

Meeting of January 11, 2022

Resolution No. 1-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated November 29, 2021, requested and recommended that the Town Board authorize a \$400.00 refund of registration fee be paid to Joann Brown, 24 Plymouth Road, Massapequa, NY, 11758, from Account No. PKS A 0001 02001 510 0000, because of her child's inability to participate in the Town of Oyster Bay Fall-Winter Ice Hockey Program due to a scheduling conflict,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are approved and accepted, and the Department of Parks is hereby authorized to issue a \$400.00 refund to Joann Brown, from Account No. PKS A 0001 02001 510 0000, and payment of said refund is to be made by the Comptroller upon presentation of duly certified claims, after audit.

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Reviewed By
Office of Town Attorney
Danica Wolfe

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TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: November 29, 2021

SUBJECT: Joann Brown Refund for 2021 Town of Oyster Bay Fall-Winter Ice Hockey Program

The Department of Parks respectfully requests Town Board approval for a refund in the amount of Four Hundred Dollars and 00/100 Cents (\$400.00) to Joann Brown for the payment she made for her son to participate in the 2021 Town of Oyster Bay Fall-Winter Ice Hockey program in which he cannot participate due to a scheduling conflict. Attached you will find pertinent information related to this refund request.

Please make the check payable to "Joann Brown" and mail to the following:

Joann Brown
24 Plymouth Road
Massapequa, NY 11758

Kindly debit the following account: **PKS A 0001 02001 510 0000.**

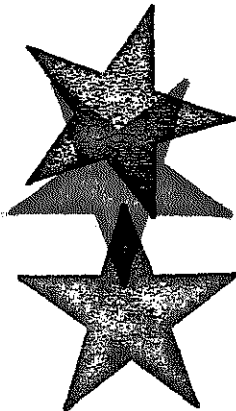
It is the recommendation of the undersigned that this refund be approved.

Thank you,



Joseph G. Pinto
COMMISSIONER OF PARKS

JGP/sc



Sarah Cimino

From: Joseph Pinto
Sent: Monday, September 27, 2021 8:52 AM
To: Jonathan Wing
Cc: [REDACTED]; John Look; Patricia Woodstock;
Sarah Cimino; Gino Lunghi
Subject: RE: TOB Summer Hockey - Monday September 27th

approved

From: Jonathan Wing <jwing@oysterbay-ny.gov>
Sent: Monday, September 27, 2021 8:27 AM
To: Joseph Pinto <jpinto@oysterbay-ny.gov>
Cc: [REDACTED]; John Look <[REDACTED]>; Patricia Woodstock <pwoodstock@oysterbay-ny.gov>; Sarah Cimino <scimino@oysterbay-ny.gov>; Gino Lunghi <glunghi@oysterbay-ny.gov>
Subject: FW: TOB Summer Hockey - Monday September 27th

Good morning Mr. Pinto

We received another request for a refund due to their child making a Travel team. Please kindly approve. Hopefully they will return in the Spring/Summer.

We are still getting calls about our program so hopefully we can fill this vacated slot.

Thank you!

From: Joann Brown [REDACTED]
Sent: Friday, September 24, 2021 4:11 PM
To: Jonathan Wing <jwing@oysterbay-ny.gov>
Subject: Re: TOB Summer Hockey - Monday September 27th

Hi Jonathan.

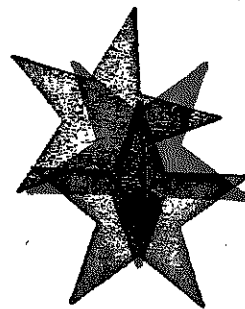
I hope all is well. It is not easy for me to write this email but unfortunately I need to request a refund for [REDACTED] for the winter hockey. He has accepted an spot on the 10u arrows and will not be able to make most of the games and practices. Can you please tell me the process.

Also I want to thank you for always being so good to [REDACTED]. You are certainly one of the reasons he has grown to love the game of hockey!!

Joann

On Sep 24, 2021, at 2:44 PM, Jonathan Wing <jwing@oysterbay-ny.gov> wrote:

Good afternoon TOB Summer Hockey Parents!



TOWN OF OYSTER BAY

PK5211511
SUMMARY OF BANK DEPOSIT REPORT

DEPARTMENT: Tob Hockey		LOCATION: Bethpage	
DESCRIPTION OF RECEIPTS: Tob Fall-Winter Hockey 2021-22		CODE #:	
DATE OF RECEIPTS: 9/30/21	DATE OF DEPOSITS: 9/13/21	AMOUNT Cont'd	
[REDACTED]	3368	400	00
[REDACTED]	584	350	00
[REDACTED]	1731	400	00
[REDACTED]	1652	400	00
[REDACTED]	1172	750	00
[REDACTED]	176	400	00

NAME OF BANK:

Chase

DO NOT WRITE IN SPACE BELOW.
FOR USE BY DIRECTOR OF FINANCE.

CASH RECEIPT NO.

--

TOTAL AMOUNT
OF DEPOSITS

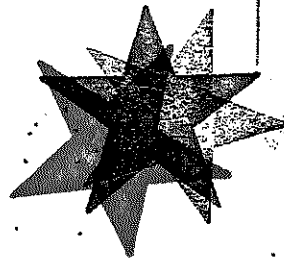
8900 00

LAST REPORT
YEAR TO DATE

ADJUSTMENTS

TOTAL DEPOSITS
YEAR TO DATE

SIGNATURE OF AUTHORIZED EMPLOYEE



Close Check #3368-\$400.00

MICHAEL G BROWN
JOANN E BROWN
24 PLYMOUTH RD
MASSAPEQUA, NY 11755-8124

3368

1-7180/2280
307

9/8/21

Date

CHECK ALERT

Pay to the Order of Town of Oyster Bay
Four hundred and 00/100

\$ 400.00

Dollars



Photo
and
Deposit
Only



New York
Community Bank
Member FDIC

And its divisions -
Queens County Savings Bank • Queens Savings Bank
Richmond County Savings Bank • Rockland Savings Bank
Albany Bank • Garden City Community Bank
Citi Savings Bank • Astoria Bank

For

AP

Noted City

Front

Back

ELDOUEN

Close Check #3368-\$400.00

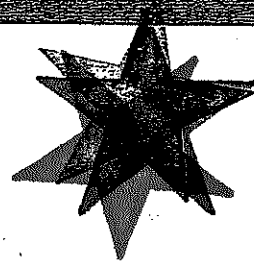
JPMorganChaseBank

2021-09-14

FOR DEPOSIT ONLY
TOWN OF OYSTER BAY

Front

Back



Meeting of January 11, 2022

Resolution No. 2-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated December 7, 2021, requested Town Board authorization for the Town of Oyster Bay to accept a One Hundred Thousand Dollar (\$100,000.00) donation from Rocco's Voice for Autism, an organization whose mission is to personally connect with the families of children with autism and to provide those families opportunities that go beyond services of that which the family can afford, to construct an inclusive playground to be installed at Parklet M-8 in Plainedge;

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is approved, and the Town Board hereby authorizes the Department of Parks to accept the above stated donation, and that said donation be deposited in Account No. TWN H 0001 02705 000 2101 000, to be used to construct an inclusive playground to be installed at Parklet M-8 in Plainedge.

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Reviewed By
Office of Town Attorney

Ramona W. W. W.

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TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: December 7, 2021

SUBJECT: Rocco's Voice for Autism Donation

The Department of Parks respectfully requests Town Board authorization to accept a monetary donation of \$100,000.00 from Rocco's Voice for Autism.

The mission of Rocco's Voice for Autism is to personally connect with the families of children with autism and to provide those families opportunities that go beyond funded services or that which the family can afford. The purpose of this organization is to bridge the gap and offer necessary support to enrich the lives of all children and family members living with autism. They work towards providing the autism community with a range of opportunities from education to recreational and social events and activities. Rocco's Voice for Autism supports programs that teach inclusion and educate all aspects of what autism is.

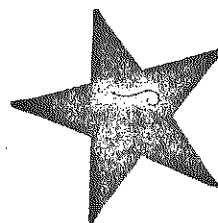
Please see attached letter and proposal rendering of the inclusive playground design from Anna Di Chiara on behalf of Rocco's Voice for Autism, seeking approval to raise and donate funds to the Town of Oyster Bay, Department of Parks. These funds are to be allocated for the construction of an inclusive playground to be installed at Parklet M-8 in Plainedge. Funds will be credited to account TWN H 0001 02705 000 2101 000.

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

Pursuant to the aforementioned, the Department of Parks recommends and respectfully requests Town Board approval.


JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/DB





Rocco's Voice for Autism
P.O. Box 93
Bethpage, NY 11714
Roccasvoice@gmail.com

December 1, 2021

Town of Oyster Bay
Commissioner of Parks: Mr. Joseph G. Pinto
977 Hicksville Road
Massapequa, NY 11758

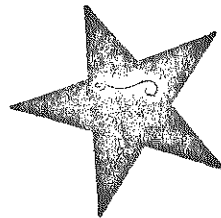
Commissioner Pinto,

Good morning. Thank you for all the time and energy you have devoted to Rocco's Voice for Autism Organization. When Mr. Spagnuolo established Rocco's Voice for Autism, a non-profit organization in 2017, his mission was to bridge the gap and offer necessary support to enrich the lives of all children and family members living with autism in the community. Mr. Spagnuolo and his family continue to provide the autism community with a range of opportunities that cover everything from education to recreational and social events and activities.

As you know, the existing playgrounds in North Massapequa do not provide the different levels of challenge and sensory experiences for all abilities. Rocco's Voice for Autism is proud to work in collaboration with the Town of Oyster Bay to help build an inclusive playground that includes engaging and appropriate sensory equipment for special needs children in our community and the surrounding areas. The organization fully intends to employ all of its resources to raise \$100,000 to be used towards the construction of the inclusive park. The monies raised by The Rocco's Voice for Autism Organization will be donated to the Town of Oyster Bay, and will be used solely for the construction of the inclusive park at Massapequa, M08.

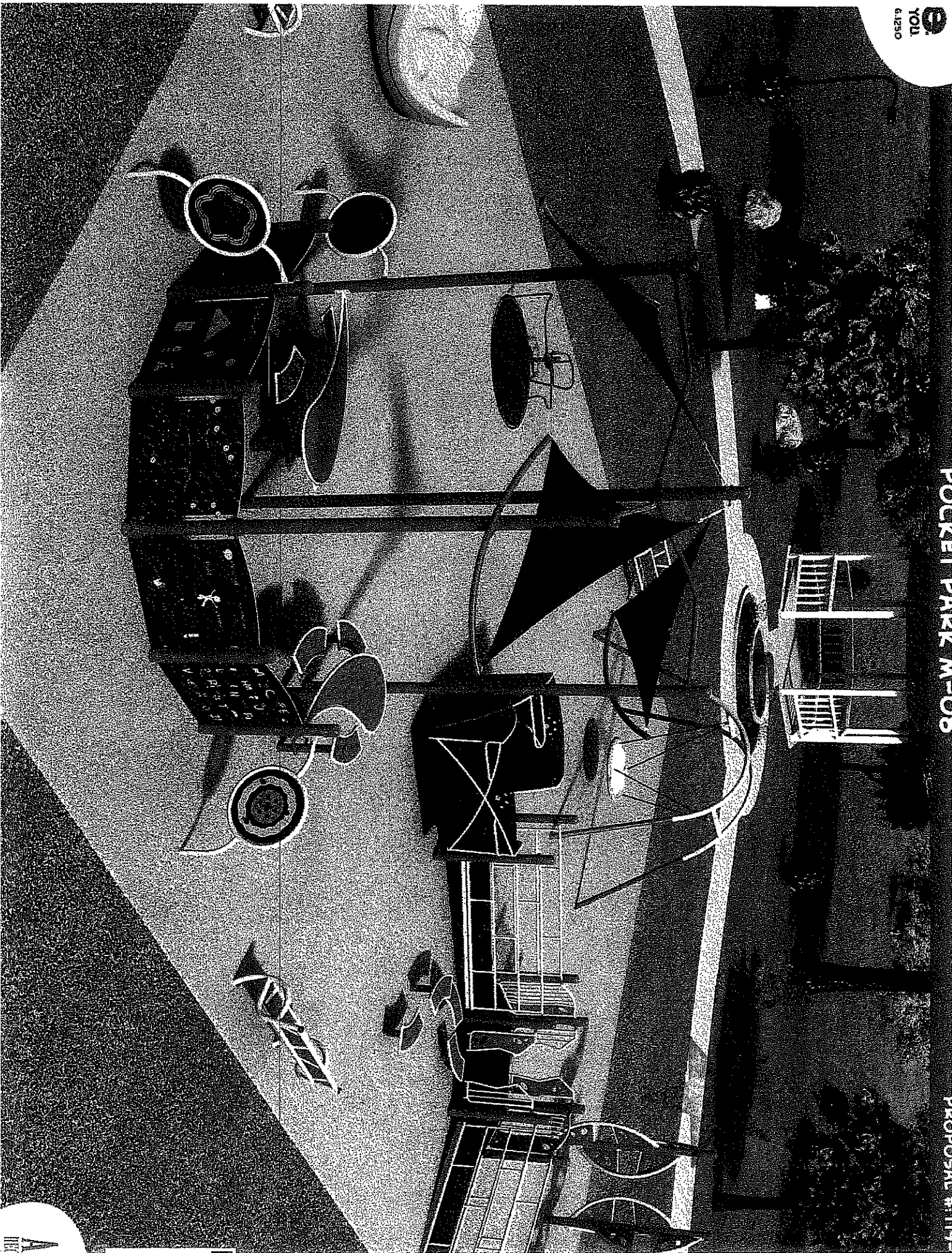
We thank you for your unwavering commitment and we look forward to working with you.

Regards,
Anna Di Chiara
Rocco's Voice for Autism
adichiara4@gmail.com
(516) 476-8449



POCKET PARK M-03

ПРОПОЗИЦИЯ

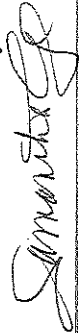


WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated December 16, 2021, requested that the Town Board authorize the Department to permit the Saint Francis Hospital Community Outreach Bus to provide screening for diabetes and cholesterol, to take blood pressure readings and to provide appropriate patient education and referrals as needed, from February 1, 2022 to December 31, 2022 at various Town of Oyster Bay Parks and Community Centers and there will be no cost incurred by the Town of Oyster Bay; and

WHEREAS, the Office of the Inspector General reviewed the Request for Proposal and the proposed vendor's disclosure questionnaire, and is satisfied that the Town of Oyster Bay Procurement Policy was fulfilled,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the abovementioned request, and hereby authorizes the Department of Community and Youth Services to permit the Saint Francis Hospital Community Outreach Bus to provide screening for diabetes and cholesterol, to take blood pressure readings and to provide appropriate patient education and referrals as needed, from February 1, 2022 to December 31, 2022 at various Town of Oyster Bay Parks and Community Centers and there will be no cost incurred by the Town of Oyster Bay.

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Reviewed By
Office of Town Attorney


TOWN OF OYSTER BAY
Inter-Departmental Memorandum

December 16, 2021

TO: Memorandum Docket

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

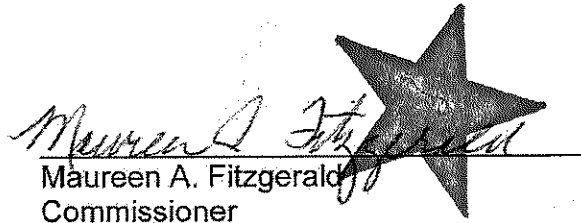
SUBJECT: Saint Francis Hospital Outreach Bus

The Department of Community and Youth Services requests Town Board authorization to permit the services of the Saint Francis Hospital Community Outreach Bus from February 1, 2022 to December 31, 2022.

The Community Outreach Bus will provide screening for Diabetes and Cholesterol, take blood pressure and give appropriate patient education and referrals as needed. The Bus will provide the services at various Town Parks & Community Centers. The times, dates, and locations of the Outreach Bus have yet to be determined and we request that the Town Board authorize the Commissioner of the Department to make that determination.

The Office of the Inspector General is satisfied that the Town's Procurement policy has been fulfilled.

A certificate of insurance naming the Town of Oyster Bay as additional insured has been approved "as to form" by the Office of the Town Attorney and is attached. There will be no costs incurred by the Town for these services.


Maureen A. Fitzgerald
Commissioner

MAF:dw
Attachments



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 1

DATE (MM/DD/YYYY)
11/03/2021

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

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

PRODUCER
Willis Towers Watson Northeast, Inc.
c/o 26 Century Blvd
P.O. Box 305191
Nashville, TN 37205191 USA

CONTACT
NAME: Willis Towers Watson Certificate Center
PHONE (A/C No.): 1-877-945-7378 FAX (A/C No.): 1-888-467-2378
E-MAIL ADDRESS: certificates@willis.com

INSURED
St. Francis Hospital
100 Fort Washington Blvd.
Roslyn, NY 11576

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: RVC Insurance Company Inc	D9123
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES

CERTIFICATE NUMBER: W22803587

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSUR (INSR) LTR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
			1-RVCSL-00-2021	11/01/2021	11/01/2022	MED EXP (Any one person) \$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/CP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY				PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DED RETENTIONS					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					PER STATUTE OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

This Voids and Replaces Previously Issued Certificate Dated 10/21/2021 WITH ID: W22515191.

RE: Outreach Bus site visits

12/6/21 and 3/14/22 (10am - 2pm) - North Massapequa Community Center

12/8/21 and 3/23/22 (10am - 2pm) - Syosset-Woodbury Park Community Center

CERTIFICATE HOLDER

CANCELLATION

Town of Oyster Bay
977 Hicksville Road
Massapequa, NY 11758

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

[Signature]

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ACORD 25 (2016/03)

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SR ID: 21800659

BATCH: 2296399

POLICY NUMBER: 1-RVCGL-00-2021

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.****ADDITIONAL INSURED - DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

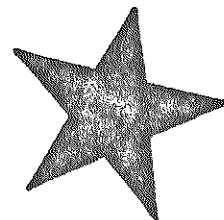
COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
The Town of Oyster Bay 977 Hicksville Road Massapequa, NY 11758
As respects to St. Francis Hospital Mobile Outreach Bus
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.

Reviewed By
Office of Town Attorney

CG 20 26 07 04

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Page 1 of 1

Meeting of January 11, 2022

Resolution No. 4-2022

WHEREAS, this Town Board did heretofore award Contract No. HVR17-156, Requirements Contract for Cleaning and Inspection of Storm Drainage Systems Throughout the Town of Oyster Bay, to Thomas Novelli Contracting Corporation, 41 Sarah Drive Farmingdale, New York 11735; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated December 17, 2021, advised that it is necessary and essential to authorize Change Order No. 2, to Contract No. HVR17-156, in order to provide for the work mentioned therein, at a total net increase of \$15,200.21, with said funds to be provided for the described Change Order No. 2, through a contract Work Order through the Highway Department,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, Change Order No. 2 to Contract No. HVR17-156 is hereby approved, and the Town Supervisor, or his duly authorized designee, is hereby authorized to sign and execute Change Order No. 2, setting forth the work required, at a total net increase of \$15,200.21; and be it further

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

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Reviewed By
Office of Town Attorney

Robert P. Headley

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

December 17, 2021

TO: MEMORANDUM DOCKET

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

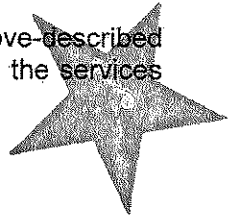
SUBJECT: CHANGE ORDER NO. 2
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
STORM DRAINAGE SYSTEMS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO.: HVR17-156


The Division of Engineering, in response to storm water flooding conditions stemming from an obstructed culvert pipe in Locust Valley required the services of the Town's requirements contract.

The above subject Change Order No. 2 is necessary to provide emergency response services to flooding conditions in the area of Elm Street in Locust Valley. On September 1, 2021 Hurricane Ida created a rainfall event totaling approximately 6-7 inches resulting in severe flooding. This severe flooding required the towns utilization of Thomas Novelli Contracting Corp. services to pump flood waters and remove multiple obstructions blocking a culvert pipe that crosses under the Long Island Railroad. Costs related to these services include all manpower, equipment, and coordination with Long Island Railroad personnel necessary to mitigate the flooding, expose the obstructed culvert piping and remove all obstructions. These additional services are not provided for within the original contract items necessitating this change order.

The contractor, Thomas Novelli Contracting Corp., has submitted his costs for the emergency response work and the Division of Engineering has reviewed the contractor's price and finds the price of \$15,200.21 for the additional work to be fair and reasonable. Funding for this change order will be provided through a contract Work Order through the Department of Highways.

Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 2 for a total net increase in the amount of \$15,200.21 relative to the services performed under Contract No. HVR17-156.





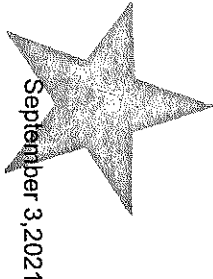
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/CT//MR/DDM/nm
Attachments

C: Steven Ballas, Comptroller

HVR17-156 CHANGE ORDER 2 DOCKET

Thomas Novelli Contracting Corp.
41 Sarah Drive
Farmingdale, New York 11735



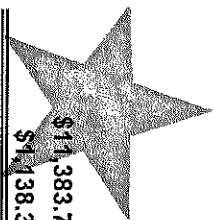
TOB **Flood Response Crew**
Re: *Cost Breakdown*

Description: ***Provide Labor/Equipment/Materials***
9/2/21-9/3-21 *Supply labor and Equipment to pump out existing flooded*
 recharge basin due to Tropical Storm Ida
 Mobilized at 2pm and onsite at 3:30 with crew
 Maintained pumps till 10pm and the came back at 7am 9-3-21
 to clean outfall pipe and headwall of debris

		HOURS		HOURLY RATE		TOTAL
Labor:						
	Operating Engineer- B Rate (Compactor) Straight Time	8		\$150.04		\$1,200.32
	Operating Engineer- B Rate (Compactor) OverTime	7		\$251.71		\$1,761.97
	Laborer - Straight Time	30		\$126.78		\$3,803.40
	Laborer -OverTime	28		\$164.93		\$4,618.04
	<i>Sub-Total</i>					<i>\$71,383.73</i>
Equipment:						
	4" Trash pump w/ hoses - Each	2		\$300.00		\$600.00
	Utility Step Van (hr)	12		\$65.00		\$780.00
	Ford 350 Shop Truck (hr)	12		\$56.00		\$672.00
	<i>Sub-Total</i>					<i>\$2,052.00</i>
Material:						
	<i>Sub-Total</i>					

TOTAL AMOUNT OF THIS INVOICE:	\$15,200.21
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Labor / Material Sub Total	\$11,383.73
10 % Overhead (excluding equipment)	\$1,138.37
Sub-Total	\$12,522.10
5% Profit (excluding equipment)	\$626.11
Total Labor /Material with Profit/Overhead	\$13,148.21
Equipment Cost	\$2,052.00



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
STORM DRAINAGE SYSTEMS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO.: HVR17-156
CHANGE ORDER NO. 2

To: Thomas Novelli Contracting Corp.
41 Sarah Drive
Farmingdale, New York 11735

E 4024

From: Commissioner Richard W. Lenz, P.E.
Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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

ITEM 1

Additional cost to provide emergency response services to flooding conditions in the area of Elm Street in Locust Valley. On September 1, 2021 Hurricane Ida created a rainfall event totaling approximately 6-7 inches resulting in severe flooding. This severe flooding required the towns utilization of Thomas Novelli Contracting Corp. services to pump flood waters and remove multiple obstructions blocking a culvert pipe that crosses under the Long Island Railroad. Costs related to these services include all manpower, equipment, and coordination with Long Island Railroad personnel necessary to mitigate the flooding, expose the obstructed culvert piping and remove all obstructions. These additional services are not provided for within the original contract items necessitating this change order.

TOTAL OF ITEM 2: \$15,200.21

TOTAL OF CHANGE ORDER NO. 2: \$15,200.21

The original Contract sum was:	\$169,400.00
Net Change by previously authorized Change Orders:	\$26,400.00
Total Contract sum prior to this Change Order:	\$195,800.00
Change Order No. 2:	\$15,200.21
New Contract sum including CHANGE ORDER NO. 2:	\$211,000.21

The above work is to be performed in accordance with the work order from the Department of Public Works, dated September 2, 2021, and the memorandum of the Department of Public Works, dated October 7, 2021, at a cost to the Town in the amount of **Fifteen Thousand, Two Hundred Dollars and Twenty One Cents.**

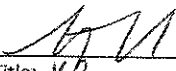
The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:
Richard W. Lenz, P.E.

by: 
Title: Commissioner DPW/HIGHWAY


Dated: 11-8-21

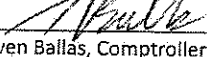
Accepted by:
Thomas Novelli Contracting Corp.

by: 
Title: VP

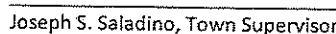
Dated: 12/9/21

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

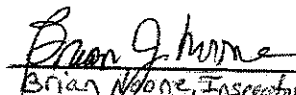
by: 
Robert Darenzo, Director of Finance

by:  11/19/21
Steven Ballas, Comptroller

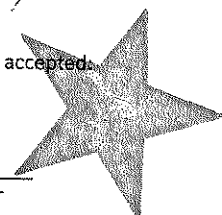
The above Change Order is hereby accepted.
Town of Oyster Bay


Joseph S. Saladino, Town Supervisor

Dated: _____


Brian Malone, Inspector General

Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
STORM DRAINAGE SYSTEMS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO.: HVR17-156
CHANGE ORDER NO. 2

To: Thomas Novelli Contracting Corp.
41 Sarah Drive
Farmingdale, New York 11735

From: Commissioner Richard W. Lenz, P.E.
Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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

ITEM 1

Additional cost to provide emergency response services to flooding conditions in the area of Elm Street in Locust Valley. On September 1, 2021 Hurricane Ida created a rainfall event totaling approximately 6-7 inches resulting in severe flooding. This severe flooding required the towns utilization of Thomas Novelli Contracting Corp. services to pump flood waters and remove multiple obstructions blocking a culvert pipe that crosses under the Long Island Railroad. Costs related to these services include all manpower, equipment, and coordination with Long Island Railroad personnel necessary to mitigate the flooding, expose the obstructed culvert piping and remove all obstructions. These additional services are not provided for within the original contract items necessitating this change order.

TOTAL OF ITEM 2: \$15,200.21

TOTAL OF CHANGE ORDER NO. 2: \$15,200.21

The original Contract sum was:	\$169,400.00
Net Change by previously authorized Change Orders:	\$26,400.00
Total Contract sum prior to this Change Order:	\$195,800.00
Change Order No. 2:	\$15,200.21
New Contract sum including CHANGE ORDER NO. 2:	\$211,000.21

The above work is to be performed in accordance with the work order from the Department of Public Works, dated September 2, 2021, and the memorandum of the Department of Public Works, dated October 7, 2021, at a cost to the Town in the amount of **Fifteen Thousand, Two Hundred Dollars and Twenty One Cents.**

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

Recommended by:
Richard W. Lenz, P.E.

by: [Signature]
Title: Commissioner DPW/HIGHWAY

Dated: 11/10/21

Accepted by:
Thomas Novelli Contracting Corp.

by: [Signature]
Title: V.P.

Dated: 12/9/21

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

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 11/10/21
Steven Ballas, Comptroller

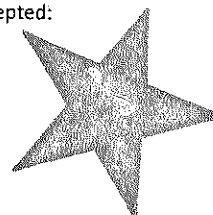
The above Change Order is hereby accepted:
Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____

[Signature]
Brian Noche, Inspector General

Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
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Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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

Recommended by:
Richard W. Lenz, P.E.

by: *Richard W. Lenz*
Title: Commissioner DPW/HIGHWAY

Dated: 11/18/21

Accepted by:
Thomas Novelli Contracting Corp.

by: *TN*
Title: V.P.

Dated: 12/9/21

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

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

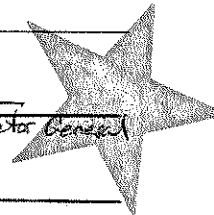
by: *[Signature]* 11/10/21
Steven Ballas, Comptroller

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

Joseph S. Saladino, Town Supervisor

Dated: _____
[Signature]
Brian Done, Inspector General

Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
STORM DRAINAGE SYSTEMS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO.: HVR17-156
CHANGE ORDER NO. 2

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Farmingdale, New York 11735

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Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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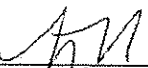
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Recommended by:
Richard W. Lenz, P.E.

by: 
Title: Commissioner DPW/HIGHWAY

Dated: 11/18/21

Accepted by:
Thomas Novelli Contracting Corp.

by: 
Title: V.P.

Dated: 12/9/21

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


by: 
Robert Darlenzo, Director of Finance

by:  11/10/21
Steven Ballas, Comptroller

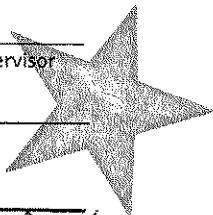
The above Change Order is hereby accepted:
Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____


Brian Malone, Inspector General

Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
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Department of Public Works
150 Miller Place
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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:
Richard W. Lenz, P.E.

by: Richard W. Lenz
Title: Commissioner DPW/HIGHWAY

Dated: 11-8-21

Accepted by:
Thomas Novelli Contracting Corp.

by: TN
Title: V.P.

Dated: 12/9/21

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

by: [Signature]
Robert Darienzo, Director of Finance

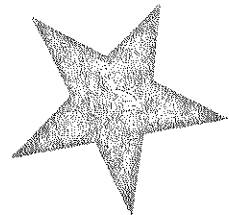
by: [Signature] 11/19/21
Steven Ballas, Comptroller

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

Joseph S. Saladino, Town Supervisor

Dated: _____

[Signature]
Brian Noone, Inspector General
Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
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Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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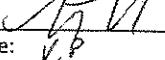
The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:
Richard W. Lenz, P.E.

by: 
Title: Commissioner DPW/HIGHWAY


Dated: 11-8-21


Accepted by:
Thomas Novelli Contracting Corp.

by: 
Title: V.P.

Dated: 12/9/21

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


by: 
Robert D'Amico, Director of Finance

by:  11/10/21
Steven Ballas, Comptroller

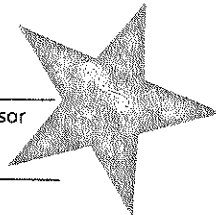
The above Change Order is hereby accepted:
Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____


Brian Moore, Inspector General

Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
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CONTRACT NO.: HVR17-156
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Farmingdale, New York 11735

From: Commissioner Richard W. Lenz, P.E.
Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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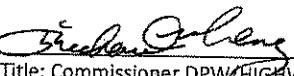
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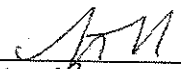
The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:
Richard W. Lenz, P.E.

by: 
Title: Commissioner DPW/HIGHWAY

Dated: 11/18/21

Accepted by:
Thomas Novelli Contracting Corp.

by: 
Title: VP

Dated: 12/9/21

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

by: 
Robert Darienzo, Director of Finance

by:  11/10/21
Steven Ballas, Comptroller

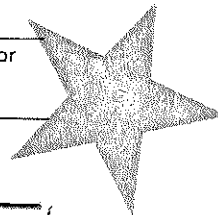
The above Change Order is hereby accepted:
Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____


Brian Noche, Inspector General

Dated: 12/6/21



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF
STORM DRAINAGE SYSTEMS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO.: HVR17-156
CHANGE ORDER NO. 2

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From: Commissioner Richard W. Lenz, P.E.
Town Of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, N.Y. 11791

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

Recommended by:
Richard W. Lenz, P.E.

by: *Richard W. Lenz*
Title: Commissioner DPW/HIGHWAY

Dated: 11/8/21

Accepted by:
Thomas Novelli Contracting Corp.

by: *TN*
Title: V.P.

Dated: 12/9/21

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

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

by: *S. Ballas* 11/10/21
Steven Ballas, Comptroller

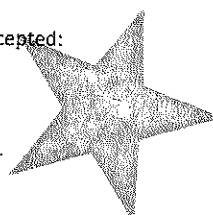
The above Change Order is hereby accepted:
Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____

Brian Nofre
Brian Nofre, Inspector General

Dated: 12/6/21



WHEREAS, by Resolution No. 669-2021, adopted on November 16, 2021, H2M Engineers, Land Surveying & Landscape Architecture, D.P.C., was authorized to provide design phase engineering services relative to the TOBAY Center Pavilion Canopy Replacement Located in Massapequa, in connection with Contract No. DP21-223, and the Town Comptroller was authorized and directed to issue an encumbrance order to satisfy said engineering costs; and

WHEREAS, H2M Engineers, Land Surveying & Landscape Architecture, D.P.C., provided such services in connection with Contract No. DP21-223, TOBAY Center Pavilion Canopy Replacement Located in Massapequa; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated December 16, 2021, stated that the design for Contract No. DP21-223 has been completed, and that the Department of Public Works/Highways has approved the plans and specifications, with an estimated construction time for completion of 90 days; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Division of Purchasing proceed with setting a bid date for receiving bids for the contract, and further requested that the Division of Purchasing contact the Division of Engineering to establish a bid date,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Division of Purchasing is authorized and directed to proceed with the bidding phase for Contract No. DP21-223, and to proceed with setting a bid date for receiving bids.

-#-

Reviewed By
Office of Town Attorney

Ralph P. Reedy

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

December 16, 2021

TO : MEMORANDUM DOCKET


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

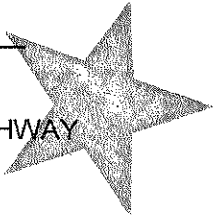
SUBJECT : ACCEPTANCE OF DESIGN, REQUEST TO ENTER BID &
CONSTRUCTION PHASES FOR TOBAY CENTER PAVILION
CANOPY REPLACEMENT
LOCATED IN MASSAPEQUA
CONTRACT NO. DP21-223

Town Board Resolution No. 669-2021 authorized H2M Engineers, Land Surveying & Landscape Architecture, D.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 90 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/SJ/nm
Attachments

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

DP21-223 DOCKET Request to Bid TOBAY Center Pavilion Canopy Replacement

WHEREAS, by Resolution No. 806-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with H2M Engineers, Land Surveying & Landscape Architecture, D.P.C. to provide On-Call Engineering Services relative to Civil Engineering in connection with Contract No. PWC07-20 for a period of two (2) years commencing January 1, 2020 through December 31, 2021; and

WHEREAS, Francois R. Derasmo, Project Designer and William H. Rockensies, P.E., Sr. Vice President, H2M Engineers, Land Surveying & Landscape Architecture, D.P.C., by letter dated October 29, 2021, described the scope of work to be performed under Contract No. PWC07-20 in connection with On-Call Services for Civil Engineering related to the Open Pavillion at TOBAY Center Facility, in an amount not to exceed \$28,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 3, 2021, requested Town Board authorization for H2M Engineers, Land Surveying & Landscape Architecture, D.P.C. to perform the aforesaid engineering services under Contract No. PWC07-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$28,000.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds to satisfy said engineering costs, are available in Account No. PKS H 7197 20000 000 2102 001; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and H2M Engineers, Land Surveying & Landscape Architecture, D.P.C. is authorized to perform the aforementioned engineering services in connection with Contract No. PWC07-20, and be it further

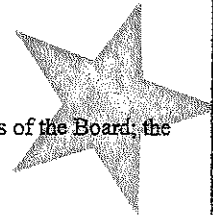
RESOLVED, That the Comptroller is authorized and directed to make payment for same upon presentation of a duly certified claim after audit, with funds for said payment to be drawn from Account No. PKS H 7197 20000 000 2102 001.

-#-

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

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

Reviewed by
Office of Town Attorney



WHEREAS, by Resolution No. 53-2021, adopted on January 26, 2021, the Town Board authorized the Department of Intergovernmental Affairs to obtain Workers Compensation Insurance with the New York State Insurance Fund, through Salerno Brokerage Corp., for the youth enrolled in the Division's Youth Employment and Training Program for the period January 1, 2021 through December 31, 2021, for the total premium of \$8,328.26, inclusive of any fee for brokerage services; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated December 27, 2021, advised that the 2021 Workers' Compensation policy contained an auto-renew provision through which this policy has been renewed for the period January 1, 2022 through December 31, 2022, at a cost of \$7,135.94 towards the premium and a \$750.00 Service Agreement Fee; and

WHEREAS, Commissioner Sammartano, by said memorandum, requested Town Board authorization for payment of the above referenced premium of \$7,135.94 and the Service Agreement Fee of \$750.00, for the auto-renewal of the said Workers Compensation Insurance for the youth enrolled in the Division's Youth Employment and Training Program for the period January 1, 2022 through December 31, 2022, *nunc pro tunc*, to Salerno Brokerage Corp.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and payment of the above referenced premium of \$7,135.94 and the Service Agreement Fee of \$750.00, both to Salerno Brokerage Corp., for the auto-renewal of the said Workers Compensation Insurance for the youth enrolled in the Division's Youth Employment and Training Program for the period January 1, 2022 through December 31, 2022, *nunc pro tunc*, is authorized and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to Salerno Brokerage Corp., for same in the total amount of \$7,885.94, upon presentation of a duly certified claim, after audit, and that the funds for said payment shall be drawn from Account No. IGA CD 6293 43000 000 CW21.

#

Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

Attest: _____
Secretary of the Board

H

6

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

December 27, 2021

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS


SUBJECT: WORKERS COMPENSATION INSURANCE – SALERNO BROKERAGE
CORP.

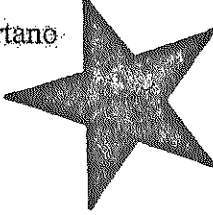
The Department of Intergovernmental Affairs' Division of Employment and Training is required to retain Workers Compensation Insurance for the youth that are enrolled in the Division's Youth Employment and Training program. This insurance is renewed annually.

Resolution number 53-2021 (enclosed) authorized the purchase of Workers Compensation Insurance for a period of January 1, 2021 through December 31, 2021. The 2021 Workers' Compensation policy contained an auto-renew condition through which this policy has been renewed.

The State Insurance Fund, the current provider of this coverage to the Town, was the only insurer to provide a quote for coverage for the period January 1, 2022 through December 31, 2022, at a cost of \$7,135.94, and the service agreement fee of \$750.00. Alternative quotes were sought, but The State Insurance Fund was the only entity that was willing to provide a policy. Accordingly, Salerno Brokerage Corp. has bound a renewal policy with the State Insurance Fund Group 90 (Current Plan).

It is respectfully requested that the Town Board adopt a resolution effective January 1, 2022, nunc pro tunc ratifying the procurement of this coverage and authorizing payment to Salerno Brokerage Corp in the amount of \$7,885.94. Funds are available in account IGA CD 6293 43000 000 CW21.


Frank V. Sammartano
Commissioner



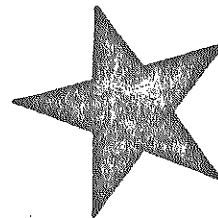
WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated January 21, 2021, advised that Workers Compensation insurance coverage is required to be retained for the youth enrolled in the Department of Intergovernmental Affairs' Division of Employment and Training, and requested authorization, to obtain Workers Compensation coverage through a policy issued by The State Insurance Fund, procured by Salerno Brokerage Corp., at a cost of \$8,328.26, inclusive of any brokerage services, for the policy period January 1, 2021 through December 31, 2021, nunc pro tunc; and

WHEREAS, the Office of the Town Attorney is satisfied that the Department of Intergovernmental Affairs has made an acceptable effort to obtain proposals for said coverage and is in compliance with the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, is hereby authorized to renew, nunc pro tunc, the Workers Compensation Insurance for the youth enrolled in the Division's Youth Employment and Training Program with The State Insurance Fund, at a cost of \$8,328.26, for the policy period January 1, 2021 through December 31, 2021, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same in the total amount of \$8,328.26 to Salerno Brokerage Corp., upon presentation of a duly certified claim, after audit, and that the funds for said payment shall be drawn from Account No. IGA CD 6293 43000 000 CW20.

#



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

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

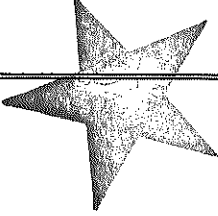
SALERNO BROKERAGE CORP.
117 Oak Drive
Syosset, NY 11791

Oyster Bay-North Hempstead-Glen Cove
Workforce Development Board
977 Hicksville Road
Massapequa, NY 11755

PLEASE REMIT TO:


SALERNO BROKERAGE CORP
117 OAK DRIVE
SYOSSET, NY 11791 -- 4625
(516) 364-4044

INVOICE NO
PRODUCER NO
Salerno Brokerage
CUSTOMER NO
00009556
PAYMENT ENCLOSED

EFFECTIVE DATE	POLICY NO	DESCRIPTION	AMOUNT	EXPIRATION DATE
1/1/2022	H2148337-5	Workers Compensation Renewal -- State Insurance Fund -- Deposit Premium -- final premium subject to audit	\$7,135.94	1/1/2023
		Salerno Brokerage Corp. Service Fee	\$750	

	00009556
DUE DATE	CUSTOMER NO

\$7,885.94
TOTAL AMOUNT DUE

		TOWN OF OYSTER BAY		TAXPAYER IDENTIFICATION NUMBER	
		CLAIM		FEDERAL ID # <input type="checkbox"/> SOCIAL SECURITY # <input type="checkbox"/>	
AUDREY AVENUE, OYSTER BAY, NEW YORK 11771					
CLAIMANT'S NAME Salerno Brokerage Corp			CONTRACT #		ORDER #
CLAIMANT'S ADDRESS 117 Oak Drive Syosset, NY 11791			CONTRACT NAME		
TOWN DEPARTMENT Oyster Bay - N.Hempstead- Glen Cove Workforce Develop. B.			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
12/20/2021	Policy# H2148337-5 01/01/2022-01/01/2023				
	WORKERS COMPENSATION - STATE INS FUND				
	DEPOSIT PREMIUM - FINAL PREMIUM SUBJECT TO AUDIT				\$7,135.94
	SALERNO BROKERAGE CORP SERVICE FEE				\$750.00
	DUE DATE 1/01/2022				
THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT				TOTAL AMOUNT	\$7,885.94
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 \$7,885.94				CASH DISCOUNT %	
				NET AMOUNT	
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 <u>Nicole L Morton</u>		Title _____		Date <u>12/20/2021</u>	Insurance Rep.
Print or type name <u>Nicole L. Morton</u>		Name of Company _____		Salerno Brokerage Corp.	
I HEREBY APPROVE this claim form for the sum of _____ for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.					
Signature _____		Title _____		Date _____	
Department _____		Account _____			

INSTRUCTIONS

CLAIMANT'S NAME AND ADDRESS - All claimants must print or typewrite their name and address in the space provided for the purpose. The check will be drawn in that name and mailed to that address. Claimant's Taxpayer Identification Number (TIN) must be furnished.

DEPARTMENT OR AGENCY - Indicate the department that received the services or supplies.

TERMS - Show any discounts that are allowed for prompt payment. Cash discount period to commence when claim is received by the Town Comptroller.

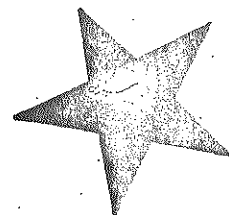
PURCHASE OR WORK ORDER NO. - If a purchase order or work order has been issued for the items charged on this voucher, show the number thereof.

DESCRIPTION OF MATERIALS OR SERVICES - charges must be itemized. In space provided in the body of this voucher, show where applicable: (1) dates of services or delivery; (2) quantities; (3) description of charges; (4) unit price; (5) amount. Where labor is part of the services rendered, indicate rate per hour and the number of hours.

CLAIMANT'S CERTIFICATION - The claimant's certification must be completed. The date on which the signatures affixed must be given. The title of the person signing must clearly indicate his relationship to the claimant, e.g. sole owner, partner, treasurer, bookkeeper, billing clerk, etc.
Notary not required.

DELIVERY RECEIPTS OR INVOICE - Attach to claim original invoice and delivery slips signed by the municipal employee receiving the materials.

RETURN CLAIM VOUCHER AND ORIGINAL INVOICE PROMPTLY - In order to expedite payment this claim voucher and original invoice should be returned promptly to the receiving department after the services have been rendered or the materials have been furnished.



THE STATE INSURANCE FUND
8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
(888) 875-5790

Table with 4 columns: Document Type, Group No, Period Covered, R.B. File No.
Row 1: INFORMATION PAGE, 090, 01/01/2022 TO 01/01/2023, 000593785R

INSURED: H 2148 337-5 REPRESENTATIVE: 559211
OYSTER BAY-N. HEMPSTEAD-GLEN COVE SALERNO BROKERAGE CORP
WORKFORCE DEVELOPMENT BOARD 117 OAK DR
977 HICKSVILLE ROAD SYOSSET NY 11791
MASSAPEQUA NY 11758

Table with 2 columns: Policy No, Date, Document Number
Row 1: H 2148 337-5
Row 2: 11/16/2021
Row 3: E10001510248

MP 818

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME
TYPE OF BUSINESS: POLITICAL SUBDIVISION

INFORMATION PAGE RENEWAL POLICY

THIS POLICY INCLUDES THESE ENDORSEMENTS AND/OR SCHEDULES:

YOU MUST REPORT ANY CHANGE IN OWNERSHIP TO US IN WRITING WITHIN 90 DAYS OF THE DATE OF THE CHANGE. CHANGE IN OWNERSHIP INCLUDES SALES, PURCHASES, OTHER TRANSFERS, MERGERS, CONSOLIDATIONS, DISSOLUTIONS, FORMATIONS OF A NEW ENTITY, AND OTHER CHANGES PROVIDED FOR IN THE APPLICABLE EXPERIENCE RATING PLAN. EXPERIENCE RATING IS MANDATORY FOR ALL ELIGIBLE INSURED. THE EXPERIENCE RATING MODIFICATION FACTOR, IF ANY, APPLICABLE TO THIS POLICY, MAY CHANGE IF THERE IS A CHANGE IN YOUR OWNERSHIP OR IN THAT OF ONE OR MORE OF THE ENTITIES ELIGIBLE TO BE COMBINED WITH YOU FOR EXPERIENCE RATING PURPOSES.

FAILURE TO REPORT ANY CHANGE IN OWNERSHIP, REGARDLESS OF WHETHER THE CHANGE IS REPORTED WITHIN 90 DAYS OF SUCH CHANGE, MAY RESULT IN REVISION OF THE EXPERIENCE RATING MODIFICATION FACTOR USED TO DETERMINE YOUR PREMIUM.

THIS REPORTING REQUIREMENT APPLIES REGARDLESS OF WHETHER AN EXPERIENCE RATING MODIFICATION IS CURRENTLY APPLICABLE TO THIS POLICY.

THE EXPERIENCE RATING CREDIT SHOWN BELOW IS IN ACCORDANCE WITH YOUR PAST ACCIDENT EXPERIENCE UNDER THE EXPERIENCE RATING PLAN AS PROMULGATED BY THE APPROPRIATE RATING ORGANIZATION.

65 06/07/2011
THE POLICY DOES NOT COVER BODILY INJURY TO YOUR ELECTED OR APPOINTED OFFICERS WHOM YOU HAVE NOT ELECTED TO MAKE SUBJECT TO THE NEW YORK WORKERS COMPENSATION LAW BY FILING A RESOLUTION THROUGH APPROPRIATE ACTION OF YOUR LEGISLATIVE BODY. THE PREMIUM BASIS OF THE POLICY DOES NOT INCLUDE THE REMUNERATION OF SUCH OFFICERS.

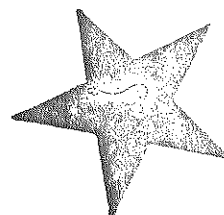
78 06/07/2011
THE POLICY DOES NOT COVER BODILY INJURY TO PERSONS RENDERING SERVICES

THIS IS NOT A BILL. IMPORTANT PREMIUM CALCULATION, PLEASE RETAIN FOR YOUR RECORDS.
FOR ATTACHMENT TO WORKERS' COMPENSATION - EMPLOYERS' LIABILITY POLICY
(SEE REVERSE SIDE FOR CONDITIONS) PAGE 1 CONT.

This policy includes, with their permission, some copyright materials of the National Council on Compensation Insurance and the New York Compensation Insurance Rating Board.

CONDITIONS

1. THE POLICY ISSUED BY THE STATE INSURANCE FUND IS A CONTINUOUS ONE AND REMAINS IN EFFECT UNTIL CANCELLED.
2. THIS DOCUMENT NEITHER REINSTATES THE POLICY IF PREVIOUSLY CANCELLED NOR RESCINDS ANY OUTSTANDING CANCELLATION NOTICE.
3. FOR THE PURPOSE OF SERVING NOTICE, THIS ASSURED AGREES THAT THE ADDRESS SHOWN ON PAGE ONE OF THIS DOCUMENT IS BOTH BUSINESS AND RESIDENCE ADDRESS OF THIS ASSURED AND/OR ANY REPRESENTATIVE OF THIS ASSURED UPON WHOM NOTICE MAY BE SERVED.
4. PURSUANT TO CHAPTER 55 OF THE LAWS OF 1992, ALL CHECKS RETURNED UNPAID WILL BE SUBJECT TO A \$20 ADMINISTRATIVE FEE.



THE STATE INSURANCE FUND

8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
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Document Type: INFORMATION PAGE	Group No: 090	Period Covered: 01/01/2022 TO 01/01/2023	R.B. File No: 000593785R
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INSURED: H 2148 337-5

REPRESENTATIVE: 559211

OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758

SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET NY 11791

Policy No: H 2148 337-5
Date: 11/16/2021
Document Number: E10001510248

MP 818

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TYPE OF BUSINESS: POLITICAL SUBDIVISION

INFORMATION PAGE RENEWAL POLICY

ON A VOLUNTARY OR GRATUITOUS BASIS WHO ARE EXEMPT FROM THE NEW YORK
WORKERS COMPENSATION LAW.

98

06/07/2011

COVERAGE UNDER THIS POLICY IS EXTENDED TO

ONLY PERSONS EMPLOYED BY THE
ASSURED UNDER THE WORKFORCE
INVESTMENT ACT AND/OR THE TEMPORARY
ASSITANCE TO NEEDY FAMILIES PROGRAM
AS ADMINISTERED BY THE ASSURED. ALL
OTHER PERSONS EMPLOYED BY THE
ASSURED ARE WHOLLY EXCLUDED FROM
COVERAGE UNDER THIS POLICY. THE
PREMIUM BASIS FOR THE POLICY IS
LIMITED TO PERSONS EMPLOYED BY THE
ASSURED IN CONNECTION WITH THE
WORKFORCE INVESTMENT ACT OR TANF.

THIS POLICY COVERS THE FOLLOWING ENTITY

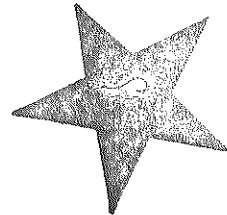
OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD

2-1 EFF: 12/15/2015

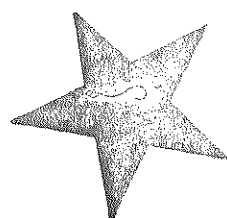
THIS POLICY COVERS THE FOLLOWING LOCATION

977 HICKSVILLE ROAD
MASSAPEQUA NY 11758

1 EFF: 06/07/2011



PAGE 2 CONT.



THE STATE INSURANCE FUND
8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
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Table with 4 columns: Document Type, Group No, Period Covered, R.B. File No.
Row 1: INFORMATION PAGE, 090, 01/01/2022 TO 01/01/2023, 000593785R

INSURED: H 2148 337-5 REPRESENTATIVE: 559211
OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758
SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET NY 11791

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Row 2: 11/16/2021
Row 3: E10001510248

MP 818

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME
TYPE OF BUSINESS: POLITICAL SUBDIVISION

INFORMATION PAGE RENEWAL POLICY

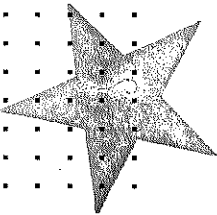
THE PREMIUM FOR THIS POLICY WILL BE DETERMINED BY OUR MANUALS OF RULES, CLASSIFICATIONS, RATES AND RATING PLANS. ALL INFORMATION REQUIRED BELOW IS SUBJECT TO VERIFICATION AND CHANGE BY AUDIT.

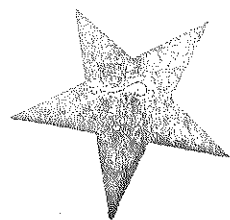
THIS POLICY IS NOW OPEN TO RENEW OR CREATE WORKERS' COMPENSATION CERTIFICATES OF INSURANCE FOR THE UPCOMING POLICY PERIOD. LOG IN TO YOUR NYSIF CUSTOMER ACCOUNT AT WWW.NYSIF.COM AND SELECT THE "CREATE/RENEW CERTIFICATES" OPTION UNDER THE ECERT MENU TO ACCESS THIS FEATURE.

Table with 4 columns: ITEM#, CODE, CLASSIFICATION DESCRIPTION, ESTIMATED PAYROLL, X RATE PER \$100, = SIF MANUAL RATE PREMIUM

The payroll for your policy renewal is based on prior audited/reported payroll. If your payroll has decreased due to the COVID-19 crisis, please contact your policy representative so your payroll can be adjusted accordingly.

Table with 4 columns: ITEM#, CODE, CLASSIFICATION DESCRIPTION, ESTIMATED PAYROLL, X RATE PER \$100, = SIF MANUAL RATE PREMIUM
Rows include: 1. 9048 CAMP OPERATIONS & DRIVERS, 2. 9026 BUILDING OPERATION-COMMERCIAL-ETC-U, 3. 9072 RESTAURANTS-FAST FOOD & DRIVERS, 4. 8831 HOSPITALS - VETERINARY -INC DRIVERS, 5. 8391 AUTO GASOLINE STATION NOC & DRIVERS, 6. 8810 CLERICAL OFFICE EMPLOYEES NOC-U, 7. MANUAL PREMIUM, 8. EXPERIENCE RATING CREDIT 6% OF (ITEM 7), 9. TOTAL MODIFIED PREMIUM, 10. NYSIF DISCOUNT 40% OF (ITEM 9), 11. EXPENSE CONSTANT, 12. TERRORISM PREMIUM, 13. NATURAL DISASTER AND CATASTROPHE PREMIUM, 14. TOTAL ESTIMATED ANNUAL PREMIUM, 15. ASSESSMENT CHARGE 10.2% OF (ITEM 14 LESS ITEM 11), 16. TOTAL ESTIMATED POLICY COST.





THE STATE INSURANCE FUND
8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
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Document Type: INFORMATION PAGE	Group No: 090	Period Covered: 01/01/2022 TO 01/01/2023	* R.B. File No: 000593785R
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INSURED: H 2148 337-5
OYSTER BAY--N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758

REPRESENTATIVE: 559211
SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET NY 11791

Policy No: H 2148 337-5
Date: 11/16/2021
Document Number: E10001510248

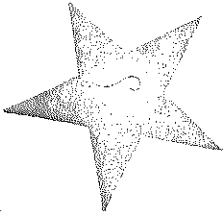
MP 818

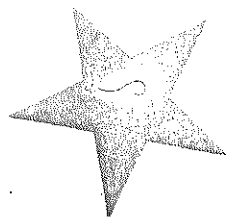
* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME
TYPE OF BUSINESS: POLITICAL SUBDIVISION

INFORMATION PAGE RENEWAL POLICY

A. DEPOSIT PREMIUM REQUIRED 25% OF (ITEM 16). 1,783.99

THE REMAINING BALANCE CAN BE PAID IN 9 INSTALLMENT(S). A \$10 SERVICE CHARGE WILL
APPLY TO EACH INSTALLMENT. YOU MAY PAY THE FULL ESTIMATED AMOUNT IF YOU WISH.





Document Type: INFORMATION PAGE	Group No: 090	Period Covered: 01/01/2022 TO 01/01/2023	R.B. File No: 000593785R
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INSURED: H 2148 337-5

REPRESENTATIVE: 559211

OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
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Policy No: H 2148 337-5
Date: 11/16/2021
Document Number:

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME

Interest & Service Charge Endorsement

This Policy is amended by adding -

- (1) the following four paragraphs to paragraph "E. Premium payments" of "PART FOUR - PREMIUM:"

"If your annual premium is \$1,000 or more, you may elect to pay via our extended payment plan. Once the initial deposit on your premium has been paid, the remaining balance can be paid in installments on a plan acceptable to us. There will be a service charge of \$10 per installment.

If you are on an extended payment plan, we will send bills monthly.

Payment of an annual bill or a monthly bill is due within twenty-six days of the date of the bill (unless, as provided in the next paragraph, payment is due within fourteen days of the date of the bill). Payment, including payment sent by mail, is not effective until it has been received by NYSIF. If the total amount due is not received by the due date, you will owe a late payment fee of \$30.00.

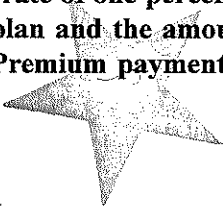
If the total amount due plus the late payment charge is not received before one month from the date of the bill, the next bill will include the amount due, if any, for the current month, and any amounts unpaid from prior bills plus any unpaid late charges. Payment of that next bill will be due within fourteen days of the date of that next bill. If the total amount due is not received by that due date, we will issue a notice of cancellation of the policy."

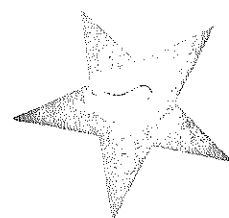
AND

- (2) the following two paragraphs to paragraph "H. Audit" of "PART FOUR - PREMIUM:"

"You will be billed for any premium found due on an audit ("Audit Premium").

If you have an active policy with us, and the amount found due is \$1,000 or more, you may request to pay over time. If the request is agreed to, interest will be charged at the rate of one percent per month on the outstanding balance, the terms of the Audit Premium payment plan and the amount then due will be included on monthly bills, and the provisions of paragraph "E. Premium payments" of "PART FOUR - PREMIUM" shall apply."





THE STATE INSURANCE FUND
8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
(888) 875-5790

Table with 4 columns: Document Type, Group No, Period Covered, R.B. File No.
Row 1: NOTICE OF RATE CHANGE, 090, 01/01/2022 TO 01/01/2023, 000593785R

INSURED: H 2148 337-5 REPRESENTATIVE: 559211
OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758
SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET NY 11791

Table with 2 columns: Policy No, Date, Document Number.
Row 1: H 2148 337-5
Row 2: 11/16/2021
Row 3: E10001510248

MP 818

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME
TYPE OF BUSINESS: POLITICAL SUBDIVISION

NOTICE OF RATE CHANGE

An overall loss cost decrease of 6.4% has been approved by the New York State Department of Financial Services to become effective on October 1, 2021.

The following is a description of the various components of the approved change:

Loss Experience - The latest two policy years of experience produced a decrease of 1.7% in the overall loss cost level.

Legislative Changes - This revision includes an estimate of the cost impact of the latest increases in the maximum weekly benefits that were set forth in the 2007 workers' compensation reform legislation. This component contributed an increase of 2.0% to the overall change.

Loss Adjustment Expenses - A review of the latest data available resulted in an increase of 0.6% in the Loss Adjustment Expense provision.

Future Trends - The latest analysis of New York claim severity and claim frequency indicates a continuing decrease in claim frequency, an upward trend in indemnity claim costs and a mild upward trend in medical claim costs. Combined with a projected wage trend, the final selected net trend factor is -6.3%.

Catastrophe Provision - This revision changes the loss cost for terrorism to \$0.03 per \$100 of total policy payroll (2.3% of premium for non-payroll classifications), representing a decrease of 33.3% from the previous provision. This revision also changes the loss cost for natural disasters and catastrophic industrial accidents to \$0.005 per \$100 of total policy payroll (0.4% of premium for non-payroll classifications), representing a decrease of 37.5% from the previous provision. These changes contribute a decrease of 1.1% to the overall change.

Classification Loss Costs - Although the average manual loss cost level is decreasing by 5.4%, individual classification loss cost changes are based on the most recently available loss experience for each classification. Both increases and decreases from the current loss costs have been actuarially calculated for each class. This process ensures that each classification loss cost reflects the appropriate level relative to the experience of the other classifications.

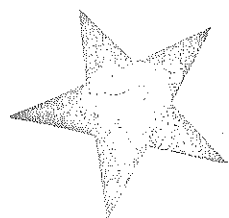
FOLLOWING ARE THE RATES THAT WILL APPLY TO YOUR 01/01/2022 RENEWAL AND THE PERCENTAGE OF CHANGE FROM YOUR LAST RENEWAL:

Table with 4 columns: Code, Description, Rate, Change.
Row 1: 8391, AUTO GASOLINE STATION NOC & DRIVERS, \$ 3.59, 10.00% DECREASE
Row 2: 8810, CLERICAL OFFICE EMPLOYEES NOC-U, \$ 0.15, NO CHANGE
Row 3: 8831, HOSPITALS - VETERINARY -INC DRIVERS, \$ 1.40, 9.10% DECREASE
Row 4: 9026, BUILDING OPERATION-COMMERCIAL-ETC-U, \$ 5.16, 7.00% DECREASE
Row 5: 9048, CAMP OPERATIONS & DRIVERS, \$ 3.02, 2.30% DECREASE
Row 6: 9072, RESTAURANTS-FAST FOOD & DRIVERS, \$ 2.26, 10.00% DECREASE

@ MANUAL RATE FOR EACH \$100 OF PAYROLL

PLEASE NOTE THAT THE ABOVE RATES WILL BE SUBJECT TO AN EXPERIENCE RATING CREDIT OF 6%. THE EXPERIENCE MODIFICATION PERCENTAGE SHOWN IS

(CONTINUED ON NEXT PAGE)



THE STATE INSURANCE FUND
8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
(888) 875-5790

Document Type: NOTICE OF RATE CHANGE	Group No: 090	Period Covered: * 01/01/2022 TO 01/01/2023	R.B. File No: 000593785R
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INSURED: H 2148 337-5
OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758

REPRESENTATIVE: 559211
SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET NY 11791

Policy No: H 2148 337-5
Date: 11/16/2021
Document Number: E10001510248

MP 818

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME

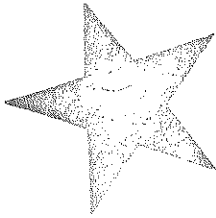
TYPE OF BUSINESS: POLITICAL SUBDIVISION

(CONTINUED)

TENTATIVE AND CAN BE REVISED BY ENDORSEMENT AS A RESULT OF AN ACTUAL RATING BEING ISSUED BY THE APPROPRIATE RATING AUTHORITY.

THE ABOVE RATES WILL BE SUBJECT TO A 40% DISCOUNT BY THE STATE INSURANCE FUND.

PLEASE READ THE NOTICE REGARDING THE ASSESSMENT CHARGE ON THE REVERSE SIDE.

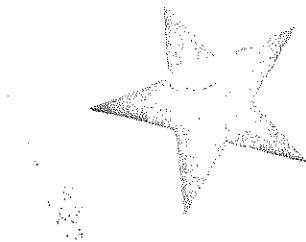


THE STATE INSURANCE FUND
199 Church Street New York, N.Y. 10007

ASSESSMENTS FOR WORKERS' COMPENSATION POLICIES ISSUED ON OR AFTER JANUARY 1, 2022:

The Assessment Charge listed on the Information Page of the policy is a charge assessed by the Workers' Compensation Board to cover the costs of the Board in administering the workers' compensation system and in financing various special funds that the Board administers. As provided by the Workers' Compensation Law, for policies issued or renewed in or after 2014, these charges will be assessed directly to you as an employer but will continue to be billed by us along with your premium. We will remit the Assessment Charge to the Board. The Board has determined that the rate for assessments effective January 1, 2022 is 10.2 %, which is applied to your "Total Estimated Annual Premium" shown on the Information Page of the policy (subject to any later changes to your annual premium), less the Expense Constant, less any credit for a deductible that applies to your policy and less any premium for federal coverage that applies to your policy. You will be billed one amount reflecting the total of your premium, Board assessments and all other applicable charges. Your failure to pay an Assessment Charge to us will result in the cancellation of your policy.

THE STATE INSURANCE FUND



THE STATE INSURANCE FUND
8 Corporate Center Dr, 2nd Floor, Melville, NY, 11747-3166
(888) 875-5790

Table with 4 columns: Document Type (INFORMATION PAGE), Group No (090), Period Covered (01/01/2022 TO 01/01/2023), R.B. File No (000593785R)

INSURED: H 2148 337-5
OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758
REPRESENTATIVE: 559211
SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET NY 11791

Table with 2 columns: Policy No (H 2148 337-5), Date (11/16/2021), Document Number (E10001510248)

MP 818

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME

TYPE OF BUSINESS: POLITICAL SUBDIVISION

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT

This endorsement addresses the requirements of the Terrorism Risk Insurance Act of 2002 as amended and extended by the Terrorism Risk Insurance Program Reauthorization Act of 2019. It serves to notify you of certain limitations under the Act, and that your insurance carrier is charging premium for losses that may occur in the event of an Act of Terrorism.

Your policy provides coverage for workers compensation losses caused by Acts of Terrorism, including workers compensation benefit obligations dictated by state law. Coverage for such losses is still subject to all terms, definitions, exclusions, and conditions in your policy, and any applicable federal and/or state laws, rules, or regulations.

Definitions:

The definitions provided in this endorsement are based on and have the same meaning as the definitions in the Act. If words or phrases not defined in this endorsement are defined in the Act, the definitions in the Act will apply.

"Act" means the Terrorism Risk Insurance Act of 2002, which took effect on November 26, 2002, and any amendments thereto including any amendments resulting from the Terrorism Risk Insurance Program Reauthorization Act of 2019.

"Act of Terrorism" means any act that is certified by the Secretary of the Treasury, in consultation with the Secretary of Homeland Security, and the Attorney General of the United States as meeting all of the following requirements:

- a. The act is an act of terrorism.
- b. The act is violent or dangerous to human life, property or infrastructure.
- c. The act resulted in damage within the United States, or outside of the United States in the case of the premises of United States missions or certain air carriers or vessels.
- d. The act has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

"Insured Loss" means any loss resulting from an act of terrorism (and, except for Pennsylvania, including an act of war, in the case of workers compensation) that is covered by primary or excess property and casualty insurance issued by an insurer if the loss occurs in the United States or at the premises of United States missions or to certain air carriers or vessels.

"Insurer Deductible" means, for the period beginning on January 1, 2021, and ending on December 31, 2027, an amount equal to 20% of our direct earned premiums, during the immediately preceding calendar year.

Limitation of Liability

The Act limits our liability to you under this policy. If aggregate Insured Losses exceed \$100,000,000,000 in a Calendar Year and if we have met our Insurer Deductible, we are not liable for the payment of any portion of the amount of Insured Losses that exceeds \$100,000,000,000; and for aggregate Insured Losses up to \$100,000,000,000, we will pay only a pro rata share of such Insured Losses as determined by the Secretary of the Treasury.

Policyholder Disclosure Notice

- 1. Insured Losses would be partially reimbursed by the United States Government. If the aggregate industry Insured Losses occurring in any calendar year exceed \$200,000,000, the United States Government would pay 80% of our Insured Losses that exceed our Insurer Deductible.
- 2. Notwithstanding Item 1. above, the United States Government will not make any payment under the Act for any portion of Insured Losses that exceeds \$100,000,000,000.
- 3. The premium charge for the coverage your policy provides for Insured Losses is included in the amount shown in Item 4. of the Information Page or in the Schedule below.

Schedule

State	Rate
New York State	Rate per \$100 of Payroll \$.038
	Non-payroll Base Exposures 2.3% of the State Fund manual rate premium

The State Insurance Fund

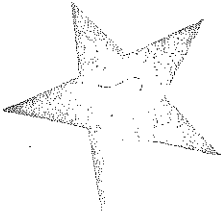


Table with 4 columns: Document Type, Group No, Period Covered, R.B. File No.
Row 1: INFORMATION PAGE, 090, 01/01/2022 TO 01/01/2023, 000593785R

INSURED: H 2148 337-5 REPRESENTATIVE: 559211
OYSTER BAY-N. HEMPSTEAD-GLEN COVE SALERNO BROKERAGE CORP
WORKFORCE DEVELOPMENT BOARD 117 OAK DR
977 HICKSVILLE ROAD SYOSSET NY 11791
MASSAPEQUA NY 11758

Table with 2 columns: Policy No, Date, Document Number
Row 1: H 2148 337-5
Row 2: 11/16/2021
Row 3: E10001510248

MP 818

* PERIOD OF COVERAGE BEGINS AND ENDS AT TWELVE AND ONE MINUTE O'CLOCK A.M. EASTERN STANDARD TIME
TYPE OF BUSINESS: POLITICAL SUBDIVISION

CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM) PREMIUM ENDORSEMENT

This endorsement is notification that your insurance carrier is charging premium to cover the losses that may occur in the event of a Catastrophe (other than Certified Acts of Terrorism) as that term is defined below. Your policy provides coverage for workers compensation losses caused by a Catastrophe (other than Certified Acts of Terrorism).

This premium charge does not provide funding for Certified Acts of Terrorism contemplated under the Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement (TRI0), attached to this policy.

For purposes of this endorsement, the following definitions apply:

CATASTROPHE: (other than Certified Acts of Terrorism): Any single event, resulting from an Earthquake, Noncertified Act of Terrorism, or Catastrophic Industrial Accident, which results in aggregate workers compensation losses in excess of \$50 million.

EARTHQUAKE: The shaking and vibration at the surface of the earth resulting from underground movement along a fault plane or from volcanic activity.

NONCERTIFIED ACT OF TERRORISM: An event that is not certified as an Act of Terrorism by the Secretary of Treasury pursuant to the Terrorism Risk Insurance Act of 2002 (as amended) but that meets all of the following criteria:

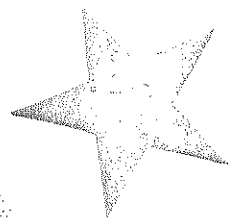
- a. It is an act that is violent or dangerous to human life, property, or infrastructure;
- b. The act results in damage within the United States, or outside of the United States in the case of the premises of United States missions or air carriers or vessels as those terms are defined in the Terrorism Risk Insurance Act of 2002 (as amended); and
- c. It is an act that has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

CATASTROPHIC INDUSTRIAL ACCIDENT: A chemical release, large explosion, or small blast that is localized in nature and affects workers in a small perimeter the size of a building.

The premium charge for the coverage your policy provides for workers compensation losses caused by a Catastrophe (other than Certified Acts of Terrorism) is shown in the Information Page or in the Schedule below:

SCHEDULE

Rate per \$100 of Remuneration \$.006
Non-Payroll Base Exposure \$.004 of the State Fund Manual Rate Premium



NEW YORK WORKERS' COMPENSATION POLICYHOLDER NOTICE OF RIGHT TO APPEAL

Policyholder Disputes

Policyholders are entitled to inquire, challenge and dispute issues relating to classification, ownership, premium auditing, and/or other New York Compensation Insurance Rating Board (NYCIRB) rulings or decisions pertaining to this policy.

Please refer to the Employer's Appeal Process noted below.

Inquiries may also be directed to the New York State Department of Financial Services (DFS) at:

<http://www.dfs.ny.gov/about/contactus.htm#consumer>

or by calling the Consumer Hotline at 800-342-3736 (Monday through Friday, 8:30 AM to 4:30 PM).

Policyholder Right to Appeal

An insured, or its representative, (hereafter referred to as "insured"), may appeal the application of a rule or procedure contained in the NY Workers Compensation & Employers Liability Manual. Rules or procedures are defined as those determinations, either by a carrier or the Rating Board, which define the variables which makeup the policy conditions. Examples include: classification codes, ownership information, premium audits, and any other determination which may affect the policy.

To be considered for review, a written request explaining the reason(s) for the appeal must be submitted to the Rating Board. Upon receipt of the request for review, the following actions will be taken:

1. A staff member will review the request and respond to the insured within sixty (60) days, in writing, acknowledging receipt of the request, granting the insured its request or sustaining its original ruling.
2. The insured, if not satisfied with the outcome in 1. above, may then request, in writing, a conference with members of the Rating Board staff. The request must state the nature of the complaint and contain any supporting documents. The appropriate Department Vice President or his or her designated representative, if appropriate, will preside at the conference.
3. If the dispute is not resolved at the conference, the insured may then appeal to the Underwriting Committee of the Rating Board for a hearing to consider the staff ruling. This appeal must be in writing and must specify the reason(s) for the appeal and the nature of the complaint.

Following receipt of the appeal, the insured will be notified regarding the time and place for the hearing. The appeal will be heard at the next Underwriting Committee meeting for which appropriate time can be given for this matter. Subsequent to the hearing, the insured will be advised, in writing, of the Underwriting Committee decision regarding its complaint.

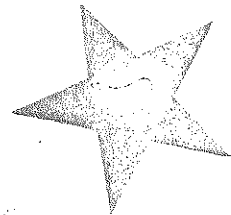
4. If the Underwriting Committee ruling is not satisfactory to the insured, the insured may then request a hearing at the New York State Department of Financial Services to consider the decision of the Rating Board's Underwriting Committee.
5. The New York State Department of Financial Services decision may be appealed to a higher court, by either the insured or the Rating Board.



THE STATE INSURANCE FUND

INSURED: H 2148 337-5
OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758

REPRESENTATIVE: 559211
SALERNO BROKERAGE CORP H 2148 337-5
117 OAK DR
SYOSSET NY 11791 11/16/2021



STATE OF NEW YORK - WORKERS' COMPENSATION BOARD
ESTADO DE NUEVA YORK - JUNTA DE COMPENSACION OBRERA
NOTICE OF COMPLIANCE
TO EMPLOYEES

AVISO DE CUMPLIMIENTO
A EMPLEADOS

IMPORTANT INFORMATION FOR EMPLOYEES WHO ARE INJURED OR SUFFER AN OCCUPATIONAL DISEASE WHILE WORKING.

1. By posting this notice and information concerning your rights as an injured worker, your employer is in compliance with the Workers' Compensation Law.

2. If you do not notify your employer within 30 days of the date of your injury your claim may be disallowed, so do so immediately.

3. You are entitled to obtain any necessary medical treatment and should do so immediately.

4. You may choose any doctor, podiatrist, chiropractor or psychologist referred by a medical doctor that accepts NY State Workers' Compensation patients and is Board authorized. However, if your employer is involved in a certified preferred provider organization (PPO) you must first be treated by a provider chosen by your employer and your employer must give you a written statement of your rights concerning further medical care.

5. You should tell your doctor to file copies of medical reports concerning your claim with the Workers' Compensation Board and with your employer's insurance company, which is indicated at the bottom of this form.

6. You may be entitled to lost time benefits if your work-related injury keeps you from work for more than seven days, compels you to work at lower wages or results in permanent disability to any part of your body. You may be entitled to rehabilitation services if you need help returning to work.

7. You should not pay any medical providers directly. They should send their bills to your employer's insurance carrier. If there is a dispute, the provider must wait until the Board makes a decision before it attempts to collect payment from you. If you do not pursue your claim or the Board rules that your injury is not work-related, you may be responsible for the payment of the bills.

8. You are entitled to be represented by an attorney or licensed representative, but it is not required. If you do hire a representative do not pay him/her directly. Any fee will be set by the Board and will be deducted from your award.

9. If you have difficulty in obtaining a claim form or need help in filling it out, or if you have any other questions or problems about a job-related injury, contact any office of the Workers' Compensation Board.

NYS Workers' Compensation Board
Centralized Mailing
PO Box 5205
Binghamton, NY 13902-5205

Customer Service Line: 877-632-4996

INFORMACION IMPORTANTE PARA EMPLEADOS QUE SEAN LESIONADOS O SUFRAN UNA ENFERMEDAD OCUPACIONAL MIENTRAS TRABAJAN.

1. Su patrono está cumpliendo la Ley de Compensación Obrera cuando despliega este comunicado concerniente a sus derechos como trabajador lesionado.

2. Si usted no notifica a su patrono dentro del término de 30 días de haber sufrido su lesión su reclamación podría ser desestimada, por eso notifique inmediatamente.

3. Usted tiene derecho a recibir cualquier tratamiento médico necesario relacionado con su lesión y debe gestionarlo inmediatamente.

4. Para el tratamiento de cualquier lesión o enfermedad relacionada con el trabajo, usted puede escoger cualquier médico, podiatra, quiropractico o psicologo (si es referido por un médico autorizado) que esté autorizado y acepte pacientes de la Junta de Compensación Obrera. Sin embargo, si su patrono está autorizado a participar una organizacion certificada de proveedores preferidos (PPO) usted deberá obtener tratamiento inicial para cualquier lesión o enfermedad relacionada con el trabajo de la correspondiente entidad. Patronos que participen en cualquiera de estos programas establecidos por ley estan obligadosa proveer a sus empleados notificación escrita explicando sus derechos y obligaciones bajo el programa a que esté acogido.

5. Usted deberá requerir de su Médico que radique copias de los informes médicos de su caso en la Junta de Compensación Obrera y en la compania de seguros de su patrono, que se indica al final de esta forma.

6. Usted tiene derecho a compensación si su lesión relacionada con el trabajo le impide trabajar por más de siete dias, le obliga a trabajar a sueldo más bajo ó resulta en incapacidad permanente de cualquier parte de su cuerpo. Usted puede tener derecho a servicios de rehabilitación si necesita ayuda para regresar al trabajo.

7. No pague a ningun proveedor médico directamente por tratamiento de su lesión o enfermedad relacionada con el trabajo. Ellos deben enviar sus facturas al asegurador de su patrono. Si el caso es cuestionado, el proveedor deberá esperar hasta que la Junta decida el caso, antes de iniciar gestión de cobro alguna contra usted. Si usted no tramita su caso ó la Junta falla que su lesión o enfermedad no está relacionada con el trabajo, usted podría ser responsable del pago de las facturas.

8. No es obligatorio el estar representado en ninguno de los procedimientos de la Junta, pero es un derecho que usted tiene, el estar representado por abogado ó por representante licenciado si usted así lo desea. Si es representado, no pague al abogado ó al representante licenciado. Cuando la Junta decida su caso, los honorarios seran determinados por la Junta y descontados de sus beneficios.

9. Si tiene dificultad en conseguir un formulario de reclamación ó necesita ayuda para llenarlo ó tiene dudas sobre cualquier situación relacionada con una lesión ó enfermedad comuniquese con la oficina mas cercana de la Junta.

CHAIR/PRESIDENTE
Workers' Compensation Board

Workers' Compensation Benefits, when due, will be paid by (Los beneficios de Compensación Obrera, cuandos debidos, seran pagados por):

NYSIF
PO Box 66699; Albany, NY 12206
(888) 875-5790

Effective From 01/01/2022 To cancellation
(En Vigor Desde) (Hasta cancellation)

Policy No. H 2148 337-5
(Poliza No.)

Name of employer (Nombre de patrono)

OYSTER BAY-N. HEMPSTEAD-GLEN COVE
WORKFORCE DEVELOPMENT BOARD
977 HICKSVILLE ROAD
MASSAPEQUA NY 11758

THIS NOTICE MUST BE POSTED
CONSPICUOUSLY IN AND ABOUT THE
EMPLOYER'S PLACE OR PLACES OF BUSINESS.

Failure by an employer to post this notice in and about the employer's place or places of business may result in a \$250 penalty for each violation.

C-105 (9-17)

U30SIF

WORKERS' COMPENSATION BOARD
PRESCRIBED BY CHAIR
STATE OF NEW YORK

www.wcb.ny.gov



SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

SERVICE FEE AGREEMENT

Between Oyster Bay North Hempstead Glen Cove Workforce Developmentt Board and
SALERNO BROKERAGE CORP.

For the period of one year, effective 1/1/2022:

SALERNO BROKERAGE CORP. will counsel, service and confer with the
INSURED, its owners, partners, officers or employees periodically as may be deemed
necessary in connection with insurance.

In consideration of the special time and effort by SALERNO BROKERAGE
CORP. in servicing the insurance requirements of Town of Oyster Bay Workforce
Investment Board it is mutually agreed that the INSURED will pay a fee to SALERNO
BROKERAGE CORP. of \$750.

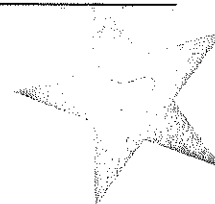
DATED: December 8, 2021

Oyster Bay N Hempstead Glen Cove Workforce
Development Board

by: _____
TITLE

SALERNO BROKERAGE CORP.

by: _____
Maryann Aiello





SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

December 15, 2021

Mr. John Sarcone
Oyster Bay North Hempstead Glen Cove Workforce Development Board
977 Hicksville Road
Massapequa, NY 11755

RE: The State Insurance Fund – Policy #H2148337-5
Workers Compensation Renewal
Policy Term: 1/1/2022 to 1/1/2023

Dear John,

We are pleased to advise that effective 1/1/2022, the Workforce Investment Board's Workers Compensation Policy will renew with The State Insurance Fund for an annual term. We sought alternative quotes and were advised as follows:

1. Utica National- declined as do not write this class for workers compensation
2. The Hartford- declined due to class
3. Travelers- declined as minors being paid through a grant to work at retail/hotel/ small town business companies would be outside our appetite

We have reviewed and enclose the following:

1. Renewal Policy with Invoice
2. Deposit premium of \$7,135.94. The final premium will be calculated at audit. The following explain the factors that make up the renewal premium. These factors control the renewal deposit premium.
3. Service Fee Agreement- Invoice \$750.

The following are the factors that make up the renewal premium:

Classifications outlined in the policy – We suggest that the appropriate person review the payrolls to be certain that The State Insurance Fund is using accurate payroll estimations.

Experience Modification Factor – The current experience modification factor is 0.94 this reflects a Credit of 6%. The expiring factor was .93.

The State Insurance Fund Discount – 40%

NYS Assessment Charges – The Assessment charge is set by the New York State Workers Compensation Rating Board. The 2022 State Insurance Fund Assessment is 10.2% for Workers Compensation.



SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

Page Two

December 15, 2021

Oyster Bay North Hempstead Glen Cove Workforce Development Board

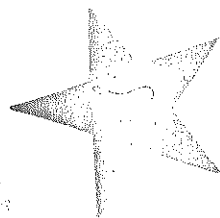
Thank you for the opportunity to be of service. Please review this information and contact our office to discuss any questions.

Very truly yours,

Maryann Aiello

Maryann Aiello

Enc.



At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, in said Town, on January 11, 2022, at 10:00 o'clock A.M., Prevailing Time.

The meeting was called to order by Supervisor Saladino, and upon roll being called, the following were

PRESENT: Supervisor Saladino

Councilwoman Johnson

Councilman Imbroto

Councilman Hand

Councilman Labriola

Councilwoman Maier

Councilwoman Walsh

ABSENT: no one

The following resolution was offered by Councilwoman Johnson, who moved its adoption, seconded by Councilman Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 11, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,190,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY A PORTION OF THE \$2,250,000 ESTIMATED MAXIMUM COST OF THE ACQUISITION OF LAND FOR USE AS THE SITE OF A NEW LIBRARY FOR THE GOLD COAST PUBLIC LIBRARY DISTRICT, IN AND FOR SAID TOWN.

FILED
TOWN OF OYSTER BAY
JAN 11 2022
CLERK OF TOWN

WHEREAS, pursuant to Chapter 233 of the Laws of 2000 of the State of New York, the Gold Coast Public Library District (the "District") was established in the Towns of Oyster Bay and North Hempstead (hereinafter referred to individually as a "Town" and collectively as the "Towns"), to provide library services to residents living within the boundaries of the District in each such Town; and

WHEREAS, pursuant to Chapter 399 of the Laws of 2003 of the State of New York, the Towns have the power, upon written request of the Board of Trustees of the District, to authorize, sell and issue bonds and notes pursuant to the New York Local Finance Law in order to permit the District to provide facilities or improved facilities for library purposes; and

WHEREAS, on December 8, 2020, a majority of the voters of said District present and voting thereon approved a proposition authorizing: (i) the acquisition by purchase of an approximately 2.62 acre parcel of land and the building thereon located at 180 Glen Head Road, in Glen Head, which constitutes the western half of the former Halm's property (hereinafter referred to as the "Property"), for use at the site of the new library, at the estimated cost of not to exceed \$2,250,000; and (ii) the construction on such site of a new one-story approximately 11,000 square foot energy efficient modern library building; the foregoing to include the original furnishings, equipment, machinery, apparatus and ancillary or related site work required in connection therewith, at the estimated cost of not to exceed \$9,089,500, all as substantially described in a report prepared for the District by H2M Architects & Engineers, dated August 21, 2020, and to expend therefor, including preliminary

costs and costs incidental thereto and to the financing thereof and to reimburse prior expenditures made by the District therefor, not to exceed the estimated total cost \$11,339,500; and

WHEREAS, on December 15, 2021, the Board of Trustees of the District submitted a written request to the Town Boards of each Town to authorize, sell, and issue bond anticipation notes on behalf of said District in the aggregate amount of \$1,750,000 to finance a like portion of the District's cost of acquiring said Property, the balance of the cost of such property being paid from available funds of the District;

WHEREAS, each Town shall finance its ratable share of the remaining cost of the Property, such share having been determined based upon the total full value of property of the District located in each Town.

RESOLVED, by the Town Board of the Town of Oyster Bay, Nassau County, New York, as follows:

Section 1. For the specific object or purpose of paying a portion of the cost of the acquisition of real property located at 180 Glen Head Road, in Glen Head, New York, for use as the site of a new library building for the District, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,190,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum costs of the aforesaid specific object or purpose is \$2,250,000, and the plan for the financing thereof is by: (i) the issuance of the \$1,190,000 bonds of said Town authorized to be issued pursuant to this resolution, (ii) the issuance of \$560,000 bonds of the Town of North Hempstead, and (iii) \$500,000 in available funds of the District.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 21 of paragraph a of Section 11.00

of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Oyster Bay, Nassau County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the Town in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Oyster Bay, Nassau County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full

acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
 - (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

__ Supervisor Saladino _____ VOTING __ AYE __
__ Councilwoman Johnson _____ VOTING __ AYE __
__ Councilman Imbroto _____ VOTING __ AYE __
__ Councilman Hand _____ VOTING __ AYE __
__ Councilman Labriola _____ VOTING __ AYE __
__ Councilwoman Maier _____ VOTING __ AYE __
__ Councilwoman Walsh _____ VOTING __ AYE __

The resolution was thereupon declared duly adopted.

* * *

AFFIDAVIT OF POSTING

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on January 11, 2022, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

[please check one below]

 x (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

 (2) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspaper and/or other news media as follows:

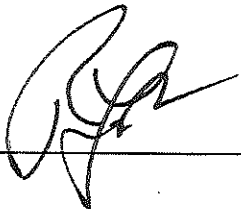
<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town of Oyster Bay	January 7, 2022

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Noticed
Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY 11771

Date of Posting
January 7, 2022

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 12, 2022.



Town Clerk

Meeting of January 11, 2022

Resolution No. 8-2022

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 8th day of February, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of A. PIRONI & SON, INC. d/b/a PIRONI HOMES, fee owner, for revocation of a Special Use Permit issued in 1956 with conditions, and for a Change of Zone from a Residential Zoning District ("R1-10") to a General Business ("GB") District, for premises located at 1057 Jericho-Oyster Bay Road, East Norwich, Town of Oyster Bay, County of Nassau, State of New York and described as Section 25, Block 56, Lot 40, on the Land and Tax Map of Nassau County, and Site Plan Approval to allow for demolition of the existing office building on the premises and construction of a new 5,770 square foot, two-story office building on said premises; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

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

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

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, February 8, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from A. PIRONI & SON, INC. d/b/a PIRONI HOMES, fee owner, for revocation of a Special Use Permit issued in 1956 with conditions, and for a Change of Zone from a Residential Zoning District ("R1-10") to a General Business ("GB") District, for premises located at 1057 Jericho-Oyster Bay Road, East Norwich, Town of Oyster Bay, County of Nassau, State of New York and described as Section 25, Block 56, Lot 40, on the Land and Tax Map of Nassau County, and Site Plan Approval to allow for demolition of the existing office building on the premises and construction of a new 5,770 square foot, two-story office building in said premises.

If meeting restrictions are imposed by New York State Executive Order or otherwise, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

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.
RICHARD LaMARCA, Town Clerk.

Dated: January 8, 2022, Oyster Bay, New York.



Town of Oyster Bay
Inter-Departmental Memo

8

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : December 28, 2021
SUBJECT: A. Pironi & Son, Inc. dba Pironi Homes, fee owner
Change of Zone and Revocation of Special Use Permit
Premises: 1057 Jericho-Oyster Bay Road, East Norwich, New York
Section 25, Block 56, Lot 40

It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on February 8, 2022 at 10:00 a.m., in connection with the above referenced matter.

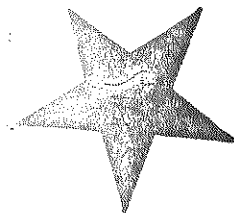
Kindly place this matter on the docket so that the attached Resolution pertaining to this matter can be heard at the January 11, 2022 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico

Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure



RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 8th day of February, 2022, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVII, HIGHWAY DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 64, PURCHASING, BY DELETING AND REPLACING SECTION 64-9, TO AMEND CHAPTER 84, ALL TERRAIN VEHICLES, BY DELETING AND REPLACING SECTION 84-6, TO AMEND CHAPTER 96, DANGEROUS BUILDINGS AND ABANDONED BUILDINGS, BY DELETING AND REPLACING SECTION 96-21.4, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 160, NOTICE OF DEFECTS, BY DELETING AND REPLACING SECTION 160-1, TO AMEND CHAPTER 180, PLUMBING, BY DELETING AND REPLACING SECTION 180-11.A(2), TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, BY DELETING AND REPLACING SECTION 201-42.F, TO AMEND CHAPTER 205, STREETS AND SIDEWALKS, BY DELETING AND REPLACING ARTICLE II, SIDEWALKS, CURBS AND GUTTERS, AND ARTICLE III, EXCAVATIONS AND CURB CUTS, AND TO AMEND CHAPTER 242, WIRELESS TELECOMMUNICATIONS FACILITIES, BY DELETING AND REPLACING SECTION 242-16.E", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in
Newsday
newspapers of general circulation within the Town of Oyster Bay.

-#-

Reviewed By
Office of Town Attorney

7/1/22

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 8th day of February, 2022 at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVII, HIGHWAY DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 64, PURCHASING, BY DELETING AND REPLACING SECTION 64-9, TO AMEND CHAPTER 84, ALL TERRAIN VEHICLES, BY DELETING AND REPLACING SECTION 84-6, TO AMEND CHAPTER 96, DANGEROUS BUILDINGS AND ABANDONED BUILDINGS, BY DELETING AND REPLACING SECTION 96-21.4, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 160, NOTICE OF DEFECTS, BY DELETING AND REPLACING SECTION 160-1, TO AMEND CHAPTER 180, PLUMBING, BY DELETING AND REPLACING SECTION 180-11.A(2), TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, BY DELETING AND REPLACING SECTION 201-42.F, TO AMEND CHAPTER 205, STREETS AND SIDEWALKS, BY DELETING AND REPLACING ARTICLE II, SIDEWALKS, CURBS AND GUTTERS, AND ARTICLE III, EXCAVATIONS AND CURB CUTS, AND TO AMEND CHAPTER 242, WIRELESS TELECOMMUNICATIONS FACILITIES, BY DELETING AND REPLACING SECTION 242-16.E".

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. If meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. Comments may be submitted by email to publiccomment@oysterbay-ny.gov, or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771.

The abovementioned local law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa.

TOWN BOARD OF TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: January 11, 2022 Oyster Bay, New York.

REVIEWED BY
OFFICE OF TOWN ATTORNEY

11

9

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

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : January 3, 2022

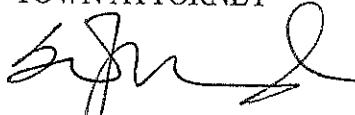
SUBJECT : "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVII, HIGHWAY DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 64, PURCHASING, BY DELETING AND REPLACING SECTION 64-9, TO AMEND CHAPTER 84, ALL TERRAIN VEHICLES, BY DELETING AND REPLACING SECTION 84-6, TO AMEND CHAPTER 96, DANGEROUS BUILDINGS AND ABANDONED BUILDINGS, BY DELETING AND REPLACING SECTION 96-21.4, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 160, NOTICE OF DEFECTS, BY DELETING AND REPLACING SECTION 160-1, TO AMEND CHAPTER 180, PLUMBING, BY DELETING AND REPLACING SECTION 180-11.A(2), TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, BY DELETING AND REPLACING SECTION 201-42.F, TO AMEND CHAPTER 205, STREETS AND SIDEWALKS, BY DELETING AND REPLACING ARTICLE II, SIDEWALKS, CURBS AND GUTTERS, AND ARTICLE III, EXCAVATIONS AND CURB CUTS, AND TO AMEND CHAPTER 242, WIRELESS TELECOMMUNICATIONS FACILITIES, BY DELETING AND REPLACING SECTION 242-16.E" [#1]
Supplemental to Docket Item No. 7, December 28, 2021

This Office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

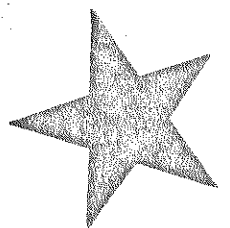
Kindly suspend the rules and place this matter on the January 11, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



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

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : December 28, 2021
SUBJECT : A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK
[#1]

This Office is currently preparing documents and items necessary to establish a local law as referenced above.

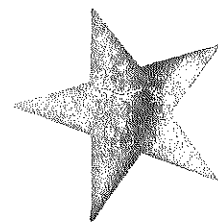
Kindly reserve a space on the docket. Additional information will be provided by way of a supplemental memorandum.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

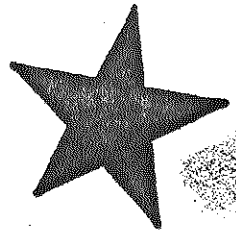
Local Law No. _____ of the year 2022

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVII, HIGHWAY DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 64, PURCHASING, BY DELETING AND REPLACING SECTION 64-9, TO AMEND CHAPTER 84, ALL TERRAIN VEHICLES, BY DELETING AND REPLACING SECTION 84-6, TO AMEND CHAPTER 96, DANGEROUS BUILDINGS AND ABANDONED BUILDINGS, BY DELETING AND REPLACING SECTION 96-21.4, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 160, NOTICE OF DEFECTS, BY DELETING AND REPLACING SECTION 160-1, TO AMEND CHAPTER 180, PLUMBING, BY DELETING AND REPLACING SECTION 180-11.A(2), TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, BY DELETING AND REPLACING SECTION 201-42.F, TO AMEND CHAPTER 205, STREETS AND SIDEWALKS, BY DELETING AND REPLACING ARTICLE II, SIDEWALKS, CURBS AND GUTTERS, AND ARTICLE III, EXCAVATIONS AND CURB CUTS, AND TO AMEND CHAPTER 242, WIRELESS TELECOMMUNICATIONS FACILITIES, BY DELETING AND REPLACING SECTION 242-16.E"

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Oyster Bay as follows

SECTION 1. Amend Chapter 4 (Administration of Government), by deleting Article XVII, Highway Department.



SECTION 2. Amend Chapter 4 (Administration of Government), Article XI, Public Works Department, by deleting §4-115 in its entirety and adding a new §4-115, as follows:

§4-115 Organization.

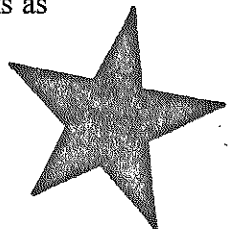
The Commissioner shall have such powers as shall be necessary for the administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following Divisions:

- A. Administration.
- B. Central Vehicle Maintenance.
- C. Engineering.
- D. Sanitation and Recycling Collection.
- E. Highway and Public Parking.

Amend Chapter 4 (Administration of Government), Article XI, Public Works Department, by deleting §4-117 in its entirety and adding a new §4-117, as follows:

§4-117 Enumeration of divisions.

- A. Division of Administration. To administer, supervise, manage, implement, initiate and direct all matters concerning the Office of Administration of the Department of Public Works. The division head acts as liaison for the Commissioner of Public Works with all divisions and bureaus of the Department of Public Works as well as all departments within the Town of Oyster Bay. The Division is responsible for all personnel records and actions for the Department. It plans and coordinates policies, procedures and programs concerning personnel. The Division is responsible for general services and manages, maintains, repairs and cleans public works complex. Provides, manages and maintains all telephone communication services for Department of Public Works complex. The Division is responsible for accounts and processes for payment of all claims as well as maintain records of said claims and petty cash. It coordinates data from divisions for preparation of fiscal budget for the Department of Public Works.
- B. Division of Central Vehicle Maintenance. To supervise, manage and provide for the repair and maintenance service for all vehicles owned and under the jurisdiction of the Town of Oyster Bay and to make authorized assignments thereof and to manage and maintain related facilities, equipment and personnel necessary for the proper administration thereof.
- C. Division of Engineering. To perform the duties of Town Engineer and to have general charge and supervision of the design and construction of town buildings, roads and drainage, parks and grounds, and to oversee and manage town landfill remediation and closure programs; also, other structure or improvements in the nature of public works as



the town or any of its special districts or departments may construct. Furthermore, the division head of the Division of Engineering will continue with all of the powers and be subject to all of the duties of a Town Engineer.

- D. Division of Sanitation and Recycling Collection. To perform, direct and supervise all sanitation collection operations, including, but not limited to, all of the functions relating to garbage and refuse collection, and exercise such powers and perform such duties as are prescribed by local law, ordinance, rules or regulations pertaining to collection and conveyance of garbage and refuse within the town. This division shall also supervise, implement, manage and coordinate all recycling collection programs within the Solid Waste Disposal District, including residential curbside collection programs and Town government office building recycling projects.
- E. Division of Highway and Public Parking. To have charge and supervision of the repair, maintenance, cleaning and lighting of all highways, roads, streets, bridges and stormwater drainage systems and other outdoor facilities under the jurisdiction of the town or any special districts thereof, and to further provide for and maintain and operate municipal off-street public parking areas, including metered parking, and to further supervise and to have jurisdiction over any improvement districts related thereto. The division head of the Division of Highways and Public Parking shall have authority to issue permits relative to road openings and closures, excavations, and tree removal, including but not limited to, applications for block parties, and parade permits. Furthermore, the division head of the Division of Highways and Public Parking shall have all the powers and duties of a Town Superintendent of Highways as prescribed by law.

Amend Chapter 64 (Purchasing), by deleting §64-9, Procedure for award of contracts, in its entirety and adding a new §64-9, as follows:

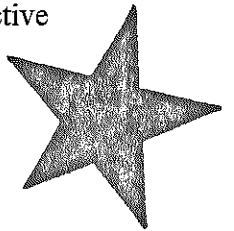
§64-9 Procedure for award of contracts.

The Commissioner of Public Works shall submit to the Town Board his or her recommendation, together with the recommendations of the respective division heads, for all public works construction contracts in an amount prescribed in § 103 of the General Municipal Law, as amended. All other contracts for material supplied and equipment shall be awarded by the Commissioner of General Services or his designee after notification to the Supervisor of said award. Copies of said notification to the Supervisor shall also be forwarded to the Town Board for information and review.

Amend Chapter 84 (All Terrain Vehicles), by deleting §84-6, Enforcement, in its entirety and adding a new §84-6, as follows:

§84-6 Enforcement.

All employees of the Department of Planning and Development, the Department of Public Works, the Department of Public Safety, and the Department of Parks who are now or hereafter charged with the responsibility to perform inspection and/or enforcement duties with regard to the laws, codes, ordinances, rules and regulations within the general jurisdiction of their respective



departments, as well as police officers having jurisdiction, are hereby further empowered to enforce the provisions of this chapter and to issue appearance tickets returnable in the District Court of Nassau County for violations thereof.

Amend Chapter 96 (Dangerous Buildings and Abandoned Buildings), by deleting §96-21.4, Additional authority, in its entirety and adding a new §96-21.4, as follows:

§96-21.4 Additional authority.

The Code Enforcement Inspector or any person authorized by the Department of Planning and Development to enforce Town Code, shall have authority to require the mortgagee and/or owner of record of any property affected by this section to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard, or other measures as may be reasonably required to prevent a decline of the property. If the owner of the real property fails to take the maintenance and/or security measures required, the Commissioner of the Department of Planning and Development, or his/her designee, may direct Department of Planning and Development, the Department of Public Works and/or Department of Parks to take such necessary measures, and the Town shall be reimbursed for said work in accordance with § 135-54 of the Town Code.

Amend Chapter 135 (Housing Standards), by deleting §135-54.B, Compliance with notice; assessment of costs, in its entirety and adding a new §135-54.B, as follows:

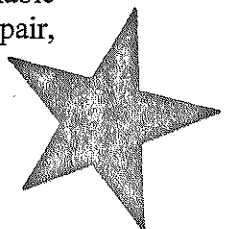
§135-54 Compliance with notice; assessment of costs.

- B. Action upon noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly cure the violation, within five days after issuance of written notice provided for in § 135-53 above, the Commissioner, or his/her designee, may direct the Department of Public Works, and/or the Department of Parks to remove and dispose of such garbage, litter, refuse, rubbish or rubble and/or to cut the lawn, weeds, grass, brush or vegetation to a height in compliance with § 135-52.

Amend Chapter 160 (Notice of Defects), by deleting §160-1, Notice required for certain instances, in its entirety and adding a new §160-1, as follows:

§160-1. Notice required for certain instances.

- A. No civil action shall be maintained against the Town of Oyster Bay for injuries or damages to persons or property sustained by reason of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out-of-repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, out-of-repair, dangerous or obstructed condition of such street, highway, bridge, culvert, sidewalk or crosswalk was actually served upon the Town Clerk, and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defective, out-of-repair, unsafe, dangerous or obstructed condition complained of. Under no circumstances shall the Town of Oyster Bay be liable for injuries or damages caused to persons or property due to the defective, out-of-repair,



unsafe, dangerous or obstructed conditions of Town streets, highways, bridges, culverts, sidewalks or crosswalks in the absence of prior written notice, to the Town Clerk, of the existence of such condition.

- B. No civil action shall be maintained against the Town of Oyster Bay for injuries or damages to persons or property sustained by reason of any defective, out-of-repair, unsafe, dangerous or obstructed condition whatsoever in its street, highway, bridge, culvert, sidewalk or crosswalk, or for injuries or damages to persons or property sustained by reason of any defective, out-of-repair, unsafe, dangerous or obstructed condition in its street, highway, bridge, culvert, sidewalk or crosswalk, in consequence of the existence of snow or ice upon any of its street, highway, bridge, culvert, sidewalk or crosswalk, unless said street, highway, bridge, culvert, sidewalk or crosswalk, no matter where situated, by witness to, has been constructed or is maintained by the Town, or the Commissioner of Public Works, pursuant to statute, and written notice of, by witness to, said defective, out-of-repair, unsafe, dangerous or obstructed condition, causing the injuries or damages was actually served upon the Town Clerk, nor shall any action be maintained for injuries or damages to persons or property sustained by reason of any defective, out-of-repair, unsafe, dangerous or obstructed condition, or in consequence of the existence of snow or ice unless written notice thereof, specifying the particular place location and condition was actually served upon the Town Clerk, and there was a failure or neglect to cause the particular defective, out-of-repair, unsafe, dangerous or obstructed condition to be remedied or the obstruction of the snow or ice to be removed or to make the place otherwise reasonably safe within a reasonable time after the receipt of due notice.

Amend Chapter 180 (Plumbing), §180-11, Irrigation, by deleting §180-11.A.2, Irrigation, in its entirety and adding a new §180-11.A(2), as follows:

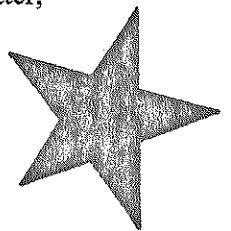
§180-11 Irrigation

- A.
- (2) Underground irrigation systems shall not be planned, installed or operated so as to permit water to spray on public sidewalks, paved areas or neighboring parcels. In addition, no underground piping shall be laid within the town highway right-of-way without obtaining a permit from the Department of Public Works, pursuant to §205-8 of the Code, as amended.

Amend Chapter 182 (Property Maintenance, Industrial and Commercial), by deleting and §182-22.B, Compliance with notice; assessment of costs, in its entirety and adding a new §182-22.B, as follows:

§182-22 Compliance with notice; assessment of costs.

- B. Action upon noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly cure the violation, within five days after issuance of written notice provided for in § 182-21 above, the Commissioner, or his/her designee, may direct the Department of Public Works, and/or the Department of Parks to remove and dispose of such garbage, litter,



refuse, rubbish or rubble and/or to cut the lawn, weeds, grass, brush or vegetation to a height in compliance with § 182-20.

Amend Chapter 201 (Solid Waste), §201-42, Fees, by deleting §201-42.F in its entirety and adding a new §201-42.F, as follows:

§201-42 Fees.

- F. There shall be no charge for solid waste delivered to the Town solid waste disposal complex by the Town Public Works Department or by the Town Parks Department or by any agent of such Department.

Amend Chapter 205 (Streets and Sidewalks), by deleting Article II, Sidewalks, Curbs and Gutters, in its entirety and adding a new Article II, Sidewalks, Curbs and Gutters, as follows:

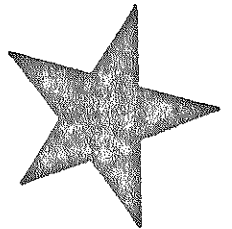
Article II, Sidewalks, Curbs and Gutters

§205-2 Duty to repair, maintain, and keep sidewalks clear; liability.

- A. Each owner and occupant of any house or other building, and any owner or person entitled to possession of any vacant lot, and any person having charge of any church or any public building in the Town shall keep the sidewalk in front of the lot or house or building free from obstruction by snow or ice and icy conditions, and shall at all times keep the sidewalk in good and safe repair and maintain it in a clean condition and free from filth, dirt, weeds or other obstructions or encumbrances. Snow and ice shall be removed within six hours after snow has ceased to fall. The period between 9:00 p.m. and 7:00 a.m. shall not be included in the time requirements.
- B. Such owner or occupant and each of them shall be liable for any injury or damage by reason of omission, failure or negligence to make, maintain or repair such sidewalk or for a violation or nonobservance of the ordinances relating to making, maintaining and repairing sidewalks, curbstones and gutters.

§205-3 Prohibited obstructions; exceptions.

- A. No person or entity who is the owner, occupant or lessee of any premises abutting on any street, road, highway or parkway in the unincorporated area of the Town shall place, keep, permit or suffer to be placed or kept on any sidewalk in front of, adjoining or adjacent to his/her/its premises any goods, wares, merchandise, boxes, barrels, display signs or material things of any kind or description, nor shall he/she/it in any manner obstruct any sidewalk or in any manner obstruct or interfere with the use of any sidewalk, but nothing contained in this section shall prevent persons or entities from placing goods, wares, merchandise or household furniture on a sidewalk temporarily while loading or unloading it, if it is done without unnecessary delay and if such goods, wares or merchandise are not allowed or permitted to remain on the sidewalk for a period longer than one hour.



- B. No person or entity who is the owner, occupant or lessee of any premises abutting on any street, road, highway or parkway in the unincorporated area of the Town shall place, keep, permit or suffer to be placed or kept in the curb, gutter or street in front of, adjoining or adjacent to his/her/its premises any item, including but not limited to basketball hoops, or traffic cones or barricades of any kind or description, nor shall he/she/it in any manner obstruct any curb, gutter or street or in any manner obstruct or interfere with the use of any curb, gutter or street, but nothing contained in this section shall prevent persons or entities from placing a traffic cone or marker in the street temporarily to note the existence of a defect in said street.

§205-4 Plantings.

Any planting on a public right-of-way between curb and sidewalk by the adjacent owner or lawful occupant of the premises thereof shall require a permit and approval of such plantings, and said owner or occupant shall be responsible for the maintenance of such plantings.

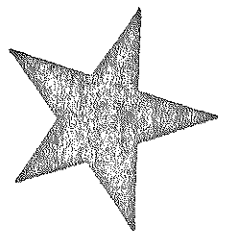
§205-5 Town Board order to construct or repair.

The Town Board may from time to time, by resolution, require the construction or repair of sidewalks or curbs along streets, roads, highways and parkways in the Town, as well as the construction of sidewalks along state highways within the Town, and the repair of sidewalks constructed by the state along state highways in the Town, at the expense of the abutting owners, upon such notice and pursuant to the authority of the requirements of § 130, Subdivision 4, and § 200-a of the New York State Town Law.

- A. Whenever the Town Board adopts an order or orders directing the abutting owners of the respective lots or parcels of land in front of which it is desired that sidewalks or curbs be built, relaid, or repaired, or to construct them in accordance with this chapter, the Commissioner of Public Works or his/her designee shall specify the place, manner and time within which the construction or repair shall be done.
- B. The Town Clerk shall publish a notice of the Town Board's orders, pursuant to Subsection A of this section, in a newspaper to be designated by the Town Board, at least twice, the first publication of which shall be at least 15 days before the time specified for the completion of the work, and he/she shall serve, within two business days from the issuance of the order, a copy of the notice upon the owner or owners, occupant or occupants of the land in front of which it is desired that such construction or repair shall be done.

§205-6 Compliance required.

All sidewalks, curbs, gutters or driveways constructed on any privately owned street, highway or parkway of a new development shall be subject to these regulations and comply in all respects with the regulations covering streets, the title to which is vested in the Town. Failure to comply with these regulations shall constitute sufficient cause for the Town to reject any preferred dedication of such a street.



§205-6.1 Waiver of installation.

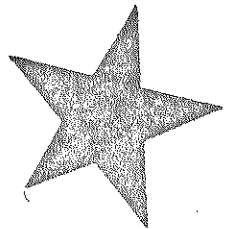
- A. Anyone who has requested a waiver of sidewalk installation and has received such authorization from the Commissioner of Public Works shall pay or be billed on the basis of four-by-four-foot flags, identical to the rate used to calculate the cost of sidewalk construction.
- B. Failure to pay the billing within 90 days shall result in an assessment resolution by the Town Board against the subject property.

§205-7 Work by Town upon noncompliance.

- A. Whenever a notice to construct or repair a sidewalk or curb, pursuant to an order of the Town Board, has been served upon an owner or occupant of a lot or parcel of land in front of which it is desired that sidewalks or curbs be built, relaid or repaired, and the owner or occupant shall not cause the construction or repair to be made to the sidewalk or curb as required by the notice, the Commissioner of Public Works is hereby authorized and directed to cause the construction and repair to be made as required by notice.
- B. The Commissioner of Public Works is hereby authorized to perform such work or repair with his/her own forces or cause a contract to be let therefor, and to pay for the work out of the funds to be appropriated by the Town Board for such purposes.
- C. If work is performed by the Town of Oyster Bay under this section, the Town shall be reimbursed for the actual and complete cost of such work within 60 days of the completion of said work. In the event that the property owner does not fully satisfy said costs, the Town shall be reimbursed therefor by an assessment resolution by the Town Board as provided for and in the manner prescribed in § 205-9 of this article.

§205-8 Appropriate permits and bonds required.

- A. Whenever the owner or occupant of property in front of which the Town Board, pursuant to this chapter, has ordered a sidewalk or curb constructed or repaired, shall build, relay or repair the sidewalk or curb called for by the notice, he/she/it shall obtain a permit therefor as required by this chapter.
- B. If the location where the construction or repair is to be made shall be upon a state highway where the sidewalks or curbs have been constructed by the state, the permit shall be obtained from the appropriate office of the New York State Department of Transportation in accordance with the rules and regulations of that Department.
- C. The Commissioner of Public Works may require such bonds or deposits and issue the permit subject to such terms and conditions as he/she may consider necessary for the protection of the Town property.



§205-9 Reimbursement of Town.

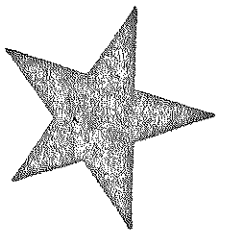
- A. The Town shall be reimbursed for the cost of building, relaying or repairing any sidewalk or curb, when made by the Commissioner of Public Works pursuant to this article, by the owner or occupant of the respective lot or parcel of land in front of which the construction or repair was made, by assessment upon and collection from the lot or parcel of land termed benefited by the construction or repair; so much of the actual and complete cost upon and from each lot as shall be in just proportion to the amount of the benefit which the improvement shall confer upon the property, and collected in the same manner and at the time as other ad valorem Town charges.
- B. In the event that a property owner fails to fully satisfy any bill or invoice for work performed by the Town under this chapter within 60 days of billing or invoicing, the Town shall be reimbursed for the full cost of the work performed or the services rendered, as hereinabove provided, by assessment against the collection from the lots or parcels of land where such work was performed or services rendered for so much of the actual and complete cost as incurred upon and from each lot or lots, in the manner provided for the assessment of the cost of public improvements by Article 4, § 64, of the New York State Town Law, as amended.

§205-9.1 Replacement of sidewalk flags.

In the event that the Department of Public Works informs the owner or occupant of a property that the Town has determined that a sidewalk hazard exists at the property, the owner or occupant shall replace the sidewalk through use of a private contractor, in which event the owner or occupant must complete said replacement no later than 90 days from the date of the notice of defect from the Department of Public Works. In the event that the owner or occupant has failed to correct the defect within 90 days from the date of the notice of defect, the Department of Public Works may elect to remedy the defect upon written notice to the owner or occupant, and shall bill the owner or occupant for the cost of said work. Until such time as the sidewalk replacement is complete, the owner and/or occupant shall remain liable for the sidewalk condition. If additional time is required to replace the defective sidewalk due to weather restrictions during the winter months, the owner or occupant shall submit to the Department of Public Works, in writing, a request for such additional time. In the event the owner or occupant chooses to use a private contractor to replace the defective sidewalk, a permit will be required for work on the Town right-of-way.

§205-10 Conformance with specifications.

No sidewalk, curb or gutter shall be constructed or permitted to be constructed or repaired along any street, road or highway or parkway in the Town unless such construction shall conform to the lines, grades and specifications furnished by the Commissioner of Public Works and in conformity with all of the specifications and requirements established by rules and regulations of the Town Board.



§205-11 Application and issuance of permit.

No sidewalk, curb or gutter shall be constructed or repaired, or work thereon commenced, until the owner of the premises responsible for the sidewalk, curb or gutter is to be constructed or repaired, or the authorized agent of the owner, shall have obtained a permit therefor. Applications for the permit required by this section shall be made, in writing, to the Commissioner of Public Works, or his/her designee in such form as may be required by the Department of Public Works. No permit required by this section shall be issued without the approval of the Commissioner of Public Works endorsed on the application therefor, unless so directed by resolution of the Town Board. The fee for any such permit shall be waived if the applicant is an individual who owns or resides at the residential premises for which a permit for the construction or repair of sidewalks, curbs or gutters is being sought.

§205-12 Permit to be in addition to other requirements.

The permit required by this chapter shall be in addition to the permit required for street openings and obstructions, and shall be in addition to any permit required for any excavation or curb cut permit, if any is required.

§205-13 Permit specifications.

A permit issued pursuant to this chapter shall specify the lines or grades of the sidewalk, curb or gutter to be constructed or repaired, and such other directions as the circumstances may require.

§205-14 Insurance.

Each applicant for a permit required by this chapter must file an insurance policy or certificate with the Commissioner of Public Works insuring the Town in the sum \$1,000,000/\$1,000,000 for personal injury liability and \$500,000 for property damages, unless in the opinion of the Commissioner of Public Works higher limits are necessary.

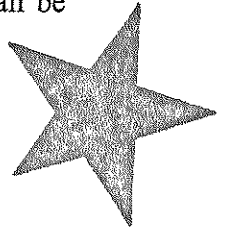
§205-15 Performance bond.

The applicant for a permit required by this chapter must file a performance bond with the Commissioner of Public Works in at least the amount of the cost of the work to be performed under the permit, except that no performance bond need be filed by any water district for a job to be performed under a permit obtained by the water district.

§205-16 Permit fees.

A. Fees established.

- (1) By order of the Town Board, except where otherwise provided by law or where permits required by this chapter are granted for work done at the direction of the Commissioner of Public Works or his or her designee, each application for a permit which is granted by the Commissioner of Public Works or his or her designee for a street opening or excavation in any street, highway or sidewalk in the Town for any purpose shall be



accompanied by a fee in an amount as shall be established by the Commissioner of Public Works.

(2) Any permit shall expire 60 days from the date such permit is issued unless work is in progress at the end of such period and the Commissioner of Public Works or his or her designee extends such permit.

B. Public utility companies servicing the Town will pay fees in the same amounts as listed above. However, such companies need not submit payment with each application. Each public utility will be billed monthly by the Town for each permit issued to it during the previous month.

C. Water districts shall be exempt from the above permit fees.

§205-17 Waivers.

The Commissioner of Public Works may waive the requirements of § 205-14 and § 205-15 when such construction or repair work is being performed in conjunction with the tree removal service provided for or by the Town of Oyster Bay and when the permit applicant can produce a homeowners' liability insurance policy which, by its terms, provides at least 10 days' notice to the Town of Oyster Bay of any cancellation and which, in the opinion of the Commissioner of Public Works, adequately protects the applicant and the Town during the period of the construction, and has a limit of liability of not less than \$50,000 for each occurrence.

Amend Chapter 205 (Streets and Sidewalks), by deleting Article III, Excavations and Curb Cuts, in its entirety and adding a new Article III, Excavations and Curb Cuts, as follows:

Article III, Excavations and Curb Cuts

§205-18. Permit required.

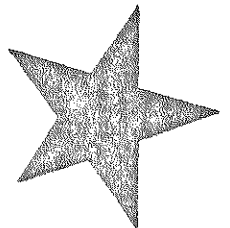
No person, including any person operating any public service, water, light or power company, shall make any curb cuts, street openings or excavate in any street, highway or sidewalk in the town for any purpose without first obtaining a permit from the Commissioner of Public Works, as provided in this article.

§205-19. Expiration of permits; extensions.

Any permits issued under this article shall automatically expire on the 60th day after the date of issue. Any continuation or extension thereof is subject to the approval of the Commissioner of Public Works upon conditions and provisions which in his discretion are deemed appropriate under the circumstances.

§205-20. Permit to be in addition to other requirements.

The permit and permit fee required by this article shall be in addition to permits required, if any, for the construction of any sidewalk, curb or driveway.



§205-21. Application, standards and issuance of permit.

Upon application in writing, filed with the Commissioner of Public Works stating the purpose, extent, location and nature of proposed curb cuts, street openings or excavations in any street, highway or sidewalk in the town for any purpose, the Commissioner of Public Works shall issue a permit under this article where he finds:

- A. That the work shall be done in accordance with the standard specifications and requirements of the Town of Oyster Bay for public work of like nature.
- B. That the operation will not unreasonably interfere with vehicular or pedestrian traffic, the demand and necessity for parking spaces, and the means of ingress to and egress from the property affected and adjacent properties.
- C. That the health, welfare and safety of the public will not be unreasonably impaired.

§205-22. Work by Town.

It shall be left to the discretion of the Commissioner of Public Works as to whether the proposed excavation for which a permit is sought pursuant to this article shall be repaved by the applicant for the permit or by the town; if the town shall repave the excavation, the costs shall be paid by the applicant for the permit.

§205-23. Deposit.

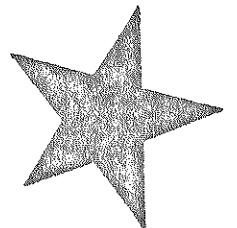
Except where an excavation or disturbance in a public way shall be directly authorized by law, the Commissioner of Public Works shall require the applicant for a permit, as required by this article, to deposit with the Commissioner of Public Works a sum of money which shall be deemed by him to be adequate to pay all of the expenses to which the town may be put to replace the street, highway or sidewalk, pavement, curb or gutter in proper condition.

§205-24. Insurance.

Each applicant for a permit, as required by this article, shall file an insurance policy or certificate with the Commissioner of Public Works insuring the Town in the sum of \$300,000 to \$500,000 for personal liability and \$50,000 for property damage.

§205-25. Performance bond.

A performance bond shall be filed with the Commissioner of Public Works by the applicant for a permit, as required by this article, as a prerequisite to the permit, in at least the amount of the job to be performed under the permit, except that no performance bond need be filed by any water district for the job to be performed under the permit.



§205-26. Notice to public service companies.

No work shall be commenced under any permit granted pursuant to this article unless or until such notice as shall be directed by the Commissioner of Public Works shall have been given to public service corporations having lines, mains or other property in the streets for the protection of their property.

§205-27. Safety devices.

All excavations in streets or sidewalks shall be surrounded by suitable barriers or guards for the protection of persons using the streets in the daytime and, in addition thereto, by lights or flares from twilight continuously until daylight. Barriers and lights required by this section shall conform in kind and numbers to the requirements of the Commissioner of Public Works. The failure to provide barriers and lights conforming to the requirements of the Commissioner of Public Works shall be prima facie evidence of a failure to provide suitable barriers and lights.

§205-28. Protection of property.

All permits granted pursuant to this article shall be conditioned upon the adequate protection, at the expense of the permittee, of the property of the town and public service corporations.

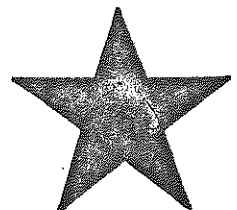
§205-29. Backfilling; notice of completion; maintenance.

All excavations subject to this article shall be backfilled properly upon completion, and a written notice thereof given to the Commissioner of Public Works. For a period of two (2) years after such notice of completion has been given, the permittee shall be responsible for correcting any defects or deficiencies in the backfilling or associated pavement restoration, as directed by the Commissioner of Public Works.

Amend Chapter 242 (Wireless Telecommunications Facilities), §242-16, Fees, by deleting §242-16.E in its entirety and adding a new §242-16.E, as follows:

E. The fee to be paid to the Department of Public Works for any application receiving treatment under §242-22 of this chapter shall be \$2,000 per pole utilized for a wireless antenna, to be paid prior to the time that the Public Works Department conducts its comprehensive site review as set forth therein. On an application to the Zoning Board of Appeals under § 242-22 of this chapter, the Board shall treat each disapproved site as a separate case, and require a fee from the applicant in the amount required by this Code.

SECTION 3. Amendments to Chapter 4, Administration of Government, Chapter 64, Purchasing, Chapter 84, All Terrain Vehicles, Chapter 96, Dangerous Buildings and Abandoned Buildings, Chapter 135, Housing Standards, Chapter 160, Notice of Defects, Chapter 180, Plumbing, Chapter 201, Solid Waste, Chapter 205, Streets and Sidewalks, and Chapter 242, Wireless Telecommunications Facilities, of the Code of the Town of Oyster Bay shall take effect immediately upon filing with the Secretary of State.



I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2022 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2022, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal) Date: _____, 2022

(Certification to be executed by Town Attorney).
STATE OF NEW YORK
COUNTY OF NASSAU

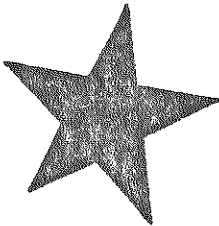
I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Town Attorney

Title

Town of Oyster Bay

Date: _____ 2022

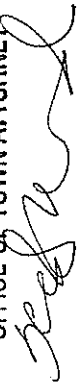


RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 8th day of February, 2022, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVII, SANITATION DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 4, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, PART 1, SOLID WASTE REGULATIONS, ARTICLE I, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTIONS 201-1.9, 201-1.12.B, 201-1.22, 201-1.25 AND 201-1.31. ARTICLE II COLLECTION AND CONTAINER PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-2.A(1), 201-3.A(1), 201-4.A(1), 201-11 AND 201-15, ARTICLE III, PRIVATE COLLECTION; PERMITS; VEHICLES, BY DELETING AND REPLACING SUBSECTIONS 201-18, 201-19, 201-24.B, 201-26, 201-27, 201-28, 201-29, ARTICLE IV, PUBLIC DISPOSAL FACILITIES, BY DELETING AND REPLACING SUBSECTIONS 201-38, 201-42.B, 201-42.F, 201-42.N, 201-47, 201-47.1, 201-48, 201-49, ARTICLE VI, RECYCLING, BY DELETING AND REPLACING SUBSECTION 201-70, 201-71, 201-72, PART 2, SOLID WASTE MANAGEMENT, ARTICLE VIII, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-78.1, AND DELETING SUBSECTION 201-78.2, ARTICLE IX, DISPOSAL REGULATIONS, BY DELETING AND REPLACING SUBSECTION 201-79, ARTICLE X, ENFORCEMENT, BY DELETING AND REPLACING SUBSECTION 201-80, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-31A", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in
Newsday
newspapers of general circulation within the Town of Oyster Bay.

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HTW 1
REVIEWED BY
OFFICE OF TOWN ATTORNEY


PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 8th day of February, 2022 at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVII, SANITATION DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 4, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, PART 1, SOLID WASTE REGULATIONS, ARTICLE I, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTIONS 201-1.9, 201-1.12.B, 201-1.22, 201-1.25 AND 201-1.31. ARTICLE II COLLECTION AND CONTAINER PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-2.A(1), 201-3.A(1), 201-4.A(1), 201-11 AND 201-15, ARTICLE III, PRIVATE COLLECTION; PERMITS; VEHICLES, BY DELETING AND REPLACING SUBSECTIONS 201-18, 201-19, 201-24.B, 201-26, 201-27, 201-28, 201-29, ARTICLE IV, PUBLIC DISPOSAL FACILITIES, BY DELETING AND REPLACING SUBSECTIONS 201-38, 201-42.B, 201-42.F, 201-42.N, 201-47, 201-47.1, 201-48, 201-49, ARTICLE VI, RECYCLING, BY DELETING AND REPLACING SUBSECTION 201-70, 201-71, 201-72, PART 2, SOLID WASTE MANAGEMENT, ARTICLE VIII, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-78.1, AND DELETING SUBSECTION 201-78.2, ARTICLE IX, DISPOSAL REGULATIONS, BY DELETING AND REPLACING SUBSECTION 201-79, ARTICLE X, ENFORCEMENT, BY DELETING AND REPLACING SUBSECTION 201-80, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-31A".

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. If meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. Comments may be submitted by email to publiccomment@oysterbay-ny.gov, or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771.

The abovementioned local law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa.

TOWN BOARD OF TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: January 11, 2022 Oyster Bay, New York.

1/11/22
REVIEWED BY
OFFICE OF TOWN ATTORNEY
[Signature]

Town of Oyster Bay

Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : January 3, 2022

SUBJECT : "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVII, SANITATION DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 4, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, PART 1, SOLID WASTE REGULATIONS, ARTICLE I, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTIONS 201-1.9, 201-1.12.B, 201-1.22, 201-1.25 AND 201-1.31. ARTICLE II COLLECTION AND CONTAINER PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-2.A(1), 201-3.A(1), 201-4.A(1), 201-11 AND 201-15, ARTICLE III, PRIVATE COLLECTION; PERMITS; VEHICLES, BY DELETING AND REPLACING SUBSECTIONS 201-18, 201-19, 201-24.B, 201-26, 201-27, 201-28, 201-29, ARTICLE IV, PUBLIC DISPOSAL FACILITIES, BY DELETING AND REPLACING SUBSECTIONS 201-38, 201-42.B, 201-42.F, 201-42.N, 201-47, 201-47.1, 201-48, 201-49, ARTICLE VI, RECYCLING, BY DELETING AND REPLACING SUBSECTION 201-70, 201-71, 201-72, PART 2, SOLID WASTE MANAGEMENT, ARTICLE VIII, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-78.1, AND DELETING SUBSECTION 201-78.2, ARTICLE IX, DISPOSAL REGULATIONS, BY DELETING AND REPLACING SUBSECTION 201-79, ARTICLE X, ENFORCEMENT, BY DELETING AND REPLACING SUBSECTION 201-80, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-31A" [#2]
Supplemental to Docket Item No. 8, December 28, 2021

This Office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

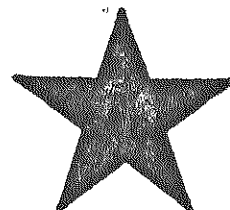
Kindly place this matter on the January 11, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



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

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : December 28, 2021
SUBJECT : A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK
[#2]

This Office is currently preparing documents and items necessary to establish a local law as referenced above.

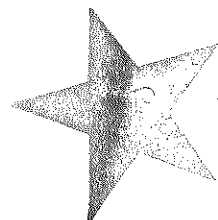
Kindly reserve a space on the docket. Additional information will be provided by way of a supplemental memorandum.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 8th day of February, 2022, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVI, ECONOMIC DEVELOPMENT DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE V, PLANNING AND DEVELOPMENT DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-53 AND 4-55", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

Newsday 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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Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 8th day of February, 2022 at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVI, ECONOMIC DEVELOPMENT DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE V, PLANNING AND DEVELOPMENT DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-53 AND 4-55".

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. If meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. Comments may be submitted by email to publiccomment@oysterbay-ny.gov, or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771.

The abovementioned local law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa.

TOWN BOARD OF TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: January 11, 2022 Oyster Bay, New York.

Reviewed By
Office of Town Attorney

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay
Local Law No. of the year 2022

A local law entitled “A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVII, SANITATION DEPARTMENT, TO AMEND CHAPTER 4, ARTICLE XI, PUBLIC WORKS DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-115 AND 4-117, TO AMEND CHAPTER 4, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 135, HOUSING STANDARDS, BY DELETING AND REPLACING SECTION 135-54.B, TO AMEND CHAPTER 182, PROPERTY MAINTENANCE, BY DELETING AND REPLACING SECTION 182-22.B, TO AMEND CHAPTER 201, SOLID WASTE, PART 1, SOLID WASTE REGULATIONS, ARTICLE I, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTIONS 201-1.9, 201-1.12.B, 201-1.22, 201-1.25 AND 201-1.31. ARTICLE II COLLECTION AND CONTAINER PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-2.A(1), 201-3.A(1), 201-4.A(1), 201-11 AND 201-15, ARTICLE III, PRIVATE COLLECTION; PERMITS; VEHICLES, BY DELETING AND REPLACING SUBSECTIONS 201-18, 201-19, 201-24.B, 201-26, 201-27, 201-28, 201-29, ARTICLE IV, PUBLIC DISPOSAL FACILITES, BY DELETING AND REPLACING SUBSECTIONS 201-38, 201-42.B, 201-42.F, 201-43.N, 201-47, 201-47.1, 201-48, 201-49, ARTICLE VI, RECYCLING, BY DELETING AND REPLACING SUBSECTION 201-70, 201-71, 201-72, PART 2, SOLID WASTE MANAGEMENT, ARTICLE VIII, GENERAL PROVISIONS, BY DELETING AND REPLACING SUBSECTION 201-78.1, AND DELETING SUBSECTION 201-78.2, ARTICLE IX, DISPOSAL REGULATIONS, BY DELETING AND REPLACING SUBSECTION 201-79, ARTICLE X, ENFORCEMENT, BY DELETING AND REPLACING SUBSECTION 201-80, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-31A”

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Oyster Bay as follows

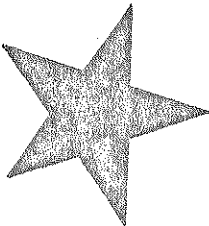
SECTION 1. Amend Chapter 4 (Administration of Government), by adding Article XVII, Sanitation Department, as follows:

ARTICLE XVII, Sanitation Department

§4-180. Title.

This article shall be known as “Town of Oyster Bay Sanitation Department Law”.

§4-181. Purpose.



The purpose in creating the Sanitation Department is to effectively manage all sanitation collection operations, including, but not limited to, all of the functions relating to garbage and refuse collection throughout the Town of Oyster Bay, to supervise, implement, manage and coordinate all recycling collection programs within the Solid Waste Disposal District, and to inspect, manage, control and monitor all municipal solid waste generated within the Town of Oyster Bay Solid Waste Disposal District.

§4-182. Definitions, word usage.

- A. Whenever used in this article, words used in the singular include the plural and vice versa.
- B. All words used in the present tense include the past and the future tense. Words used in the masculine gender include the feminine and neuter, and vice-versa, unless the natural construction of the wording indicates otherwise.
- C. As used in this article, the following terms shall have the meanings indicated:

COMMISSIONER -- The Commissioner of the Sanitation Department, who shall also be known as the Commissioner of Sanitation, and who shall be the chief executive officer of the Department.

DEPARTMENT -- The Town of Oyster Bay Sanitation Department, which shall perform a major function of Town government.

DEPUTY COMMISSIONERS -- The two (2) Deputy Commissioners of the Town of Oyster Bay Sanitation Department, who shall generally act for and in place of the Commissioner.

SUPERVISOR -- Supervisor of the Town of Oyster Bay.

§4-183. Establishment; department head; salary; qualifications.

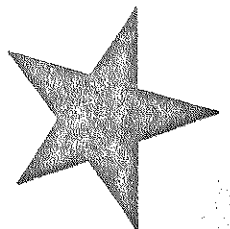
There shall be in the Town of Oyster Bay a Sanitation Department. The principal executive officer and administrative head of said Department shall be the Commissioner of Sanitation, who shall be appointed by the Town Board at such salary as may from time to time be fixed by the Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department with the power and authority to appoint and remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.

§4-184. Deputies.

The Commissioner is empowered herein to appoint two (2) deputies who shall generally act for and in his behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this article, by statute or by other lawful authority.

§4-185. Undertakings.

Before entering upon the duties of the office, the Commissioner shall execute and file an official undertaking, if the same shall be required by the Town Board, in such sum as prescribed by the Town Board and in such form as approved by the Town Attorney. Except as otherwise provided for herein, the Commissioner of Sanitation shall have charge of the administration of the Department.



§4-186. Organization.

The Commissioner shall have such powers as shall be necessary for the proper administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following Division(s):

- A. Division of Administration
- B. Division of Sanitation Collection and Recycling
- C. Division of Solid Waste

§4-187. General powers and duties.

- A. The powers and duties of each such Division therein shall be under the administration, direction and control of the Commissioner of Sanitation and each such Division shall be supervised by a division head who shall be designated as superintendent or other appropriate title.
- B. The Commissioner may, with the approval of the Town Board, establish, consolidate or abolish any divisions now existing or hereafter created in said Department and establish, consolidate or abolish any bureau now existing or hereafter created in any such division.

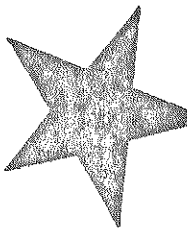
§4-188. Employees

The Sanitation Division of the Department of Public Works, existing prior to the enactment of the legislation herein, is hereby transferred in its entirety, including all property, equipment and budgetary appropriations, to the Sanitation Department. The employees of said Division shall be continued as employees in the Sanitation Department with the same classifications, pension and retirement rights and privileges as they had immediately prior to such transfer.

§4-189. Enumeration of Divisions.

The Divisions of the Sanitation Department shall be as follows:

- A. Division of Administration. To administer, supervise, manage, implement, initiate and direct all matters concerning the Office of Administration of the Sanitation Department. To develop, implement and coordinate public education and community outreach with regard to recycling and solid waste reduction. To assume responsibility for all personnel records and actions for the Department. To plan and coordinate policies, procedures and programs concerning personnel. To provide, manage and maintain all telephone communication services and permitting processes for the Department. To assume responsibility for accounts and processes for payment of all claims as well as maintaining records of said claims and petty cash. To coordinate data from divisions for preparation of the fiscal budget for the Department. The division head of the Division of Administration acts as liaison for the Commissioner of Sanitation with all divisions and bureaus of the Sanitation Department as well as all departments within the Town of Oyster Bay.
- B. Division of Sanitation Collection and Recycling. To perform, direct and supervise all sanitation collection operations, including, but not limited to, all of the functions relating to garbage and refuse collection, and exercise such powers and perform such duties as are prescribed by local law, ordinance, rules or regulations pertaining to collection and



conveyance of garbage and refuse within the Town. This division shall also supervise, implement, manage and coordinate all recycling collection programs within the Solid Waste Disposal District, including residential curbside collection programs and Town government office building recycling projects.

- C. Division of Solid Waste. To plan, undertake and oversee the daily operations at the Old Bethpage Solid Waste Disposal Complex and any other solid waste management facility or facilities operated now or in the future by the Town; to supervise and manage the weighing, processing, disposal and management of municipal solid waste delivered to the Town; and to inspect, manage, control and monitor all municipal solid waste generated within the Town of Oyster Bay Solid Waste Disposal District.

§4-190. Performance of other duties; delegation of powers.

- A. The Commissioner, acting by and through any of the existing or hereafter created divisions, shall be empowered to perform such other duties and functions that are prescribed to be performed by him in any law, ordinance or resolution of the Town Board or lawful directive of the Supervisor. The Commissioner may delegate his authority to or direct any of his duties to be performed to a Deputy Commissioner or head of a division.
- B. The Commissioner is hereby authorized and empowered, subject to the prior approval of the Town Board, except that such prior approval will not be required in cases of emergency, to retain and employ private engineers, architects and consultants, or firms practicing such profession, for the purposes of: preparing designs, plans and estimates of structures or projects of any type and character; rendering assistance and advice in connection with any project, whether defined or proposed and under the supervision of the Sanitation Department; and performing administration of the Department.

§4-191. Charges against special districts.

All costs and expenses incurred by the Department or its officers or employees on behalf of a special district or special Town project shall be charged against such district or project and paid from the funds duly appropriated for the purpose of such district or project.

§4-192. Powers of Supervisor.

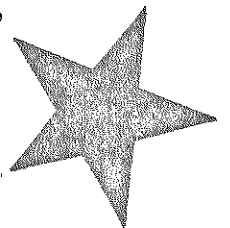
Nothing herein contained shall be construed to delegate or transfer any power of the Town Supervisor contained in §§ 29, 52 and 125 of the Town Law of the State of New York or any other powers, which may be lawfully exercised by said Supervisor.

§4-193. Fees.

The Commissioner may establish a schedule of fees to be collected by him for the filing in his office or department of any map or written instrument required to be so filed; the preparation of any copy of a map or written instrument filed in his office or department; for certifying any such map or written instrument; and for any other service rendered in connection with the work of his department and for which he deems it necessary to charge and to collect a fee therefore.

SECTION 2.

Amend Chapter 4 (Administration of Government), Article XI, Public Works Department, by deleting §4-115 in its entirety and adding a new §4-115, as follows:



§4-115 Organization.

The Commissioner shall have such powers as shall be necessary for the administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following Divisions:

- A. Administration.
- B. Central Vehicle Maintenance.
- C. Engineering.
- D. Highway and Public Parking.

Amend Chapter 4 (Administration of Government), Article XL, Public Works Department, by deleting §4-117 in its entirety and adding a new §4-117, as follows:

§4-117 Enumeration of divisions.

- A. Division of Administration. To administer, supervise, manage, implement, initiate and direct all matters concerning the Office of Administration of the Public Works Department. The division head acts as liaison for the Commissioner of Public Works with all divisions and bureaus of the Department of Public Works as well as all departments within the Town of Oyster Bay. The Division is responsible for all personnel records and actions for the Department. It plans and coordinates policies, procedures and programs concerning personnel. The Division is responsible for general services and manages, maintains, repairs and cleans Public Works complex. Provides, manages and maintains all telephone communication services for Public Works Department complex. The Division is responsible for accounts and processes for payment of all claims as well as maintain records of said claims and petty cash. It coordinates data from divisions for preparation of fiscal budget for the Public Works Department.
- B. Division of Central Vehicle Maintenance. To supervise, manage and provide for the repair and maintenance service for all vehicles owned and under the jurisdiction of the Town of Oyster Bay and to make authorized assignments thereof and to manage and maintain related facilities, equipment and personnel necessary for the proper administration thereof.
- C. Division of Engineering. To perform the duties of Town Engineer and to have general charge and supervision of the design and construction of Town buildings, roads and drainage, parks and grounds, and to oversee and manage Town landfill remediation and closure programs, including, but not limited to, the monitoring of remediation activities at the Old Bethpage Solid Waste Disposal Complex and any other solid waste management facility or facilities operated now or in the future by the Town, including, but not limited to: leachate treatment, groundwater treatment, landfill gas control, and landfill cap maintenance; to oversee and manage, other structure or improvements in the nature of public works as the Town or any of its special districts or departments may construct. Furthermore, the division head of the Division of Engineering will continue with all of the powers and be subject to all of the duties of a Town Engineer.
- D. Division of Highway and Public Parking. To have charge and supervision of the repair, maintenance, cleaning and lighting of all highways, roads, streets, bridges and stormwater drainage systems and other outdoor facilities under the jurisdiction of the Town or any

special districts thereof, and to further provide for and maintain and operate municipal off-street public parking areas, including metered parking, and to further supervise and to have jurisdiction over any improvement districts related thereto. The division head of the Division of Highways and Public Parking shall have authority to issue permits relative to road openings and closures, excavations, and tree removal, including but not limited to block parties, and parade permits. Furthermore, the division head of the Division of Highways and Public Parking shall have all the powers and duties of a Town Superintendent of Highways as prescribed by law.

Amend Chapter 4 (Administration of Government), Article XIV, Department of Environmental Resources, by deleting §4-148 in its entirety and adding a new §4-148, as follows:

§4-148 Organization.

The Commissioner shall have such powers as shall be necessary for the administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following divisions:

- A. Division of Environmental Planning, Conservation, and Outreach;
- B. Division of Animal Shelter and Wildlife Rehabilitation; and
- C. Division of Town Environmental Quality Review.

Amend Chapter 4 (Administration of Government), Article XIV, Department of Environmental Resources, by deleting §4-150 in its entirety and adding a new §4-150, as follows:

§4-150 Enumeration of divisions.

The divisions are as follows:

- A. Division of Environmental Planning, Conservation, and Outreach: to undertake environmental planning, conservation, and outreach activities, including, but not limited to, the following:
 - (1) Environmental Planning: to oversee planning activities relating to the protection or enhancement of environmental resources in the Town; to assist Town departments and agencies in obtaining requisite environmental permits; to investigate opportunities for grant funding from outside agencies and other sources, and to complete or assist in the completion of applications to procure said funding in order to facilitate projects to advance the environmental goals of the Town;
 - (2) Environmental Conservation: to develop, implement and coordinate programs for water conservation, preservation of the marine environment and marine life, wetlands protection, and wildlife and habitat protection; to develop and assist in the implementation of programs for the proper management and disposal of hazardous wastes; to perform environmental monitoring and to undertake appropriate actions to correct problems or deficiencies encountered, including enforcement activities by an Environmental Conservation Officer as may be warranted; and
 - (3) Environmental Outreach: to develop, implement and coordinate environmental education programs for the public and for Town governmental facilities, including, but not limited to, hazardous substance disposal, natural resource conservation.

environmental stewardship, and water quality protection; to address inquiries from the public regarding environmental issues in the Town; to consult with other Town departments on matters of environmental education and public outreach; to coordinate with, and assist and advise other departments and agencies, both inside and outside the Town, in order to ensure that projects undertaken within the Town are environmentally sound.

B. Division of Animal Shelter and Wildlife Rehabilitation: to oversee and manage animal control and shelter operations; to assist in wildlife rehabilitation efforts; and to manage and maintain facilities, equipment and personnel necessary for the proper administration of the above.

C. Division of Town Environmental Quality Review (TEQR): to review, analyze, investigate and process all appropriate administrative and technical undertakings pertaining to the environmental impacts of applications presented for approval to the Oyster Bay Town Board or to other Oyster Bay Town agencies, and to submit reports, conclusions and recommendations to said Board or agencies, for their findings and determinations, all in accordance with Chapter 110 of the Oyster Bay Town Code, Article 8 of the Environmental Conservation Law of the State of New York, and Part 617, Title 6 of the State of New York Official Compilation of Codes, Rules and Regulations.

Amend Chapter 135 (Housing Standards), by deleting §135-54.B, Compliance with notice; assessment of costs, in its entirety and adding a new §135-54.B, as follows:

§135-54 Compliance with notice; assessment of costs.

B. Action upon noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly cure the violation, within five days after issuance of written notice provided for in § 135-53 above, the Commissioner, or his/her designee, may direct the Department of Public Works, the Sanitation Department and/or the Department of Parks to remove and dispose of such garbage, litter, refuse, rubbish or rubble and/or to cut the lawn, weeds, grass, brush or vegetation to a height in compliance with § 135-52.

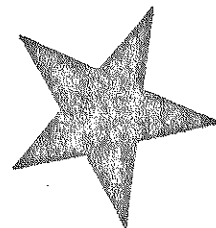
Amend Chapter 182 (Property Maintenance, Industrial and Commercial), by deleting §182-22.B, Compliance with notice; assessment of costs, in its entirety and adding a new §182-22.B, as follows:

§182-22 Compliance with notice; assessment of costs.

B. Action upon noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly cure the violation, within five days after issuance of written notice provided for in § 182-21 above, the Commissioner, or his/her designee, may direct the Department of Public Works, the Sanitation Department and/or the Department of Parks to remove and dispose of such garbage, litter, refuse, rubbish or rubble and/or to cut the lawn, weeds, grass, brush or vegetation to a height in compliance with § 182-20.

Amend Chapter 201 (Solid Waste), Part 1, Solid Waste Regulations, Article I, General Provisions, §201-1, Definitions, by deleting §201-1.9, §201-1.12.B, §201-1.22, §201-1.25 and §201-1.31 in its entirety and adding a new §201-1.9, §201-1.12.B, §201-1.22, §201-1.25 and §201-1.31 as follows:

§201-1 Definitions.



COMMISSIONER OF SANITATION – The Commissioner of Sanitation or his or her duly authorized designee.

HAZARDOUS WASTE -

- B. The final determination of whether or not a waste is hazardous shall be made by the Commissioner of Sanitation in accordance with the guidelines of the New York State Department of Environmental Conservation and/or the United States Environmental Protection Agency, which establish the criteria for such determination.

POTENTIALLY INFECTIOUS WASTE – The waste products, normally originating from medical offices, medical laboratories, nursing homes, surgical centers and hospitals, which consist of human or animal body parts, tissues or blood or materials coming in contact with said body parts and tissues or blood from persons or animals that are diseased or infected or could reasonably be presumed to be diseased or infected. For the purpose of this definition, the presence of any waste deposited in red bags or deposited in orange bags marked "biohazardous" or the like or marked "autoclaving bag" or the like shall be considered a potentially infectious waste. The final determination as to whether a waste is potentially infectious shall be made by the Commissioner of Sanitation in accordance with this chapter and any other guidelines that may be provided by the New York State Department of Environmental Conservation, the New York State Department of Health and/or the Nassau County Health Department.

RECYCLABLE MATERIALS – Includes the following items: newspapers; magazines; office paper; advertising ("junk") mail; corrugated cardboard; food and beverage containers made of brown glass, green glass or clear glass; food and beverage containers made of aluminum, steel, tin or any combination thereof except that aerosol containers shall not be considered recyclable materials; white goods; as well as rigid plastic household containers composed of polyethylene terephthalate (PET or PETE) (#1 plastic) and high-density polyethylene (HDPE) (#2 plastic). The Commissioner of Sanitation shall be authorized to add or delete items from this list in the event that he determines the economic market conditions warrant such action.

TOWN – Only the unincorporated area of the Town of Oyster Bay serviced by the Sanitation Department for the purpose of Article II of this Part 1. For all other purposes, "town" shall mean the entire Town of Oyster Bay, including its incorporated and unincorporated areas.

Amend Chapter 201 (Solid Waste) Part 1, Solid Waste Regulations, Article II, Collection and Container Provisions, §201-2, Garbage, by deleting §201-2.A(1) in its entirety and adding a new §201-2.A(1), as follows:

§201-2 Garbage.

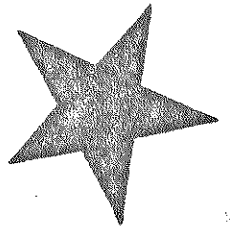
A. Frequency of collection.

- (1) Garbage will be collected from residential areas and from business areas on regularly scheduled days designated by resolution of the Town Board, during the hours designated by the Commissioner of Sanitation.

Amend Chapter 201 (Solid Waste) §201-3, Rubbish, by deleting §201-3.A(1) in its entirety and adding a new §201-3.A(1), as follows:

§201-3 Rubbish.

A. Frequency of collection.



- (1) Rubbish will be collected from residential areas and from business areas on regularly scheduled days designated by resolution of the Town Board, during the hours designated by the Commissioner of Sanitation.

Amend Chapter 201 (Solid Waste) §201-4, Bulky items, by deleting §201-4.A(1) in its entirety and adding a new §201-4.A(1), as follows:

§201-4 Bulky items.

A. Frequency of collection.

- (1) Bulky items will be collected from residential areas and from business areas on regularly scheduled days designated by resolution of the Town Board, during the hours designated by the Commissioner of Sanitation. No appointment shall be necessary for such collection.

Amend Chapter 201 (Solid Waste) §201-11, Container specifications, by deleting §201-11 in its entirety and adding a new §201-11, as follows:

§201-11 Container specifications.

All garbage, rubbish and recycling shall be placed in either reusable or single-use-type containers which shall be uniform. Each type of container shall not exceed 32 gallons in capacity, shall not have a permanently attached lid and shall not be designed or manufactured for mechanical use. Containers for use for the purposes set forth herein shall be approved by the Commissioner of Sanitation. Garbage and rubbish containers shall be kept covered or enclosed at all times. The reusable-type containers for garbage and rubbish shall be equipped with handles and tight-fitting covers and shall be watertight and shall be kept in a clean, neat and sanitary condition at all times. Recycling containers will not require a lid but shall have adequate drain holes in the bottom. The design and construction of and the materials used for the single-use-type containers and the method of the storage thereof shall be in accordance with specifications and rules and regulations therefor which shall be established by the Commissioner of Sanitation. Grease and oil drums are specifically prohibited.

Amend Chapter 201 (Solid Waste) §201-15, Enforcement, by deleting §201-15 in its entirety and adding a new §201-15, as follows:

§201-15 Enforcement.

The inspectors of the Sanitation Department and such other persons as may be designated by the Commissioner of Sanitation shall be empowered to enforce the prohibitions and regulations under all sections of this article.

Amend Chapter 201 (Solid Waste) Part 1, Solid Waste Regulations, Article III, Private Collection; Permits; Vehicles, §201-18, Permit required, by deleting §201-18 in its entirety and adding a new §201-18, as follows:

§201-18, Permit required.

No person who is in the business of collecting, transporting and/or disposing of solid waste shall remove any solid waste from the premises of any person or cart or transport the same through or upon any street, avenue, parkway or highway within the Town unless he shall have obtained a permit from the Town Clerk

as well as a permit, if required, pursuant to the provisions of the Public Health Ordinance of the Nassau County Department of Health. Every permittee shall have agreed to conform to any rules and regulations established by the Commissioner of Sanitation and to provide additional information pertaining to the collection, transportation and/or disposal of solid waste within the Town as the Commissioner of Sanitation or the Town Clerk may reasonably require.

Amend Chapter 201 (Solid Waste) §201-19, Types of permits, by deleting §201-19 in its entirety and adding a new §201-19, as follows:

§201-19 Types of permits.

Such permits shall be classified "Type I" permits, "Type II" permits and "Type III" permits, depending upon the type of business engaged in by the applicant. The final determination as to whether an applicant qualifies for a Type I, Type II or Type III permit shall be made by the Town Clerk in consultation with the Commissioner of Sanitation.

- A. Type I permits. Applicants whose sole or primary business involves the collection, transportation and/or disposal of solid waste generated by others will require a Type I permit. Such businesses include but are not limited to private carting companies, companies and businesses that provide roll-off and/or dumpster service.
- B. Type II permits. Applicants who are engaged in the collection, transportation and/or disposal of solid waste only as an accessory to their business qualify for a Type II permit. Such businesses include but are not limited to landscaping businesses, home improvement companies and private businesses and individuals who collect, transport and/or dispose of self-generated solid waste.
- C. Type III permits:
 - (1) Any municipality other than the Town of Oyster Bay that collects, transports and/or disposes of solid waste in municipally owned or leased and operated vehicles shall qualify for a Type III permit. For the purpose of this section "municipality" shall include the federal or state government or agency thereof, any municipal corporation, school district, district corporation or improvement district whose jurisdiction lies within the confines of the Town of Oyster Bay.
 - (2) Charitable, fraternal and religious organizations which maintain established meeting places within the incorporated or unincorporated areas of the Town of Oyster Bay shall also qualify for a Type III permit.

Amend Chapter 201 (Solid Waste) §201-24, Recordkeeping, by deleting §201-24.B in its entirety and adding a new §201-24.B, as follows:

§201-24 Recordkeeping

- B. Every permittee shall keep and maintain records regarding the amounts of collection, processing, and disposal of recyclable materials (by weight) collected from customers and other sources. Such records shall be kept current on an annual basis and shall be brought up to date not later than February 1 of each year. All such records shall be retained by the permittee for at least three years and may be subject to inspection by the Commissioner of Sanitation or his designee.

Amend Chapter 201 (Solid Waste) §201-26, Additional Information, by deleting §201-26 in its entirety and adding a new §201-26, as follows:

§201-26 Additional Information.

Every person holding a waste removal permit on or after the effective date of this section is subject to any and all laws, ordinances, rules and regulations which govern the operations of the permittee, including but not limited to providing such additional information pertaining to solid waste collection, transportation and disposal practices and operations from time to time as the Town Clerk or Commissioner of Sanitation may reasonably require. A written verified statement verifying such information shall be filed with the Town Clerk within 30 days after a notice requesting such information has been mailed to the permittee at his last known address.

Amend Chapter 201 (Solid Waste) §201-27, Duty to collect, transport and deliver recyclables, by deleting §201-27 in its entirety and adding a new §201-27, as follows:

§201-27 Duty to collect, transport and deliver recyclables.

Every permittee, as a condition of the issuance and maintenance of a waste removal permit, shall have agreed to collect, transport and deliver source-separated recyclable materials generated by any of his customers who have been designated as recycling participants. Such recyclable materials shall be delivered in accordance with the terms and conditions established by the Commissioner of Sanitation.

Amend Chapter 201 (Solid Waste) §201-28, Permits for cesspools, by deleting §201-28 in its entirety and adding a new §201-28, as follows:

§201-28 Permits for cesspools

No person shall clean any cesspool or remove the contents thereof or cart or transport the same upon or through any street, avenue, parkway or highway in the Town unless he shall have first obtained a Type I permit from the Town Clerk and shall have agreed to conform to the rules and regulations established by the Commissioner of Sanitation in regard to such removal.

Amend Chapter 201 (Solid Waste) §201-29, Issuance; decals; fees, by deleting §201-29.C in its entirety and adding a new §201-29.C, as follows:

§201-29 Issuance; decals; fees.

- C. Each permit issued pursuant to this article shall be issued as of the date of the granting thereof and shall expire on the first day of February next succeeding such date, unless sooner suspended or revoked. The Commissioner of Sanitation may extend said compliance date where he believes circumstances so warrant for a period not to exceed two weeks.

Amend Chapter 201 (Solid Waste) Part 1, Solid Waste Regulations, Article IV, Public Disposal Facilities, §201-38, Days and hours, by deleting §201-38 in its entirety and adding a new §201-38, as follows:

§201-38 Days and hours.

The Commissioner of Sanitation, subject to the approval of the Town Board, shall establish the days and hours of operation at the Town solid waste disposal complex and may from time to time change such days and hours of operation as is necessary for the orderly delivery and disposal of solid waste.

Amend Chapter 201 (Solid Waste) §201-42, Fees, by deleting §201-42.B and §201-42.F in its entirety and adding a new §201-42.B, and §201-42.F as follows:

§201-42 Fees.

- B. The charge, if any, for disposal of recyclable materials shall be set by the Town Board by resolution, provided that such materials are separated from all other types of solid waste and delivered in accordance with the terms and conditions set forth by the Commissioner of Sanitation.
- F. There shall be no charge for solid waste delivered to the Town solid waste disposal complex by any town Department or Division, or any agent of such Department or Division.

Amend Chapter 201 (Solid Waste) §201-43, Prohibited Materials, by deleting §201-43.N in its entirety and adding a new §201-43.N as follows:

§201-43 Prohibited materials.

- N. Any other material which the Commissioner of Sanitation shall determine does or potentially could jeopardize the safety of Town employees or the public.

Amend Chapter 201 (Solid Waste) §201-47, Removal of unacceptable wastes, by deleting §201-47.C in its entirety and adding a new §201-47.C as follows:

§201-47 Removal of unacceptable wastes.

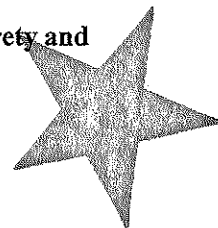
- C. In the event that such person fails to remove or make arrangements for the removal of such materials within a reasonable period of time, the Commissioner of Sanitation is hereby authorized to remove and dispose of such materials and all expenses incurred by the Town for such removal and disposal shall be the responsibility of the person or persons who sent, delivered, offered for disposal, disposed of or in any way discharged or attempted to discharge such materials.

Amend Chapter 201 (Solid Waste) §201-47.1, Offering of materials not constituting clean fill; representations, by deleting §201-47.1.C in its entirety and adding a new §201-47.1.C as follows:

§201-47.1 Offering of materials not constituting clean fill; representations.

- C. In the event that such person fails to remove or make arrangements for the timely removal of such materials within a reasonable period of time, the Commissioner of Sanitation is hereby authorized to remove and dispose of such materials, and all expenses incurred by the Town in such removal and disposal shall be the responsibility of the person or persons who sent, delivered, offered for disposal, disposed of or in any way discharged or attempted to discharge such material.

Amend Chapter 201 (Solid Waste) §201-48, Refusal to accept, by deleting §201-48 in its entirety and adding a new §201-48 as follows:



§201-48 Refusal to accept.

The Commissioner of Sanitation is hereby authorized to refuse to accept any materials offered for disposal at the Town solid waste disposal complex if, in his discretion, such material or materials present unusual problems in the handling, processing, shipping or disposal of such material or materials.

Amend Chapter 201 (Solid Waste) §201-49, Proof of nontoxicity, by deleting §201-49 in its entirety and adding a new §201-49 as follows:

§201-49 Proof of nontoxicity

Where a reasonable basis exists for the belief that a material disposed of or offered for disposal at the Town solid waste disposal complex contains or may contain a hazardous waste, the Commissioner of Sanitation is hereby authorized to require that the person who disposed of or offered to dispose of such material have such material tested for its toxicity content by an independent laboratory in accordance with testing procedures and protocols approved by the United States Environmental Protection Agency and/or the New York State Department of Environmental Conservation. Such testing shall be at the sole expense of the person who disposed of or offered to dispose of such material.

Amend Chapter 201 (Solid Waste) Part 1, Solid Waste Regulations, Article VI, Recycling, §201-70, Recyclable materials, by deleting §201-70 in its entirety and adding a new §201-70 as follows:

§201-70 Recyclable materials.

Materials considered to be recyclable materials shall include but not be limited to those defined in Article I, § 201-1, of this Part 1. The Commissioner of Sanitation may, in his discretion, modify from time to time those materials subject to this section if market conditions so warrant. In the event that the Commissioner of Sanitation does modify the materials subject to this section, he shall cause reasonable notice of such action to be given to all persons affected thereby.

Amend Chapter 201 (Solid Waste) §201-71, Preparation of recyclables, by deleting §201-71.C and §201-71.G in its entirety and adding a new §201-71.C and §201-71.G as follows:

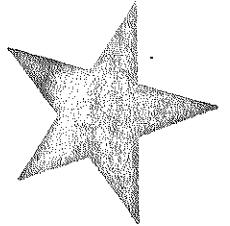
§201-71 Preparation of recyclables.

C. Each recycling participant shall be entitled to one additional replacement recycling container at no charge from the Town upon a showing of need. Additional requests may be granted at the discretion of the Commissioner of Sanitation, who shall levy a fee covering the cost of such containers. This fee may be waived by the Commissioner of Sanitation upon a showing of good cause. Advance arrangements must be made for all additional recycling containers.

G. In the event that the Commissioner of Sanitation finds that additional measures are necessary in order for such recyclable materials to be marketable, he shall have the power to require that recycling participants undertake such measures, provided that adequate notice is given to such recycling participants.

Amend Chapter 201 (Solid Waste) §201-72, Collection of recyclables, by deleting §201-72 in its entirety and adding a new §201-72 as follows:

§201-72 Collection of recyclables.



The Commissioner of Sanitation is hereby authorized to establish collection schedules and routes for the collection of recyclable materials and to cause reasonable notice of the requirements thereof to be given to the recycling participants within the Town's solid waste disposal district.

Amend Chapter 201 (Solid Waste) Part 2, Solid Waste Management, Article VIII, General Provisions, §201-78, Definitions, by deleting §201-78.1 and §201-78.2 in its entirety and adding a new §201-78.1 as follows:

§201-78 Definitions.

COMMISSIONER OF SANITATION

The Commissioner of Sanitation for the Town of Oyster Bay.

Amend Chapter 201 (Solid Waste) Part 2, Solid Waste Management, Article IX, Disposal Regulations, §201-79, Designation of facilities; rules and regulations, by deleting §201-79 in its entirety and adding a new §201-79 as follows:

§201-79 Designation of facilities.

The Commissioner of Sanitation is hereby authorized and directed to promulgate such rules and regulations as he shall determine to be necessary to effectuate the purposes of this Part 2, including the requirement that all private haulers be licensed by the Town Clerk; provided, however, that no such designation, rule or regulation shall become effective until it has been approved by the Town Board. All acts and proceedings taken by the Commissioner of Sanitation pursuant to this Part 2 shall, in all respects, be consistent with the Environmental Conservation Law and other applicable laws and rules and regulations promulgated pursuant thereto.

Amend Chapter 201 (Solid Waste) Part 2, Solid Waste Management, Article X, Enforcement, §201-80, Enforcement, by deleting §201-80 in its entirety and adding a new §201-80 as follows:

§201-80 Enforcement.

It shall be the responsibility of the Commissioner of Sanitation, in consultation with the Town Attorney, to enforce the provisions of this Part 2 and all rules, regulations and designations made pursuant thereto. Such enforcement shall be by such legal or equitable proceedings, including, without limitation, a proceeding for specific performance, brought in the name of the Town of Oyster Bay as may be provided or authorized by law.

Amend Chapter 241 (Waterways) §201-31, Enforcement, by deleting §241-31.A in its entirety and adding a new §241-31.A as follows:

§241-31 Enforcement.

A. The Town Board hereby authorizes enforcement of these provisions by way of issuance of an appearance ticket under the terms of the Criminal Procedure Law Article 150 by any of the following:

- (1) The Commissioner of the Department of Planning and Development or his/her designee, and the Code Enforcement Officers of the Department, including those listed as Zoning Inspectors, Multiple Residence Inspectors, Building Inspectors, or Code Enforcement Officers.

- (2) The Commissioner of the Department of Public Works or his/her designee.
- (3) The Commissioner of the Sanitation Department or his/her designee, including Sanitation Inspectors of the Department.
- (4) The Commissioner of the Department of Environmental Resources or his/her designee.
- (5) The Commissioner of the Department of Public Safety or his/her designee, and the Bay Constables of the Department.
- (6) The Nassau County Police.
- (7) The Nassau County Fire Marshal personnel.
- (8) The New York State Police.
- (9) The New York State Environmental Conservation Police.
- (10) The United States Coast Guard (active duty) personnel.
- (11) The United States Department of the Interior, Bureau of Fish and Wildlife, in those areas under its jurisdiction.

SECTION 3. Amendments to Chapter 4, Administration of Government, Chapter 201, Solid Waste and Chapter 241, Waterways, of the Code of the Town of Oyster Bay shall take effect immediately upon filing with the Secretary of State.

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2022 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2022, in accordance with the applicable provisions of law.

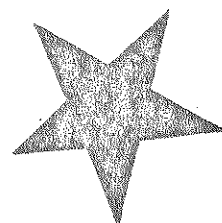
Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2022

(Certification to be executed by Town Attorney).

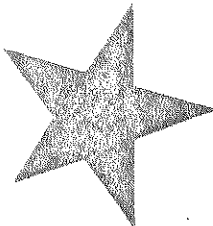
STATE OF NEW YORK
COUNTY OF NASSAU



I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature _____
Town Attorney _____
Title _____
Town of Oyster Bay _____
Date: _____ 2022

DRAFT



14

11

Town of Oyster Bay Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : January 3, 2022

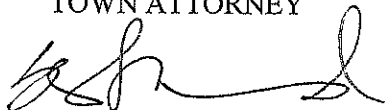
SUBJECT : "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVI, ECONOMIC DEVELOPMENT DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE V, PLANNING AND DEVELOPMENT DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-53 AND 4-55" [#3]
Supplemental to Docket Item No. 9, December 28, 2021

This Office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

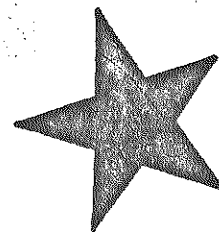
Kindly suspend the rules and place this matter on the January 11, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju
2021-8402



Town of Oyster Bay Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : December 28, 2021
SUBJECT : A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK
[#3]

This Office is currently preparing documents and items necessary to establish a local law as referenced above.

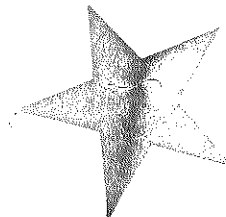
Kindly reserve a space on the docket. Additional information will be provided by way of a supplemental memorandum.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. _____ of the year 2022

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO DELETE ARTICLE XVI, ECONOMIC DEVELOPMENT DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE V, PLANNING AND DEVELOPMENT DEPARTMENT, BY DELETING AND REPLACING SECTIONS 4-53 AND 4-55"

Be it enacted by the Town Board of the
(Name of Legislative Body)

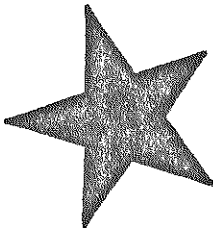
Town of Oyster Bay as follows

SECTION 1. Amend Chapter 4 (Administration of Government), by deleting Article XVI, Economic Development Department.

SECTION 2.
Amend Chapter 4 (Administration of Government), Article XI, Planning and Development Department, by deleting §4-55 in its entirety and adding a new §4-55, as follows:

§ 4-55 Enumeration of divisions.

- A. Division of Administration of Board of Appeals. To administer, supervise, manage, implement, initiate and direct all matters related with the office of the Board of Appeals as delegated to it under the law and especially by § 267 of the Town Law of the State of New York.
- B. Division of Building. To administer, supervise, manage, coordinate and enforce the zoning laws of the Town of Oyster Bay and the applicable building codes as legally required throughout the properties of the Town of Oyster Bay; to review, evaluate, judge and advise on applications related thereto.



C. Division of Economic Development, Commerce, Industry and Labor. To administer, develop, manage, implement and promote commercial and industrial business programs; to promote economic and social well-being of the Town, its residents, taxpayers and commercial community, including, but not limited to, community development and revitalization, travel and tourism development, and open space protection; to develop, coordinate and maintain statistics and information related to employment and trends thereon.

D. Division of Planning. To prepare studies, reports, plans and programs for the Town Board for the purpose of fostering, maintaining and monitoring the orderly growth and development of the Town, and in seeking to achieve the highest and most efficient available levels of service for the Town and its residents. A commission is hereby established, comprised of seven members, appointed by the Town Board, to implement the function of the Division. The Chairman of said commission shall be the superintendent of this division and shall administer the responsibilities related thereto.

SECTION 3. Amendments to Chapter 4, Administration of Government, of the Code of the Town of Oyster Bay shall take effect immediately upon filing with the Secretary of State.

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2022 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2022, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2022

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

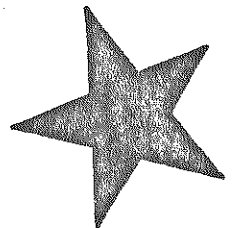
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2022

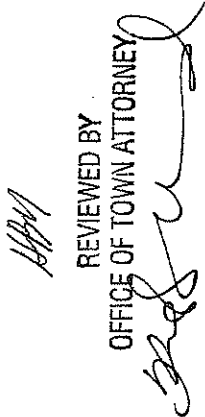


RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 8th day of February, 2022, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVI, INFORMATION TECHNOLOGY DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE VI, OFFICE OF THE COMPTROLLER, BY DELETING AND REPLACING SECTIONS 4-65 AND 4-67", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in
Newsday
newspapers of general circulation within the Town of Oyster Bay.

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY


PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 8th day of February, 2022 at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVI, INFORMATION TECHNOLOGY DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE VI, OFFICE OF THE COMPTROLLER, BY DELETING AND REPLACING SECTIONS 4-65 AND 4-67".

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. If meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. Comments may be submitted by email to publiccomment@oysterbay-ny.gov, or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771.

The abovementioned local law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa.

TOWN BOARD OF TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: January 11, 2022 Oyster Bay, New York.

REVIEWED BY
OFFICE OF TOWN ATTORNEY

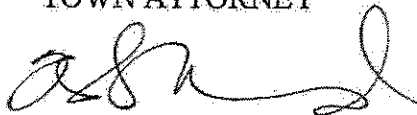
**Town of Oyster Bay
Inter-Departmental Memorandum**

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : December 28, 2021
SUBJECT : A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK
[#4]

This Office is currently preparing documents and items necessary to establish a local law as referenced above.

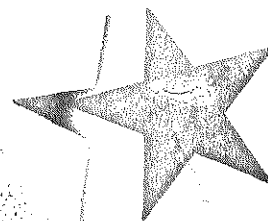
Kindly reserve a space on the docket. Additional information will be provided by way of a supplemental memorandum.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



Town of Oyster Bay Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : January 3, 2022

SUBJECT : "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVI, INFORMATION TECHNOLOGY DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE VI, OFFICE OF THE COMPTROLLER, BY DELETING AND REPLACING SECTIONS 4-65 AND 4-67" [#4]
Supplemental to Docket Item No. 10, December 28, 2021

This Office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

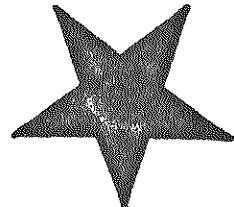
Kindly suspend the rules and place this matter on the January 11, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Karen J. Underwood
Deputy Town Attorney

KJU:kju



Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. _____ of the year 2022

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XVI, INFORMATION TECHNOLOGY DEPARTMENT, AND TO AMEND CHAPTER 4, ARTICLE VI, OFFICE OF THE COMPTROLLER, BY DELETING AND REPLACING SECTIONS 4-65 AND 4-67"

Be it enacted by the Town Board
of the

(Name of Legislative Body)

Town of Oyster Bay as
follows

SECTION 1. Amend Chapter 4 (Administration of Government), by adding Article XVI, Information Technology Department, as follows:

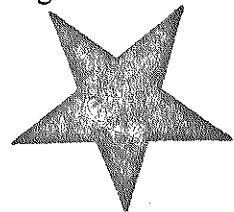
ARTICLE XVI, Information Technology Department

§ 4-168. Title.

This article shall be known as "Town of Oyster Bay Information Technology Department Law".

§ 4-169. Definitions, word usage.

- A. Whenever used in this article, words used in the singular include the plural and vice versa.
- B. All words used in the present tense include the past and the future tense. Words used in the masculine gender include the feminine and neuter, and vice-versa, unless the natural construction of the wording indicates otherwise.



- C. As used in this article, the following terms shall have the meanings indicated:

COMMISSIONER -- The Commissioner of the Information Technology Department, who shall also be known as the Commissioner of Information Technology, and who shall be the chief executive officer of the Department.

DEPARTMENT -- The Town of Oyster Bay Information Technology Department, which shall perform a major function of Town government.

DEPUTY COMMISSIONERS -- The two (2) Deputy Commissioners of the Town of Oyster Bay Information Technology Department, who shall generally act for and in place of the Commissioner.

SUPERVISOR -- Supervisor of the Town of Oyster Bay.

§ 4-170. Establishment; department head; salary; qualifications.

There shall be in the Town of Oyster Bay an Information Technology Department. The principal executive officer and administrative head of said Department shall be the Commissioner of Information Technology, who shall be appointed by the Town Board at such salary as may from time to time be fixed by the Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department with the power and authority to appoint and remove officers and employees under his or her jurisdiction in accordance with the Civil Service Law and other applicable laws.

§ 4-171. Deputies.

The Commissioner is empowered herein to appoint two (2) deputies who shall generally act for and in his behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this article, by statute or by other lawful authority.

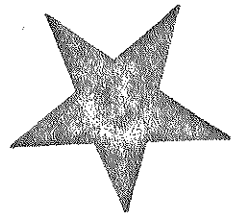
§ 4-172. Undertakings.

Before entering upon the duties of the office, the Commissioner shall execute and file an official undertaking, if the same shall be required by the Town Board, in such sum as prescribed by the Town Board and in such form as approved by the Town Attorney. Except as otherwise provided for herein, the Commissioner of Information Technology shall have charge of the administration of the Department.

§ 4-173. Organization.

- A. The Commissioner shall have such powers as shall be necessary for the proper administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following Division(s):

A. Division of Administration



B. Division of Computer Management

C. Division of Cyber Security

§ 4-174. General powers and duties.

- A. The powers and duties of each such Division therein shall be under the administration, direction and control of the Commissioner of Information Technology and each such Division shall be supervised by a division head who shall be designated as superintendent or other appropriate title.
- B. The Commissioner may, with the approval of the Town Board, establish, consolidate or abolish any divisions now existing or hereafter created in said Department and establish, consolidate or abolish any bureau now existing or hereafter created in any such division.

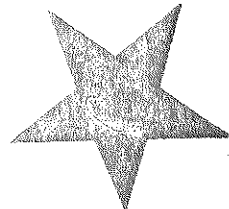
§ 4-175. Employees

The Information Technology Division of the Office of the Comptroller, existing prior to the enactment of the legislation herein, is hereby transferred in its entirety, including all property, equipment and budgetary appropriations, to the Information Technology Department. The employees of said Division shall be continued as employees in the Information Technology Department with the same classifications, pension and retirement rights and privileges as they had immediately prior to such transfer.

§ 4-176 Enumeration of Divisions.

The Divisions of the Information Technology Department shall be as follows:

- A. Division of Administration. To administer, supervise, manage, implement, initiate and direct all matters concerning the Office of Administration of the Information Technology Department. To assume responsibility for all personnel records and actions for the Department. To plan and coordinate policies, procedures and programs concerning personnel. To provide, manage and maintain all telephone communication services and permitting processes for the Department. To assume responsibility for accounts and processes for payment of all claims as well as maintaining records of said claims and petty cash. To coordinate data from divisions for preparation of the fiscal budget for the Department. The division head of the Division of Administration acts as liaison for the Commissioner of Information Technology with all divisions and bureaus of the Department of Information Technology as well as all departments within the Town of Oyster Bay.
- B. Division of Computer Management. To administer, maintain and manage the Town's central information technology capability, including but not limited to data processing, computerized information and infotech.



- C. Division of Cyber Security. To plan, manage and oversee monitoring and securing all Town of Oyster Bay central information technology and wireless communication.

§ 4-177. Performance of other duties; delegation of powers.

- A. The Commissioner, acting by and through any of the existing or hereafter created divisions, shall be empowered to perform such other duties and functions that are prescribed to be performed by him in any law, ordinance or resolution of the Town Board or lawful directive of the Supervisor. The Commissioner may delegate his authority to or direct any of his duties to be performed to a Deputy Commissioner or head of a division.
- B. The Commissioner is hereby authorized and empowered, subject to the prior approval of the Town Board, except that such prior approval will not be required in cases of emergency, to retain and employ private engineers, architects and consultants, or firms practicing such profession, for the purposes of: preparing designs, plans and estimates of structures or projects of any type and character; rendering assistance and advice in connection with any project, whether defined or proposed and under the supervision of the Information Technology Department; and performing such other and necessary services as the Commissioner may deem necessary in the administration of the Department.

§ 4-177 Charges against special districts.

All costs and expenses incurred by the Department or its officers or employees on behalf of a special district or special Town project shall be charged against such district or project and paid from the funds duly appropriated for the purpose of such district or project.

§ 4-178 Powers of Supervisor.

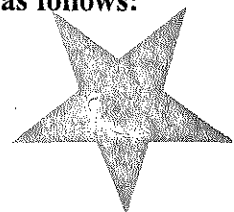
Nothing herein contained shall be construed to delegate or transfer any power of the Town Supervisor contained in §§ 29, 52 and 125 of the Town Law of the State of New York or any other powers, which may be lawfully exercised by said Supervisor.

§ 4-179 Fees.

The Commissioner may establish a schedule of fees to be collected by him for the filing in his office or department of any map or written instrument required to be so filed; the preparation of any copy of a map or written instrument filed in his office or department; for certifying any such map or written instrument; and for any other service rendered in connection with the work of his department and for which he deems it necessary to charge and to collect a fee therefore.

SECTION 2.

Amend Chapter 4 (Administration of Government), Article VI, Office of the Comptroller, by deleting §4-65 in its entirety and adding a new §4-65, as follows:



§4-115 Organization.

The Commissioner shall have such powers as shall be necessary for the administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following Divisions:

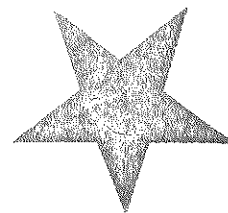
- A. Payroll.
- B. Accounting.
- C. Accounts Payable.
- D. Internal Audit.

Amend Chapter 4 (Administration of Government), Article VI, Office of the Comptroller, by deleting §4-67 in its entirety and adding a new §4-67, as follows:

§ 4-67 Enumeration of divisions.

- A. Division of Payroll. Administers, manages and prepares all Town payrolls and any function or duty related thereto.
- B. Division of Accounting. Administers, manages and assembles and maintains all financial accounts, records, books and documents necessary to reflect and record all transactions of the Town of Oyster Bay affecting its assets and financial interests; periodically prepares financial reports and submits the same to state, county and Town agencies.
- C. Division of Accounts Payable. Administers, manages, prepares and maintains accounts, records and documents of all disbursements of the Town of Oyster Bay and, upon proper audit and verification of all charges, claims and demands against the Town, makes payment of all claims and indebtedness of the Town of Oyster Bay.
- D. Division of Internal Audit. Administers and makes timely review of Town departments receiving income or responsible for custody of Town assets, and recommends proper internal control procedures. Submits recommendations for improvements in departmental internal control procedures to the Supervisor. Reviews the operations, accounts and fiscal affairs of Town departments, pursuant to prevailing law, rules or regulations, to assure sufficiency and accuracy of the same. Periodically prepares financial reports as required.

SECTION 3. Amendments to Chapter 4, Administration of Government shall take effect immediately upon filing with the Secretary of State.



I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2022 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2022, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2022

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

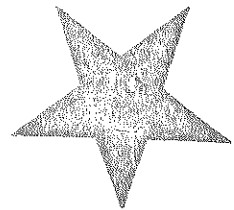
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2022



At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, 54 Audrey Avenue, in said Town, on January 11, 2022, at 10:00 o'clock A.M., Prevailing Time.

PRESENT:

Joseph Saladino
Supervisor

Michele Johnson
Councilman

Louis Imbroto
Councilman

Thomas Hand
Councilman

Steve Labriola
Councilman

Laura Maier
Councilman

Vicki Walsh
Councilman

REVIEWED BY
OFFICE OF TOWN ATTORNEY

In the Matter of
the Increase and Improvement of the Facilities
of the Locust Valley Water District
in the Town of Oyster Bay, Nassau County
New York.

Resolution No. 13A- 2022
PUBLIC INTEREST ORDER

WHEREAS, the Commissioners of the Locust Valley Water District (the "District") have submitted a petition, dated November 24, 2021 (the "Petition"), requesting that the Town Board of the Town of Oyster Bay, New York (the "Town") hold a public hearing to consider approving the increase and improvement of certain District facilities and the financing thereof by the issuance of Town obligations;

WHEREAS, said increase and improvement consists of the reconstruction and storm hardening of Pump Station No. 4 and incidental expenses in connection therewith; and

WHEREAS, the District has prepared a map, plan and report, including an estimate of cost, relating to said increase and improvement of facilities of said District; in form and substance acceptable to the Town Board; and

WHEREAS, the map, plan and report is in the form of a report from H2M Architects & Engineering ("H2M"), engineers duly licensed in the State of New York, entitled "2021 Bond Report" dated November 2021; and

WHEREAS, the \$3,150,000 estimated maximum cost to said District of such increase and improvement of facilities is determined to borne by the District under a proposed issuance of up to \$3,150,000 of bonds of the Town; and

WHEREAS, such estimated maximum cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA") in connection with such increase and improvement of the facilities of said District and it has been determined by the District that such increase and improvement of the facilities of said District and the use thereof constitute an "unlisted" action under SEQRA and will not result in significant adverse environmental impacts; and

WHEREAS, the Town Board has reviewed the aforesaid environmental analysis and has concurred in the determination made under SEQRA by the District; and

WHEREAS, at a meeting of said Town Board duly called and held on December 7, 2021, an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of said District in said Town at an estimated maximum

cost of \$3,150,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, on January 11, 2022, at 10:00 A.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Oyster Bay, Nassau County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improvement of the facilities of the Locust Valley Water District in said Town, consisting of the reconstruction and storm hardening of Pump Station No. 4 and incidental expenses in connection therewith, at an estimated maximum cost of \$3,150,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

__Supervisor Saladino__VOTING __AYE__
__Councilwoman Johnson__VOTING __AYE__
__Councilman Imbroto__VOTING __AYE__
__Councilman Hand__VOTING __AYE__
__Councilman Labriola__VOTING __AYE__
__Councilwoman Maier__VOTING __AYE__
__Councilwoman Walsh__VOTING __AYE__

The order was thereupon declared duly adopted.

* * *

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on January 11, 2022, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

[please check one below]

 x (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

 (2) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspaper and/or other news media as follows:

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town Of Oyster Bay	January 7, 2022


I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices
Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY 11771

Date of Posting
January 7, 2022

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on January 12, 2021.

(SEAL)



Town Clerk

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, on January 11, 2022, at 10:00 o'clock A.M., Prevailing Time.

The meeting was called to order by Supervisor Saladino, and upon roll being called, the following were

PRESENT: Supervisor Saladino

Councilwoman Johnson

Councilman Imbroto

Councilman Hand

Councilman Labriola

Councilwoman Maier

Councilwoman Walsh

ABSENT: no one

The following resolution was offered by Councilwoman Johnson, who moved its adoption, seconded by Councilman Imbroto, to-wit:

Resolution No. 13B-2022

BOND RESOLUTION DATED JANUARY 11, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,150,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE LOCUST VALLEY WATER DISTRICT IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 11, 2022, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Locust Valley Water District (the "District") in the Town of Oyster Bay, Nassau County, New York, at an estimated maximum cost of \$3,150,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Oyster Bay, Nassau County, New York, as follows:

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the Locust Valley Water District in said Town, consisting of the reconstruction and storm hardening of Pump Station No. 4 and incidental expenses in connection therewith, there are hereby authorized to be issued \$3,150,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$3,150,000 and that the plan for the financing thereof is by the issuance of the \$3,150,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section

11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Oyster Bay, Nassau County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Oyster Bay, Nassau County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full

acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
 - (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

__Supervisor Saladino_____VOTING __AYE__
__Councilwoman Johnson_____VOTING __AYE__
__Councilman Imbroto_____VOTING __AYE__
__Councilman Hand_____VOTING __AYE__
__Councilman Labriola_____VOTING __AYE__
__Councilwoman Maier_____VOTING __AYE__
__Councilwoman Walsh_____VOTING __AYE__

The resolution was thereupon declared duly adopted.

* * *

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on January 11, 2022, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

[please check one below]

☒ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

☐ (2) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspaper and/or other news media as follows:

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town Of Oyster Bay	January 7, 2022

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices


Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY 11771

January 7, 2022

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on January 12, 2022.

(SEAL)



Town Clerk

WHEREAS, 135-165 CANTIAGUE ROCK ROAD, LLC, fee owner, and DEJANA INDUSTRIES LLC, lessee, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval to allow for the operation of an automotive repair and body work shop, including spray painting, on a portion of premises located in a Light Industry ("LP") District, at 135-165 Cantiague Rock Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York 11801, and described as Section 11, Block 441, Lot 49 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on March 23, 2021, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed the subject application and submitted its memorandum dated December 11, 2019, regarding the environmental impacts contemplated by said Petition and recommended Town Board determination that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 18, relative to "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential and commercial use is permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4" of 6 NYCRR Part 617 and does not require the completion of an Environmental Impact Statement, or any review or other procedural activities pursuant to SEQR/TEQR; and

WHEREAS, the Nassau County Planning Commission, by letter dated March 3, 2021, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

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

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated August 7, 2020, advised that the Department of Planning and Development has reviewed the following five (5) plans prepared by Michael Mallia, R.A., DiProperzio & Mallia Architects, LLP, Mineola, New York:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>LAST REVISED</u>
A-1	Plot & Location Plan & Building Info.	Michael Mallia, R.A.	06/10/2020
A-2	Proposed Site Plan	Michael Mallia, R.A.	06/10/2020
A-3	Proposed Site Plan	Michael Mallia, R.A.	06/10/2020
A-4	Lighting Photometrics Plan	Michael Mallia, R.A.	06/10/2020
A-5	Site Details	Michael Mallia, R.A.	06/10/2020

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby accept the recommendation of the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, and determines that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 18, relative to “reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential and commercial use is permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4” of 6 NYCRR Part 617 and does not require the completion of an Environmental Impact Statement, or any review or other procedural activities pursuant to SEQR/TEQR; and it is further

RESOLVED, That the Petition of 135-165 CANTIAGUE ROCK ROAD, LLC, fee owner, and DEJANA INDUSTRIES LLC, lessee, for a Special Use Permit and Site Plan Approval to allow for the operation of an automotive repair and body work shop, including spray painting, on a portion of premises located in a Light Industry (“LI”) District, at 135-165 Cantiague Rock Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York 11801, and described as Section 11, Block 441, Lot 49 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Westbury (not incorporated), Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING on the westerly side of Cantiague Rock Road distant 1255.35 feet northerly from the corner formed by the intersection of the westerly side of Cantiague Rock Road and the northerly side of West John Street, and from said point of BEGINNING;

RUNNING THENCE North 81 degrees 50 minutes 00 seconds
West, 300.00 feet to a point;

RUNNING THENCE North 5 degrees 36 minutes 20 seconds East
215.39 feet to a point;

RUNNING THENCE North 81 degrees 50 minutes 00 seconds
West 204.43 feet to a point;

RUNNING THENCE North 10 degrees 24 minutes 00 seconds
East 122.06 feet to a point;

RUNNING THENCE South 81 degrees 50 minutes 00 seconds
East 491.91 feet to the westerly side of Cantiague Rock Road;

RUNNING THENCE South 4 degrees 31 minutes 03 seconds
West 121.65 feet;

RUNNING THENCE South 5 degrees 36 minutes 20 seconds
West a distance of 215.95 feet, to the point or place of
BEGINNING.

SAID PREMISES being known as 135-165 Cantiague Rock Road,
Hicksville, New York 11801, and designated as Section 11, Block
441, Lot 49 on the Land and Tax Map of Nassau County.

and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioner, 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 the Petition herein granted is subject to the Petitioner applying to the Town of Oyster Bay Zoning Board of Appeals for a parking variance from the requirements of the Code of the Town of Oyster Bay and said variance being granted; and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated August 7, 2020, the five (5) plans described herein are hereby approved.

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Meeting of January 11, 2022

Resolution No. 15-2022

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts for fire protection for the 2022 Calendar Year, *nunc pro tunc*, with the Incorporated Village of Farmingdale, the Wantagh Fire District, the Bayville Fire Company No. 1, Inc., the Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., the Plainview Volunteer Fire Department, Inc., the Roslyn Highlands Hook & Ladder, Engine & Hose Company Inc., and the Rescue Company Hook and Ladder Company No. 1 (aka Roslyn Rescue), said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, January 25, 2022, at 7:00 o'clock p.m., prevailing time, said Notice to be advertised in the

Newsday

Newspapers of general circulation in the Town of Oyster Bay, pursuant to the provisions of law.

-#-

Reviewed By
Office of Town Attorney

Elizabeth A. Faughnan

Reviewed By
Office of Town Attorney
Elizabeth A. Jauchman

PUBLIC NOTICE

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on January 25, 2022, at 7:00 o'clock p.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 A.M. and 4:45 P.M., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the following Fire Companies shall provide in general for the furnishing of fire protection during the 2022 Calendar Year, *nunc pro tunc*, to the listed Fire Protection Districts at the agreed per annum charge set forth, all subject to taxation in said Districts, as shown on the last completed Town Assessment Roll:

CALENDAR YEAR 2022

<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM AMOUNT NOT TO EXCEED</u>
1. Bayville Fire Company No. 1, Inc.	Bayville	\$ 34,715.00
2. Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc.	Glenwood-Glen Head	\$ 834,400.00
3. Inc. Village of Farmingdale for the Farmingdale Fire Department	North East Farmingdale	\$ 125,912.00
4. Plainview Volunteer Fire Department, Inc.	Plainview	\$ 5,088,467.00
5. Roslyn Highlands Hook & Ladder, Engine and Hose Company Inc.	Greenvale	\$ 16,182.00
6. Rescue Hook & Ladder Co. #1 (aka Roslyn Rescue)	Greenvale	\$ 16,552.00

The contracts with the following Fire Company and Fire District shall provide in general for the furnishing of fire protection during the 2022 Calendar Year for the listed areas at the agreed per annum charge set forth:

1. Bayville Fire Company No. 1 for the other areas shown on the Tax Maps as Section 28, Block G, Lot 3, the agreed per annum charge of \$7,545.00.

2. Wantagh Fire District for the Town-owned property known as TOBAY Beach, the agreed per annum charge in an amount not to exceed \$8,000.00.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY.
JOSEPH SALADINO, Supervisor. RICHARD LaMARCA, Town Clerk.
Dated: January 11, 2022, Oyster Bay, New York.

Town of Oyster Bay
Inter-Departmental Memo

15

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : December 30, 2021
SUBJECT: 2022 Fire Protection Agreements

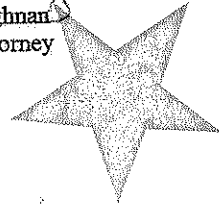
The Incorporated Village of Farmingdale, the Wantagh Fire District, the Bayville Fire Company No. 1, Inc., the Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., the Plainview Volunteer Fire Department, Inc., the Roslyn Highlands Hook & Ladder, Engine & Hose Company Inc., and the Rescue Company Hook and Ladder Company No. 1 (aka Roslyn Rescue), have all provided this office with the necessary information regarding the 2022 fire protection contracts for the pertinent Fire Protection Districts. Please reserve a space at the next Town Board meeting on Tuesday, January 11, 2022, regarding our request that the Town Clerk be authorized to advertise a Notice of Hearing to be held on Tuesday, January 25, 2022, at 7 p.m., for the 2022 Fire Protection Agreements.

Please note that this Office is still working with the Oyster Bay Fire Department, Inc., the Atlantic Steamer Fire Company No. 1, and the East Norwich Volunteer Fire Company No. 1, regarding their budget requests for 2022.

Kindly include this matter on the January 11, 2022, Town Board action calendar for action. The draft resolution and Public Notice accompany this memo.

FRANK M. SCALERA
OFFICE OF THE TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney



EAF:ba
Attachment
2016-5219

WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated December 29, 2021, advised that the Town issued a Request for Proposal (RFP) for Public Employee Blanket Bond insurance coverage; and

WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by said memorandum dated December 29, 2021, recommended that the Town's Public Employee Blanket Bond Insurance, be obtained from Travelers Casualty Insurance Company of America, *nunc pro tunc*, from December 31, 2021 through December 31, 2023, through Salerno Brokerage Corp., at an annual renewal premium of \$7,793.00, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000; and

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

NOW THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted, and the Office of the Town Attorney is hereby authorized to obtain the Town's Public Employee Blanket Bond Insurance, from Travelers Casualty Insurance Company of America, *nunc pro tunc*, from December 31, 2021 through December 31, 2023, through Salerno Brokerage Corp., at a renewal premium of \$7,793.00, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000; and be it further

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

-#-

7/11/22
Reviewed By
Office of Town Attorney
Paul S. Ehrlich
1/11/22

12

16

Town of Oyster Bay
Inter-Departmental Memo

TO: Memorandum Docket

FROM: Office of the Town Attorney

DATE: December 29, 2021

SUBJECT: Public Employee Blanket Bond Insurance

In connection with the Town's Public Employee Blanket Bond insurance coverage, the Town issued a Request for Proposals (RFP) to eleven insurance brokers and posted the RFP on the Town's website.

At the conclusion of the process, the Town received premium responses, from three insurance carriers, through one broker, Salerno Brokerage Corp. Two carriers advised that they were unable to provide a better quote than the renewal quote from the Town's current carrier, Travelers Casualty Insurance Company of America. The annual renewal premium is \$7,793.00, *nunc pro tunc*, for the period December 31, 2021 through December 31, 2023. This is an annual increase of \$28 from the premium paid during the prior policy period.

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

Therefore, this office recommends that the Town's Public Employee Blanket Bond Insurance for the period December 21, 2021 through December 31, 2022, be obtained from Travelers Casualty Insurance Company of America, through Salerno Brokerage Corp., at an annual renewal premium of \$7,793.00, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000.

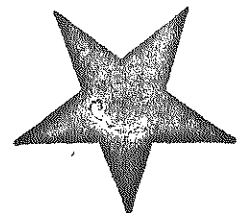
Kindly suspend the rules and place this matter on the action calendar for the Town Board meeting of January 11, 2022.

FRANK M. SCALERA
TOWN ATTORNEY

Paul Ehrlich
by *DR*

Paul S. Ehrlich
Deputy Town Attorney

PSE:ba
Enclosure





Wrap+®

Veronica M Hayward
PO Box 2950
Hartford, CT 06104-2950
Phone: (917) 778-6040
Email: VHAYWARD@travelers.com

December 2, 2021

JESSICA O'MALLEY
SALERNO BROKERAGE CORP
117 OAK DR
SYOSSET, NY 11791-4625

RE: Insured Name: TOWN OF OYSTER BAY
54 AUDREY AVE
OYSTER BAY, NY 11771
Expiring Policy Number: 106426565
Policy Period: December 31, 2021 to December 31, 2023

Dear JESSICA O'MALLEY:

On behalf of Travelers Casualty and Surety Company of America we are pleased to provide the attached proposal of insurance for your review.

The quotes contained in this document are valid until the expiration of your current policy, and are subject to the provision of, and Travelers' review and acceptance of, the required underwriting information noted in the Contingencies section. Travelers reserves the right to change the quotes in this document, or to refuse to bind coverage entirely, based on review of the required underwriting information or based on adverse change in the risk(s) to be insured prior to the quote expiration date noted in this document.

Please note that we require a response to this document prior to expiration of the Insured's current policy in order to facilitate policy renewal. The insured's current policy will expire and not be renewed in the absence of a request, and Travelers' agreement, to bind coverage.

Travelers is pleased to offer Risk Management PLUS+ Online®, the industry's most comprehensive program for mitigating your management liability exposures, which is available to you at no additional cost. Please visit www.rmplusonline.com to view the services that are available. If you have additional questions about the site please contact your Underwriter.

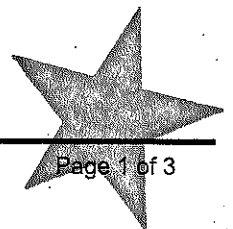
Travelers Casualty and Surety Company of America, a subsidiary of The Travelers Companies, Inc., has consistently earned high ratings for financial strength and claims-paying ability from independent rating services, including a current A.M. Best rating of A++*. Founded in 1853, The Travelers Companies, Inc. is a Fortune 500 company, a component of the Dow Jones Industrial Average, and a leading provider of property casualty insurance for businesses.

Thank you for considering Travelers for your client's insurance coverages. We look forward to discussing this opportunity with you.

Sincerely,

Veronica M Hayward
Travelers Bond & Specialty Insurance

*A.M. Best's rating of A++ applies to Travelers Casualty and Surety Company of America as well as to certain insurance subsidiaries of Travelers that are members of the Travelers Insurance Companies pool; other subsidiaries are included in another rating pool or are separately rated. For a listing of companies rated by A.M. Best and other rating services visit www.travelers.com. Ratings listed herein are as of October 2019, are used with permission, and are subject to changes by the rating services. For the latest rating, access www.ambest.com.



Travelers Casualty and Surety Company of America
QUOTE OPTION #1

CRIME COVERAGES:

Crime Insuring Agreements	Single Loss Limit of Insurance	Single Loss Retention	Crime Insuring Agreements	Single Loss Limit of Insurance	Single Loss Retention
A - Fidelity 1. Employee Theft 2. ERISA Fidelity 3. Employee Theft of Client Property	See Endorsement Not Covered Not Covered		F - Computer Crime 1. Computer Fraud 2. Computer Program and Electronic Data Restoration Expense	\$250,000 Not Covered	\$25,000
B - Forgery or Alteration	\$250,000	\$25,000	G - Funds Transfer Fraud	\$250,000	\$25,000
C - On Premises	\$25,000	\$10,000	H - Personal Accounts Protection 1. Personal Accounts Forgery or Alteration 2. Identity Fraud Expense Reimbursement	Not Covered \$25,000	 \$0
D - In Transit	\$25,000	\$10,000	I - Claim Expense	\$5,000	\$0
E - Money Orders and Counterfeit Money	Not Covered				

Insured's Premises Covered: Worldwide, except

TOTAL ANNUAL PREMIUM - \$7,983.00
(Other term options listed below, if available)

LIMIT DETAIL:

Shared Additional Defense Limit of Liability: N/A
Crime Policy Aggregate Limit of Insurance: N/A

PREMIUM DETAIL:

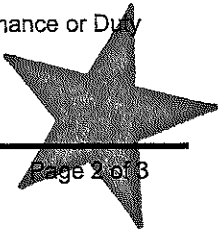
Term	Payment Type	Premium	Taxes	Surcharges	Total Premium	Total Term Premium
2 Year	Installment	\$7,983.00	\$0.00	\$0.00	\$7,983.00	\$15,966.00

POLICY FORMS APPLICABLE TO QUOTE OPTION # 1:

CRI-2001-0109 Crime Declarations Page
CRI-3001-0109 Crime Policy Form

ENDORSEMENTS APPLICABLE TO QUOTE OPTION # 1:

ACF-7006-0511 Removal of Short-Rate Cancellation Endorsement
CRI-17001-0317 New York Insurance Regulation 209 Endorsement
CRI-19072-0315 Global Coverage Compliance Endorsement – Adding Financial Interest Coverage and Sanctions Condition and Amending Territory Condition
CRI-19085-0919 Social Engineering Fraud Insuring Agreement Endorsement
CRI-19101-1117 Amendatory Endorsement for Certain ERISA Considerations
CRI-19115-0519 Telecommunication Fraud Insuring Agreement Endorsement
CRI-19122-1120 Delete Exclusion For Prior Losses Involving Subsidiaries Endorsement
CRI-5033-0613 New York Cancellation or Termination Endorsement
CRI-7129-0109 Government Entity Crime Endorsement Including Coverage for Treasurers and Tax Collectors
CRI-7135-0910 Government Entity Crime - Specified Limit and Retention for Faithful Performance or Duty (Except Police Officers or Other Peace Officers) Endorsement



Single Loss Limit	\$1,000,000
Single Loss Retention	\$25,000

CONTINGENCIES APPLICABLE TO QUOTE OPTION # 1:

This quote is contingent on the acceptable underwriting review of the following information prior to the quote expiration date.

1 NONE

COMMISSION: 15.00%

QUOTE NOTES:

NOTICES:

It is the agent's or broker's responsibility to comply with any applicable laws regarding disclosure to the policyholder of commission or other compensation we pay, if any, in connection with this policy or program.

Important Notice Regarding Compensation Disclosure

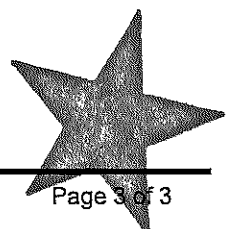
For information about how Travelers compensates independent agents, brokers, or other insurance producers, please visit this website: http://www.travelers.com/w3c/legal/Producer_Compensation_Disclosure.html

If you prefer, you can call the following toll-free number: 1-866-904-8348. Or you can write to us at Travelers, Agency Compensation, P.O. Box 2950, Hartford, CT 06104-2950.

Coverage Disclaimer:

THIS QUOTE DOES NOT AMEND, OR OTHERWISE AFFECT, THE PROVISIONS OR COVERAGE OF ANY RESULTING INSURANCE POLICY ISSUED BY TRAVELERS. IT IS NOT A REPRESENTATION THAT COVERAGE DOES OR DOES NOT EXIST FOR ANY PARTICULAR CLAIM OR LOSS UNDER ANY SUCH POLICY. COVERAGE DEPENDS ON THE APPLICABLE PROVISIONS OF THE ACTUAL POLICY ISSUED, THE FACTS AND CIRCUMSTANCES INVOLVED IN THE CLAIM OR LOSS AND ANY APPLICABLE LAW.

THE PRECEDING OUTLINES THE COVERAGE FORMS, LIMITS OF INSURANCE, POLICY ENDORSEMENTS AND OTHER TERMS AND CONDITIONS PROVIDED IN THIS QUOTE. ANY POLICY COVERAGES, LIMITS OF INSURANCE, POLICY ENDORSEMENTS, COVERAGE SPECIFICATIONS, OR OTHER TERMS AND CONDITIONS THAT YOU HAVE REQUESTED THAT ARE NOT INCLUDED IN THIS QUOTE HAVE NOT BEEN AGREED TO BY TRAVELERS. PLEASE REVIEW THIS QUOTE CAREFULLY AND IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT YOUR TRAVELERS REPRESENTATIVE.





SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

December 2, 2021

Mr. Paul Ehrlich
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

RE: RFP - 12/31/2021 Public Employee Blanket Bond Renewal Quote

Dear Mr. Ehrlich:

In response to your November 3, 2021 letter for an RFP for the renewal of the captioned bond, we are pleased to advise that the current carrier, Travelers, has issued the most competitive renewal quotation.

Travelers premium for the coverages outlined in your letter, including faithful performance is \$7,983.

Travelers has once again, proposed a 2-year bond, payable in annual installments of \$7,983.

We have enclosed a complete copy of the Travelers quotation for your review.

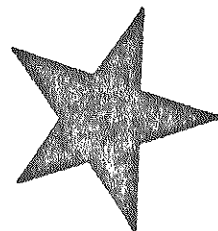
Trusting to hear from you as to whether or not we should be binding this coverage.

Very truly yours,

Nicole L. Morton

NLM:nm

Enc.



WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated December 29, 2021, recommended that the Town's property insurance coverage for the period December 31, 2021 to December 31, 2022, be obtained, *nunc pro tunc*, from Zurich American Insurance Co. through Salerno Brokerage Corp., at a renewal premium of \$506,979.14, as well as an additional amount of \$10,000.00 for potential premium changes made to the policy for potential new locations and/or increased values during the policy period,

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted, and the Office of the Town Attorney is hereby authorized to secure the Town's property insurance coverage for the period December 31, 2021 to December 31, 2022, *nunc pro tunc*, from Zurich American Insurance Co., through Salerno Brokerage Corp., and the Office of the Comptroller is authorized to issue an encumbrance order in the amount of \$506,979.14 plus an additional amount of \$10,000.00 for changes made to the policy for potential new locations and/or increased values, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000; and be it further

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

-#-

Reviewed By
Office of Town Attorney

Paul S. Ehrlich

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17

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 29, 2021

SUBJECT: Property Insurance

In connection with the Town's property insurance covering the Town's buildings and contents, the Town requested quotes for premiums from eleven insurance brokers and posted the RFP on the Town's website.

One broker, Salerno Brokerage Corp. ("Salerno"), solicited premium quotes from 19 carriers. Of those, 10 were unable to compete with the premium offered by the Town's current carrier, Zurich American Insurance Co. ("Zurich"), others had a limited capacity to underwrite the Town. The only carrier to submit a quote was the Town's current insurer, Zurich, through Salerno, which proposed a policy with a renewal premium is \$506,979.14, for the period December 31, 2021 to December 31, 2022.

The quote for the premium has increased \$41,200.00 from last year's premium of \$465,779.14. The amount is based upon the aggregate of property losses sustained by the property insurance industry in the past year as well as concern over the increasing frequency and magnitude of major weather events. Two carriers declined to even submit proposals based upon potential wind exposure claims on Long Island.


Therefore, this office recommends that the Town's property insurance for the period December 31, 2021 to December 31, 2022 be obtained, *nunc pro tunc*, from Zurich American Insurance Co. for the premium amount of \$506,979.14, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000.

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

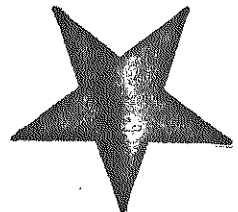
In addition, it is requested that an additional sum of \$10,000.00 be encumbered for possible additional premiums arising from potential new locations and/or increased values that may be added to the policy during the year.

Kindly suspend the rules and place this matter on the action calendar for the Town Board meeting of January 11, 2022.

FRANK M. SCALERA
TOWN ATTORNEY


Paul S. Ehrlich *by DRS*
Deputy Town Attorney

PSE:mz
Enclosure
2017-5834.001





SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

December 1, 2021

Paul S. Ehrlich, Esq.
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

RE: Property Insurance Policy RFP
Renewal: 12/31/21

Dear Mr. Ehrlich:

In response to your November 3, 2021 letter requesting an RFP on the property insurance for the Town of Oyster Bay, we are pleased to present a quotation from your current carrier, Zurich as well as a marketing report of the other markets that were approached.

The coverages are equivalent to or broader than those outlined in your RFP letter on November 3, 2021.

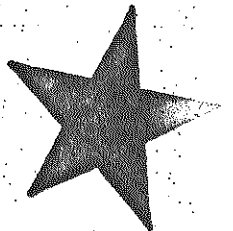
Quote #1: Zurich - \$506,979.14

For your convenience and information, we are enclosing a copy of the complete renewal proposal prepared by Worldwide Facilities on behalf of Zurich Proposal, along with a spreadsheet outlining the coverages.

Due to the current insurance marketplace and reinsurers restrictions, the Zurich renewal does contain some changes to the flood coverage as follows:

- The Flood Deductible is per location versus per claim
- Specific Locations are now classified under either Special Flood Hazard Area or Moderate Hazard Zones – these are outlined within the Zurich Proposal as well as noted on the Coverage comparison we have provided

Flood Coverage:	Zurich Limit	Zurich Deductible per Location
Flood Aggregate	\$10,000,000	\$100,000
Special Flood Hazard Area	\$ 5,000,000	\$500,000
Moderate Flood Hazard Area	\$ 5,000,000	\$250,000





SALERNO BROKERAGE CORP.

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Page Two
Town of Oyster Bay

December 1, 2021

Finally, we approached 18 insurance carriers, they all declined to even provide any quotations. Chubb provided as indication last year in excess of \$600,000 and the coverages could not equate to the Zurich coverages.

To summarize, the following items are enclosed:

1. Zurich Property Proposal
2. Statement of Values used by Zurich to provide proposal.
3. Spreadsheet summarizing coverages
4. Market Disposition

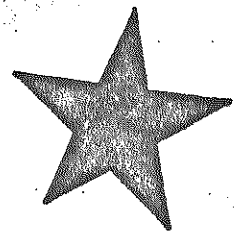
Once the Town decides as to whether to accept this coverage, we would be pleased to meet with you to assist in the completion of the various forms, so that a formal binder and invoice can be delivered prior to the renewal date of December 31st, 2021.

The Statement of Values must be signed and returned in order to bind the property coverage.

Should you have any questions concerning the enclosures kindly feel free to give me a call. We look forward to hearing from you.

Cordially,
Nicole L. Morton
Nicole L. Morton

NLM:nm
Enc.



WHEREAS, by Resolution No. 752-2020, adopted on December 8, 2020, the Town Board authorized the Office of the Town Attorney to utilize the professional services of the law firms listed below, for the 2021 calendar year, in an amount not to exceed \$1,475,000.00:

<u>Law Firm</u>	<u>Procuring Resolution</u>
Bee Ready Fishbein Hatter and Donovan, LLP	515-2017, 520-2018 and 736-2020
Berkman Henoch Peterson Peddy & Fenchel, PC	297-2017 and 341-2019
Devitt Spellman Barrett LLP	520-2018
Jackson Lewis, PC	54-2018, 55-2018, and 557-2018
Kendric Law Group PC	447-2018
Kushnick Pallaci PLLC	254-2017
Leventhal, Cursio, Mullaney & Blinkoff, LLP	325-2015
Margolin Besunder LLP	569-2018
Milber Makris Plousadis & Seiden, LLP	708-2016
Miranda Sambursky, et al.	423-2018
Quinn Emanuel Urquhart & Sullivan, LLP	517-2015
Rosenberg, Calica & Birney, LLP	432-2020
Schiff Hardin LLP	334-2018 and 575-2021
Sokoloff Stern, LLP	735-2019
Theodore Firetog, Esq.	47-2018 and 363-2019; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated December 30, 2021, recommended and requested Town Board authorization for an additional allocation in an amount not to exceed \$743,137.95, to satisfy outstanding costs incurred by the Town, in its utilization of the professional services provided by the abovementioned law firms, during the course of the 2021 calendar year; and

WHEREAS, the Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Town Attorney is authorized an additional allocation in an amount not to exceed \$743,137.95, to satisfy outstanding costs incurred by the Town, in its utilization of the professional services provided by the law firms herein listed, during the course of the 2021 calendar year; and be it further

RESOLVED, That the Town 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. OTA A 1420 44110 000 0000.

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Reviewed By
Office of Town Attorney

Town of Oyster Bay Inter-Departmental Memo

18

TO : Memorandum Docket

FROM : Office of the Town Attorney

DATE : December 30, 2021

SUBJECT: Request for Additional Allocation of Funds for Outside Law Firm Fees

On December 8, 2020, the Town Board Adopted Resolution No. 752-2020. By said resolution, the Town Board authorized the Office of the Town Attorney to utilize the professional services of the law firms listed below for the 2021 calendar year, in amount not to exceed \$1,475,000.00:

<u>Law Firm</u>	<u>Procuring Resolution</u>
Bee Ready Fishbein Hatter and Donovan, LLP	515-2017, 520-2018 and 736-2020
Berkman Henoch Peterson Peddy & Fenchel, PC	297-2017 and 341-2019
Devitt Spellman-Barrett LLP	520-2018
Jackson Lewis, PC	54-2018, 55-2018, and 557-2018
Kendric Law Group PC	447-2018
Kushnick Pallaci PLLC	254-2017
Leventhal, Cursio, Mullaney & Blinkoff, LLP	325-2015
Margolin Besunder LLP	569-2018
Milber Makris Plousadis & Seiden, LLP	708-2016
Miranda Sambursky, et al.	423-2018
Quinn Emanuel Urquhart & Sullivan, LLP	517-2015
Rosenberg, Calica & Birney, LLP	432-2020
Schiff Hardin LLP	334-2018 and 575-2021
Sokoloff Stern, LLP	735-2019
Theodore Firetog, Esq.	47-2018 and 363-2019

The amount originally authorized for the utilization of professional services by the abovementioned firms has been exhausted, and there are outstanding bills for these services which must be paid. Consequently, the Office of the Town Attorney recommends and requests an additional allocation in an amount not to exceed \$743,137.95 in order to satisfy the outstanding costs by the Town, in its utilization of the services provided by the above-mentioned firms. The Funds for the payment of these fees shall be drawn from Account No. OTA A 1420 44110 000 0000. The Office of the Town Attorney requests further that the Town Board authorize and direct the Town Comptroller to make payment for same, upon the submission of a duly certified claim, therefor, after audit.

The Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same.

Kindly place this matter on the January 11, 2022, Town Board Action Calendar.

RPH:ba
Attachment
2019-7436

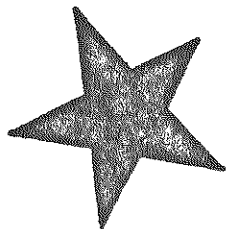
FRANK M. SCALERA

TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey

Special Counsel



Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 752-2020, adopted on December 8, 2020, the Town Board authorized the Office of the Town Attorney to utilize the professional services of the law firms listed below, for the 2021 calendar year, in an amount not to exceed \$1,475,000.00:

<u>Law Firm</u>	<u>Procuring Resolution</u>
Bee Ready Fishbein Hatter and Donovan, LLP	515-2017, 520-2018 and 736-2020
Berkman Henoch Peterson Peddy & Fenchel, PC	297-2017 and 341-2019
Devitt Spellman Barrett LLP	520-2018
Jackson Lewis, PC	54-2018, 55-2018, and 557-2018
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Leventhal, Cursio, Mullaney & Blinkoff, LLP	325-2015
Margolin Besunder LLP	569-2018
Milber Makris Plousadis & Seiden, LLP	708-2016
Miranda Sambursky, et al.	423-2018
Quinn Emanuel Urquhart & Sullivan, LLP	517-2015
Rosenberg, Calica & Birney, LLP	432-2020
Schiff Hardin LLP	334-2018 and 575-2021
Sokoloff Stern, LLP	735-2019
Theodore Firetog, Esq.	47-2018 and 363-2019; and

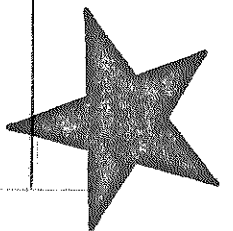
WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated December 30, 2021, recommended and requested Town Board authorization for an additional allocation in an amount not to exceed \$743,137.95, to satisfy outstanding costs incurred by the Town, in its utilization of the professional services provided by the abovementioned law firms, during the course of the 2021 calendar year; and

WHEREAS, the Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Town Attorney is authorized an additional allocation in an amount not to exceed \$743,137.95, to satisfy outstanding costs incurred by the Town, in its utilization of the professional services provided by the law firms herein listed, during the course of the 2021 calendar year; and be it further

RESOLVED, That the Town 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. OTA A 1420 44110 000 0000.

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WHEREAS, pursuant to Resolution No. 603A-2020, adopted on October 27, 2020, the Town Board authorized and allocated funds in the 2021 Budget for the purpose of payment to outside counsel to the Office of the Town Attorney; and

WHEREAS, Frank M. Scalera, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated December 4, 2020, requested Town Board authorization to utilize the professional services of the following law firms in 2021 up to an amount not to exceed \$1,400,000 as approved in the 2020 Budget, with funds to be drawn from Account No. OTA A 1420 44110 000-0000:

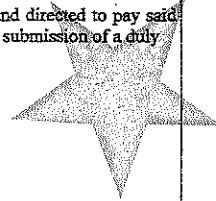
<u>Law Firm</u>	<u>Procuring Resolution</u>
Bee Ready Fishbein Hatter and Donovan, LLP	515-2017 and 520-2018
Berkman Henoch Peterson Peddy & Fenchel, PC	297-2017 and 341-2019
Devitt Spellman Barrett LLP	520-2018
Jackson Lewis, PC	54-2018, 55-2018, and 557-2018
Kendric Law Group PC	447-2018
Kuschnick Pallaci PLLC	254-2017
Leventhal, Cursio, Mullaney & Blinkoff, LLP	326-2015
Margolin Besunder LLP	569-2018
Milber Makris Plousadis & Seiden, LLP	708-2016
Miranda Samursky, et al.	423-2018
Quinn Emmanuel Urquhart & Sullivan, LLP	517-2015
Rosenberg, Calica & Birney, LLP	432-2020
Schiff Hardin LLP	334-2018
Sokoloff Stern, LLP	735-2019
Theodore Firetog, Esq.	47-2018 and 363-2019; and

WHEREAS, the Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Town Attorney is authorized to utilize the professional services of the law firms herein listed in 2021 up to an amount not to exceed \$1,400,000, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly

Reviewed By
Office of Town Attorney
12/10/20

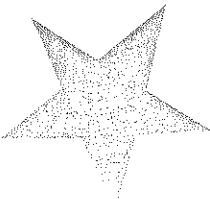


certified claim, after approval by the Town Attorney, and after audit, with funds available in
Account No. OTA A 1420 44110 000 0000.

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

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



RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 8th day of February, 2022, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 156, NOISE, BY DELETING AND REPLACING SECTION 156-3, DUTIES AND RESPONSIBILITIES OF TOWN DEPARTMENTS, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-9", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in
Newsday
newspapers of general circulation within the Town of Oyster Bay.

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1/11/22
REVIEWED BY
OFFICE OF TOWN ATTORNEY

PUBLIC NOTICE


NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 8th day of February, 2022 at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 156, NOISE, BY DELETING AND REPLACING SECTION 156-3, DUTIES AND RESPONSIBILITIES OF TOWN DEPARTMENTS, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-9".

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. If meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. Comments may be submitted by email to publiccomment@oysterbay-ny.gov, or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771.

The abovementioned local law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa.

TOWN BOARD OF TOWN OF OYSTER BAY, JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: January 11, 2022 Oyster Bay, New York.

REVIEWED BY
OFFICE OF TOWN ATTORNEY


Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay
Local Law No. _____ of the year 2022

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, ARTICLE XIV, DEPARTMENT OF ENVIRONMENTAL RESOURCES, BY DELETING AND REPLACING SECTIONS 4-148 AND 4-150, TO AMEND CHAPTER 156, NOISE, BY DELETING AND REPLACING SECTION 156-3, DUTIES AND RESPONSIBILITIES OF TOWN DEPARTMENTS, AND TO AMEND CHAPTER 241, WATERWAYS, BY DELETING AND REPLACING SUBSECTION 241-9"

Be it enacted by the Town Board of the
(Name of Legislative Body)

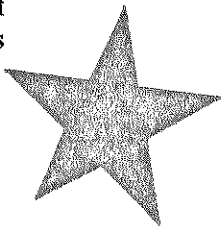
Town of Oyster Bay as follows

SECTION 1. Amend Chapter 4 (Administration of Government), Article XIV, Department of Environmental Resources, by deleting §4-148 in its entirety and adding a new §4-148, as follows:

The Commissioner shall have such powers as shall be necessary for the administration of the Department consistent with applicable provisions of law. Until such time as the same may be either amended or modified, the Department shall be divided into the following divisions:

- A. Division of Waterways Conservation;
- B. Division of Environmental Planning and Technical Review;
- C. Division of Environmental Preservation and Conservation;
- D. Division of Environmental Education and Outreach; and
- E. Division of Animal Shelter and Wildlife Rehabilitation.

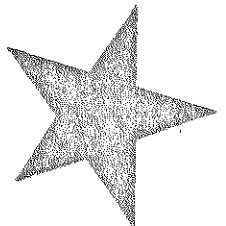
Amend Chapter 4 (Administration of Government), Article XIV, Department of Environmental Resources, by deleting §4-150 in its entirety and adding a new §4-150, as follows:



§4-150 Enumeration of divisions.

The divisions are as follows:

- A. Division of Waterways Conservation. To undertake the creation, implementation and revision of a comprehensive bay management plan, and related activities, including, but not limited to, the following:
 1. Shellfish Hatchery: to oversee planning and operational activities relative to the shellfish hatchery and shellfish seeding operations.
 2. Develop, implement and coordinate programs for water conservation, preservation of the marine environment and marine life.
 3. Wetlands protection, and wildlife and habitat protection; to develop and assist in the implementation of programs for the proper management of shellfish and marine life; to perform environmental monitoring and to undertake appropriate actions to correct problems or deficiencies encountered, including enforcement activities by an Environmental Conservation Officer as may be warranted.
- B. Division of Environmental Planning and Technical Review. To oversee planning activities relating to the protection or enhancement of environmental resources in the Town; to assist Town departments and agencies in obtaining requisite environmental permits; to review and provide comments regarding remediation activities under the purview of Federal and State Agencies, and to communicate with involved agencies/interested parties on behalf of the Town; to investigate opportunities for grant funding from outside agencies and other sources, and to complete or assist in the completion of applications to procure said funding in order to facilitate projects to advance the environmental goals of the Town;
 1. To review, analyze, investigate and process all appropriate administrative and technical undertakings pertaining to the environmental impacts of applications presented for approval to the Oyster Bay Town Board or to other Oyster Bay Town agencies, and to submit reports, conclusions and recommendations to said Board or agencies, for their findings and determinations, all in accordance with Chapter 110 of the Oyster Bay Town Code, Article 8 of the Environmental Conservation Law of the State of New York, and Part 617, Title 6 of the State of New York Official Compilation of Codes, Rules and Regulations.
 2. To review, analyze, attend public meetings and information sessions, and to provide comments during Federal and State designated comment periods on remedial programs, applications, and/or actions within or substantially contiguous to the Town of Oyster Bay that have the potential to impact the environment and suburban quality of life.
 3. Conduct environmental review and provide comments on significant projects in neighboring municipalities that have the potential to impact the Town of Oyster Bay.
- C. Division of Environmental Conservation and Preservation. To develop, implement and coordinate programs for the preservation, and protection of lands and existing natural resources and to manage and maintain facilities, equipment and personnel necessary for the proper administration of the above.



1. Tree and natural resource preservation; to develop and assist in the implementation of programs for the proper management of the town's tree inventory; to perform environmental monitoring and to undertake appropriate actions to correct problems or deficiencies encountered.
 2. Flora and Fauna; to develop programs to enhance, restore and preserve the native flora and fauna of the Town
 3. Management of designated town lands that have unique or significant environmental characteristics on terms of their undisturbed nature, natural habitat for native species and animals.
- D. Division of Environmental Education and Outreach. To develop, implement and coordinate environmental education programs for the public and for Town governmental facilities, including, but not limited to, hazardous substance disposal, natural resource conservation, environmental stewardship, and water quality protection; to address inquiries from the public regarding environmental issues in the Town; to consult with other Town departments on matters of environmental education and public outreach; to coordinate with, and assist and advise other departments and agencies, both inside and outside the Town, in order to ensure that projects undertaken within the Town are environmentally sound.
- E. Division of Animal Shelter and Wildlife Rehabilitation. To oversee and manage animal control and shelter operations; to assist in wildlife rehabilitation efforts; and to manage and maintain facilities, equipment and personnel necessary for the proper administration of the above.

SECTION 2. Amend Chapter 156 (Noise), §156-3.C, Duties and responsibilities of Town departments, by deleting §156-3.C in its entirety and adding a new §156-3.C, as follows:

§156-3 Duties and responsibilities of Town departments.

- C. The Town of Oyster Bay Department of Environmental Resources shall have the following duties with respect to this chapter:

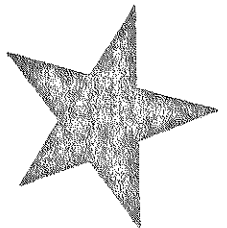
The Division of Environmental Planning and Technical Review, in compliance with state and local law, shall conduct environmental reviews of all actions as required, and in doing so shall apply the provisions of this chapter.

Amend Chapter 241 (Waterways), §241-9.D, Applications, by deleting §241-9.D in its entirety and adding a new §241-9.D, as follows:

§241-9 Applications.

D. Review.

- (1) The Commissioner of the Department of Planning and Development, or his/her designee, in his/her sole discretion, shall have the authority to determine if an application is complete.
- (2) The Commissioner of the Department of Planning and Development shall refer any application for review by the Division of Environmental Planning and Technical Review, which shall then advise the Commissioner of the Department of Planning and Development what actions it deems appropriate upon such application, pursuant to Chapter 110, Environmental Quality Review, of this Code.



- (3) The Division of Environmental Planning and Technical Review shall take such actions as may be required by this Code and New York State or federal law and refer the matter back to the Commissioner of the Department of Planning and Development, pursuant to Chapter 110, Environmental Quality Review, of this Code.
- (4) The Commissioner of the Department of Planning and Development shall obtain input from the Parks Department, Division of Beaches and Marinas, as to areas under its expertise;
- (5) The Commissioner of the Department of Planning and Development shall receive and consider the comments of owners of properties in the vicinity of the subject premises.

SECTION 3. Amendments to Chapter 4, Administration of Government, Chapter 156, Noise, and Chapter 241, Waterways, of the Code of the Town of Oyster Bay shall take effect immediately upon filing with the Secretary of State.

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2022 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2022, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____ 2022

(Certification to be executed by Town Attorney).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2022

