLOOMINGDALE RD HICKSVILLE 11801

Date Sep 5, 2017

Work Order # 39706

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANGELO ABBONDANDOLO	General Maintenance	01:00	\$44.28	00:00	0	\$44.28
SCOTT DADE	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
VICTOR NIETO	General Maintenance	01:00	\$24.60	00:00	0	\$24.60
MICHAEL CALAMIA	General Maintenance	01:00	\$25.05	00:00	0	\$25.05
OSCAR GUEVARA	General Maintenance	01:00	\$23.27	00:00	0	\$23.27
Total Labor						\$164.56

Tools/Vehicle

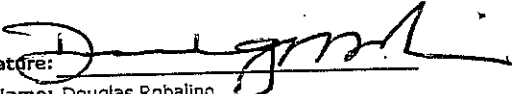
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$79.00	01:00	\$79.00
TD634	TRUCK DUMP 2008 FORD F350 YW (T175 / T-175) - Power Wagons	\$105.00	01:00	\$105.00
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$289.00

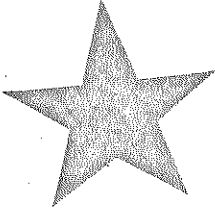
Materials

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

Grand Total \$1203.56

Description of Work:  
CLEAN UP 34 BLOOMINGDALE ROAD HV

Signature:   
Name: Douglas Robalino  
Title: Director of Highway Operations  
Date: Sep 8, 2017



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 1, 2017, authorized the Highway Department to clean up the premises located at 2 Colonial Gate, Plainview, New York 11803, also known as Section 13, Block 90, Lot 1 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 20, 2018, 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 8, 2017, in the total amount of \$2,153.63, 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 20, 2018, 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 \$2,153.63 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Colonial Gate, Plainview, New York 11803, also known as Section 13, Block 90, Lot 1 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development  
Highway

745  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

26

158

# Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 20, 2018

SUBJECT: Property Cleanup Assessment  
2 Colonial Gate, Plainview, New York 11803  
Section 13, Block 90, Lot 1

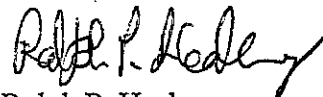
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The Department of Planning and Development, by memorandum dated September 1, 2017, directed the Highway Department to clean the premises located at 2 Colonial Gate, Plainview, New York 11803 also known as Section 13, Block 90, Lot 1 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 11, 2017, advised that the property was cleaned by a crew from the Highway Department on September 8, 2017. The cost incurred by the Town of Oyster Bay was \$2,153.63.

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.

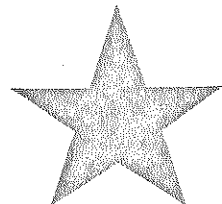
JOSEPH NOCELLA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

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

S:\RPH\Cleanups MD & Reso\MD 2 Colonial Gate 2.20.18doc



2017-6243 dls  
Need Ltr

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**  
September 1, 2017

SEP 21 2 23 PM

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER OF**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 2 Colonial Gate Plainview, NY 11803**  
**SBL: 13-90-1**

Notice of Violation (No.TL069) was issued to the owner of the above-referenced premises 8/23/2017 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.

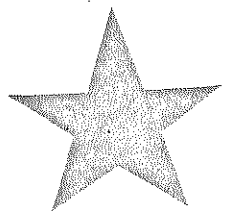
In accordance with the provisions of Section 135.54: **I am directing that:**

- The grass and weeds be cut.
- The bushes 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

THIS INDENTURE, made the 3<sup>rd</sup> day of ~~September~~ <sup>OCTOBER</sup>, 2001, and  
BETWEEN  
JOSEPH GINEX and NANCY GINEX, his wife, both residing  
at [REDACTED]

party of the first part, and

ANTHONY B. GOLIO and ELYSE GOLIO, his wife, both residing  
at [REDACTED]

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 Plainview, Town of Oyster Bay, County of Nassau and State of New York known and designated as Lot 1 in Block 90 on a certain map entitled "Map of Colonial Sixty, Section 1" and filed in the Office of the Clerk of the County of Nassau on January 6, 1961 as Case Number 7399, which lot is more particularly bounded and described according to said map as follows:

Beginning at a point on the northeasterly side of Colonial Gate where the same is intersected by the northwesterly end of a curve having a radius of 10 feet a length of 15.71 feet, said curve connecting the northwesterly side of Washington Avenue as widened with the northeasterly side of Colonial Gate; Running thence from said point or place of beginning along the northeasterly side of Colonial Gate the following two courses, curves and distances; (1) North 35 degrees 52 minutes 45 seconds West 100.01 feet; (2) northwesterly along the arc of a curve bearing to the left having a radius of 250 feet a distance of 20.02 feet to the division between lots 1 and 2 on the aforesaid map; Thence along said last mentioned division line North 54 degrees 07 minutes 15 seconds East 194.04 feet; Thence South 30 degrees 03 minutes 55 minutes East 130.67 feet to the northwesterly side of Washington Avenue as widened; Thence along the northwesterly side of Washington Avenue as widened South 54 degrees 07 minutes 15 seconds West 170.00 feet to the southeasterly end of the first above mentioned curve; and Thence northwesterly along the arc of a curve bearing to the left having a radius of 10 feet a distance of 15.71 feet to the northeasterly side of Colonial Gate at the point of place of Beginning.

SAID PREMISES KNOWN AS 2 Colonial Gate, Plainview, New York. Being the same premise conveyed to the parties of the first part by deed dated 8/9/72, rec. 9/21/1972. SUBJECT to any state of facts an accurate survey may show and to covenants, restrictions

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. \*Easements and agreement, if any, of record.

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

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

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

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

IN PRESENCE OF:

*[Signature]*  
JOSEPH GINEX

*[Signature]*  
NANCY GINEX



NASSAU COUNTY CLERKS OFFICE  
ENDORSEMENT COVER PAGE

Recorded Date: 10-18-2001  
Recorded Time: 11:10:27 a

Record and Return To:  
LUSTIG & HERMER LLP  
2100 DEER PARK AVE  
DEER PARK, NY 11729

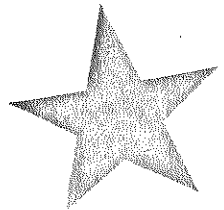
--Liber Book: D 11393  
Pages From: 454  
To: 456

Control  
Number: 525  
Ref #: RE 007121  
Doc Type: D01 Deed

Location:  
OYSTER BAY (2824)

Section	Block	Lot	Unit
0013	00090-00	00001	

Consideration Amount: 527,000.00



dbS

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

September 11, 2017

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

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

**SUBJECT:** 2 COLONIAL GATE, 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 \$2,153.63.

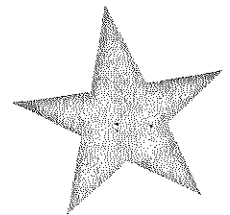
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

10/5/17  
2:12 PM

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

JPB/kjb

Enc. T & M sheet



CLEAN UP - 2 COLONIAL GATE, PLAINVIEW TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (13-90-1) 2 COLONIAL GATE PLAINVIEW 11803

Date Sep 8, 2017

Work Order # 39943

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JEFFREY CARTER	General Maintenance	02:30	\$38.84	00:00	0	\$97.10
CHRISTOPHER MADDEN	General Maintenance	02:30	\$24.36	00:00	0	\$60.90
VICTOR NIETO	General Maintenance	02:30	\$24.60	00:00	0	\$61.50
RAYMOND SWIERKOWSKI	General Maintenance	02:30	\$26.65	00:00	0	\$66.63
Total Labor						\$286.13

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK358	SANI PACKER 2006 INTL 7400 YW (PP938 / PP-938)	\$105.00	02:30	\$262.50
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	02:30	\$197.50
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	02:30	\$262.50
TO108	Tractor 2011 New Holland T4020 BL (LT-12)	\$158.00	02:30	\$395.00
Total Equipment				\$1117.50

Materials

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

Grand Total \$2153.63

Description of Work:

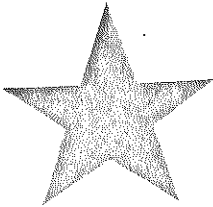
CLEAN UP 2 COLONIAL GATE PV

Signature:

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Sep 11, 2017



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 23, 2018, advised the Town Board that Hirani Engineering & Land Surveying, P.C., had completed the engineering services it was authorized to perform pursuant to Resolution No. 859-2017, adopted December 12, 2017, in connection with Contract No. H17-159, Repairs to the Hicksville Parking Facility; and

WHEREAS, Commissioner Lenz, by memorandum dated February 23, 2018, further advised the Town Board that Lizardos Engineering Associates, P.C., had completed the engineering services it was authorized to perform pursuant to Resolution No. 851-2017, adopted December 12, 2017, in connection with Contract No. H17-159, Repairs to the Hicksville Parking Facility; and

WHEREAS, Commissioner Lenz advised the Town Board that he had approved the submitted plans and specifications and recommended that the Division of Purchasing, Department of General Services proceed with setting a date for receiving bids for said Contract; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of General Services is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H17-159.

#

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  
Public Works  
Highway  
General Services

Reviewed By  
Office of Town Attorney

159

29

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

FEBRUARY 23, 2018

TO : MEMORANDUM DOCKET

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

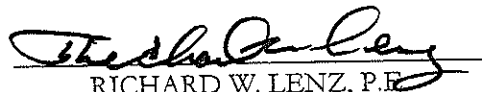
SUBJECT : ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &  
CONSTRUCTION PHASES  
REPAIRS TO THE HICKSVILLE PARKING FACILITY  
CONTRACT NO. H17-159

---

Town Board Resolution No. 859-2017 authorized Hirani Engineering & Land Surveying, P.C., and Resolution 851-2017 authorized Lizardos Engineering Associates, P.C. to perform engineering services relative to the above-mentioned contract.

The design has been completed, and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 120 days.

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



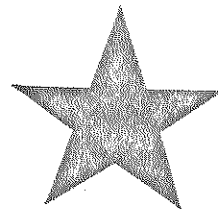
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
John Bishop, Deputy Commissioner/Highway  
Eric Tuman, Commissioner/General Services

H17-159 DOCKET PERMISSION TO BID



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 October 6, 2017, the Department of Public Works issued a Request for Proposals for On-Call Engineering Services relative to Structural Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC19-18; and

WHEREAS, in response to that Request for Proposals, seven (7) 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 Holzmacher, McLendon & Murrell, P.C.; Hirani Engineering & Land Surveying, P.C.; and LiRo Engineers, Inc. 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 Holzmacher, McLendon & Murrell, P.C.; Hirani Engineering & Land Surveying, P.C.; and LiRo Engineers, Inc. to provide On-Call Engineering Services relative to Structural Engineering, in accordance with the specifications contained in Contract No. PWC19-18, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019,

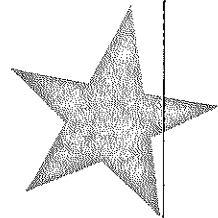
NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC19-18 with Holzmacher, McLendon & Murrell, P.C.; Hirani Engineering & Land Surveying, P.C.; and LiRo Engineers, Inc., 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 (2)  
Town Attorney  
Comptroller  
Public Works



Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 4, 2017, advised that on October 4, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Mechanical Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC08-18; and

WHEREAS, in response to that Request for Proposals, six (6) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected Cameron Engineering & Associates, LLP, D & B Engineers & Architects, P.C., and Lizardos Engineering & Associates, 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 Cameron Engineering & Associates, LLP, D & B Engineers & Architects, P.C., and Lizardos Engineering & Associates, P.C., TO PROVIDE Engineering Services relative to Mechanical Engineering, in accordance with the specifications contained in Contract No. PWC08-18, 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. PWC08-18 with Cameron Engineering & Associates, LLP, D & B Engineers & Architects, P.C., and Lizardos Engineering & Associates, P.C., in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2018 through December 31, 2019.

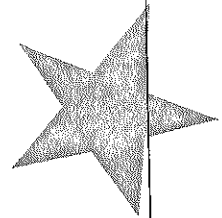
-#-

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 (2)  
Town Attorney  
Comptroller  
Public Works

Reviewed By  
Office of Town Attorney



WHEREAS, by Resolution 176-2014, adopted March 11, 2014, the Town Board awarded contract No. PRE13-109, Requirements Contract for Parks Electrical Services Throughout the Town of Oyster Bay, to Welsbach Electric Corp. of Long Island, for the initial contract period of March 11, 2014 through March 10, 2015, with an option for four (4) one (1) year extensions at the same terms of the original contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 23, 2018, requested Town Board authorization to exercise the option to extend the Agreement for the fourth and final one year term, from March 11, 2018 through March 10, 2019, wherein the estimated annual value of the contract is \$500,000; and

NOW, THEREFORE, BE IT RESOLVED, that the recommendation as hereinabove set forth is hereby accepted and approved, and the Department of Public Works is authorized to extend Contract No. PRE13-109, Requirements Contract for Parks Electrical Services Throughout the Town of Oyster Bay Department of Public Works, with Welsbach Electric Corp. of Long Island for the fourth and final one year term, from March 11, 2018 through March 10, 2019; and it is further

RESOLVED, that the Comptroller is hereby authorized to make payment for same, in accordance with the applicable terms and provisions of said agreement, upon presentation of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works  
Highway  
General Services  
Parks

Reviewed By  
Office of Town Attorney

30

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

FEBRUARY 23, 2018

TO : MEMORANDUM DOCKET

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

SUBJECT : EXTENSION OF CONTRACT  
REQUIREMENTS CONTRACT FOR PARKS ELECTRICAL SERVICE THROUGHOUT  
THE TOWN OF OYSTER BAY  
CONTRACT NO. PRE13-109

---

Town Board Resolution 176-2014, dated March 11, 2014 awarded Contract No. PRE13-109 to Welsbach Electric Corp. of Long Island, for the initial contract period of March 11, 2014 through March 10, 2015. In accordance with Section 2.A of the 'Addenda Notes and Modifications' of the Contract, this Contract may be extended for up to four (4) one-year intervals at the same terms of the original contract.

Upon review of the Town's projected workload and available budget, and based upon a recommendation received from the Department of Parks, it is recommended that this contract be extended for the fourth and final one-year term for the period of March 11, 2018 through March 10, 2019. The estimated annual value of this contract is \$500,000.00.

It is therefore recommended and requested that Contract No. PRE13-109, Requirements Contract for Parks Electrical Service throughout the Town of Oyster Bay be extended for the fourth and final one-year term for the period of March 11, 2018 through March 10, 2019.

  
RICHARD W. LENZ, P.E.

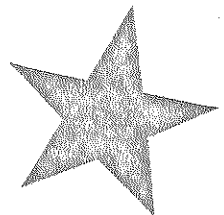
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Eric Tuman, Commissioner/General Services  
Joseph Pinto, Commissioner/Parks  
John Bishop, Deputy Commissioner/Highways

PRE13-109 DOCKET EXTENSION 18-19



RESOLUTION NO. 176-2014

Meeting of March 11, 2014

WHEREAS, pursuant to public notice, bids were duly and regularly received for Requirements Contract for Parks Electrical Service Throughout the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PRE13-109, and said bids were publicly opened and read on February 19, 2014; and

WHEREAS, the lowest acceptable bid submitted was that of Welsbach Electric Corp. of Long Island, 300 Newtown Road, Plainview, New York 11803, with a bid in the weighted amount of \$358,308; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated February 25, 2014, recommend that the abovementioned bid be accepted,

NOW, THEREFORE, BE IT RESOLVED, That upon the abovementioned recommendation, the Supervisor is hereby authorized to enter into Contract No. PRE13-109 with Welsbach Electric Corp. of Long Island, in the weighted amount of \$358,308, for an initial amount of \$500,000, in accordance with the provisions thereunder, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit.

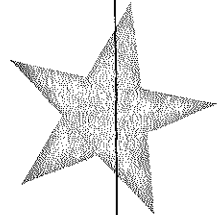
The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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

cc: Supervisor  
Town Attorney  
Comptroller (2)  
DPW  
Hwy  
Parks  
Gen. Serv.

Reviewed By  
Office of Town Attorney

*Mark H. Allyn*



# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: Richard W. Lenz, P.E., Commissioner  
Department of Public Works/Highway

ATTENTION: John Tassone, Deputy Commissioner  
Engineering Division

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: February 16, 2018

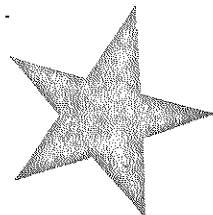
SUBJECT: Electrical Requirements Contract

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Please be aware that the Electrical Requirements Contract for Electrical is due to expire in March 2018. The Parks Department requests and recommends that the Town exercise its last contract extension. This office has utilized said contract when projects and repairs are over and above our expertise.

Thank you in advance for your cooperation. Feel free to contact this office, if you have any questions.

  
\_\_\_\_\_  
Joseph G. Pinto  
Commissioner



JGP:GS:ld

Meeting of March 13, 2018

Resolution No. 161-2018

WHEREAS, pursuant to public notice, bids were duly and regularly received for Requirements Contract for Tree Planting Throughout the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. HTP17-164, and said bids were publicly opened and read on February 5, 2018; and

WHEREAS, the lowest responsive weighted bid submitted was that of Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, New York 11741; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 23, 2018, and Cashin Associates, P.C., by letter dated February 14, 2018, recommended that the bid as hereinabove set forth be accepted and awarded for a one-year term with the option for four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that the estimated annual value of the contract is \$500,000.00,


NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, are accepted, and Contract No. HTP17-164 shall be awarded to Louis Barbato Landscaping, Inc., in accordance with the provisions thereunder, for a one-year term from date of award, for an amount not to exceed \$500,000.00 with the option for four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board.

-#-

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  
Public Works  
General Services  
Highway

7/15  
Reviewed By  
Office of Town Attorney  


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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

FEBRUARY 23, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
REQUIREMENTS CONTRACT FOR TREE PLANTING THROUGHOUT  
THE TOWN OF OYSTER BAY  
CONTRACT NO. HTP17-164


---

On February 5, 2018, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Louis Barbato Landscaping, Inc. submitted the lowest responsive weighted bid among four (4) in amount of \$311,766.00. This amount reflects the weighted total of all items within this Requirements Contract.

Attached is a letter dated February 14, 2018 from the office of Cashin Associates, P.C. recommending the award of this contract to Louis Barbato Landscaping, Inc. The estimated annual value of this contract is \$500,000.00. Requests for funding authorizations relative to this contract will be submitted by separate docket items.

The base term of the subject contract is one year from date of award. At the Town's option this contract can be extended for up to four (4) individual one-year terms.

We concur with the recommendation of Cashin Associates, P.C. and request that Contract No. HTP17-164 be awarded to Louis Barbato Landscaping, Inc. for the initial base term of one year with an estimated annual contract value of \$500,000.00.

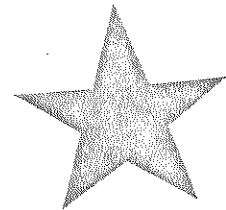
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

cc: Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Kathy Stefanich, Public Works  
Eric Tuman, Commissioner/General Services  
John Bishop, Deputy Commissioner/Highways

HTP17-164 DOCKET AWARD BARBATO



**Cashin Associates, P.C.**  
ENGINEERING - PLANNING - CONSTRUCTION MANAGEMENT

February 14, 2018

Mr. Matt Russo, P.E.  
Town Engineer  
Town of Oyster Bay - Department of Public Works  
150 Miller Place  
Syosset, NY 11040

Reference: **Award Recommendation**  
Requirements Contract for Tree Planting  
Oyster Bay, NY  
HTP17-164

Dear Mr. Russo:

Cashin Associates, P.C. (CA) has reviewed the four (4) bids received by the Town of Oyster Bay for the above referenced project. The bids were received at Town Hall, and were opened on February 5, 2018.

The results of the four (4) bids received are as follows (a further detailed breakdown is attached):

1. Louis Barbato Landscaping	\$311,766.00
2. Woodstock Construction Corp.	\$360,000.00
3. Quintal Contracting Corp.	\$650,250.00
4. Gatz Sitework	\$1,230,870.00


Louis Barbato provided the bid bond and documentation of Apprenticeship Programs and Surety guarantee from International Fidelity Insurance Company.

Louis Barbato, based on information available from the New York State Department of Labor Standards (DOL), has no judgments, liens, or labor law violations were identified. Louis Barbato is not on the debarred/ineligible to bid list.

Nothing found during this review indicates that Louis Barbato will be unable to perform under the above referenced contract. Based on the above information, CA recommends awarding the contract to Louis Barbato Landscaping.

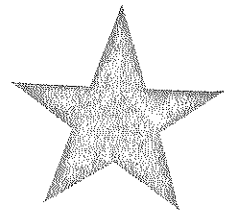
If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Very truly yours,  
**CASHIN ASSOCIATES, P.C.**

  
Nancy Lenz, RLA  
Assistant Vice-President

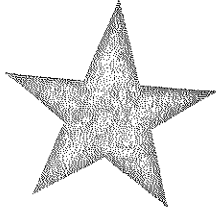
\\PROJECTS\TOWN OF OYSTER BAY\17014.100 Tree Planting\Bid Analysis\Bid Award Recom 2-14-18 Barbato.doc

1200 Veterans Memorial Highway - Hauppauge, NY 11788 - 631-348-7600 - FAX 631-348-7601  
[www.cashinassociates.com](http://www.cashinassociates.com)



Town of Oyster Bay  
Requirements Contract for Tree Planting  
Contract HTP17-164  
Bid Analysis - February 2018

Item No.	Quantity	Unit	Description	Louis Barbato Landscaping		Woodstock Construction Group		Quinlat Contracting Corp		Gatz Slewark & Landscape Construction, Inc.		Average Unit Price	Low Bid Unit Price	High Bid Unit Price
				Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price			
01A	500	EACH	DECIDUOUS TREES (2"-2 1/2" caliper; 12'-16' HT.)	\$ 275.00	\$ 137,500.00	\$ 300.00	\$ 150,000.00	\$ 585.00	\$ 292,500.00	\$ 938.00	\$ 469,000.00	\$ 527.00	\$ 275.00	\$ 938.00
01B	500	EACH	DECIDUOUS TREES (2"-2 1/2" caliper; 8'-14' HT.)	\$ 275.00	\$ 137,500.00	\$ 275.00	\$ 137,500.00	\$ 485.00	\$ 242,500.00	\$ 905.00	\$ 452,500.00	\$ 487.50	\$ 275.00	\$ 905.00
02A	100	EACH	EVERGREEN TREES (5'-6' HT.)	\$ 75.00	\$ 7,500.00	\$ 200.00	\$ 20,000.00	\$ 250.00	\$ 25,000.00	\$ 581.00	\$ 58,100.00	\$ 276.50	\$ 75.00	\$ 581.00
02B	100	EACH	EVERGREEN TREES (8'-10' HT.)	\$ 200.00	\$ 20,000.00	\$ 300.00	\$ 30,000.00	\$ 425.00	\$ 42,500.00	\$ 992.00	\$ 99,200.00	\$ 479.25	\$ 200.00	\$ 992.00
3	100	EACH	DECIDUOUS SHRUBS (24" TO 30" HT.)	\$ 15.00	\$ 1,500.00	\$ 75.00	\$ 7,500.00	\$ 95.00	\$ 9,500.00	\$ 117.00	\$ 11,700.00	\$ 75.50	\$ 15.00	\$ 117.00
4	30	EACH	EVERGREEN SHRUBS (24" TO 30" HT.)	\$ 25.00	\$ 750.00	\$ 75.00	\$ 2,250.00	\$ 155.00	\$ 4,650.00	\$ 194.00	\$ 5,820.00	\$ 112.25	\$ 25.00	\$ 194.00
5	2,500	EA	GROUND COVER	\$ 1.00	\$ 2,500.00	\$ 1.00	\$ 2,500.00	\$ 5.00	\$ 12,500.00	\$ 40.00	\$ 100,000.00	\$ 11.75	\$ 1.00	\$ 40.00
6	1,000	SF	SOD	\$ 2.00	\$ 2,000.00	\$ 3.00	\$ 3,000.00	\$ 1.35	\$ 1,350.00	\$ 2.00	\$ 2,000.00	\$ 2.09	\$ 1.35	\$ 3.00
7	1,500	SF	SEED	\$ 0.01	\$ 15.00	\$ 0.25	\$ 375.00	\$ 0.50	\$ 750.00	\$ 0.50	\$ 750.00	\$ 0.32	\$ 0.01	\$ 0.50
8	500	SF	CUT-OUTS FOR TREE PITS	\$ 5.00	\$ 2,500.00	\$ 12.50	\$ 6,250.00	\$ 15.00	\$ 7,500.00	\$ 60.00	\$ 30,000.00	\$ 23.13	\$ 5.00	\$ 60.00
9	100	SF	TREE PIT RESTORATION	\$ 0.01	\$ 1.00	\$ 6.25	\$ 625.00	\$ 15.00	\$ 1,500.00	\$ 18.00	\$ 1,800.00	\$ 9.82	\$ 0.01	\$ 18.00
TOTALS				\$	\$ 317,766.00	\$	\$ 360,000.00	\$	\$ 650,250.00	\$	\$ 1,230,370.00	Average of Total Bids		
														\$ 440,872.00



\* Contingency Item

"a" - Computational error; price corrected

"b" - Corrected total

WHEREAS, pursuant to public notice, bids were duly and regularly received for Requirements Contract for Tree Trimming and Tree Removal Throughout the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. HTR17-163, and said bids were publicly opened and read on February 5, 2018; and

WHEREAS, the lowest responsive weighted bid submitted was that of Looks Great Services, Inc., 7 Lawrence Hill Road, Huntington, New York 11743; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 23, 2018, and Cashin Associates, P.C., by letter dated February 19, 2018, recommended that the bid as hereinabove set forth be accepted and awarded for a one-year term with the option for four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that the estimated annual value of the contract is \$500,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, are accepted, and Contract No. HTR17-163 shall be awarded to Looks Great Services, Inc., in accordance with the provisions thereunder, for a one-year term from date of award, for an amount not to exceed \$500,000.00 with the option for four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board.

-#-

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  
Public Works  
General Services  
Highway

Reviewed By  
Office of Town Attorney

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

FEBRUARY 23, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
REQUIREMENTS CONTRACT FOR TREE TRIMMING AND TREE REMOVAL  
THROUGHOUT THE TOWN OF OYSTER BAY  
CONTRACT NO. HTR17-163


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On February 5, 2018, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Looks Great Services, Inc. submitted the lowest responsive weighted bid among seven (7) in amount of \$7,405,500.00. This amount reflects the weighted total of all items within this Requirements Contract.

Attached is a letter dated February 19, 2018 from the office of Cashin Associates, P.C. recommending the award of this contract to Looks Great Services, Inc. The estimated annual value of this contract is \$500,000.00. Requests for funding authorizations relative to this contract will be submitted by separate docket items.

The base term of the subject contract is one year from date of award. At the Town's option this contract can be extended for up to four (4) individual one-year terms.

We concur with the recommendation of Cashin Associates, P.C. and request that Contract No. HTR17-163 be awarded to Looks Great Services, Inc. for the initial base term of one year with an estimated annual contract value of \$500,000.00.

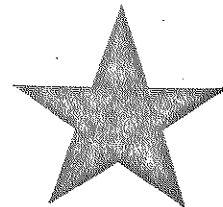
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT <sup>RM</sup>/MR/lk

Attachments

cc: Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Kathy Stefanich, Public Works  
Eric Tuman, Commissioner/General Services  
John Bishop, Deputy Commissioner/Highways

HTR-163 DOCKET AWARD LOOKS GREAT



  
**Cashin Associates, P.C.**  
ENGINEERING - PLANNING - CONSTRUCTION MANAGEMENT

February 19, 2018 (Rev Feb. 23, 2018)

Mr. Matt Russo, P.E.  
Town Engineer  
Town of Oyster Bay - Department of Public Works  
150 Miller Place  
Syosset, NY 11040

Reference: **Award Recommendation**  
Requirements Contract for Tree Trimming and Tree Removal  
Oyster Bay, NY  
HTR17-163

Dear Mr. Russo:

Cashin Associates, P.C. (CA) has reviewed the seven (7) bids received by the Town of Oyster Bay for the above referenced project. The bids were received at Town Hall, and were opened on February 5, 2018.

The results of the bids received are as follows (a further detailed breakdown is attached):

1. Looks Great Services, Inc.	\$ 7,405,500.00
2. Woodstock Construction Group Ltd.	\$ 7,716,500.00
3. Quintal Contracting Corp.	\$ 9,588,610.00
4. Laser Industries, Inc.	\$10,879,500.00
5. Dom's Tree Service	\$11,232,650.00
6. Dragonetti Brothers Landscaping & Nursery, Inc.	\$15,775,675.00 (e)
7. Harder Services Inc.	\$16,604,399.00

Looks Great Services, Inc. provided the bid bond and surety guarantee from BXS Insurance as well as included information of their Apprenticeship Program.

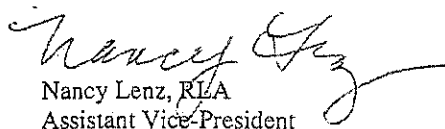
Looks Great Services, Inc., based on information available from the New York State Department of Labor Standards (DOL), has no current labor law violations identified. We found no evidence that Looks Great Services, Inc. defaulted on their contract obligations on other projects or otherwise were not responsible. With regards to judgements, claims and suits pending or outstanding, Looks Great Services, Inc. lists a single lawsuit related to a 2012 subcontractor vehicle accident.

Nothing found during this review indicates that Looks Great Services, Inc. will be unable to perform under the above referenced contract. Based on the above information, we find no reason not to award the contract to Looks Great Services, Inc.

If you have any questions or need additional information, please do not hesitate to contact the undersigned.

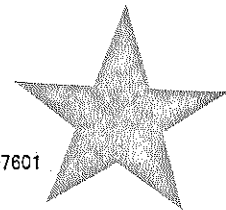
Very truly yours,

**CASHIN ASSOCIATES, P.C.**

  
Nancy Lenz, RIA  
Assistant Vice-President

\\PROJECTS\TOWN OF OYSTER BAY\17015.100 Tree Trimming\Bid Analysis\Bid Award Recom 2-19-18 Looks Great Rev.doc

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www.cashinassociates.com



**Town of Oyster Bay  
Requirements Contract for Tree Trimming and Tree Removal  
Contract HTR 17-163  
Bid Analysis - February 2018**

Time	Qty	Unit	Description	Lowell Oil Services, Inc.	Woodfield Construction Group, Ltd.	Global Construction Corp.	Labor Resources, Inc.	On-site Tree Service	Drainage Business Landscaping & Hauling, Inc.	Major Services	Average Unit Price	Low Bid Unit Price	High Bid Unit Price
1	1000	HOURL	Small Branch Pruning (With Operator)	\$ 120.00	\$ 250.00	\$ 182.50	\$ 150.00	\$ 150.00	\$ 255.00	\$ 138.12	\$ 150.00	\$ 295.00	
2	1000	HOURL	Electric Trunk (Chop) Pruning (With Operator)	\$ 125.00	\$ 260.00	\$ 182.50	\$ 150.00	\$ 150.00	\$ 255.00	\$ 138.12	\$ 150.00	\$ 295.00	
3	2000	HOURL	Small Branch Pruning (With Operator)	\$ 15.00	\$ 45.00	\$ 59.50	\$ 40.00	\$ 120.00	\$ 25.00	\$ 125.00	\$ 15.00	\$ 25.00	
3A	2000	HOURL	Small Branch Pruning (With Operator)	\$ 99.00	\$ 270.00	\$ 200.00	\$ 150.00	\$ 150.00	\$ 25.00	\$ 18.65	\$ 15.00	\$ 150.00	
4	1000	HOURL	Small Branch Pruning (With Operator)	\$ 90.00	\$ 270.00	\$ 200.00	\$ 150.00	\$ 150.00	\$ 25.00	\$ 18.65	\$ 15.00	\$ 150.00	
5	5000	HOURL	Tree Removal	\$ 90.00	\$ 450.00	\$ 123.50	\$ 80.00	\$ 110.00	\$ 23.00	\$ 64.92	\$ 80.00	\$ 250.00	
6	1000	HOURL	Small Branch Pruning (With Operator)	\$ 125.00	\$ 260.00	\$ 182.50	\$ 150.00	\$ 150.00	\$ 255.00	\$ 138.12	\$ 150.00	\$ 295.00	
7	1000	HOURL	Small Branch Pruning (With Operator)	\$ 100.00	\$ 180.00	\$ 150.00	\$ 100.00	\$ 100.00	\$ 150.00	\$ 100.00	\$ 100.00	\$ 150.00	
8	2000	HOURL	Small Branch Pruning (With Operator)	\$ 16.00	\$ 48.00	\$ 59.50	\$ 40.00	\$ 120.00	\$ 25.00	\$ 125.00	\$ 16.00	\$ 25.00	
9A	2000	HOURL	Small Branch Pruning (With Operator)	\$ 60.00	\$ 180.00	\$ 150.00	\$ 100.00	\$ 100.00	\$ 150.00	\$ 100.00	\$ 100.00	\$ 150.00	
9B	2000	HOURL	Small Branch Pruning (With Operator)	\$ 75.00	\$ 225.00	\$ 167.50	\$ 125.00	\$ 125.00	\$ 175.00	\$ 125.00	\$ 125.00	\$ 175.00	
10	2000	HOURL	Small Branch Pruning (With Operator)	\$ 75.00	\$ 225.00	\$ 167.50	\$ 125.00	\$ 125.00	\$ 175.00	\$ 125.00	\$ 125.00	\$ 175.00	
10A	2000	HOURL	Small Branch Pruning (With Operator)	\$ 80.00	\$ 240.00	\$ 176.00	\$ 130.00	\$ 130.00	\$ 180.00	\$ 130.00	\$ 130.00	\$ 180.00	
11	1000	HOURL	Small Branch Pruning (With Operator)	\$ 75.00	\$ 225.00	\$ 167.50	\$ 125.00	\$ 125.00	\$ 175.00	\$ 125.00	\$ 125.00	\$ 175.00	
11A	1000	HOURL	Small Branch Pruning (With Operator)	\$ 80.00	\$ 240.00	\$ 176.00	\$ 130.00	\$ 130.00	\$ 180.00	\$ 130.00	\$ 130.00	\$ 180.00	
12	1000	HOURL	Small Branch Pruning (With Operator)	\$ 80.00	\$ 240.00	\$ 176.00	\$ 130.00	\$ 130.00	\$ 180.00	\$ 130.00	\$ 130.00	\$ 180.00	
12A	500	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
12B	500	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13A	500	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13B	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13C	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13D	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13E	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13F	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13G	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13H	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13I	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13J	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13K	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13L	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13M	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13N	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13O	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13P	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13Q	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13R	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13S	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13T	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13U	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13V	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13W	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13X	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13Y	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
13Z	400	HOURL	Small Branch Pruning (With Operator)	\$ 170.00	\$ 510.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	\$ 250.00	\$ 250.00	\$ 370.00	
14A	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14B	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14C	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14D	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14E	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14F	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14G	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14H	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14I	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14J	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14K	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14L	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14M	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14N	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14O	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14P	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14Q	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14R	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14S	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14T	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14U	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14V	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14W	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14X	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14Y	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
14Z	200	HOURL	Small Branch Pruning (With Operator)	\$ 350.00	\$ 1050.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	
15A	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15B	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15C	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15D	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15E	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15F	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15G	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15H	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15I	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15J	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15K	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15L	300	HOURL	Small Branch Pruning (With Operator)	\$ 500.00	\$ 1500.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	\$ 750.00	\$ 750.00	\$ 1050.00	
15M	300												

\*a\* - Computational error, p100 corrected

Reviewed By  
Office of Town Attorney

WHEREAS, Northrop Grumman Systems Corporation ("NGSC") has entered into an Order on Consent, Index No. W1-1183-14-05, with the New York State Department of Conservation for the construction of a groundwater treatment facility to treat a defined area of contamination of the Grumman-Navy Plume designated as the RW-21 area; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 21, 2018, informed the Town Board that NGSC has requested access to the Town right-of-way south of the southern terminus of North Windhorst Avenue and North Herman Avenue, Bethpage, to perform soil borings for geotechnical testing, and to install wells to monitor groundwater elevation, with data obtained to be utilized in the design of the groundwater treatment facility; and

WHEREAS, a site access agreement was negotiated by and between the Town and NGSC, which agreement provides, in pertinent part, the guidelines pursuant to which NGSC will conduct its sampling activities; and

WHEREAS, Commissioner Lenz, by the aforementioned memorandum, recommended and requested that the Town Board authorize the Supervisor to execute said agreement, which is entitled; "Site Access Agreement: Geotechnical Study";

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Supervisor, or his designee, is authorized to execute the site access agreement, "Site Access Agreement: Geotechnical Study", as previously negotiated by and between the Town and NGSC.

-#-

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  
Public Works

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TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

FEBRUARY 21, 2018

TO : MEMORANDUM DOCKET

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

SUBJECT: SITE ACCESS FOR NORTHROP GRUMMAN SYSTEMS CORPORATION  
CONSTRUCTION AND OPERATION OF A GROUNDWATER TREATMENT FACILITY,  
LOCATED IN BETHPAGE

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Northrop Grumman Systems Corporation ("NGSC") has entered into an Order on Consent Index No. W1-1183-14-05 with the New York State Department of Conservation for the construction of a groundwater treatment facility to treat a defined area of contamination of the Grumman-Navy Plume designated as the RW-21 area.

To facilitate this work, NGSC has requested access to Town right-of-way south of the southern terminus of North Windhorst Avenue and North Herman Avenue, Bethpage, to perform soil borings for geotechnical testing, and to install wells to monitor groundwater elevation. The data obtained from this effort will be utilized in the design of the groundwater treatment facility.

The attached Site Access Agreement has been negotiated between the Town of Oyster Bay and NGSC, which and provides the guidelines for NGSC and its representatives to perform the work, and to provide protections to the Town and the area residents. This Agreement has been reviewed and approved by the Office of the Town Attorney.

The Department of Public Works recommends and requests that the Town Board, by Resolution, approve the attached Site Access Agreement and authorize the Town Supervisor, or his designee, to execute this Agreement on behalf of the Town.

  
RICHARD W. LENZ, P.E.  
COMMISSIONER

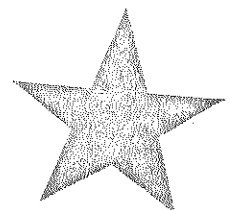
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

*RM*  
RWL/JCT/MR/ik

Attachments

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

TB NGSC RW-21 GEOTECHNICAL ACCESS



## SITE ACCESS AGREEMENT : GEOTECHNICAL STUDY

THIS ACCESS AGREEMENT (the "Agreement"), effective on the date of the last signature below (the "Effective Date") is entered into by and between NORTHROP GRUMMAN SYSTEMS CORPORATION and THE TOWN OF OYSTER BAY.

### WITNESSETH:

WHEREAS, THE TOWN OF OYSTER BAY (the "TOWN"), is a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York 11771; and

WHEREAS, NORTHROP GRUMMAN SYSTEMS CORPORATION ("NGSC"), having its place of business at 925 South Oyster Bay Road Bethpage, New York 11714, has entered into an Order on Consent Index # W1-1183-14-05 ("DEC Order") with the New York State Department of Environmental Conservation ("DEC"); and

WHEREAS, to properly carry out NGSC's obligations under the DEC Order, NGSC finds it necessary to access the Town Property in order to perform a geotechnical study, including site survey, soil borings and infiltration (the "Work"). This agreement is limited to Work on the portion of the Town Property shown on Exhibit "A" (the "Town Property"). The Town and NGSC recognize that other activities required by the DEC Order may take place on other Town properties, but access to other Town properties will be addressed by other access agreements; and

WHEREAS, in the spirit of cooperation and in order to expedite the remediation process and without assuming any remediation obligations, or any other obligations that are not set forth in this Agreement, the TOWN desires to cooperate with NGSC in its performance of its

Reviewed By  
Office of Town Attorney



obligations under the DEC Order. In the spirit of cooperation, the Town requires that any investigation Work Plan be presented and discussed with the Town.

NOW, THEREFORE, for the purpose set forth above and in consideration of the promises and mutual covenants contained in this Agreement, it is hereby agreed as follows:

1. The TOWN agrees to provide NGSC and its duly authorized agents, employees, contractors, consultants and sub-consultants (collectively, the "NGSC Representatives") reasonable access (in accordance with Paragraphs 2 and 3 of this Agreement) to the Town Property for the purpose of conducting the Work. The Work shall include a geotechnical study, including site survey, soil borings and infiltration tests, as described in the Work Plan attached hereto as Exhibit "B" Work, including any excavation, on the Town Property granted pursuant to this Agreement shall be limited to weekdays from 7:00 a.m. to 6:00 p.m., and none of the Work shall be permitted on Saturdays, Sundays, or official TOWN holidays, unless the TOWN agrees otherwise or unless required by to respond to an emergency.

2. NGSC agrees to conduct the Work, in cooperation with the TOWN, in a manner and on a schedule that reasonably minimizes the impacts on the Town, Town residents, the Town Property and the public. NGSC shall also participate in meetings with the TOWN prior to the commencement of the Work for the purposes of coordinating said Work and to reasonably minimize potential conflicts with the TOWN and its residents.

3. Prior to being provided access to the Town Property for any portion of the Work, NGSC shall provide the TOWN a Work Plan depicting the actions that NGSC intends to undertake and provide the Town a reasonable opportunity to review, comment and request additional information or changes to said plan. NGSC shall accommodate reasonable requests to modify the plan as long as said requests are not inconsistent with the plan approved by DEC and

Reviewed By  
Office of Town Attorney



such requests do not add significant cost or time to the Work. NGSC shall also provide the TOWN with name and telephone number of two (2) emergency contacts who can be reached on a 24-hour basis in the event of emergency. Upon TOWN review of the Work Plan, NGSC shall have access to the Town Property to perform the Work.

4. During all field activities, NGSC shall have on-site a representative who is qualified to supervise the Work to be undertaken, and whose name shall be submitted to the TOWN prior to such field activities. This individual shall be available for contact by telephone from the TOWN at all times during the performance of the Work in the event that the TOWN has a need to establish contact with an on-site representative of NGSC.

5. NGSC shall provide, when reasonably practicable, prior notice to the TOWN regarding additions, changes, or modifications to the Work that are to be performed at the Town Property. NGSC shall promptly inform the TOWN of any material or significant additions, changes or modifications in the Work made in the field. If an emergency condition arises such that NGSC needs to respond immediately, NGSC may address the emergency situation and provide prompt notice to the Town after the event.

6. Any and all solid waste, soil cuttings, and groundwater development water or any other waste generated as a result of the Work by NGSC Representatives shall be controlled, removed and disposed, and, if necessary treated, consistent with applicable law, at the sole cost and expense of NGSC. Work that involves excavation or soil disturbance shall be performed in accordance with a Community Air Monitoring Plan that will be part of the Work Plan. NGSC Representatives shall not perform any equipment decontamination on or at the Town Property, except as specified in the Work Plan.

Reviewed By  
Office of Town Attorney



7. NGSC shall provide to the TOWN a copy of any and all data and reports, that NGSC submits to the DEC, New York State Department of Health, or other regulatory agency regarding the Work covered by this Agreement. NGSC's provision of such data and reports to the TOWN shall be concurrent with NGSC's submission to said agency or agencies.

8. The Town may have a representative present to observe the Work and may, at its own cost and expense, take split samples as long as its sampling and analysis follows the same protocols as set forth in the applicable Work Plan.

9. NGSC and NGSC Representatives shall be solely responsible for compliance with any and all applicable laws governing or relating to their activities pursuant to this Agreement, and all work performed at the Town Property shall be done in workmanlike manner.

10. If the results of the study performed under this Agreement support the proposed installation of drainage infrastructure for the treated effluent of the RW-21 treatment system, the Town of Oyster Bay agrees to grant access to NGSC for this installation upon execution of a supplemental Site Access Agreement. The study generated by this Site Access Agreement must demonstrate that the proposed drainage system will not adversely affect the operations of the Bethpage Water District or the health and welfare of neighboring property owners and their respective properties.

11. NGSC Representatives performing the Work on the Town Property shall maintain, at their sole cost and expense, the following insurance coverage: (a) worker's compensation insurance, as required by law, to cover employees engaged in the activities conducted pursuant this Agreement; (b) automobile insurance with a combined single limit of not less than \$1,000,000; (c) comprehensive commercial liability insurance with a general aggregate limit of not less than \$2,000,000 and a per occurrence limit of not less than

Reviewed By  
Office of Town Attorney  
*MA*



\$1,000,000; and (d) professional liability or contractor's pollution liability insurance with an aggregate limit of not less than \$5,000,000, with respect to the performance of the activities conducted pursuant to this Agreement. The TOWN and any participating consultants shall be named as an additional insured on the policies issued pursuant to (b), (c), and (d) above, except for professional liability insurance provided by its consultants, and NGSC shall provide the TOWN with certificates of insurance and policy endorsements prior to entry onto the Town Property.

12. NGSC shall indemnify and hold the TOWN and/or its agents, employees, tenants, invitees, contractors and/or consultants harmless from any and all losses, costs, damages, liens, claims, actions, liabilities, and expenses (including, but not limited to, reasonable attorneys' fees, court costs and disbursements), resulting from personal injury or property damage of whatsoever kind whether direct or indirectly caused by the negligent acts or omissions or malfeasance of NGSC or NGSC Representatives arising from or by reason of the Work conducted by or on behalf of NGSC or NGSC Representatives at the Town Property pursuant to this Agreement. NGSC's obligation to indemnify and hold the TOWN harmless shall not apply to the extent the above-described losses, costs, damages, liens, claims, actions, liabilities, and expenses result from the negligence or malfeasance of the TOWN and/or its agents, employees, contractors, consultants, tenants, invitees or licensees. To the extent the negligent and/or intentional malfeasance of the TOWN and/or its agents, etc. caused or contributed in any way to the loss, cost, damage, claim, lien, action, liability, or expense, NGSC shall have no obligation to indemnify or hold the TOWN or its agents, etc. harmless with respect to the percentage of the loss, cost, etc. resulting therefrom. Under those circumstances, NGSC shall indemnify and hold the TOWN and its agents and consultants harmless only for that percentage of the loss, claim,

Reviewed By  
Office of Town Attorney  
*M/2*

etc. that resulted from the negligent conduct, omissions, or malfeasance of NGSC and/or the NGSC Representatives. NGSC's obligation to indemnify and hold the TOWN harmless relates exclusively to the Work performed and NGSC's access to the Town Property under this Agreement and shall not apply to any losses, claims, actions or liabilities arising from the environmental conditions existing at the Town Property at the time access to such area was first granted and/or to activities not undertaken as Work under this Agreement. This indemnification shall survive the expiration and/or termination of this Agreement. This Paragraph is not intended to be, nor shall it be interpreted as, a waiver or release by either party for any claim or potential claim arising outside of this Agreement.

13. This Agreement shall constitute a temporary license that may not be expanded or extended without the written consent of the TOWN, and the granting of access conferred by this Agreement shall not be construed as any form of tenancy interest or ownership interest in the Town Property or other type of interest.

14. This Agreement shall expire the earlier of either: (1) NGSC's written notification to the TOWN that NGSC's activities at the Town Property have been completed and that access to the Town Property is no longer needed with respect thereto, or (2) Notice by the Town Board of the TOWN, upon thirty (30) days' written notice and for good cause that it is terminating its grant of access provided under this Agreement to NGSC. Notice by the Town Board shall be preceded by a letter to NGSC informing them of the pending termination and the cause and providing NGSC 15 days to cure the cause.

15. This Agreement shall be binding upon and inure to the benefit of NGSC and the TOWN and their respective assigns, successors, and any subsequent owner, transferee, or lessee.

  
Reviewed By  
Office of Town Attorney

16. Except for notices referenced in Paragraphs 3, 4 and 5 all notices desired or required to be given hereunder, shall be given in writing by certified mail, return receipt requested, or by Federal Express, or other overnight courier service to the respective addresses shown below or such other address as the parties may later specify for that purpose by notice to the other party. All such notices shall be deemed given effective upon receipt.

If to NORTHROP GRUMMAN SYSTEMS CORPORATION:

Northrop Grumman Systems Corporation  
Attention: Corporate Real Estate - Legal Notices  
One Space Park Drive, M/S: D2  
Redondo Beach, California 90278

Northrop Grumman Systems Corporation  
2980 Fairview Park Drive  
Attention: Law Department - Real Estate Notices  
Falls Church, VA 22042-4511

With a copy to:

Aaron Gershonowitz, Esq.  
Forchelli, Curto, Deegan, Schwartz, Mineo & Terrana, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
Phone: (516) 248-1700

Environmental, Safety, Health and Medical Manager  
Northrop Grumman Systems Corporation  
925 South Oyster Bay Road  
Mail Stop D08083 / BP15  
Bethpage, NY 11714-3582

Northrop Grumman Systems Corporation  
Attn: Sector Real Estate - Legal Notices  
One Space Park Drive, M/S: K02620  
Redondo Beach, CA 90278

Reviewed By  
Office of Town Attorney  
*WJA*

If to the TOWN:

Office of the Town Attorney  
TOWN OF OYSTER BAY  
54 Audrey Avenue  
Oyster Bay, N.Y. 11771  
Attn: Matthew M. Rozea, Esq.  
Phone: (516) 624-6150  
Fax: (516) 624-6196

Richard Lenz P.E., Commissioner  
TOWN OF OYSTER BAY  
Department of Public Works  
150 Miller Place  
Syosset, N.Y. 11791  
Phone: (516) 677-5706  
Fax: (516) 677-5878

With a copy to:

James Altadonna, Jr., Town Clerk  
TOWN OF OYSTER BAY  
54 Audrey Avenue  
Oyster Bay, N.Y. 11771  
Phone: (516) 624-6133  
Fax: (516) 624-6396

Communications other than legal Notices and necessary to coordinate field work, and to comply with Sections 3,4, and 5 above may be directed to the following individuals:

If to Northrop Grumman Systems Corporation:

Edward Hannon  
Environmental, Safety, Health and Medical Manager  
Northrop Grumman Systems Corporation  
925 South Oyster Bay Road Mail Stop D08083 / BP15  
Bethpage, NY 11714-3582  
Phone: (516) 575-2333

If to the Town:

Reviewed By  
Office of Town Attorney  


Richard Lenz P.E., Commissioner  
TOWN OF OYSTER BAY  
Department of Public Works  
150 Miller Place  
Syosset, N.Y. 11791  
Phone: (516) 677-5706  
Fax: (516) 677-5878

17. This Agreement is not an admission of liability or responsibility as against either NGSC or the TOWN for any environmental contamination nor is this Agreement admissible in any proceeding except in connection with the enforcement of its terms. This Agreement shall not give rise to any rights by parties who are not signatories to this Agreement and may not be deemed to grant any rights whatsoever to third parties.

18. This Agreement is the complete and exclusive Agreement between the parties, notwithstanding any representations or statements to the contrary heretofore made.

19. Any modifications to this Agreement shall be in writing, executed by authorized representatives of NGSC and the TOWN, and shall specifically state that it is such a modification. This provision cannot be waived orally.

20. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any dispute arising hereunder shall be commenced and tried in the Supreme Court of the State of New York, County of Nassau.

21. This Agreement may be executed in one or more counterparts, which together shall constitute one Agreement.

22. This execution of this Agreement by the Town has been authorized by Town Board Resolution \_\_\_\_\_-2018, adopted on \_\_\_\_\_, 2018.

Reviewed By  
Office of Town Attorney  
*[Signature]*

Reviewed By  
Office of Town Attorney

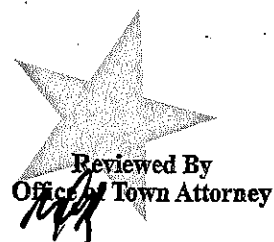
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NOTARY PUBLIC

Reviewed By  
Office of Town Attorney

# EXHIBIT A



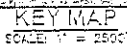
XREFS: RIACES PROJECT NAME -  
X/BDR-BP I 11000206 OF E7431 628 2016 J  
I 11000206 OF E7431 628 2016 J

The image is a high-contrast, black and white photograph of a textured surface, likely the cover or endpaper of an old book. The texture is dense and irregular, with many small, dark, rectangular and circular shapes scattered across a lighter background. A prominent vertical line runs down the center of the image, dividing it into two halves. On the left side, there is a darker, more solid-looking rectangular area near the bottom. The overall appearance is aged and worn, with significant contrast between the dark and light areas.

An aerial photograph of a city street grid. The image is oriented vertically. A street on the right side is labeled 'EROWING' vertically. In the lower right corner, there are two rectangular labels: 'TOE-1A' and 'TOE-1B'. The photograph shows a dense network of streets and building footprints.

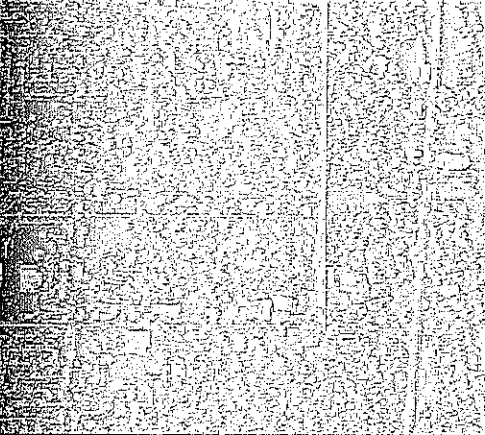
### LEGEND:

XREFS:	IMAGES:	PROJECTNAME:
XBOR-BP	I11200102 OF 07400-400-0010.MP	
	I11200000 OF 07400-400-0010.MP	



CITY OF SACRAMENTO DIVISION OF PLANNING AND COMMUNITY DEVELOPMENT  
CITY OF SACRAMENTO DIVISION OF PLANNING AND COMMUNITY DEVELOPMENT  
12/22/2011 12:57 PM CITY OF SACRAMENTO

PROJECT: PROJECT NAME: --  
XREF: 11/11/2011 12:57 PM CITY OF SACRAMENTO  
XREF: 11/11/2011 12:57 PM CITY OF SACRAMENTO

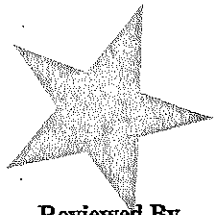


KEY MAP  
SCALE: 1" = 200'



LEGEND:

# EXHIBIT B



Reviewed By  
Office of Town Attorney  
*[Signature]*

Table 1. Geotechnical Work on Town of Oyster Bay Property  
RW-21 Project Area, Northrop Grumman Systems Corporation  
Operable Unit 3 (Former Grumman Settling Ponds), Bethpage, New York.

Proposed Scope of Work	Boring IDs	Depth	Sampling Interval	Proposed Analysis/Sampling and Drilling Method
TOWN OF OYSTER BAY PROPERTY (Section 40 Parcel 106 Lot 053) Block 65 Lot 425				
Geotechnical Soil Classification	TOB-1A through TOB-6A	Approx. 35 ft bbs	Sampling every 2 ft; 25 samples from each boring	- 6 borings will be advanced using hollow stem auger drilling for soil classification and standard penetration testing. Continuous SPT sampling to the water table (estimated at 35ft bbs) for collection of blow counts to determine engineering properties in accordance with the requirements specified in Appendix D of the NYSDEC Stormwater Design Manual.
Infiltration Testing	TOB-1B through TOB-6B	Approx. 20 ft bbs	No sampling; 4-inch diameter casing installed to approximately 15 ft above the water table will be used for infiltration testing	- 6 borings will be advanced using hollow stem auger drilling adjacent to borings TOB-1A through TOB-6A to install a 4-inch diameter solid casing to complete infiltration testing as specified in Appendix D of the NYSDEC Stormwater Manual. Soil infiltration testing will establish an average infiltration rate for the underlying soils. It is assumed that the depth of the soil borings will be approximately 20 ft bbs, and the casing for the infiltration tests will be installed to the full depth of the boring (i.e., roughly 15 ft above the water table). The actual depth of the infiltration test casing will be determined based on the results of the geotechnical investigation for borings TOB-1A through TOB-6A. The casings will be filled with water and the infiltration rate will be measured. The casing will be removed upon completion of the infiltration testing and the area will be restored.
Piezometer for Future Water Level Monitoring	PZ-TOB-1 and PZ-TOB-2	Approx. 40 ft bbs	NA	- Borings TOB-1A through TOB-6A will be advanced as described above, and at a subset of 2 locations a piezometer (2-inch PVC ) will be installed in the same borehole for future water table monitoring in the area of the potential effluent discharge. The piezometer will be installed with a 10 ft screen interval set approximately 2 to 12 ft below the water table.

Notes and Abbreviations:

- ft bbs Feet Below Land Surface
- NYSDEC New York State Department of Environmental Conservation
- NA Not applicable since the piezometers will be installed within the geotechnical borehole.
- Approx. Approximately

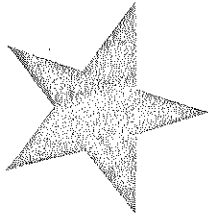


Table 2. Environmental Baseline Study on Town of Oyster Bay Property  
RW-21 Project Area, Northrop Grumman Systems Corporation  
Operable Unit 3 (Former Grumman Settling Ponds), Bethpage, New York.

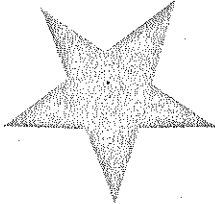
Proposed Scope of Work	Boring Well IDs	Proposed Terminal Depth (ft bgs)	Sampling Interval	Proposed Analysis, Sampling and Drilling Method	Proposed Analysis (1)
TOWN OF OYSTER BAY PROPERTY (Settling Ponds) (OU3 RIF-S Work Plan (ARCADIS, 2006), Appendix A for the Sampling and Analysis Plan (SAP))					
Soil Boring/Sampling	TOB-ENV-1 through TOB-ENV-6	35	- Continuous sampling, estimated 7 samples to be collected from each boring (2).	- Six soil borings will be advanced from land surface to water table using direct push drilling method. Continuous soil cores will be collected using 5-ft macro cores for screening and logging. Soil samples will be collected from discrete intervals within each 5 ft core and submitted to laboratory for analysis.	- TCL VOCs using USEPA Method 8260 - TCL SVOCs using USEPA Method 8270 - TAL Metals using USEPA Method 6010/7470 - Pesticide/Herbicide using USEPA Method 8081/8151 - PCBs using USEPA Method 8082 - 1,4-Dioxane using USEPA Method 8260 SIM - PFOA/PFAS using USEPA Method 537
Groundwater Sampling	PZ-TOB-1 and PZ-TOB-2	30-40	Well screen	- Groundwater samples will be collected from 4 water table piezometers (PZ-NY71-1 through PZ-NY71-4) installed during pre-design investigation using submersible pump following USEPA protocol.	- TCL VOCs using USEPA Method 8260; - TCL SVOCs using USEPA Method 8270; - TAL Metals using USEPA Method 6010/7470; - Pesticide/Herbicide using USEPA Method 8081/8151; - PCBs using USEPA Method 8082; - 1,4-Dioxane using USEPA Method 522; - Radium 226/228 using USEPA Method 903/904; - PFOA/PFAS using USEPA Method 537.

Notes and Abbreviations:

- (1) Drilling sequence and actual sample analysis may change based on the analytical results obtained.  
(2) Prior to drilling, geophysical surveying will be performed at and around each of the proposed drilling locations using ground-penetrating radar (GPR). Objective will be to clear work areas of buried utilities as well as screen for any other buried magnetic anomalies (i.e., drums, tanks, or other metallic debris). Should any anomaly be identified, the sampling program may be modified and additional GPR performed on a sitewide basis.

Field sampling, analysis protocols and data validation for this Work Plan will be conducted according to the protocols described in the NYSDEC approved OU3 RIF-S Work Plan (ARCADIS, 2006, Appendix A for the Sampling and Analysis Plan (SAP)).

ft bgs Feet Below Land Surface  
NYSDEC New York State Department of Environmental Conservation  
NYSDOT New York State Department of Transportation  
USEPA United States Environmental Protection Agency  
TCL Target Compound List  
VOCs Volatile Organic Compounds  
SVOCs Semi-Volatile Organic Compounds  
TAL Target Analyte List  
PCBs Polychlorinated biphenyl  
SIM Selected Ion Monitoring  
PFOA Perfluorooctanoic acid  
PFAS Polyfluoroalkyl substances



WHEREAS, Resolution No. 854-2017, adopted on December 12, 2017, authorized Nelson & Pope Engineers & Land Surveyor, PLLC, to provide engineering services to the Town of Oyster Bay under Contract No. PWC07-18, On-Call Engineering Services Relative to Highway Improvements to the William Street Area, Glen Head; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 23, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$136,500.00, under Contract No. PWC07-18, for Engineering Services for the Highway Improvements to the William Street Area, Glen Head, including the completion of the design, preparation of contract documents and contract award, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$136,500.00, and to pay Nelson & Pope Engineers & Land Surveyor, PLLC, for services rendered under Contract No. PWC07-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, for Contract No. PWC07-18.

-#-

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  
Public Works  
Highway

Reviewed By  
Office of Town Attorney

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

February 23, 2018

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 1503 008  
PROJECT ID NO. 1503HWYDB-20

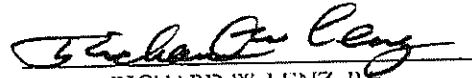
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The consultant, Nelson & Pope Engineers & Land Surveyor, PLLC has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-18 by Resolution No. 854-2017 for the subject project.

Attached is a letter dated February 5, 2018 from Nelson & Pope Engineers & Land Surveyor, PLLC regarding the scope of work to be performed in an amount not to exceed \$136,500.00. Services to be performed completion of design, preparation of contract documents, and contract award relative to Highways Improvements to the William Street Area, Glen Head..

Attached is an availability of funds in the amount of \$136,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1503 008.

It is hereby requested that the Town Board authorize, by Resolution, Nelson & Pope Engineers & Land Surveyor, 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/lk

Attachment

cc: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
John Bishop, Deputy Commissioner/Highway  
Kathy Stefanich, Administrative Division/DPW  
Hans Stronstad, Division of Engineering

PWC07-18 N&P DOCKET WILLIAM ST D&B FUNDS



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 1/1/2018 - 12/31/2019  
Consultant/Contractor NELSON & POPE ENGINEERS & LAND SURVEYOR, PLLC  
Discipline CIVIL ENGINEERING  
Total Authorization \$ 136,500.00  
Resolution No. 854-2017 Date 12/12/2017  
Funded To Date \$ 0.00  
Amount Requested \$136,500.00  
Account To Be Used HWY H 5197 20000 000 1508 008 / Proj 30 1503 HWY DB-20

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.

ENGINEERING SERVICES FOR HIGHWAY IMPROVEMENTS TO THE

WILLIAM STREET AREA, GLEN HEAD

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$                     

Requesting Division/Department

Signature [Signature]

Title DEPUTY COMMISSIONER

Date 2-22-18

Department of Highways

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 2/26/18

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 136,500.00

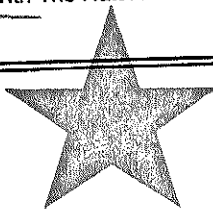
Unencumbered Balance 175,197.78

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

Yes ☒ No ☐

Signature [Signature]

Date 2/27/18





# 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. PWC07-18

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 SURVEYOR, PLLC

572 WALT WHITMAN ROAD

MELVILLE, NEW YORK 11747

Requesting Town Department HIGHWAY

Contact HANS STRONSTAD Phone 516-677-5852

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

ENGINEERING SERVICES FOR HIGHWAY IMPROVEMENTS TO THE

WILLIAM STREET AREA, GLEN HEAD

**This work order shall not exceed \$ 136,500.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

**Only To Be Executed By The Commissioner**

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

**Commissioner of Public Works**

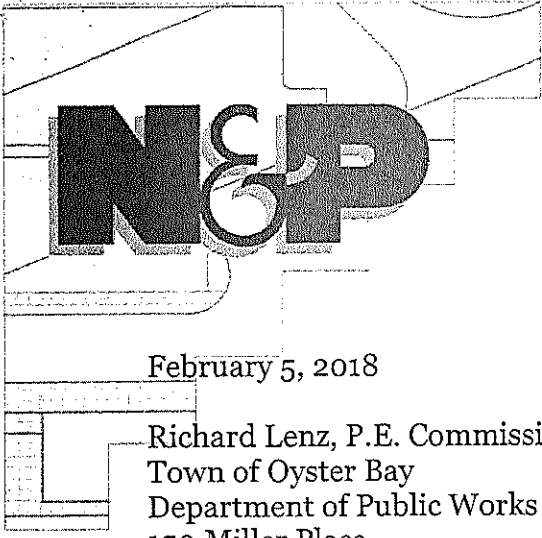
Date \_\_\_\_\_

Date \_\_\_\_\_

**DEPUTY COMMISSIONER**  
**Department of Highways**

2-22-18

2/26/18



**NELSON & POPE**  
ENGINEERS & SURVEYORS

JOSEPH R. EPIFANIA, P.E. • ROBERT G. NELSON JR., P.E. • THOMAS F. LIMBO, P.E.  
GREGORY D. PETERMAN, P.L.S. • ERIC J. McPERRAIN, P.E. • THOMAS C. OXON, 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

February 5, 2018

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

Re: Proposal for Engineering Services  
William Street Area Roadway and Stormwater Improvements

Dear Commissioner Lenz:

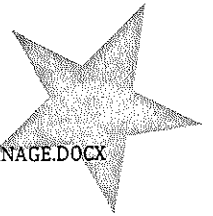
Nelson & Pope is pleased to submit this proposal to provide Professional Engineering services for the preparation of a Roadway and Stormwater Improvement Project on William Street, Waverly Street, Sycamore Avenue, Edgewood Avenue, Orion Place, Ashley Place and Huron Street.

The proposed Scope of Services is provided as **Exhibit A**. The estimated budget for the project is \$136,500.00

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**  
**Kissam Lane and William Street**  
**Roadway and Stormwater Improvements**

**TASK 1 – Preliminary Design**

Nelson & Pope will prepare preliminary design drawings based on the recommendations of Alternative 2 of the 'William Street Area Roadway and Stormwater Improvements' Report dated December 2017. It is assumed the preliminary design plans are progressed to a point that can be considered approximately 30% percent complete.

Nelson & Pope will develop, provide, and maintain the construction cost estimate for the project. At this time, the estimate will be preliminary.

Nelson & Pope will prepare three (3) half-size plan sets and one PDF file representing the project location for review by the Town. Nelson & Pope will prepare and provide the Town with a written list of individual comments and responses to the Town's review comments.

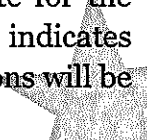
**Task 2 – Advanced Detail Design**

For purposes of this section, Advanced Detail Plans (ADPs) are plans that are 90% complete.

The ADP's will include all applicable contract drawings at the level of completion, including but not limited to the following:

- Title Sheet
- General Notes, Legend, and Index
- Typical Sections
- Drainage and Utility Conflict Table
- Miscellaneous Details
- Survey Control Points
- Work Zone Traffic Control
- Construction Plan and Profile
- Drainage and Utility Plans
- Grading Plans
- Pavement Marking and Signing Plans

Nelson & Pope will develop, provide, and maintain the construction cost estimate for the project. This includes preparing and maintaining a quantity take-off workbook that indicates the method of quantity calculation. Any revisions to the original quantity computations will be shown by date in the workbook.



Nelson and Pope will also provide written specifications for each item of work.

Nelson & Pope will provide the Town with one full-size (22x34) plan set and two half size (11x17) plan sets, as well as one PDF file representing each plan sheet of the ADP's that have been developed. The Town shall provide Nelson & Pope with review comments in written form, either on a plan set or via a design review memo. Nelson & Pope will incorporate all review comments into the ADPs, revising the design as necessary.

Nelson & Pope will prepare and provide the Town with a written list of individual comments and responses to the Town's review comments.

### **Task 3 – Final Plans, Specifications, and Estimates (PS&E)**

PS&E-level plans will be considered 99-percent complete, with only few, minor revisions expected at this stage. All ADP review comments should have been resolved and incorporated into the plans and estimate. If any ADP review comments provided by the Town have not been addressed, the PS&E submittal will not be considered complete.

The Town shall perform a final plan review and will notify Nelson & Pope of any remaining minor revisions that may be necessary. Upon final PS&E approval, Nelson & Pope will transmit 15 full-size paper plan copies, one full-size mylar plan copy with original professional seal on the title sheet, five half-size paper copies, and one PDF file representing each sheet of the contract plans.

After the PS&E transmittal and before the construction contract letting Nelson & Pope will make minor last-minute changes per the Town and any other agency review. Nelson & Pope will keep a record copy of the PS&E as submitted to the Town and the last-minute changes.

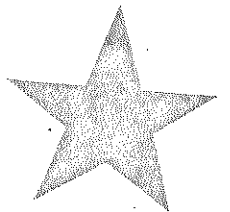
### **Task 4 – Bid and Award**

Nelson & Pope will assist the Town during the bid process by:

- Prepare a complete set of bid specifications and plans in a form acceptable with the Town;
- Attending the pre-bid site meeting;
- Providing a sufficient number of plan sets for bidders;
- Providing assistance in responding to inquiries from prospective bidders;
- Distributing documents to prospective bidders by mail or email and maintain a list of prospective bidders;
- Issuing any necessary addenda;
- Reviewing bids received to determine technical responsiveness and bidder experience and qualifications to perform work;



- Analyzing contractor bids - review of bidder's unit prices & cost extensions;
- Making a recommendation to the Town for award to the lowest responsive bidder; and
- Prepare meeting minutes.



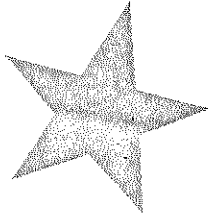


MANPOWER TABLE

TOWN OF OYSTER BAY  
WILLIAM STREET ROADWAY IMPROVEMENT PROJECT  
February-18  
EXHIBIT B



NELSON & POPE											
TASKS		Partner	Project Manager	Project Engineer	Engineer	Engineer Tech.	Senior Engineer Tech.	Junior Engineer	Senior Admin. Assistant	TOTAL HOURS	COST
TASK											
1	Preliminary Design	12	48	120	80	72	20	50	6	408	\$44,680.00
2	Advanced Detail Design	24	72	164	140	100	16	80	12	516	\$66,980.00
3	Final Plans Sepcifications and Estimates	12	24	48	20	8	24		16	136	\$17,680.00
4	Bid and Award	8	12	16					24	36	\$7,200.00
TOTALS		56	156	348	240	180	60	130	58	1096	\$136,540.00



WHEREAS, Neil O. Bergin, Commissioner, Department of Environmental Resources, by memorandum dated February 22, 2018, requested Town Board authorization for the Department of Environmental Resources to co-sponsor the Annual Spring Oyster Bay Harbor and Beach Cleanup on Saturday, April 21, 2018, at Theodore Roosevelt Memorial Park, Western Waterfront, Beekman Beach, Centre Island Beach and Stehli Beach, in conjunction with the North Oyster Bay Baymen's Association, the Friends of the Bay and the public and with the cooperation of the Department of Parks at no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Environmental Resources, is authorized to co-sponsor the Annual Spring Oyster Bay Harbor and Beach Cleanup on Saturday, April 21, 2018, at Theodore Roosevelt Memorial Park, Western Waterfront, Beekman Beach, Centre Island Beach and Stehli Beach, in conjunction with the North Oyster Bay Baymen's Association, the Friends of the Bay and the public and with the cooperation of the Department of Parks.

-#-

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  
Parks  
Environmental Resources

Reviewed By  
Office of Town Attorney

*Elizabeth A. Faughnan*

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

105

February 22, 2018

**TO** : Memorandum Docket

**FROM** : Neil O. Bergin, Commissioner  
Department of Environmental Resources

**SUBJECT** : Annual Spring Oyster Bay Harbor and Beach Cleanup: Celebrate Earth Day  
Saturday, April 21, 2018

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On Saturday, April 21, 2018 the Department of Environmental Resources requests Town Board authorization to co-sponsor the Annual Spring Oyster Bay Harbor and Beach Cleanup in conjunction with the North Oyster Bay Baymens Association, the Friends of the Bay and the public. This event is listed on the Town calendar and is at no cost to the Town.

The Parks Department will allow the use of Theodore Roosevelt Memorial Park, Western Waterfront, Beekman Beach, Centre Island Beach and Stehli Beach. At this event, volunteers patrol the shoreline and beaches by-foot and the water by boat to collect debris that accumulated during the winter. The rubbish will be brought to a central point near the Theodore Roosevelt Memorial Park boat launching ramps. At that point dumpsters are filled and carted off by the Department of Environmental Resources personnel.

To get an overview of conditions before the cleanup the area will be surveyed by representatives of the Department of Environmental Resources, the Parks Department, the Department of Public Safety, the North Oyster Bay Baymens Association and Friends of the Bay.

On the day of the event, staff from the Department of Environmental Resources and event sponsors will arrive around 6:30 a.m. and volunteers will start arriving around 8 a.m. We anticipate the cleanup to wrap-up by 3:00 p.m.

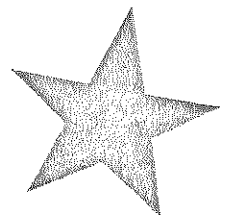
The Department of Environmental Resources therefore respectfully requests Town Board approval for this event.

If you should have any questions or need additional information, please feel free to contact Maryann Webb of my staff at Ext. 5711.



**Neil O. Bergin**  
**Commissioner of Environmental Resources**

NOB:MW  
DER File No.: E-300 – G-500  
Town Attorney (with 7 copies)  
Hon. Michele Johnson, Town Board  
Commissioner Joseph Pinto, Parks Department



Meeting of March 13, 2018

RESOLVED, That the Town Clerk is hereby directed to advertise a notice of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring, submitted by GEORGE POLL, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications." The subject property is located at 1458 Ridge Road, Laurel Hollow, New York 11791, also known as Section 26, Block C, Lot 258 on the Nassau County Land and Tax Map.

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Reviewed By  
Office of Town Attorney

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Environmental Resources  
Planning & Development

**PUBLIC NOTICE**

**NOTICE IS HEREBY GIVEN**, that pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board is in receipt of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring in the waterways within the jurisdiction of the Town. Said application is described as follows: **GEORGE POLL**, for a permit to erect, maintain, alter or improve a dock, pier, bulkhead, float or other mooring. **Specification:** Construct a dock assembly from the existing concrete seawall with a 4-foot-wide by 120-foot-long catwalk, supported by (22) 12 inch diameter piles, elevated a minimum of 4-feet above Mean High Water (MHW). Construct an attached 3-foot-wide by 30-foot long ramp, attaching to an 8-foot-wide by 25-foot-long float supported by four 12-inch diameter piles, situated approximately 3.5 feet above the harbor bottom at Mean Low Water (MLW). Install 4 mooring piles, each approximately 12 feet perpendicular to the float corners. The subject property is located at 1458 Ridge Road, Laurel Hollow, New York 11791, also known as Section 26, Block C, Lot 258 on the Nassau County Land and Tax Map. The petition filed in connection with the abovementioned application, together with all maps and documents which accompany it, are on file, and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Offices of the Town Clerk, in Oyster Bay and Massapequa. Any person interested in the subject matter of said application must submit any written comments to the Town Board for its review prior to the determination of such application. Kindly address any such communication to the Office of the Town Clerk, Town Clerk, Town Hall, 54 Audrey Avenue Oyster Bay, New York 11771, on or before March 19, 2018. **TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH S. SALADINO**, Town Supervisor, **JAMES ALTADONNA JR.**, Town Clerk. Dated: March 13, 2018, Oyster Bay, New York.

Witnessed By  
Office of Town Attorney

*[Signature]*

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**TOWN OF OYSTER BAY**

**INTER-DEPARTMENTAL MEMO**

DATE: MARCH 1, 2018

TO: MEMORANDUM DOCKET

FROM: CAROL ANN STRAFFORD, DIRECTOR, LEG. AFFAIRS

THRU: JOPSEPH NOCELLA, TOWN ATTORNEY

SUBJECT: APPLICATION OF GEORGE POLL, TO ERECT,  
MAINTAIN, IMPROVE, AND/OR REPAIR A DOCK,  
FLOAT, BULKHEAD OR OTHER MOORING,  
1458 RIDGE ROAD, LAUREL HOLLOW, NY 11791

FILE # D-1-2018 SEC. 26 BLK C LOT 258

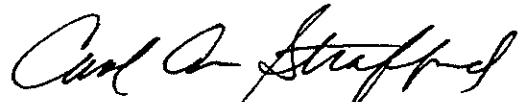
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Pursuant to Waterways Ordinance, Chapter 241, this office has received the TEQR findings (PRE-DETERMINED TYPE II ACTION), in connection with the above captioned application.

Town Board authorization is now requested directing the Town Clerk to advertise a "Notice of Application."

Request is also made for the Town Attorney to prepare the necessary "Public Notice of Application" and Resolution directing the Town Clerk to advertise said Notice.

JOSEPH NOCELLA  
TOWN ATTORNEY



CAROL ANN STRAFFORD  
DIRECTOR  
LEGISLATIVE AFFAIRS



JN: CAS: dr  
Cc: TA w/7

Reviewed By  
Office of Town Attorney

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 27<sup>th</sup> day of March, 2018, at 7:00 o'clock p.m., prevailing time on that day, or as soon thereafter as possible and on any properly adjourned date therefrom, to consider the application of HINDU WELFARE ASSOCIATION OF NEW YORK, INC., fee owner, seeking to revoke a Declaration of Restrictive Covenants, in order to allow a place of worship to exist on premises located in a Neighborhood Business (NB) Zone, at 729 South Oyster Bay Road, Bethpage, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block 370, Lots 1A, 1B, 18 and 19, 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.

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Environmental Resources  
Planning & Development

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 27, 2018, at 7:00 p.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from HINDU WELFARE ASSOCIATION OF NEW YORK, INC., fee owner, for a Revocation of the Declaration of Restrictive Covenants, to allow the subject premises to be used as a place of worship, located in a Neighborhood Business (NB) District, at 729 South Oyster Bay Road, Bethpage, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block 370, Lot 1A, 1B, 18, and 19 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: March 6, 2018, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

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# Town of Oyster Bay Inter-Departmental Memo

**TO** : MEMORANDUM DOCKET

**FROM** : OFFICE OF THE TOWN ATTORNEY


**DATE** : February 27, 2018

**SUBJECT:** Hindu Welfare Association of New York, Inc.  
Application to Revoke a Declaration of Restrictive Covenants  
729 South Oyster Bay Road, Bethpage, New York

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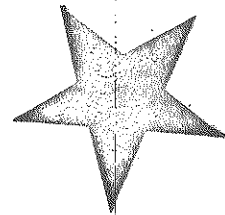
It is requested that at the March 13, 2018 Town Board meeting the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 27, 2018, in connection with the above referenced matter.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Thomas M. Sabellico  
Special Counsel

TMS:st  
Enclosure  
File 2017-6192  
cc: Town Attorney (w/7 copies)

S:\Attorney\Admin\TMS\LA\Hindu Welfare Assoc\MD for Public Hearing.doc



WHEREAS, by Town Board Resolution No. 280-2017, adopted on May 23, 2017, LiRo Engineers, Inc., was approved to provide engineering services relative to General Reconstruction throughout the Town of Oyster Bay, Contract No. H17-152-C; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated February 17, 2018, stated that the Department of Public Works has approved the specifications for Contract HGR17-162 and recommended that the Division of Engineering be authorized and directed to proceed with the bidding phase and construction phase for Contract No. HGR17-162; 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. HGR17-162, and the Division of Purchasing is hereby authorized to proceed with setting a bid date for receiving bids for Contract No. HGR17-162 by contacting the Division of Engineering to establish the bid date.

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works  
Highway  
General Services

Reviewed By  
Office of Town Attorney

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

FEBRUARY 27, 2018

TO: MEMORANDUM DOCKET

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


SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES  
REQUIREMENTS CONTRACT FOR GENERAL RECONSTRUCTION  
THROUGHOUT THE TOWN OF OYSTER BAY  
CONTRACT NO. HGR17-162

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LiRo Engineers, Inc.. has been approved by Resolution 280-2017 to provide engineering services for the preparation of the requirements contract for General Reconstruction throughout the Town of Oyster Bay. The initial term of this contract shall be one year from the date of award.

The Commissioner of the Department of Public Works has approved the specifications and recommends that the Division of Engineering be authorized and directed to proceed with the bidding phase and construction phase for Contract No. HGR17-162.

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.

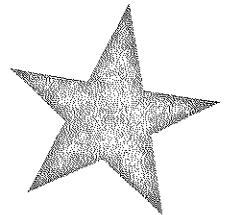
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/ik

Attachment

cc: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Eric Tuman, Commissioner/General Services  
John Bishop, Deputy Commissioner/Highways

HGR17-162 DOCKET REQUEST TO BID



Meeting of May 23, 2017

Resolution No. 280-2017

WHEREAS, pursuant to public notice, bids were duly solicited and regularly received for Engineering Services Contracts relative to Various Highway Requirements Contracts throughout the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. H17-152, and said bids were publicly opened and read on March 2, 2017; and

WHEREAS, the lowest responsible bids submitted were as follows:

Consultant Cont. No.	Requirements Contract	Firm	Total Fee
H17-152-A	Concrete Replacement	Nelson & Pope	\$ 8,500.00
H17-152-B	Fence Replacement	de Bruin Engineering, P.C.	\$13,500.00
H17-152-C	General Reconstruction	LiRo Engineers, Inc.	\$17,100.00
H17-152-D	Road Restoration	Lockwood, Kessler & Bartlett	\$ 6,500.00
H17-152-E	Tree Planting	Cashin Associates, P.C.	\$ 9,800.00
H17-152-F	Tree Trimming	Cashin Associates, P.C.	\$ 8,200.00
H17-152-G	Utility Patch	Lockwood, Kessler & Bartlett	\$10,000.00;

and

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated May 8, 2017, recommended that the bids as hereinabove set forth be accepted,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, are accepted, and Contract No. H17-152-A through G, shall be awarded to the above, in the total amount of \$73,600.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same upon presentation of duly certified claims after audit; and be it further

RESOLVED, that funds are available to satisfy the encumbrance in the amount of \$73,600.00 from Account No. HWY H 5197 20000 000 1503 008.

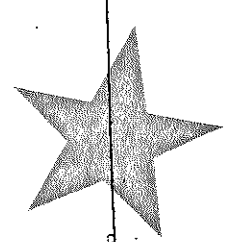
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The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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

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

Reviewed By  
Office of Town Attorney



WHEREAS, the United States Congress passed the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), appropriating \$15.18 billion, to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant Disaster Recovery (CDBG-DR) funds for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted areas resulting from a major disaster declared due to Hurricane Sandy and other eligible events in calendar years 2011, 2012 and 2013; and

WHEREAS, in March 2013, HUD appropriated \$1.7 billion in CDBG-DR to the Housing Trust Fund Corporation's (HFTC) Governor's Office of Storm Recovery (GOSR) to fund the New York Rising Community Reconstruction Program (NYCRP), a grant program designed to fund the development of Reconstruction Plans and facilitate the implementation of projects identified in Reconstruction Plans in Community Reconstruction Zones (CRZ) as identified by GOSR; and

WHEREAS, Massapequa and the Incorporated Village of Massapequa Park (The Massapequas) have been identified collectively as one CRZ by GOSR; and

WHEREAS, GOSR has made up to \$26 million in CDBG-DR funding available to The Massapequas to facilitate projects identified in The Massapequas' New York Rising Community Reconstruction Plan (Plan); and

WHEREAS, In accordance with NYRCRP guidelines, applicants for NYRCRP funding must advertise a Public Notice offering all citizens an opportunity to view the proposals and submit their comments for a minimum of seven (7) days in advance of application submission; and

WHEREAS, Frank V. Sammartano, Commissioner Department of Intergovernmental Affairs, by memorandum dated March 5, 2018, advised that the Department of Intergovernmental Affairs has prepared the enclosed Public Notice announcing its intention to submit five (5) applications for NYRCRP funding to be utilized towards flood diversion and control projects to be undertaken within the Massapequas and requested that the Town Board authorize the Town Clerk to advertise the enclosed Public Notices thereby making the Town of Oyster Bay eligible for the NYRCRP funding,

NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and the Town Board hereby authorizes and directs the Town Clerk to advertise the enclosed Public Notices when directed by the Department of Intergovernmental Affairs.

-#-

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  
Intergovernmental Affairs

Reviewed By  
Office of Town Attorney

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

**TO:** MEMORANDUM DOCKET

**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS

**DATE:** MARCH 5, 2018

**SUBJECT:** SUPPLEMENTAL MEMO TO ITEM #9 OF THE 2/27/18 MEMORANDUM  
DOCKET:  
PUBLICATION OF PUBLIC NOTICE:  
MASSAPEQUA DRAINAGE: FLOOD DIVERSION AND CONTROL  
APPLICATIONS FOR FUNDING / REQUEST FOR PROPOSALS

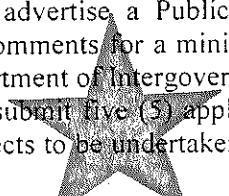
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In the aftermath of Hurricane Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), appropriating \$15.18 billion, to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant Disaster Recovery (CDBG-DR) funds for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted areas resulting from a major disaster declared due to Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013.

In March of 2013, HUD appropriated \$1.7 billion in CDBG-DR funding to the Housing Trust Fund Corporation's Governor's Office of Storm Recovery (GOSR) to fund the New York Rising Community Reconstruction Program (NYRCRP), a grant program designed to fund the development of Reconstruction Plans and facilitate the implementation of projects identified in Reconstruction Plans in Community Reconstruction Zones as identified by GOSR.


Massapequa and the Incorporated Village of Massapequa Park (The Massapequa's) have been identified collectively as one Community Reconstruction Zone by GOSR. GOSR has made up to \$26 million in NYRCRP funding available to the Massapequa's to facilitate projects identified in The Massapequa's New York Rising Community Reconstruction Plan.

Per NYRCRP guidelines, applicants for NYRCRP funding must advertise a Public Notice offering all citizens an opportunity to view the proposals and submit their comments for a minimum of seven (7) days in advance of application submission. In this regard, the Department of Intergovernmental Affairs has prepared the enclosed Public Notice announcing its intention to submit five (5) applications for NYRCRP funding to be utilized towards flood diversion and control projects to be undertaken within the Massapequa's.



Further, at this time the Department of Intergovernmental Affairs and Department of Public Works are finalizing the Request for Proposal document for this project with GOSR. Once approved by GOSR, a public notice shall be issued to request proposals from qualified engineering firms to provide Engineering, Design & Construction Management Services.

It is therefore, respectfully requested that the Town Board authorize the Town Clerk to advertise the enclosed Public Notices for these purposes when directed by the Department of Intergovernmental Affairs.

  
Frank V. Sammartano  
Commissioner

cc:  Attachments  
Town Attorney w/7 copies

**Public Notice**

**New York State CDBG-DR Application Available for Review**

The Town of Oyster Bay announces that it intends to submit five (5) applications for New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funds on or about March 23, 2018 for the following project:

**Massapequa Drainage: Flood Diversion and Control**

**Activity:** The Town of Oyster Bay is requesting Community Development Block Grant – Disaster Recovery (CDBG-DR) funding for intervention at Brockmeyer Drive, Clearwater Avenue, Iroquois Place, Seneca Place, Division Avenue, Cabot Road West and Harbor Drive in the Hamlet of Massapequa; and Philadelphia Avenue in the Incorporated Village of Massapequa Park. The proposed improvements were identified in a comprehensive drainage report that focused on existing infrastructure conditions that posed widespread flooding during Superstorm Sandy and Hurricane Irene.

**Objective:** These drainage infrastructure upgrades will provide solutions for unmet recovery needs pertaining to flood mitigation to ensure a more resilient, flood-protected community.

**Project 1:** Cabot Rd W and Harbor Place, Hamlet of Massapequa, Town of Oyster Bay, NY  
**Amount:** \$4,357,500.00 for Design, Construction and Project Delivery costs.

**Project 2:** Brockmeyer Dr, Clearwater Ave, Iroquois Pl, Hamlet of Massapequa, Town of Oyster Bay, NY  
**Amount:** \$4,305,000.00 for Design, Construction and Project Delivery costs.

**Project 3:** Division Avenue, Hamlet of Massapequa, Town of Oyster Bay, NY  
**Amount:** \$3,150,000.00 for Design, Construction and Project Delivery costs.

**Project 4:** Philadelphia Avenue Area, Village of Massapequa Park, NY  
**Amount:** \$2,310,000.00 for Design, Construction and Project Delivery costs.

**Project 5:** Seneca Place, Hamlet of Massapequa, Town of Oyster Bay, NY  
**Amount:** \$536,704.35 for Design, Construction and Project Delivery costs.

A copy of the applications will be available for review at Town of Oyster Bay, Town Hall South, Department of Intergovernmental Affairs, 977 Hicksville Road, Massapequa, NY 11758 during normal business hours.

All citizens, particularly persons of low- and moderate-income and residents of blighted areas, as well as those affected by the project are encouraged to view proposals and submit their comments by March 23, 2018 to the Town at the following address:

ATTN: Colin Bell, Deputy Commissioner  
Department of Intergovernmental Affairs  
Town of Oyster Bay  
977 Hicksville Road  
Massapequa, NY 11758  
(516) 797-4187  
[cbell@oysterbay-ny.gov](mailto:cbell@oysterbay-ny.gov)

Additional information regarding the availability and use of CDBG-DR funds is available upon request.

## REQUEST FOR PROPOSALS

PLEASE TAKE NOTE that the Town of Oyster Bay has issued a Request for Proposals for Professional Engineering Services for:

**ENGINEERING, DESIGN & CONSTRUCTION MANAGEMENT  
SERVICES FOR FLOOD DIVERSION AND CONTROL PROJECTS FOR MASSAPEQUA  
AND MASSPAEQUA PARK,  
AS DEFINED IN THE NY RISING COMMUNITY RECONSTRUCTION (NYRCR) PLAN, CDBG-DR MASSAPEQUAS**

**SOLICITATION NO. 208-01  
CONTRACT NO. H18-171**

This is a project funded by and conceived through the NY Rising Community Reconstruction Program of the Governor's Office of Storm Recovery.

The Town of Oyster Bay is eligible to apply for U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) funding for disaster recovery projects. Funding will be delivered through the NY Rising Community Reconstruction (NYRCR) Program, within the New York State Governor's Office of Disaster Recovery (GOSR). Accordingly, respondents are obligated to comply with applicable federal and state laws and regulations governing the CDBG-DR program, as well as with the Town of Oyster Bay's Procurement Policy and Procedures. In addition, respondents are obligated to comply with all municipal codes, ordinances, and regulations. The successful responder must understand that no payments can be made for services until acceptance of the CDBG-DR application.

RFP packets may be examined and obtained at the Town of Oyster Bay Department of Public Works, Division of Engineering, 150 Miller Place, Syosset, New York 11791, between the hours of 9:00am and 4:45 pm, daily except Saturdays, Sundays and Holidays on and after \_\_\_\_\_. For information, please call the Division of Engineering at (516) 677-5714.

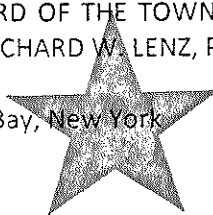
A mandatory pre-proposal meeting will be held on \_\_\_\_\_ at Town of Oyster Bay Town Hall South, 977 Hicksville Road, Massapequa, New York 11758. A full schedule of proposal activities is detailed in the RFP packet.

The proposal packets may be hand delivered or mailed to the Town of Oyster Bay. One (1) original and five (5) copies of the proposal must be delivered in a sealed envelope and received by the Department of Public Works no later than \_\_\_\_\_. Proposal packets will not be accepted after \_\_\_\_\_ on the due date. NO EXCEPTIONS SHALL BE GRANTED.

The Town of Oyster Bay reserves the right to reject any and all proposals. The Town of Oyster Bay encourages minority and women-owned businesses (MWBE) to participate in all Town proposals. The Town of Oyster Bay will not reimburse any individual or firm for any costs associated with the preparation of their proposal statement.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY; Supervisor JOSEPH S. SALADINO , JAMES ALTADONNA, JR., Town Clerk, RICHARD W. LENZ, P.E., Commissioner of Public Works/Highway.

Dated: March 13, 2018, Oyster Bay, New York



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

**TO:** MEMORANDUM DOCKET

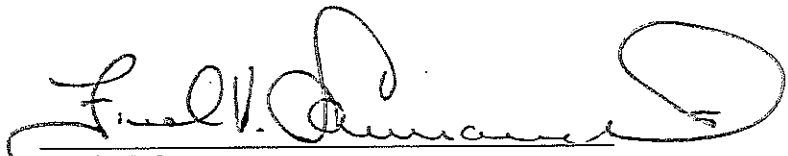
**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS

**DATE:** FEBRUARY 26, 2018

**SUBJECT:** PUBLICATION OF PUBLIC NOTICE:  
MASSAPEQUA DRAINAGE: FLOOD DIVERSION AND CONTROL  
APPLICATIONS FOR FUNDING / REQUEST FOR PROPOSALS

---

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of March 13, 2018. Details will follow by supplemental memorandum.

  
Frank V. Sammartano  
Commissioner

cc: Town Attorney w/7 copies



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 2, 2018, requested Town Board approval to conduct a Town of Oyster Bay "Spring Dust Off" car show, to be held at TOBAY Beach on Saturday, April 28, 2018, from 11:00 am to 3:00 pm, with a rain date of May 6, 2018, or as otherwise determined by the Department of Parks; and

WHEREAS, there shall be a registration fee for all cars showing at the event, set at \$15.00 for all cars pre-registered prior to the date of the event, and at \$25.00 for all cars registering on the day of the event and all spectators attending the event shall be admitted free of charge; and

WHEREAS, food and beverage will be available for purchase by the public from the Town concessionaire at the restaurants at TOBAY, as well as on-site locations to be operated by the concessionaire, and event entertainment will be provided through the concessionaire, at no additional cost to the Town, with the selection of talent to be approved in advance by the Commissioner of Parks or his designee; and

WHEREAS, Commissioner Pinto, by the same memorandum, sought Town Board approval to accept the addition of sponsors, vendors and exhibitors to the event, at a fee to be established and collected by the Department of Parks; and

WHEREAS, all sponsors/vendors/exhibitors must be legal, accredited businesses in good standing within the state of New York and will be required to provide such documentation upon request, and all sponsors/vendors/exhibitors must file a Certificate of Insurance with the Office of the Town Clerk, indicating said sponsor/vendor/exhibitor maintains general liability insurance, in the amount of \$1,000,000.00 per occurrence, with a general aggregate of \$2,000,000.00, naming the Town as an additional insured, in connection with the aforementioned activities; and

WHEREAS, The Department of Parks requested Town Board approval to produce a commemorative t-shirt to be sold at the event only at a cost not to exceed \$20.00 per shirt; and

WHEREAS, all monies collected from said event which shall include, but not be limited to, car registration fees, event sponsor fees, vendor fees, exhibitor fees and commemorative t-shirt revenue, shall be deposited in the Town of Oyster Bay General Fund Account TWN A0001 02770 590 0000. Upon event reconciliation, 35% of total monies received from 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; 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,

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Reviewed By  
Office of Town Attorney  
Elizabeth A. Faughnan

NOW, THEREFORE, IT IS RESOLVED, that, subject to the foregoing, the Department of Parks is directed and authorized to present the Town of Oyster Bay "Spring Dust Off" car show, to be held at TOBAY Beach on Saturday, April 28, 2018, from 11:00 am to 3:00 pm, with a rain date of May 6, 2018, or as otherwise determined by the Department of Parks upon all the terms set forth hereinabove; and it is further

RESOLVED, That all monies collected from said event shall be deposited in the Town of Oyster Bay 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.

-#-

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  
Parks

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## TOWN OF OYSTER BAY Inter-Department Memo

**TO:** MEMORANDUM DOCKET

**FROM:** JOSEPH G. PINTO, COMMISSIONER OF PARKS

**DATE:** March 2, 2018

**SUBJECT:** TOBAY CAR SHOW

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The Department of Parks requests Town Board approval to conduct a Town of Oyster Bay "Spring Dust Off" car show to be held at Tobay Beach, Saturday, April 28<sup>th</sup>, 2018 from 11:00am to 3:00pm. A rain date for the event is set for May 6<sup>th</sup>, 2018 or otherwise determined by this department.

There shall be a registration fee for all cars showing at the event. Fees will be set as follows:

\$15.00 for all cars pre-registered to the date of the event  
\$25.00 for all cars registering the day of the event

Car owners shall be required to fill out a registration form to register their vehicle online or at a designated location within the Town of Oyster Bay prior to the date of the event.

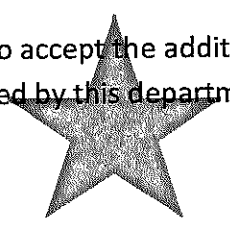
All spectators attending the event shall be admitted free of charge.

Food and beverage shall be available to the public for purchase from the Town concessionaire at the restaurants at Tobay, as well as on site locations, to be run by concessionaire.

Event entertainment shall also be provided through concessionaire, at no additional cost to the Town of Oyster Bay, with talent selection to be approved by Commissioner of Parks or his designee.

The Department of Parks is seeking Town Board approval to accept the addition of sponsors, vendors and exhibitors to said event, at a fee, to be collected by this department.

Sponsors/vendor/exhibitor fees are as follows:



#### TITLE SPONSOR

Title sponsorship shall be limited to no more than three organizations and shall include the logo and/or wordmark in the title of the event and appear as such on all promotional impressions, including but not limited to printings, posters, banners, press releases, media promotion and/or advertising and mailings and shall appear on the front of the event commemorative t-shirt. Title sponsor(s) shall be entitled to a dedicated area at the event, designated by this department for any promotional displays, advertising and giveaways. Valuation of Title Sponsor shall be set by this department and shall not exceed \$5,000.

#### EVENT SPONSOR

Event sponsors shall be included on all promotional impressions by logo and/or wordmark, including but not limited to printings, posters, banners, press releases and mailings and shall appear on the back of the event commemorative t-shirt. Event sponsors shall be entitled to a dedicated area at the event, designated by this department, for any promotional displays, advertising and giveaways. Valuation of Event Sponsor shall be set by this department and shall not exceed \$2,500.

#### SPONSOR

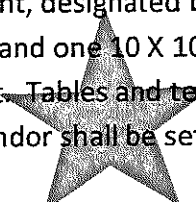
Sponsors shall be included in all mailings by logo and/or wordmark and shall be entitled to a dedicated area at the event, designated by this department, for any promotional displays, advertising and giveaways. Valuation of Sponsor shall be set by this department and shall not exceed \$1,000.

#### IN-KIND SPONSOR

In-Kind sponsors shall be included in promotional material and may be entitled to a dedicated area at the event, designated by this department, based on their commitment of service and/or promotional value provided to the event, to be determined by the Commissioner of Parks or his designee.

#### VENDOR

A vendor shall be allotted a 10 X 15 area at the event, designated by this department, and up to two 8ft table, one 6ft table and one 10 X 10 tent to sell product directly the spectators attending the event. Tables and tent shall be the responsibility of the vendor. Valuation of a Vendor shall be set by this department at \$150.



## EXHIBITOR

An exhibitor shall be allotted a 10 X 15 area at the event, designated by this department, and up to two 8ft tables, one 6ft table and one 10 X 10 tent to display product and hand out product related literature directly to the spectators attending the event. Tables and tent shall be the responsibility of the exhibitor. Valuation of an Exhibitor shall be set by this department at \$150.

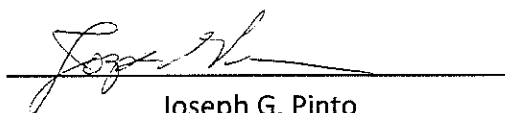
All sponsors/vendors/exhibitors must be legal, accredited businesses standing within the state of New York and will be required to provide such documentation upon request including but not limited to current certificate of insurance naming the Town of Oyster Bay as additionally insured.

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

The Department of Parks is seeking Town Board approval to produce a commemorative t-shirt, highlighting the event, to be sold at the event by this department. Shirts shall be ordered through the Town procurement policy. Shirts will be available for public purchase at the event only and will be set at a cost not to exceed \$20 per shirt. Cost will be determined by this department.

All monies collected from said event which shall include but are not limited to car registration fee, event sponsor fee, vendor fee, exhibitor fee and commemorative t-shirt revenue shall be deposited in the Town of Oyster Bay General Fund Account TWN A0001 02770 590 0000 and upon event reconciliation, 35% of total monies received from 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

The Department of Parks recommends Town Board approval.



Joseph G. Pinto  
Commissioner of Parks

JGP

Cc: Town Attorney (+ 7 copies)



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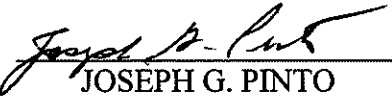
**TOWN OF OYSTER BAY**  
**Inter-Departmental Memo**

**FEBRUARY 27, 2018**

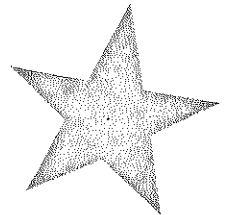
**TO: MEMORANDUM DOCKET**  
**FROM: JOSEPH G. PINTO, COMMISSIONER, DEPARTMENT OF PARKS**  
**RE: "SPRING DUST OFF" CAR SHOW - SATURDAY, APRIL 28, 2018**

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Kindly save a space on the March 13, 2018 calendar. Supplemental memo to follow.

  
\_\_\_\_\_  
JOSEPH G. PINTO  
COMMISSIONER  
DEPARTMENT OF PARKS

cc: Town Attorney (Original + 7 copies)



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated February 23, 2018 and March 8, 2018, has advised that following the adoption of Town Board Resolution No. 33-2018, Cashin Associates, P.C. performed engineering services relative to the preparation of a Project Labor Agreement ("PLA") for repairs to the Hicksville Parking Facility; and

WHEREAS, Cashin Associates, P.C. prepared and submitted an "Investigation of Project and its Regional Setting in Relation to the Use of a Project Labor Agreement," which investigation determined that the Town would enjoy a number of benefits under a PLA including, without limitation, minimization of jurisdictional disputes between trades, mandated participation of apprentices at favorable ratios, a highly skilled and educated workforce, and an estimated cost savings of approximately \$2,891,850.00; and

WHEREAS, in recognition of the complexity of the work and the need to deliver the project in an expedited fashion, Commissioner Lenz recommends that the Town Board accept the Cashin study and investigation and authorize the use of a PLA for the repairs to the Hicksville Parking Facility,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board hereby accepts the Cashin Associates, P.C. "Investigation of Project and its Regional Setting in Relation to the Use of a Project Labor Agreement" relative to repairs to the Hicksville Parking Facility, and hereby authorizes the Department of Public Works and Cashin Associates, P.C. to begin negotiations with local construction trades to formalize a PLA for repairs to be made at the Hicksville Parking Facility.

-#-

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  
Public Works  
Highway

Reviewed By  
Office of Town Attorney  
*[Signature]*

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

MARCH 8, 2018

TO : MEMORANDUM DOCKET

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

SUBJECT : SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 28  
DOCKET OF FEBRUARY 27, 2018  
PROJECT LABOR AGREEMENT FOR  
REPAIRS TO THE HICKSVILLE PARKING FACILITY  
CONTRACT NO. H17-170

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In furtherance to Item No. 28 of the docket of February 27, 2018, Town Board Resolution No. 33-2018 authorized Cashin Associates, P.C. to perform engineering services relative to the preparation of a Project Labor Agreement ("PLA") for the Repairs to the Hicksville Parking Facility construction contract.

If the use of a PLA is desired on a public works project is contemplated, a municipality must perform a study to determine if there are significant benefits that could be realized, primarily financial. The initial scope of work for Cashin Associates, P.C. was to develop a cost estimate for the Repairs to the Hicksville Parking Facility project, based upon the plans and specifications prepared, prepare a feasibility study which outlines the potential benefits to the Town, and estimate the cost savings to the Town by utilizing a PLA.

Cashin Associates, P.C. has submitted the attached "Investigation of Project and its Regional Setting in Relation to the Use of a Project Labor Agreement" for Repairs to the Hicksville Parking Facility which finds that a Project Labor Agreement would provide the following benefits to the Town if utilized:

- Minimize jurisdictional disputes between trades
- Increased completion among contractors
- Cooperation between union and non-union contractors
- Standardization of work hours, holidays, and shift differential in order to meet the Town's schedule
- Mandated participation of apprentices at favorable ratios
- Highly skilled workforce
- Highly educated workforce
- Estimated costs savings of approximately \$2,313,630.

The estimated cost savings reflects, in part, the use of apprentices in the project labor force at the journeyman-apprentice ratios recommended by the New York State Department of Labor for the various trades. As part of the PLA negotiations, a journeyman-apprentice ratio of 1:1 will be pursued which could increase the estimated total savings to \$2,891,850.00.

Due to the complexity of the work, the need to deliver the project in an expedited fashion, and the significant projected cost savings, the Department of Public Works recommends that this Feasibility Study be accepted, and that a Project Labor Agreement be utilized for the Repairs to the Hicksville Parking Facility.

It is therefore requested that the Town Board, by Resolution, accept the Feasibility Study prepared by Cashin Associates, P.C., and further, authorize the Department of Public Works and Cashin Associates, P.C. to begin negotiations with the local construction trades to formalize a Project Labor Agreement for Repairs to the Hicksville Parking Facility.

  
RICHARD W. LENZ  
COMMISSIONER

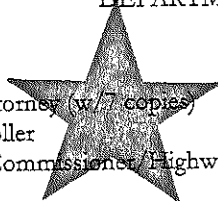
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

c: Office of the Town Attorney (w/ 7 copies)  
Steven Ballas, Comptroller  
John Bishop, Deputy Commissioner Highway

H17-170 DOCKET FS ACCEPT SUPP



# TOWN OF OYSTER BAY, NEW YORK

## REPAIRS TO THE HICKSVILLE PARKING FACILITY

Investigation of Project and its Regional Setting  
in Relation to the Use of a Project Labor Agreement

Prepared by:

**Cashin Associates, P.C.**

Engineering • Planning • Construction Management

1200 Veterans Memorial Highway, Hauppauge, New York 11788 - (631) 348-7600

**FEBRUARY 2018**

*Revised 3/8/18*

CA No. 18006.1

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**REPAIRS TO THE HICKSVILLE PARKING FACILITY**  
**Investigation of Project and its Regional Setting**  
**in Relation to the Use of a Project Labor Agreement**

February 2018

**I. Introduction**

The following will summarize Cashin Associates, P.C.'s investigation of factors relating to the appropriateness of the the Town of Oyster Bay (Town) incorporating a Project Labor Agreement (PLA) into the proposed renovation and repairs of the Hicksville Parking Facility (Project) located on Duffy Avenue proximate to the LIRR Hicksville Railroad Station.

**II. Purpose**

The purpose of this investigation is to provide information on regional construction industry experience and on The Project for use in determining whether its contract documents should incorporate a PLA. PLAs have been found extremely helpful to, among other effects, promote work site harmony, prevent costly delays resulting from strikes and lockouts, and provide a dispute resolution mechanism to resolve labor and jurisdictional conflicts. PLAs should also produce construction cost savings by providing uniform work schedules, work hours, holidays and overtime provisions, and assure quality workmanship by providing qualified skilled tradesmen for a project. PLAs can also increase opportunities for Minority and Women-Owned Business Enterprise and Apprenticeship Programs. Moreover, they can achieve labor concessions on some work rules contained in craft union collective bargaining agreements (CBAs) that may result in construction cost savings. PLAs are especially desirable on projects that incorporate construction schedules and milestones, the extension of which would cause significant hardship. PLAs will also enhance competitive bidding on projects by clarifying and stabilizing contractor/labor relationships on the particular project. Because a PLA tends to level the playing field on labor related issues during the bidding phase of a project and minority and disadvantaged business contractors have better opportunities on being awarded work on the project. Goals for minority firms and employees in the construction contract documents increases opportunities for such firms and individuals. By maximizing the number of apprentices employed on a project, the openings for first year term apprentices increases employment opportunities for women and minorities. As is mentioned elsewhere in this report,

the recent changes to the NYS General Municipal Law and other NYS statutes provide that when a PLA is incorporated into public sector building construction projects, a single prime contractor may provide all of the construction services as compared to multiple prime contractors before the changes were enacted. There are advantages for public owners only having to manage one contractor on a project rather than several. The Governor of the State of New York recognizes the potential benefits of PLAs and has issued Executive Order No. 49 requiring State agencies to utilize PLAs on projects when they are appropriate and legal (see Appendix A). Nassau County, the Town of Oyster Bay and the Town of North Hempstead have included PLAs on their capital projects.

### III. Project Description

- The Hickville Parking Facility is a four (4) level parking garage that provides 1,440 parking spaces for Town residents that is located on Duffy Avenue near the LIRR Hicksville train station. The building consists of approximately 500,000 sf of total space. Two levels of parking are below the grade or entrance level parking deck and one (1) deck at roof level. The building foundation is constructed of a basement level reinforced cast in place concrete slab and interlocking sheet steel piling as perimeter walls to grade level. Above grade perimeter walls are concrete. Ramps are of cast in place reinforced concrete and deck slabs are constructed of reinforced Filigree concrete. Filigree concrete is partially pre cast and cast in place concrete with large voids at strategic locations where stresses are low to minimize dead weight and reduce the volume of concrete required. Lighting, plumbing, mechanical ventilation, security, fire detection and suppression and carbon monoxide detection systems are also included as are two (2) hydraulic elevators, lavatories and office space.

The Project is for the repair, replacement and reinforcement of structural slabs because of serious cracking of those members that have developed. Some cracks partially penetrate the slabs and some have formed thru the entire cross section. Cracking has formed in both cast in place concrete slabs and in the Filigree slabs. Thru cracking is confined to the Filigree slabs. In areas where cracks have fully penetrated, the slabs will be demolished and replaced with new cast in place 6,000 psi concrete. The other cracks will be repaired with high

strength crack sealant materials. Filigree slabs to remain will be reinforced by the application of some 100,000 sf of carbon fiber reinforced polymer (CFRP) cemented to the underside of the slab which also increases the slab's carrying capacity. New construction joints are also included where appropriate. Sections of the steel sheet piling show evidence of corrosion and will be repaired.

Lighting, fire detection and suppression and other systems conduit, wiring and components are either affixed to or embedded in the slabs and will be removed and replaced as required. Work also includes joint repair, waterproofing and painting. The work will also include repairs or replacement of the elevators.

Currently, temporary shoring and bracing has been installed in critical areas and about 240 spaces have been taken out of service for safety considerations. Because of its intense use and importance, construction duration is nine (9) months which includes a three (3) month shutdown during which the Facility will be closed to the public. Shift work may be required to accomplish these schedules. The Town will provide temporary off site parking and shuttle service for patrons that rely on the Facility during the closure. The daily cost of providing off site parking and shuttle service has been estimated at \$1,100 per day. (See Appendix H)

Construction contracts will be bid and awarded pursuant to the New York State General Municipal Law, including NYSGML Section 101 also known as the Wicks Law. The recent revisions to the Wicks Law (see Appendix A1) allows that a public body in New York State can use a single prime contractor when the project includes a PLA regardless of its size and cost in lieu of the minimum four prime contractors (General, Electrical, Plumbing and HVAC) for projects costing \$1.5 million or more in Nassau and Suffolk Counties without incorporating a PLA. This threshold varies by NYS region. However, the revised Wicks Law also provides that, at the time of bidding, the prime contractor must submit the names and cost proposals of his plumbing, electrical, and HVAC subcontractors in a separate, sealed envelope. There is no opportunity to change the subject bids after the fact except with the owner's approval. Most construction professionals consider that the single prime alternative provides a cost advantage over the multiple prime scenario. It also reduces the potential of claims against the owner by having a single Prime Contractor in lieu of the four (4) otherwise required because the single

Prime's work is not affected by actions of another prime contractor on the project. However, many construction specialists believe that this will likely result in less competition and increased bids on large projects because fewer contractors may have the bonding capacity for them. This should not be a factor on this project as it is not a large project. Although it is difficult to estimate the savings, the recent revisions to PLA requirements regarding single prime contractor will reduce the potential for delay claims by prime contractors and also reduce construction management costs as compared to managing four (4) separate prime contractors.

Due to the intense public use of the Facility, time is of the essence for project completion. This is especially acute for completion of work performed during the three (3) month shutdown. By having a single prime perform all of that work as permitted with a PLA, scheduling is simplified. With multiple prime contractors, the owner must coordinate the schedules of each. This can lead to delays.

Based on the findings of this feasibility study, the Project can be bid with a PLA, so the Wicks Law requirement of separate prime contractors for plumbing, HVAC and electrical work will not be required. It is estimated that approximately 88,890 man-hours of total labor costs with a weighted average hourly rate of \$77.11 will be expended on this project. Due to the characteristics of this renovation project, highly skilled craftsmen will be needed to successfully complete the project.

As shown in Appendix G, it is estimated that on the average 58 trades persons will be employed on the the Project. Their skills will represent a variety of disciplines and include Carpenters, Electricians, Operating Engineers, Surveyors, Concrete Masons. Painters, Roofers and Waterproofers, Sheet Metal Workers, Steam Fitters, Teamsters, Plumbers, Building and Heavy Construction Laborers, Elevator Constructors and Iron Workers. Based on the work of this study, local trade organizations stated that they are prepared to provide the necessary skilled craftsmen and apprentices to perform the work required to successfully complete the project on schedule. They have also indicated acceptance of the PLA provision that apprentices in the apprentice to journeyman ratio of one (1) apprentice to one (1) journeyman can be met. Utilizing registered apprentice labor instead of journeymen labor at this 1:1 ratio can result in significant labor cost savings on the project because the wage and supplemental prevailing wage rates, depending on the term of the apprentices training can be substantial. Because the Project

work is highly labor intensive, use of apprentices in lieu of journeymen to the greatest extent practical is particularly important in reducing Project costs. (See Appendix I)

The New York State Department of Labor (DOL) publishes suggested apprentice to journeyman ratios for the various construction trades. They vary from 1:1 to as few one (1) apprentice to five (5) journeyman, depending on the trade. Since the DOL criteria are widely published and recognized in the local construction industry, including the craft local unions that will supply the apprentices and journeyman, the DOL ratios are more likely achievable on the Project. Appendix I also includes an estimate of the cost savings that would result from those ratios being mandated by the Project PLA.

#### IV. Approach

The regional background evaluated as part of this study included:

- Identifying large public sector building construction projects bid over the past several years. The regional projects investigated ranged in value from \$5 million to \$100.3 million. A listing of the projects identified is included in Appendix B. The listing was obtained from "Dodge Reports" and typically lists the owner, contractor(s) and value of the project. From that information, a determination was made about the union affiliation of the contractors. Where the status was uncertain, the owners and/or contractors were telephonically interviewed to make a determination.
- Contacting as many owners and other knowledgeable persons as possible by telephone in an attempt to identify whether labor related disputes occurred on the respective projects. If they did occur, the nature, cause and effect of those disputes were identified.
- Evaluating recently completed ongoing projects in the Nassau and Suffolk County region that incorporate a PLA to determine its actual benefits.
- Evaluating the history of recent PLA negotiations for public sector projects in the Long Island region and the time required to develop a fully executed PLA.

- Reviewing the bidding documents prepared by the design professional retained by the Town for the Project to determine:
  - 1) the building trades that will be involved in the construction;
  - 2) the time constraints including the schedule and critical milestones for the project; and
  - 3) the potential impacts if those milestones are not met due to delays. Potential causes of delay, include, among others, work stoppage due to labor strikes or contractor lockouts.
- Reviewing the CBAs of the local trade unions having jurisdiction on the project to determine work rules, wages, supplemental benefits, work hours, shift differentials and holidays. Since the CBAs of only nine (9) of the estimated sixteen (16) participating locals supplied them, a recent NYS Department of Labor Wage Rate Determination for a project in Suffolk County, NY was used to supplement that information. It is included in Appendix D.
- Assessing the potential for construction cost savings that could flow from incorporation of a PLA into the project, including the furtherance of the State of New York's competitive bidding statute goals.

## V. Findings

The Suffolk County, NY project entitled, "Renovations and Additions to First and Second Police Precincts" incorporated a PLA. In addition to cost benefits, a factor in the adoption of the PLA for the project by Suffolk County, was the critical nature of the construction schedule. The construction was being performed by four (4) prime contractors as required by Section 101 of the N.Y.S. General Municipal Law, also known as the "Wicks Law". One of the contractors was "non-union". There were a number of labor related disputes that developed on the project. However, because of the no-strike/no-lockout provision of the PLA and the mandatory arbitration provision of that agreement, all such issues were resolved without any impact on the project schedule. A significant issue that could have affected the Precincts project was the

likelihood of a general or area wide strike by the Plumber's Local 200. Because of the no-strike/no-lockout provisions of the PLA, this action would not have affected construction at the site. Both the plumbing contractor and Local 200 acknowledged that they were bound by the no-strike/no-lockout provisions of the PLA and committed to abide by it. Therefore, the area wide strike would not have affected the Precinct project (see Appendix F). The project was successfully completed in 1999 without any labor trouble.

The PLA for the Suffolk County Police Precincts Project was challenged in Federal Court by a mechanical contractor who had submitted the low bid for that work, but refused to sign the PLA or be bound by it, and by a trade association representing contractors with non-union work forces. In that case, the PLA was challenged on the grounds of ERISA preemption and violations of federal due process and equal protection rights, together with state law claims under the General Municipal Law and the Labor Law. The Court denied plaintiff's request for an injunction prohibiting the use of the PLA, and dismissed all Federal claims challenging the validity of the PLA. Specifically, the Court found that the County was acting in a proprietary capacity when it contracted for the construction of the Project and, as such, the PLA was not barred by the provisions of ERISA. The Court declined to entertain any claims against the PLA based upon the New York State Law.

The renovations to Suffolk County's Dennison Office Building at the County Center, Hauppauge, New York also incorporated a PLA into the contract documents. A number of labor related issues arose on the project that had the potential to cause work stoppage. However, they were avoided due to the arbitration provisions and the work site harmony engendered by the project's PLA. The Dormitory Authority of the State of New York (DASNY) under agreements with Suffolk County, NY entered into contracts for the construction of the Suffolk Community College Multi-Purpose Health Technology Facility ("MPHTF") located at the Brentwood, NY Campus. Construction commenced in the Spring of 1998. The term of construction was twenty-four (24) months and the cost of construction was about \$55 million. MPHTF construction was subject to the Wicks Law and six (6) prime contractors performed the work, including Cashin Associates, P.C. (CA). Among other items, CA was responsible for General Conditions work. CA's PLA was incorporated into each of the construction contracts. Salient provisions of the PLA included:

- No strikes/lockouts for any reason whatsoever. As discussed elsewhere in this report, there appears to be a trend in the L.I. region whereby some trade locals refuse to sign PLAs and those locals are not bound by this provision;
- Uniform work hours;
- Standard 8-hour per day/40 hours per week schedules without overtime assessments;
- Working shop stewards;
- No discrimination against contractors and craftsmen regardless of union affiliation;
- Guarantees contractors' rights to determine means and methods;
- Mandatory arbitration for labor related grievances and jurisdictional disputes; and
- Craftsmen's rights to select benefits fund, pursuant to law.
- Can help ensure that minority and women owned business enterprises (MBE and WBE) are used to the greatest extent by allowing non-union affiliated firms subcontract work to affiliated prime contractors.
- Can be used to increase apprentice participation on projects by requiring that to the greatest extent practicable, the NYS Department of Labor Apprenticeship ratios be met. This ensures lower labor costs on the project and an adequate supply of skilled labor for the future.

Two (2) of the six (6) prime contractors awarded contracts on the MPHTF were non-union. They were the HVAC and General Conditions contractors. All six (6) contractors and their subcontractors as well as twenty-one (21) craft union locals involved on the project were signatory to the PLA. Some labor related disputes arose on the project. They included grievances against a union subcontractor by four (4) craft locals for failure to pay fringe benefits in a timely manner and the failure of the non-union HVAC contractor to abide by the PLA in the production of shop and working drawings. Potential work stoppage and lockouts were prevented by active intervention of the grievance committee and mandatory arbitration of jurisdictional and manning dispute. In addition, the union plumbers continued working on the project in accordance with the provisions of the PLA although the plumbers union went on strike in 2000. The project was successfully completed in September 2000.

Other Nassau and Suffolk County projects built under a PLA and successfully completed or still under construction during recent years include:



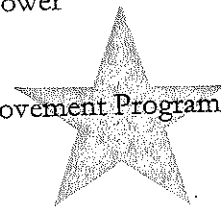
- a. Construction of Sixth Police Precinct in Selden, New York, progressed smoothly. Construction on the project started in October 2002 and no labor disruptions or disputes were reported. The Project was completed in December 2004.
- b. Work started on the Suffolk County Courthouse on Griffing Avenue, Riverhead in September 2004 and was completed in 2008. There have been no reports of any labor disputes or disruptions. The cost of the project is approximately \$35 million.
- c. Work on the Suffolk County Jail Replacement started in the summer of 2007. The bid packages for the work are under a PLA and there have been no reports of labor disputes or disruptions.
- d. Site work on the Fourth Police Precinct in Smithtown started in August 2008 is complete. The work progressed well under a PLA with no reports of labor disruptions.
- e. Work started on Smithtown Library Special District Expansion and Renovation in March 2010 and has been completed under a PLA with no disruptions.
- f. Construction of Wastewater Treatment Facilities in Suffolk County Sewer District No. 1 – Port Jefferson with PLA and was completed with no disruptions.
- g. Work started on Suffolk County Sewer District No. 18 – Hauppauge Industrial Complex in April 2011 and is presently under construction and is progressing under a PLA. A labor dispute was successfully resolved under the arbitration procedures specified in the PLA.
- h. The New York State Thruway Authority is constructing a replacement for the Tappan Zee Bridge between Westchester and Rockland Counties. The construction cost is approximately \$4 billion. The project incorporates a PLA and is being performed by a single prime contractor. Upto 1,200 trades persons have been employed on the project at the peak of construction and is now down to about 700. Over 30 labor and jurisdictional disputes have developed thus far. All were settled pursuant to the Grievance provisions

included in the PLA without work stoppages or slow downs. The Authority reported that it is very pleased that a PLA was included as a contract provision.

*The following are from the PLA list on Nassau-Suffolk Building Trades website downloaded January 2018:*

North Hempstead	2010 - Community Center
Renaissance Technology	2009 - Renaissance Expansion Project
Nassau University Medical Center	2009 - Hospital
Nassau Community College	2009 - Life Sciences Building
Suffolk Community College	2009 - Resource Learning Center – Eastern Campus
Huntington Town	2008 - Dix Hills Ice Rink
Smithtown Library Smithtown Library Branches	2009 - Additions/Alterations
Suffolk County	2010 - Suffolk County Sewer District No. 18
Pinnacle Hotel	2010 - Pinnacle Hotel at Exit 68
Great Neck Water Pollution	2010 - Great Neck Water Pollution Control District
Town of N. Hempstead	2010 - Manorhaven Pool Complex
Melville	2010 - Canon Headquarters

Suffolk Community College Ammerman Campus	2013 - Renovation of Riverhead Bldg.,
Long Beach	2013 - Long Beach Boardwalk Restoration
Nassau County PLA: 2011	
Aquatic Center Renovation - \$20 million construction cost	
New Police Lab - \$20 million construction cost	
New Turf Fields at various parks - \$ 17 million construction cost	
Bay Park Wastewater Treatment Plant renovations - \$ 75 million construction cost	
Cedar Creek Wastewater Treatment Plant renovations - \$35 million const. cost	
Family & Matrimonial Court - Phase 1 - \$15 million construction cost	
Restoration Nassau County Police Firearms Training Center - \$10 Million const cost	
Suffolk County	2011 - Enxco Solar Project
Suffolk County	2011 - Suffolk County Sewer District No. 3 - Bergen Point
Town of Oyster Bay	2012 - Renovation of Allen Park
South Nassau Comm. Hospital	2012 - Certain Renovation South Nassau Communities Hospital
Suffolk Community College	2012 - New Life Science Building - Ammerman Campus
Stony Brook Medical Center	2013 - New Medical & Research Translation Beds & Support Tower
Long Island Railroad PLA	2013- 2015 Capital Improvement Program



NCC Student Services Center	2013 - NCC Lower Level Student Services Center
Suffolk Community College	2013 - Learning Resource Center – Grant Campus
Suffolk Community College	2013 - Health & Wellness Center – East Campus
Suffolk Community College	2013 – Ammerman Campus, Renovation Riverhead Building

The President of the Building and Construction Trades Council of Nassau and Suffolk Counties was questioned regarding labor harmony on the above projects which included PLAs. He reported that for the most part, all projects ran smoothly with no disruption due to labor/contractor or jurisdictional disputes between trades. In the few instances where disputes occurred, they were resolved in accordance with the dispute resolutions in the PLA with no disruption to the work flow.

Based on direct experience with PLAs by the Council in the Long Island region, PLAs do result in job site harmony, avoid delays and avoid costs and damages associated with delays and labor disputes.

On the other hand, projects without PLAs in Nassau/Suffolk County have experienced labor problems resulting in project delays and cost overruns. A recent case of a Suffolk County project without a PLA concerns the Tabler Cafe Renovation Project at SUNY Stony Brook. The construction on the Tabler Cafe started in June 2003 and was estimated to cost approximately three (3) million dollars and be completed by November 2003.

The Tabler Project experienced labor problems which started in mid-August 2003. The labor dispute was associated with a non-union mechanical steam fitter subcontractor who apparently did not have an approved apprenticeship program. As a result of union information line (pseudo-picketing), five (5) work days had been lost as of mid-September 2003. The completion of the project had slipped to the second quarter of 2004, a delay partially attributable to job disruptions and ripple effect on the project activities caused by the labor dispute mentioned above.

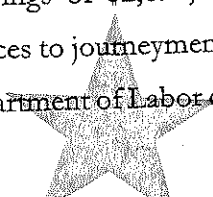
- During times of peak construction activity, up to 120 skilled tradesmen will be employed on this Project. It is estimated that an average of 58 tradesmen will work on the Project. According to the Building and Construction Trades of Nassau and Suffolk Counties, the Long Island region labor pool contains adequate numbers of skilled tradesmen and apprentices to meet this demand along with the demands of presently ongoing and anticipated future building projects. In the past, all of the craft locals that would be employed on The Project were affiliated with the Council and the Council would act as the local's collective bargaining agent during PLA negotiations. In May 2011, Engineers Local 138 (Operating Engineers) resigned from the Council and was no longer represented by it and Local 138 was not party a party to PLAs negotiated at that time. According to the Building and Construction Trades, Local Union 138 has resumed its membership and will now be party to PLAs.
- A number of CBAs reviewed in connection with the preparation of this Study will expire during the Project construction term. This gives rise to the potential of area wide strikes if negotiations and reaching agreements with affiliated contractor associations are unsuccessful. Having a PLA on the Project will eliminate this potential. The CBA expiration dates for those CBAs obtained for this Study are listed in Appendix J.

A review of public sector jobs in the \$5 million and larger range awarded in the region over the last five years reveals that virtually all construction contracts were awarded to contractors having their base of operations in the Long Island Region. Over 80 percent of those contractors were union affiliated. Reports from trades union organizations (Appendix C) in Long Island indicate that there was picketing against non-union contractors on several projects resulting in work stoppages on over ten (10) projects. None of those projects incorporated PLAs.

Uncertainty about labor relations with the local trade union organizations is a deterrent to non-regional contractors. Incorporation of a PLA into The Project's bid documents will remove that uncertainty and will promote competition by out-of-region contractors. During this analysis, construction professionals in the construction industry, trade union organizations and the public sector were interviewed and all confirm Cashin Associates' opinion in this regard. In addition to promoting competitive bidding, the PLA will also

enhance opportunities for union affiliated and non union minority contractors and subcontractors, provide uniform work shifts, work hours, holidays shift pay and working shop steward requirements. The workday defined in the various Schedule "A" collective bargaining agreements in force in the Long Island region ranges between 35 to 40 hours. Paid holidays vary also. They range from 7 days to 11 days, depending on the unions involved (Appendix G). The requirements for shop stewards are also variable, depending on the particular Schedule A. The requirement ranges from none regardless of size of workforce to a shop steward when only two (2) or more union craftsmen are employed. The PLA would standardize the workday at 40 hours and the number of paid holidays to eight (8) for The Project. Consequently, overtime pay would be reduced and the inefficiencies of split work shifts would be eliminated. Including the requirement in the PLA that Shop Stewards not exercise any supervisory functions, receive only the regular rate of pay for their craft classifications and perform the ordinary work required by their craft classifications will also reduce costs. The Project will likely require shift work, especially during the Facility three (3) month shut down period. Depending on the trade, shift differential pay can be double the normal wage plus supplementals rate. By standardizing on a 15% rate for all craft unions should significantly reduce those costs. The PLA would also mandate the maximum participation by apprentices on a one (1) apprentice to one (1) journeyman ratio. Apprentice wage plus supplements rates, depending on term (years of experience in trade) of apprenticeship can be 60% of journeyman rates. The Project, due to the nature of the work is labor intensive. This PLA provision alone can result in significant cost savings. Because there is no certainty that a contractor would utilize shift work rather than an increased work force during a single shift, an estimate of this potential savings as a result of the standardized shift work differential in the PLA was not performed for this Study

It is CA's opinion that the increased competition, uniform holidays, shifts and work days, the use of working stewards and utilization of apprentices and journeymen on a 1:1 ratio basis negotiated under a PLA can result in construction cost savings of \$2,891,850, approximately 22% percent of the total project cost. Use of apprentices to journeymen in accordance with the ratios recommended by the New York State Department of Labor can result in a cost savings of \$2,188,653 or 16.6%.



## VI. Recommendations

CA's investigation has examined the major factors that should be considered when a public owner decides whether to use a PLA for a major construction project. Based upon all of the above, CA finds that:

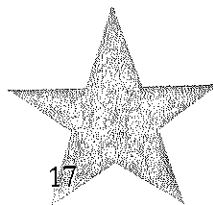
- The LI region construction trades are highly unionized;
- Due to the number of local trade unions likely to be involved in The Project, the potential for jurisdictional disputes to arise is high.
- Based on the past history of projects of comparable magnitude in the LI region, the contractors likely to be awarded the work will be union contractors;
- By providing a single collective bargaining agreement with all of the craft locals, a PLA should induce more contractors to bid on The Project and thereby enhance competition because it will remove uncertainties about labor. If necessary, separate PLA's should be considered with craft locals that refuse to be represented by the Building Trades Council or otherwise refuse to sign on to the Council's PLA. The terms and conditions of those separate agreements should be identical or contain more concessions as compared to the one negotiated by the Building Trades Council of Nassau and Suffolk Counties, NY.
- Labor unrest has been prevalent on multi-prime projects in the LI region, particularly when some of the involved contractors are unionized and others are not. Several of the prime contracts will be small. From regional experience, the likelihood that non-union bidders will successfully bid these small contracts is high. And the probability that the larger contracts will go to union contractors is similarly high. A PLA will minimize the potential for job site disharmony under the likely circumstance of a union/non-union contractor mix on the Project. Moreover, if the Town elects to take advantage of the "single prime" provision of the revised "Wicks Law", the potential conflicts associated with multiple prime contractor construction will be obviated.

- A PLA will standardize work hours, holidays, and shop steward work requirements. It will also maximize apprenticeship participation on the project.
- A PLA will provide a pool of skilled labor necessary to perform the required work within the allotted durations.
- Public Works projects require that contractors build this project to the rigid standards necessary and specified in the contract is essential that each individual working at the site install the work with quality and care and to those specified standards especially concerning the most important demolition sequence. PLA's provide a labor pool educated and experienced in the construction of every type of project to the highest standard specified by the architect and/or engineer. The Nassau Suffolk Building Trades Council has rigorous training and certification programs that train labor in the installation of the latest products, latest equipment, and latest supplies to the most rigorous standards.
- Unsafe and inappropriate work practices by an unskilled labor force could have an adverse impact on construction operations, security requirements and health and safety conformance. The training in general workplace safety, and OSHA And Hazmat standards received by trade labor from their locals is an invaluable asset to the safe construction and occupancy of the project. Site safety is by far one of the most critical aspects of construction. Construction costs and insurance premiums continue to rise due to accidents and new legislation is necessary for the protection of workers. The Nassau Suffolk building trades Council members stress training their members as a number one priority and they provide continuous education and ongoing training and safety in the CBAs.
- It is expected that all contractor work will be installed in accordance with New York State and Nassau County fire Marshal uniform fire prevention and building code requirements and certified accordingly. To meet these requirements a steady and available supply of skilled and schooled labor is imperative. A PLA for this project becomes more significant in that the local unions provide trade labor who are certified and/or trained in all of the latest safety standards and as part of normal union functions, members are taught fundamental elements of construction inherent on this project. These elements include extensive training

from their apprenticeship and journeyman programs which include classroom sessions for basics such as math, algebra and trigonometry; reading contract drawings and specifications; classroom lectures by experts in the fields of construction management, CPM scheduling, new materials safety, hazardous materials, construction practices and building codes.

- A PLA will promote the goals of the New York State competitive bidding statutes by obtaining the best work for the lowest price because it will assure that only qualified tradesmen are employed and possibly reduce the cost of the project by approximately \$2,891,850 or 22 percent if 1:1 apprentice to journeyman ratios are realized and approximately \$2,188,653 or 16.6% if NYSDOL recommended ratios are achieved. The detailed analysis of those savings are is included in the Appendices and are summarized below.

Considering all of the above, it is CA's recommendation that a PLA be negotiated with all craft locals participating on the project whether jointly with the Building Trades Council of Nassau and Suffolk Counties, NY and a PLA containing the provisions discussed in this Study be included in the Project bidding and construction contract documents.



**PROJECTED COST SAVINGS WITH A PROJECT LABOR AGREEMENT  
TOWN OF OYSTER BAY HICKSVILLE PARKING FACILITY REPAIR PROJECT  
WITH APPRENTICESHIP JOURNEYMAN RATIO OF 1:1**

Estimated Project Construction Costs ..... \$13,186,536.\*  
Estimated Total Labor Costs.....\$6,931,342.

**SUMMARY**

We have identified six (6) potential cost saving items for this project if a Project Labor Agreement is utilized. The estimated savings are evaluated on pages 16 and 17 of this report. These cost saving items are as follows:

1. Working journey person as shop stewards  
which will increase job-site productivity.  
Savings = \$148,051.
2. The establishment of an eight (8) hour work day for  
all trades at straight-time pay which will result in a  
savings of overtime costs.  
Savings = \$233,714.
3. The use of uniform work rules and schedules by all prime  
contractor and trade unions which will require less overhead  
costs for the prime contractors.  
Savings = \$ 86,641.
4. The assurance that work stoppage will not occur on the project  
job site which will reduce anticipated general condition costs.  
Savings = \$100,000.
5. Estimated savings by standardizing paid at  
8 days per year  
Savings = \$9,814.
6. Estimated savings by PLA mandated mid-term  
Apprentices ratio of 1 Apprentice to 1 Journeyman. Savings = \$2,313,630.

**Total Estimated Savings = \$2,891,850.**

\* See Appendix G

- Working Journeypersons as Shop Stewards Which Will Increase Job Site Productivity

- $$16 \text{ stewards} \times 1.0 \text{ months} \times 160 \text{ hours/month} \times \$77.11/\text{hour} \times 0.75 (\% \text{ time working}) = \$148,051.$$

A. Of the sixteen (16) signatory unions identified to be involved with this project, 14 unions have a seven (7) hour work day and require an additional hour of overtime to meet the eight (8) hour rule (see Appendix G for listed unions). The PLA would allow all Contractors to pay this additional time as straight time in lieu of overtime pay.

- $$0.12 \frac{(\$77.11/\text{hr.} \times 8)}{8} + 0.88 \frac{(\$77.11/\text{hr.} \times 7 + \$100.76/\text{hr.} \times 1)}{8} \quad \begin{array}{l} \text{Note: } 0.12 = 2 \text{ unions} \\ 0.88 = 14 \text{ unions} \\ 1.00 = 16 \text{ unions} \end{array}$$

- G.  $\$79.71/\text{hr.} - \$77.11/\text{hr.} = \$2.60/\text{hr.} \times 89,890 = \$233,714$   
 (with o.t.) (without o.t.) (savings) (man hours)

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3. **The Use of Uniform Work Rules and Schedules**

Establishing a uniform workday of 8:00 a.m. to 4:30 p.m., for every trade including standard work rules, would result in less overhead expenses on the part of the prime contractor. Normally, the various trades have different work hours stretching from 7:00 a.m. to 5:00 p.m. and a variety of work rules. Managing these additional hours as well as a variety of work rules requires additional overhead which is estimated to be valued at 1.25% of the project construction cost.

$$\$6,931,342 \times 1.25\% = \$86,641.$$

**Total Savings**                      **\$86,641.**

4. **The Assurance that Work Stoppage Will Not Occur**

With a number of trade union agreements expiring or under negotiations during the Project, there is bound to be some type of work stoppage activity in the construction industry. Assuming the work stoppage to be for a time period of four (4) weeks, additional general conditions cost would accrue due to work stoppage. The estimated general requirement costs are \$900,000 for the 9-month period of construction. This equates to \$100,000.00 per month.

$$\$100,000 \text{ cost/month} \times 1 \text{ month} = \$100,000.$$

**Total Savings**                      **\$100,000.**

5. **Savings from Standardized Holidays**

The number of paid holidays included in the CBAs of the sixteen (16) local trade locals anticipated to have jurisdiction on the Hicksville Parking Facility Project varies from 7 to 11 per year. Standardizing on 8 paid holidays and 8 hour work days for all locals will save an estimated \$8,317 in bare labor over the 9 month term of the construction contract. Including overhead, profit and contingencies of 18% included in the Project Design Professional's estimate results in an estimated total savings of \$9,814. The supporting calculations are included in Appendix G.

6. **Savings By Use of Apprentice Ratios**

The NYS Department of Labor (DOL) publishes a list by trade of the ratio of registered apprentices to journeymen that can be employed on a construction project subject to prevailing wage as is the instant project. The allowable ratio for the first journeyman of a particular trade is one apprentice. Thereafter, the trade ratios can vary from 2 more journeymen before an additional apprentice can be employed to 4 journeymen before an additional apprentice can be employed. They are noted as 1:1, 1:2; or 1:1, 1:4 respectively for the particular trade to which they apply. The PLA for the Hicksville Parking Repair Project

establishes a 1:1 ratio for the project. As shown in Appendix I, the estimated bare labor cost savings by employing apprentices to the maximum allowable ratio is \$1,960,704. Including 18% overhead, profit and contingencies included in the Design Professional's estimate, the total is \$2,313,630. Midterm apprentice compensation rates were used.

The potential savings cited above and amounting to over \$2,891,850, should be realized in the bid prices. This will allow for a lower estimated project construction cost or the addition of add-alternates to increase the scope of the project.



**PROJECTED COST SAVINGS WITH A PROJECT LABOR AGREEMENT  
TOWN OF OYSTER BAY HICKSVILLE PARKING FACILITY REPAIR PROJECT  
USING THE NYSDOL WITH APPRENTICESHIP TO JOURNEYMAN RATIOS**

Estimated Project Construction Costs ..... \$13,186,536.\*  
Estimated Total Labor Costs.....\$6,931,342.

**SUMMARY**

We have identified six (6) potential cost saving items for this project if a Project Labor Agreement is utilized. The estimated savings are evaluated on pages 16 and 17 of this report. These cost saving items are as follows:

- 1. Working journey person as shop stewards  
which will increase job-site productivity. Savings = \$148,051.
  
- 2. The establishment of an eight (8) hour work day for  
all trades at straight-time pay which will result in a  
savings of overtime costs. Savings = \$233,714.
  
- 3. The use of uniform work rules and schedules by all prime  
contractor and trade unions which will require less overhead  
costs for the prime contractors. Savings = \$ 86,641.
  
- 4. The assurance that work stoppage will not occur on the project  
job site which will reduce anticipated general condition costs.  
Savings = \$100,000.
  
- 5. Estimated savings by standardizing paid at  
8 days per year Savings = \$9,814.
  
- 6. Estimated savings by mandating mid-term  
Apprentices per NYSDOL ratios Savings = \$1,610,433.

**Total Estimated Savings = \$2,188,653.**

\* See Appendix G



### EVALUATION OF PROJECTED SAVINGS

1. Working Journeypersons as Shop Stewards Which Will Increase Job Site Productivity

- A. Without a mandate that would require the shop steward to be a working journeyman, it is assumed that 100% of his/her time would be spent monitoring work rules compliance. With this mandate of the PLA in place, work rules compliance monitoring should be reduced to no more than 25% of the journeyman's time; making 75% of his/her time available for actual work.
- B. With 14 signatory unions on the project, each with a representative (shop steward) spending an average time of four (4) weeks or 1.0 months on the job, significant savings can be realized. To formulate the savings attributed to the greater productivity of the workforce, we have assumed an average pay scale of \$77.11/hour, which would include fringe benefits.

C.	Formula
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$$16 \text{ stewards} \times 1.0 \text{ months} \times 160 \text{ hours/month} \\ \times \$77.11/\text{hour} \times 0.75 \text{ (\% time working)} = \$148,051.$$

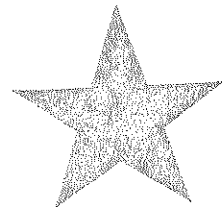
2. The Establishment of the Full 8-Hour Work Day

- A. Of the fourteen (16) signatory unions identified to be involved with this project, 14 unions have a seven (7) hour work day and require an additional hour of overtime to meet the eight (8) hour rule (see Appendix G for listed unions). The PLA would allow all Contractors to pay this additional time as straight time in lieu of overtime pay.
- B. Assume an average weighted wage/hour of \$77.11 (\$47.30 wage + \$29.81 fringe).
- C. Overtime pay equals  $1.5 \times \text{wage} = (47.30 \times 1.5 + 29.81 \text{ fringe}) = \$100.76/\text{hour}$ .
- D. Estimated labor costs = \$6,931,342 (See Appendix E).
- E. Average wage on project:

$$\frac{0.12 (\$77.11/\text{hr.} \times 8)}{8} + \frac{0.88 (\$77.11/\text{hr.} \times 7 + \$100.76/\text{hr.} \times 1)}{8} = \$79.71$$

Note: 0.12 = 2 unions  
0.88 = 14 unions  
 1.00 = 16 unions

- F. Total man hours:  
(See Appendix E) = 89,890 man hours



$$\begin{array}{ccccccc} \text{G.} & \$79.71/\text{hr.} & - & \$77.11/\text{hr.} & = & \$2.60/\text{hr.} & \times 89,890 = \$233,714 \\ & (\text{with o.t.}) & & (\text{without o.t.}) & & (\text{savings}) & (\text{man hours}) \end{array}$$

**\$233,714. Savings**

3. **The Use of Uniform Work Rules and Schedules**

By establishing a uniform workday of 8:00 a.m. to 4:30 p.m., for every trade including standard work rules, would result in less overhead expenses on the part of the prime contractor. Normally, the various trades have different work hours stretching from 7:00 a.m. to 5:00 p.m. and a variety of work rules. Managing these additional hours as well as a variety of work rules requires additional overhead which is estimated to be valued at 1.25% of the project construction cost.

$$\$6,931,342 \times 1.25\% = \$86,641.$$

**\$1. Savings**

4. **The Assurance that Work Stoppage Will Not Occur**

With a number of trade union agreements expiring or under negotiations during the Project, there is bound to be some type of work stoppage activity in the construction industry. Assuming the work stoppage to be for a time period of four (4) weeks, additional general conditions cost would accrue due to work stoppage. The estimated general requirement costs are \$900,000 for the 9-month period of construction. This equates to \$100,000.00 per month.

$$\$100,000 \text{ cost/month} \times 1 \text{ month} = \$100,000.$$

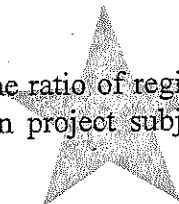
**Total Savings**                      **\$100,000.**

5. **Savings from Standardized Holidays**

The number of paid holidays included in the CBAs of the fifteen (14) local trade locals anticipated to have jurisdiction on the Hicksville Parking Facility Project varies from 7 to 11 per year. By standardizing on 8 paid holidays and 8 hour work days for all locals will save an estimated \$8,317 in bare labor over the 9 month term of the construction contract. Including overhead, profit and contingencies of 18% included in the Project Design Professional's estimate results in an estimated total savings of \$9,814. The supporting calculations are included in Appendix G.

6. **Savings By Use of Apprentice Ratios**

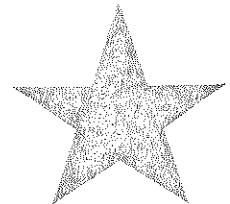
The NYS Department of Labor (DOL) publishes a list by trade of the ratio of registered apprentices to journeymen that can be employed on a construction project subject to



prevailing wage as is the instant project. The allowable ratio for the first journeyman of a particular trade is one apprentice. Thereafter, the trade ratios can vary from 2 more journeymen before an additional apprentice can be employed to 4 journeymen before an additional apprentice can be employed. They are noted as 1:1,1:2; or 1:1,1:4 respectively for the particular trade to which they apply. DOL also publishes the prevailing wage and supplemental benefits that apprentices are to be paid. The rates vary based on the years of experience an apprentice has. It also includes the number of 1 year terms it takes for an apprentice to become a journeyman. They differ based on the particular trade. As shown in Appendix, the estimated bare labor cost savings by employing apprentices to the maximum allowable ratio is \$1,364,774. Including 18% overhead, profit and contingencies included in the Design Professional's estimate, the total is \$1,610,433. Midterm apprentice compensation rates were used.

The potential savings cited above and amounting to over \$2,188,653, should be realized in the bid prices. This will allow for a lower estimated project construction cost or the addition of add-alternates to increase the scope of the project.

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

FEBRUARY 23, 2018

TO : MEMORANDUM DOCKET

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


SUBJECT : PROJECT LABOR AGREEMENT FOR  
REPAIRS TO THE HICKSVILLE PARKING FACILITY  
CONTRACT NO. H17-170  
SUPPLEMENTAL MEMO TO FOLLOW

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Town Board Resolution No. 33-2018 authorized Cashin Associates, P.C. to perform engineering services relative to the preparation of a Project Labor Agreement for the Repairs to the Hicksville Parking Facility construction contract.

At this time the office of Cashin Associates, P.C. is finalizing the feasibility study to determine if a Project Labor Agreement is in the best interest of the Town for this construction contract. Upon review of the study by the Department of Public Works a formal recommendation will be provided by supplemental memorandum.

It is therefore requested that a space be reserved at the Town Board meeting of March 13, 2018 for the Town Board to take action on the acceptance of the feasibility study for a Project Labor Agreement for Repairs to the Hicksville Parking Facility.

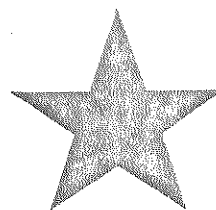
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
John Bishop, Deputy Commissioner/Highway

H17-170 DOCKET FS ACCEPT RESERVE



Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memoranda dated December 20, 2017 and December 27, 2017, advised that the Department of Public Works issued a Request for Proposals ("RFP") for Engineering Services in connection with the preparation of a project labor agreement relative to the Hicksville Parking Facility in accordance with specifications contained in Contract No. H17-170; and

WHEREAS, following direct solicitation to ten (10) firms and posting of the RFP to the Town's website, two (2) responses were timely received by the Department of Public Works; and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozza, Deputy Town Attorney, by memorandum dated December 27, 2017, determined in accordance with Guideline 7 of the Procurement Policy, that the Department of Public Works has complied with the Procurement Policy; and

WHEREAS, Commissioner Lenz, by said memoranda, stated that after review of the Division of Engineering's preliminary recommendations and the current workload, the Department has selected, pursuant to Guideline 9 of the Town of Oyster Bay Procurement Policy, Cashin Associates, P.C.; and

WHEREAS, the Department requested that the Town Board authorize the Town to utilize the engineering services of Cashin Associates, P.C., in accordance with the specifications contained in Contract No. H17-170, for the purposes of preparing a project labor agreement relative to the Hicksville Parking Facility, at a cost not to exceed \$81,800.00, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to utilize the engineering services of Cashin Associates, P.C., for the purposes of preparing a project labor agreement relative to the Hicksville Parking Facility, and be it further

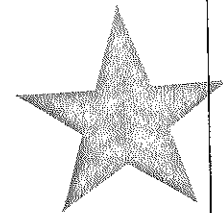
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same in an amount not to exceed \$81,800.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from account No. HWY H 5997 20000 000 0811 016.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Highway  
Public Works



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated March 5, 2018, advised the Town Board that LiRo Engineers, Inc. had completed the engineering and design services it was authorized to perform pursuant to Resolution No. 852-2017, adopted February 27, 2018, in connection with Contract No. DP18-173, Expansion of Ellsworth Allen Town Park Replacement of Existing Synthetic Turf Field; and

WHEREAS, Commissioner Lenz advised the Town Board that he had approved the plans and specifications submitted by LiRo Engineers, Inc. and recommended that the Division of Purchasing, Department of General Services proceed with setting a date for receiving bids for said Contract;

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Division of Purchasing, Department of General Services is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. DP18-173.

-#-

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  
Public Works  
Parks  
General Services

Reviewed By  
Office of Town Attorney

33

172

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

FEBRUARY 23, 2018

TO : MEMORANDUM DOCKET

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


SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &  
CONSTRUCTION PHASES  
EXPANSION OF ELLSWORTH W. ALLEN TOWN PARK -  
REPLACEMENT OF EXISTING SYNTHETIC TURF FIELD  
CONTRACT NO. DP18-173  
SUPPLEMENTAL MEMO TO FOLLOW

---

Town Board Resolution No. 852-2017 authorized LiRo Engineers, Inc. to perform engineering services relative to the above-mentioned contract.

The Division of Engineering is currently finalizing the contract documents with LiRo Engineers, Inc. in preparation for the bid of this project. A formal recommendation will be provided by supplemental memorandum.

It is hereby requested that a space be reserved at the Town Board meeting of March 13, 2018 for the Town Board to authorize the acceptance of design and permission to bid Contract No. DP18-173.

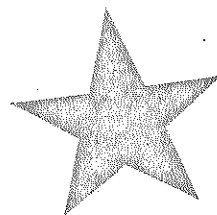
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

  
RWL/JCT/MR/lk

Attachment

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Joseph Pinto, Commissioner/Parks  
Eric Tuman, Commissioner/General Services

DP18-173 DOCKET PERMISSION TO BID RESERVE



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 5, 2017, advised that on October 25, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to the Design, Bid and Construction of the Expansion of Ellsworth W. Allen Park, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. DPW17-167; and

WHEREAS, in response to that Request for Proposals, seven (7) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy. Accordingly, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with LiRo Engineers, Inc. The Department of Public Works further requested total authorization of \$513,510.00, that \$280,710.00 of the total authorization be encumbered for the Design Phase; \$2,500.00 for the Bid Phase, and \$230,300.00 for the Construction Phase, it was requested that the Comptroller encumber funds relative to the design phase in the total amount of \$280,710.00,

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. DPW17-167 with LiRo Engineers, Inc., in the amount of \$280,710.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That funds are available to satisfy the total encumbrance in the amount of \$280,710.00 from Account No. PKS H7197 20000 000 1502 001; and be it further

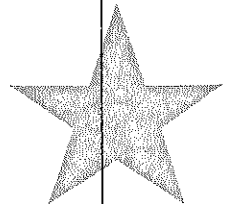
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same in the total amount of \$280,710.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from account No. PKS H7197 20000 000 1502 001.

-#-

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

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

cc: Supervisor (2)  
Town Attorney  
Comptroller  
Public Works



712  
Office of Town Attorney  
By [Signature]

16

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

MARCH 5, 2018

TO : MEMORANDUM DOCKET

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


SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 33  
DOCKET OF FEBRUARY 27, 2018  
ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &  
CONSTRUCTION PHASES  
EXPANSION OF ELLSWORTH W. ALLEN TOWN PARK -  
REPLACEMENT OF EXISTING SYNTHETIC TURF FIELD  
CONTRACT NO. DP18-173

---

In furtherance to Item No. 33 of the docket of February 27, 2018, Town Board Resolution No. 852-2017 authorized LiRo Engineers, Inc. to perform engineering services relative to the above-mentioned contract.

The design has been completed, and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 35 days.

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

Attachment

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Joseph Pinto, Commissioner/Parks  
Eric Tuman, Commissioner/General Services

DP18-173 DOCKET PERMISSION TO BID RESERVE

7/10  
 Approved By  
 Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 5, 2017, advised that on October 25, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to the Design, Bid and Construction of the Expansion of Ellsworth W. Allen Park, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. DPW17-167; and

WHEREAS, in response to that Request for Proposals, seven (7) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy. Accordingly, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with LiRo Engineers, Inc. The Department of Public Works further requested total authorization of \$513,510.00, that \$280,710.00 of the total authorization be encumbered for the Design Phase; \$2,500.00 for the Bid Phase, and \$230,300.00 for the Construction Phase, it was requested that the Comptroller encumber funds relative to the design phase in the total amount of \$280,710.00,

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. DPW17-167 with LiRo Engineers, Inc., in the amount of \$280,710.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That funds are available to satisfy the total encumbrance in the amount of \$280,710.00 from Account No. PKS H7197 20000 000 1502 001; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same in the total amount of \$280,710.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from account No. PKS H7197 20000 000 1502 001.

-#-

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

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

cc: Supervisor (2)  
 Town Attorney  
 Comptroller  
 Public Works

Meeting of March 13, 2018

Resolution No. 173-2018

WHEREAS, by Resolution No. 852-2017, adopted on December 12, 2017, the Town Board authorized and directed LiRo Engineers, Inc., to provide Engineering Services in connection with Contract No. DP17-167, On-Call Engineering Services relative to the Design, Bid and Construction of the expansion of Ellsworth W. Allen Park, Farmingdale, in the Town of Oyster Bay, in accordance with the specifications contained in Contract No. DP17-167; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated January 22, 2018, and LiRo Engineers, Inc., by letter dated January 19, 2018, requested to utilize Universal Testing and Inspection, Inc., as a sub-consultant for soil borings relative to the expansion of Ellsworth W. Allen Park under Contract No. DP17-167, at no additional cost to the Town, *nunc pro tunc* to January 24, 2018; and

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is accepted and approved, and LiRo Engineers, Inc., is hereby authorized to utilize Universal Testing and Inspection, Inc., as a sub-consultant for soil borings in connection with Contract No. DP17-167, at no additional cost to the Town, *nunc pro tunc* to January 24, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works  
Parks  
General Services

Reviewed By  
Office of Town Attorney

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TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

MARCH 5, 2018

TO : MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 34  
DOCKET OF FEBRUARY 27, 2018  
ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &  
CONSTRUCTION PHASES  
EXPANSION OF ELLSWORTH W. ALLEN TOWN PARK – PHASE 1  
CONTRACT NO. DP17-167-PH1

---

In furtherance to Item No. 34 of the docket of February 27, 2018, Town Board Resolution No. 852-2017 authorized LiRo Engineers, Inc. to perform engineering services relative to the above-mentioned contract.

The design has been completed, and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 150 days.

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

Attachment

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Joseph Pinto, Commissioner/Parks  
Eric Tuman, Commissioner/General Services

DP17-167-PH1 DOCKET PERMISSION TO BID RESERVE



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 5, 2017, advised that on October 25, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to the Design, Bid and Construction of the Expansion of Ellsworth W. Allen Park, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. DPW17-167; and

WHEREAS, in response to that Request for Proposals, seven (7) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy. Accordingly, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with LiRo Engineers, Inc. The Department of Public Works further requested total authorization of \$513,510.00, that \$280,710.00 of the total authorization be encumbered for the Design Phase; \$2,500.00 for the Bid Phase, and \$230,300.00 for the Construction Phase, it was requested that the Comptroller encumber funds relative to the design phase in the total amount of \$280,710.00,

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. DPW17-167 with LiRo Engineers, Inc., in the amount of \$280,710.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That funds are available to satisfy the total encumbrance in the amount of \$280,710.00 from Account No. PKS H7197 20000 000 1502 001; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same in the total amount of \$280,710.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from account No. PKS H7197 20000 000 1502 001.

-#-

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

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

cc: Supervisor (2)  
Town Attorney  
Comptroller  
Public Works

Approved By  
Office of Town Attorney

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TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

FEBRUARY 23, 2018

TO : MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &  
CONSTRUCTION PHASES  
EXPANSION OF ELLSWORTH W. ALLEN TOWN PARK – PHASE 1  
CONTRACT NO. DP17-167-PH1  
SUPPLEMENTAL MEMO TO FOLLOW

---

Town Board Resolution No. 852-2017 authorized LiRo Engineers, Inc. to perform engineering services relative to the above-mentioned contract.

The Division of Engineering is currently finalizing the contract documents with LiRo Engineers, Inc. in preparation for the bid of this project. A formal recommendation will be provided by supplemental memorandum.

It is hereby requested that a space be reserved at the Town Board meeting of March 13, 2018 for the Town Board to authorize the acceptance of design and permission to bid Contract No. DP17-167-PH1.



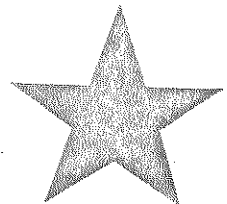
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

c: Office of the Town Attorney (w/7 copies)  
Steven Ballas, Comptroller  
Joseph Pinto, Commissioner/Parks  
Eric Tuman, Commissioner/General Services

DP17-167-PH1 DOCKET PERMISSION TO BID RESERVE



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 5, 2017, advised that on October 25, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to the Design, Bid and Construction of the Expansion of Ellsworth W. Allen Park, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. DPW17-167; and

WHEREAS, in response to that Request for Proposals, seven (7) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy. Accordingly, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with LiRo Engineers, Inc. The Department of Public Works further requested total authorization of \$513,510.00, that \$280,710.00 of the total authorization be encumbered for the Design Phase; \$2,500.00 for the Bid Phase, and \$230,300.00 for the Construction Phase, it was requested that the Comptroller encumber funds relative to the design phase in the total amount of \$280,710.00,

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. DPW17-167 with LiRo Engineers, Inc., in the amount of \$280,710.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That funds are available to satisfy the total encumbrance in the amount of \$280,710.00 from Account No. PKS H7197 20000 000 1502 001; and be it further

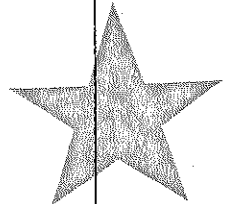
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same in the total amount of \$280,710.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from account No. PKS H7197 20000 000 1502 001.

-#-

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

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

cc: Supervisor (2)  
Town Attorney  
Comptroller  
Public Works



7/10  
Office of Town Attorney  
[Signature]

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memoranda dated February 26, 2018 and February 28, 2018 has requested that the Western Waterfront Pier be re-named and dedicated as the "Sgt. James A. Harrington, Jr. Memorial Pier"; and

WHEREAS, Sergeant Harrington was a decorated Vietnam War Veteran and resident of Locust Valley who, after completing his first tour of duty and being honorably discharged from the Army, courageously volunteered for a second tour of duty; and

WHEREAS, on March 28, 1968, Sergeant Harrington made the ultimate sacrifice for his country when he was killed in action in the Quang Ngai Province of Vietnam; and

WHEREAS, Sergeant Harrington was a long time bayman in Oyster Bay who loved the serenity of the waters surrounding the location of the Western Waterfront Pier,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay, in recognition of the valiant service and sacrifice made by Sgt. James A. Harrington, Jr., hereby re-names and dedicates the Western Waterfront Pier as the "Sgt. James A. Harrington, Jr. Memorial Pier" and hereby permits an appropriate plaque and memorial space to be established at said pier.

-#-

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  
Environmental Resources  
Parks

Reviewed By  
Office of Town Attorney  
Macagnone

15

174

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

TO: Memorandum Docket

FROM: Neil O. Bergin, Commissioner  
Department of Environmental Resources

DATE: February 28, 2018

SUBJECT: Supplemental Memo Docket of February 27, 2018, Item #38  
Dedication of Pier at Western Waterfront – Sergeant James A. Harrington, Jr.

---

The Department of Environmental Resources respectfully requests that the Western Waterfront Pier be formally re-named and dedicated as the "Sgt. James A. Harrington, Jr. Memorial Pier," a local bayman, who was killed in action in the Vietnam War in March of 1968.


Upon completion of his first tour of duty in Vietnam in 1966, Sergeant Harrington volunteered for a second tour of duty in Vietnam, where he gave the ultimate sacrifice for his country, on March 28, 1968, when he was killed in action.

In addition to his extraordinary bravery, James A. Harrington, Jr. was a long time bayman in Oyster Bay and loved the serenity that being on the water offered him. The Harrington family fondly remembers Sgt. Harrington each year at the Locust Valley Memorial Day Parade and the memory of his bravery provides the foundation for "The James A. Harrington Award" which is given every year to a deserving young man and young woman that have demonstrated the virtues that he possessed; Pride, Courage, Loyalty and Teamwork. An extraordinary resident and patriot, Sergeant Harrington epitomized the absolute best qualities of our Oyster Bay residents and United States citizens. Renaming the pier in his honor is a fitting tribute to all that is special in those that serve their country to the degree he did.

Based upon the dedication, commitment, and sacrifice that Sergeant Harrington has demonstrated through his extraordinary service to his country and community, the Department of Environmental Resources respectfully request the Town Board rename and dedicate the Western Waterfront Pier as the "Sgt. James A. Harrington Jr. Memorial Pier" and permit an appropriate plaque and memorial space at the facility.

  
\_\_\_\_\_  
Neil O. Bergin  
Commissioner

NOB:GB:ca  
cc: Town Attorney (original with 6 copies)  
Joseph G. Pinto, Commissioner, Department of Parks



Sgt. James A. Harrington, Jr. casualty of the Vietnam War March 28, 1968.

Recipient of:

- The Bronze Star with Oak Cluster
- Medal of Valor with Vietnam Campaign Medals
- Purple Heart
- Combat Infantry Badge
- National Defense Medal
- Conspicuous Service Medal from the State of New York

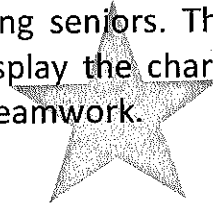
James was born in Glen Cove Hospital, he attended Locust Valley Schools and was a member of the Grenville Bakers Boys Club (as it was known back then). He spent much of his early childhood in army camps including three years at Fort Lewis, Washington and three years in Karlsruhe, Germany where his father was serving as a career soldier.

Sgt. James A. Harrington, Jr. was a member of the Arlington Cemetery National Guard in Washington, D.C. He served in the Army for three years, completed his first tour of duty in Vietnam and was honorably discharged in 1966. He reinlisted and voluntarily returned to Vietnam for his second tour on December 7, 1967, where he served until his death

Sgt. Harrington is still well remembered by his family each year at the Memorial Day Parade in Locust Valley.

My brother, James, was a long time bayman in Oyster Bay; he loved being on the water and the serenity age him.

During an award ceremony each June since my brother's death, "The James A. Harrington Award" is given to two graduating seniors. The young woman and young man who receive the award must display the characteristics that James possessed in life: pride, courage, loyalty and teamwork.

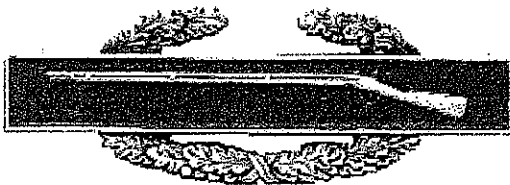


THE VIRTUAL WALL @ VIETNAM VETERANS MEMORIAL

www.VIRTUALWALL.org

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## James A. Harrington, Jr

**Sergeant****D CO, 4TH BN, 3RD INFANTRY, 11TH INFANTRY BDE, AMERICAL DIV, USARV****Army of the United States****Locust Valley, New York****August 30, 1944 to March 28, 1968****JAMES A HARRINGTON Jr is on the Wall at Panel 46E, Line 55****See the full profile or name rubbing for James Harrington**

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Last update 09/12/2015

file

# Town of Oyster Bay

## Inter-Departmental Memorandum


TO: Memorandum Docket

FROM: Neil O. Bergin, Commissioner  
Department of Environmental Resources

DATE: February 26, 2018

SUBJECT: Dedication of Pier at Western Waterfront – Save the Space

The Department of Environmental Resources will submit a formal request for the dedication of the pier at the Western Waterfront in honor of James Harrington Jr., a local “bayman,” who was killed in action in the Vietnam conflict in March of 1968. The circumstances and requisite documentation regarding the dedication will be submitted in a supplemental memorandum. Therefore we recommend and request that a space be reserved at the next Town Board Meeting to be held on March 13, 2018.

  
\_\_\_\_\_  
Neil O. Bergin  
Commissioner

NOB:GB:ca

cc: Town Attorney (original with 6 copies)



38

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

TO: Memorandum Docket


FROM: Neil O. Bergin, Commissioner  
Department of Environmental Resources

DATE: February 26, 2018

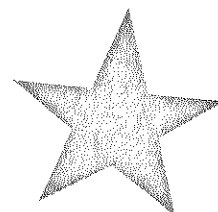
SUBJECT: Dedication of Pier at Western Waterfront – Save the Space

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\_\_\_\_\_  
Neil O. Bergin  
Commissioner

NOB:GB:ca  
cc: Town Attorney (original with 6 copies)



WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW AUTHORIZING A VOLUNTARY SEPARATION INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on March 13, 2018, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated March 8, 2018, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 20, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that the adoption of such Local Law is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 20; and be it further

RESOLVED, That said Local Law 3 -18, entitled "A LOCAL LAW AUTHORIZING A VOLUNTARY SEPARATION INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY", is hereby adopted, and shall take effect immediately upon filing with the Secretary of State; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Human Resources

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND LOCAL LAW 11-2017 AND AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on March 13, 2018, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated March 8, 2018, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 20, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that the adoption of such Local Law is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 20; and be it further

RESOLVED, That said Local Law 4 -18, entitled "A LOCAL LAW TO AMEND LOCAL LAW 11-2017 AND AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY", is hereby adopted, and shall take effect immediately upon filing with the Secretary of State; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Human Resources

Reviewed By  
Office of Town Attorney

Reviewed By  
Office of Town Attorney

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

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

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated March 5, 2018, have advised that claimant, Gianluca Cataldo, a minor, alleges that on June 22, 2014, he sustained injuries to his forehead with resulting scarring, as a result of an alleged misaligned gate swinging back onto him at Bethpage Park in Bethpage, New York; and

WHEREAS, after extensive negotiations, the matter has settled for a total of \$35,000.00, in full resolution of all claims of Claimant and resulting in an Infant Compromise Order.

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the Town Board finds that it is just, reasonable, and in the best interests of the Town to settle this matter for the sum of \$35,000.00, which sum is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to Claimant, Gianluca Cataldo commenced by his mother, Christina Cataldo, with regard to Claim No. 2014-4587 and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program; and be it further

RESOLVED, that payment of the settlement be made in accordance with the Infant Compromise Order, directing payment of \$22,848.20 to Christina Cataldo, as parent and natural guardian of Gianluca Cataldo, jointly with an officer of the Roslyn Savings Bank, 3901 Hempstead Turnpike, Bethpage, NY 11714, and payment of \$12,151.80 to be paid to attorneys for the Claimant, Shaevitz, Shaevitz & Kotzamanis, Esqs.; and it is further

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

#

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

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

cc: Supervisor  
Town Attorney  
Comptroller

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# Town of Oyster Bay

## Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 5, 2018

SUBJECT: SETTLEMENT OF NEGLIGENCE CLAIM  
Claimant: Cataldo v. Town of Oyster Bay  
Claim No.: 2014-4587

---

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

The above referenced claim arose as a result of an incident that occurred on June 22, 2014. Claimant, Gianluca Cataldo, in an action brought by his mother, Christina Cataldo, alleges to have sustained personal injuries when a gate at Bethpage Park swung back causing injuries, including a visible scar following a 1.25 cm laceration of the forehead resulting in over 30 stitches. Plaintiff alleges that the hinge mechanism of the fence was out of alignment, permitting the gate to slam closed rather than closing in a controlled manner.

After extensive settlement negotiations, this matter was settled for a total of \$35,000.00. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town given the uncertainties associated with litigation.

Accordingly, we have attached a resolution authorizing payment of \$35,000.00, together with copies of the Infant Compromise Order, Stipulation of Discontinuance with prejudice and a General Release executed by Claimant's mother, Christina Cataldo. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

JOSEPH NOCELLA  
TOWN ATTORNEY

  
Jeffrey A. Lesser  
Deputy Town Attorney

JAL:ba  
Attachment  
cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2018\MD & Reso\Cataldo reso.docx



2014-7581  
JL

LAW OFFICES  
**SHAEVITZ, SHAEVITZ & KOTZAMANIS**  
148-55 HILLSIDE AVENUE  
JAMAICA, NEW YORK 11435

OLIVER SHAEVITZ  
MARK A. SHAEVITZ  
ERIC G. SHAEVITZ  
DIMITRI KOTZAMANIS

STUART L. SEARS  
STEVEN BARBERA  
MARYELLEN DAVID  
MICHAEL J. BUTLER

TELEPHONE  
(718) 291-3400

FAX  
(718) 739-5654

LeERN M. MILLER  
OFFICE MANAGER

January 26, 2018

Office of the Town Attorney  
Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay, New York 11771

Att: Joseph Nocella, Esq.

RE: Cataldo v. Town of Oyster Bay  
Nassau County Index #: 000588/2015  
D/A: 06/22/2014

Dear Mr. Nocella:

Enclosed please find General Release in the sum of \$35,000.00 along with the Infant Compromise Order and stipulation of discontinuance.

Please make your settlement checks out according to the breakdown set forth in the annexed order.

Thank you for your attention to this matter.

Very truly yours,

  
Steven Barbera, Esq.

SB/KJ  
Enclosures



2018 JAN 30 A 10:14

NEW YORK COUNTY CLERK  
JUDICIAL OFFICE  
JAN 30 2018

TO ALL TO WHOM THESE PRESENTS SHALL COME OR MAY CONCERN KNOW THAT:  
GIANLUCA CATALDO, an infant, by his mother and natural guardian CHRISTINA CATALDO, 22 MANOR  
DRIVE, BETHPAGE, NEW YORK 11714

as RELEASORS,

in consideration of the sum of : THIRTY FIVE THOUSAND DOLLARS

(\$35,000.00)

received from :

TOWN OF OYSTER BAY

as RELEASEE,

receipt whereof is hereby acknowledged, releases and discharge

TOWN OF OYSTER BAY

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


I agree to indemnify and hold harmless the defendant(s), their respective carriers and counsel from any and all claims or liens of any nature whatsoever, including attorney's fee, hospital bill, worker's compensation and any and all medical expenses.

The RELEASOR, the Releasor's heirs, executors, administrators, successors, agree that they are responsible for payment of all outstanding medical liens, including reimbursement of Medicare benefits.

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

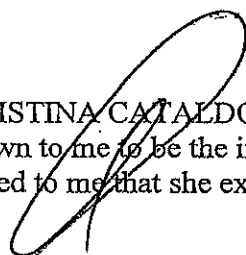
IN WITNESS WHEREOF, the RELEASOR has hereunto set RELEASOR'S hand and seal on this 26TH  
day of JANUARY, 2018

IN PRESENCE OF

  
.....L.S  
CHRISTINA CATALDO, mother and natural guardian of  
GIANLUCA CATALDO, inf.

STATE OF NEW YORK  
COUNTY OF QUEENS ) ss.:

On JANUARY 26, 2018 before me personally came CHRISTINA CATALDO, mother and natural guardian of GIANLUCA CATALDO; Inf. to me known, and known to me to be the individual(s) described in, and who executed the foregoing RELEASE and duly acknowledged to me that she executed the same.

NOTARY PUBLIC  STUART L. SEARS  
NOTARY PUBLIC, State of New York  
No. 02SE5049209  
Qualified in Queens County  
Commission Expires Sept. 11, 2021

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
GIANLUCA CATALDO, an infant under the  
age of five, by his mother and natural  
guardian CHRISTINA CATALDO  
and CHRISTINA CATALDO, individually,

Plaintiff (s),

Index No. 588/2015

**STIPULATION OF**  
**DISCONTINUANCE**  
**With Prejudice**

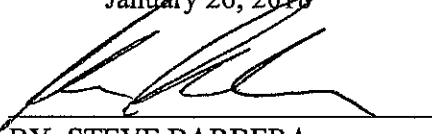
-against-

TOWN OF OYSTER BAY,

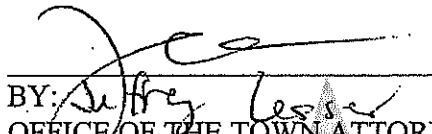
Defendant(s)

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

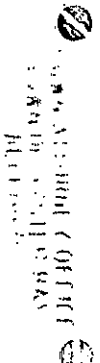
Dated: Jamaica, New York  
January 26, 2018

  
BY: STEVE BARBERA  
SHAEVITZ, SHAEVITZ & KOTZAMANIS  
Attorney(s) for Plaintiff(s)  
148-55 Hillside Avenue  
Jamaica, New York 11435  
(718)291-3400

\_\_\_\_\_  
BY:  
BURNS RUSSO TAMIGI & REARDON, LLP  
Attorney(s) for Defendant(s)  
390 Old Country Road  
Garden City, New York  
(516) 746-7371

  
BY: Jeffrey Lesser  
OFFICE OF THE TOWN ATTORNEY  
Attorney(s) for Defendant(s)  
54 Audrey Avenue  
Oyster Bay, New York 11771  
(516) 624-6150

2018 JAN 30 A 10:14



The Court herein addresses the fact that un-redacted Confidential Personal Information is included in this order and is based upon this Court's express finding that good cause exists pursuant to Rule 202.5 [e] [2] in that the inclusion of the full name and date of birth of the minor, as well as related information, is material and necessary to effectuate the order of this Court.

*INFANT COMPROMISE PART*  
At an ~~IAS Part~~ of the Supreme Court of the State of New York held in and for the County of Nassau, at the Courthouse located at 100 Supreme Court Drive, Mineola, New York on the ~~14<sup>th</sup>~~ day of ~~Dec~~ 2017

P R E S E N T : HON. R. BRUCE COZZENS, JR., J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
GIANLUCA CATALDO, an infant under the age of  
five by his mother and guardian, CHRISTINA  
CATALDO and CHRISTINA CATALDO, individually,

Index # 588/15

Plaintiff,

INFANT COMPROMISE ORDER

-against-

TOWN OF OYSTER BAY,

Defendants.  
-----X

Upon the reading and the filing of the following:

- RBC*  
*ISC* {
- A. Petitioner ~~Affidavit~~ of CHRISTINA CATALDO, the parent and natural guardian of GIANLUCA CATALDO, the infant claimant herein, duly verified on the 4<sup>th</sup> day of October, 2017;
  - B. Attorney Affirmation of MARYELLEN DAVID, ESQ., the attorney for the petitioners herein, duly affirmed the 4<sup>TH</sup> day of October, 2017;
  - C. Settlement offer letter from the defendant, TOWN OF OYSTER BAY; and

D. Copies of medical records pertaining to the infant's injuries arising from the subject accident;

And the infant petitioner, GIANLUCA CATALDO, having been born on April 19, 2009 with his parent and natural guardian, having appeared before this Court with an attorney from the law firm of SHAEVITZ, SHAEVITZ & KOTZAMANIS, ESQ., on August 14, 2017 at a trial conference, and it appearing that the claim of loss of services of the infant petitioner is to be waived; and that the best interests of the infant claimant will be served;

NOW, on motion of Maryellen David, Esq., associated with the LAW OFFICES OF SHAEVITZ, SHAEVITZ & KOTZAMANIS, attorneys for the plaintiff, GIANLUCA CATALDO an infant under the age of fourteen by his mother and Natural guardian, CHRISTINA CATALDO, herein, it is

**ORDERED**, that pursuant to 22 NYCRR § 202.5(e)(2) the Court, *sua sponte*, finds good cause to permit the inclusion of the infant's full name and date of birth in the papers submitted,

**ORDERED**, that further appearance by the infant plaintiff and his mother is deemed unnecessary;

**ORDERED**, that the parent and natural guardian be and hereby is authorized to enter into a compromise of the claim herein upon compliance with the terms of this order, to wit:

That the representative of the defendants by the defendant, TOWN OF OYSTER BAY, shall pay the sum of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS in full settlement of the claim pending against them by the infant claimant, and further;

**ORDERED**, that out of the said settlement there be paid to SHAEVITZ, SHAEVITZ & KOTZAMANIS, ESQS, the sum of \$12,151.80 in full settlement of claim for legal fees (inclusive of reimbursement of disbursements totaling \$727.70), and it is further;

RBC  
JSC

ORDERED, that the balance of said sum, \$22,848.20 shall be ~~received and collected by~~ <sup>PAID TO</sup> CHRISTINA CATALDO, the parent and natural guardian, jointly with an officer of the ROSLYN SAVINGS BANK, 3901 Hempstead Turnpike, Bethpage, NY 11714, to be deposited in the said bank, in the highest interest rate bearing <sup>insured</sup> account available at the time of deposit and renewal, in the name of the parent and natural guardian, in trust for GIANLUCA CATALDO, the infant claimant, and subject to the further order of this Court, or any other Court of competent jurisdiction, and it is further;

ORDERED, that there shall be NO withdrawals permitted from the account before the infant reaches the age of eighteen (18) except upon further order of this Court, and it is further;

ORDERED, that the aforesaid account is to be made renewable continuously at maturity except that the final maturity date shall not extend past the subject infant's 18 birthday, and it is further;

RBC  
JSC

ORDERED, that all funds shall be paid to the infant <sup>UPON THE SAID INFANT'S DEMAND AND SATISFACTION</sup> upon proof that the infant attained age 18, without court order; and it is further

ORDERED, that the cause of action for loss of services and/or medical expenses of the parent/natural guardian, the same having been waived by the parent/natural guardian, be dismissed without costs and with prejudice;

ORDERED, that upon compliance with the terms of this order, the parent and natural guardian is authorized to give and execute a general release in compliance with and subject to all applicable jurisdictional laws and all other necessary documents to the respondent, his insurer, counsel or representative herein on behalf of the infant claimant; and that a bond be dispensed with, and it is further;

RBC  
JSC

It is further ordered that upon presentation of future estimated State and Federal tax forms and upon presentation of the pass book the Roslyn Savings bank will issue drafts payable to the appropriate Federal and State taxing authorities; AND IT IS FURTHER

ORDERED, that said depository is authorized and directed to maintain at least 100% of said fund in a form or account having the highest interest yield available providing that the date of maturity of said account shall not extend beyond the date when the said infant attains the age of eighteen (18) years.

Dated: Mineola, NY  
\_\_\_\_\_, 2017

DEC 14 2017

ENTER:

  
HON. R. BRUCE COZZENS, JR., J.S.C.

The undersigned attorney certifies that the within order has been compared with the original and found to be a true and complete copy.

Dated: 12/14/17


SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
GIANLUCA CATALDO, an infant under the  
age of five, by his mother and natural  
guardian CHRISTINA CATALDO  
and CHRISTINA CATALDO, individually,

Plaintiff (s),

Index No. 588/2015

**STIPULATION OF**  
**DISCONTINUANCE**  
**With Prejudice**

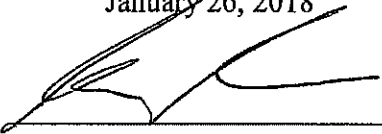
-against-

TOWN OF OYSTER BAY,

Defendant(s)

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

Dated: Jamaica, New York  
January 26, 2018

  
BY: STEVE BARBERA  
SHAEVITZ, SHAEVITZ & KOTZAMANIS  
Attorney(s) for Plaintiff(s)  
148-55 Hillside Avenue  
Jamaica, New York 11435  
(718)291-3400

\_\_\_\_\_  
BY:  
BURNS RUSSO TAMIGI & REARDON, LLP  
Attorney(s) for Defendant(s)  
390 Old Country Road  
Garden City, New York  
(516) 746-7371

\_\_\_\_\_  
BY:  
OFFICE OF THE TOWN ATTORNEY  
Attorney(s) for Defendant(s)  
54 Audrey Avenue  
Oyster Bay, New York 11771  
(516) 624-6150

Meeting of January 9, 2018

Resolution No. 23-2018

WHEREAS, the Town of Oyster Bay, on behalf of the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board, operates two (2) One-Stop Career Centers under the Workforce Innovation and Opportunity Act, which provides a full array of Partner Agency Services for job seekers; and

WHEREAS, Nassau Community College has provided \$7,500.00 to the Town of Oyster Bay, on behalf of the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board, through the Carl Perkins Career and Technical Education Act of 2006; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner, Department of Intergovernmental Affairs, by memorandum dated December 29, 2017, requested that the Town Board authorize the Supervisor to sign a Contract For Services with Nassau Community College, to accept the amount of \$7,500.00 from Nassau Community College, in order to provide partner agency services for job seekers under the Carl Perkins Career and Technical Education Act of 2006, for the current Carl Perkins Program Year from February 1, 2018 through June 30, 2018,

NOW, THEREFORE, BE IT RESOLVED, That the as hereinbefore set forth request is hereby accepted and approved, and the Supervisor or his designee is hereby authorized and directed to sign a Contract For Services with Nassau Community College, in the amount of \$7,500.00, in order to provide for partner agency services for job seekers for the current Carl Perkins Program Year from February 1, 2018 through June 30, 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Intergovernmental Affairs

Reviewed By  
Office of Town Attorney  
*[Signature]*