

Meeting of January 9, 2024

Resolution No. TF-1-2024

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

ITEM NO.	DEPT.	AMOUNT	INCREASE
001-24	IGA	\$121,322.69	IGA CD 0001 02170 000 CD23
			INCREASE
		\$121,322.69	IGA CD 8668 48290 000 CD23
002-24	IGA	\$ 1,584.26	FROM
			IGA CD 8676 48280 749 CD22
			TO
		\$ 1,584.26	IGA CD 8668 48250 732 CD22
			FROM
		\$ 4,000.00	IGA CD 8676 48280 749 CD23
			TO
		\$ 4,000.00	IGA CD 8668 48250 732 CD23
003-24	EXE	\$ 1,033.25	INCREASE
			TWN A 0001 02705 000 0000
			INCREASE
		\$ 1,033.25	DPW A 3510 41600 000 0000

-#-

Reviewed By

Office of Town Attorney

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

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

2B

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

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: December 11, 2023

SUBJECT: Transfer of Funds

Increase

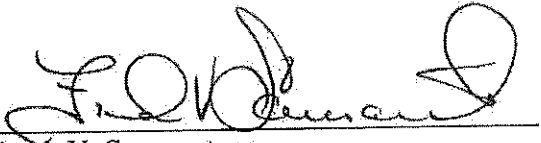
IGA CD 0001 02170 000 CD23	\$ 121,322.69
(Community Development Income General)	

Increase

IGA CD 8668 48290 000 CD23	\$ 121,322.69
(Public Housing Rehabilitation)	

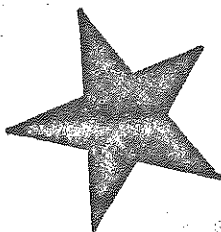
JUSTIFICATION

The above increase is respectfully requested in order to expend funds received from the Deferred Loan Program. These funds are to be utilized within the Community Development Block Grant Program. These particular funds will be utilized for a flooring project being undertaken at various Town of Oyster Bay Housing facilities.



Frank V. Sammartano
Commissioner

FVS/bh



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

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: December 11, 2023

SUBJECT: Transfer of Funds

FROM

IGA CD 8676 48280 749 CD22 \$ 1,584.26
(Public Services- VFW)

TO

IGA CD 8668 48250 732 CD22 \$ 1,584.26
(Res Rehab)

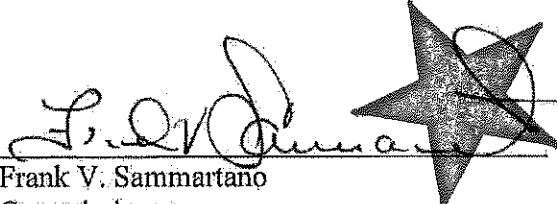
IGA CD 8676 48280 749 CD23 **FROM** \$ 4,000.00
(Public Services-VFW)

TO

IGA CD 8668 48250 732 CD23 \$ 4,000.00
(Res Rehab)

Justification

This transfer is respectfully requested to transfer unexpended Community Development Funds originally for VFW-William M Gouse, Jr. Post 3211 ceased operations in August of 2023 and this was the amount of funds remaining. The funds will be used within the Residential Rehabilitation Program.


Frank V. Sammartano
Commissioner

FVS/bh

Town of Oyster Bay
Inter-Departmental Memo

December 19, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: Transfer of Funds – 2024 Budget

In order to provide funds for new dog beds for the Animal Shelter that will be paid for by a donation that was received, the following transfer of funds is hereby requested:

Increase:						
TWN A	0001	02705	000	0000	Gifts and Donations	1,033.25
Increase:						
DPW A	3510	41600	000	0000	Materials & Supplies	1,033.25

Thank you.


Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/TOF 2024 DPW.AS

John Canino
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting of January 9, 2023

RESOLUTION P-2-2024

WHEREAS, The 2024 Budget, adopted October 24, 2023 established the titles and salaries of officers and employees of the Town of Oyster Bay pursuant to Section 27 of Town Law, and other Local Laws relating to the establishment of Town Departments, and Rules and Regulations governing appointments, etc., of employees; and

WHEREAS, The adoption of said 2024 Budget, on October 24, 2023, was by a Resolution of the Town Board; and

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

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

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

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

John Canning
COMMISSIONER OF FINANCIAL RESOURCES

APPROVED

Meeting Of January 9, 2024

PA-4-2024

WHEREAS, New York State Town Law authorizes the appointment of all Department Heads by the Town Board; and

WHEREAS, Section 53-C of the New York State Town Law sets forth the terms of all Department Heads as two years; and

WHEREAS, certain Department Heads were created by Local law,

NOW, THEREFORE, BE IT RESOLVED, that the following Department Heads are hereby appointed for the two-year period *nunc pro tunc* from January 1, 2024 through December 31, 2025:

NAME

TITLE

Frank M. Scalera

Town Attorney

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

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

John Canning

COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting Of January 9, 2024

PA-5-2024

WHEREAS, New York State Town Law authorizes the appointment of all Department Heads by the Town Board; and

WHEREAS, Section 53-C of the New York State Town Law sets forth the terms of all Department Heads as two years; and


WHEREAS, certain Department Heads were created by Local law,

NOW, THEREFORE, BE IT RESOLVED, that the following Department Heads are hereby appointed for the two-year period *nunc pro tunc* from January 1, 2024 through December 31, 2025:

<u>NAME</u>	<u>TITLE</u>
Steven C. Ballas	Town Comptroller

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

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

APPROVED

COMMISSIONER OF HUMAN RESOURCES

Meeting Of January 9, 2024

PA-6-2024

WHEREAS, New York State Town Law authorizes the appointment of all Department Heads by the Town Board; and

WHEREAS, Section 53-C of the New York State Town Law sets forth the terms of all Department Heads as two years; and

WHEREAS, certain Department Heads were created by Local law,

NOW, THEREFORE, BE IT RESOLVED, that the following Department Heads are hereby appointed for the two-year period *nunc pro tunc* from January 1, 2024 through December 31, 2025:

NAME

TITLE

Richard W. Lenz

Commissioner of Public Works

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

Meeting of January 9, 2024

Resolution No.1 -2024

WHEREAS, by Resolution No. 740-2021, adopted on December 7, 2021, the Town Board authorized Lizardos Engineering Associates D.P.C. (formally Lizardos Engineering Associates P.C.) to provide On-Call Engineering Services Relative to Mechanical Engineering in connection with Contract No. PWC08-22, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Steve Sonmez, P.E., CEM, Associate Vice President, Lizardos Engineering Associates D.P.C., by letter dated November 14, 2023, described the scope of work to be performed under Contract No. PWC08-22, engineering services related to mechanical, electrical and structural engineering for elevator modernization at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758; and

WHEREAS, Lizardos Engineering Associates D.P.C., by said letter, requested to utilize, as sub-consultants, Van Deusen Associates, Inc., for elevator design and inspection services and Reilly Engineering, D.P.C., for structural engineering; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 1, 2023, requested Town Board authorization for Lizardos Engineering Associates D.P.C., to provide the aforesaid On-Call Engineering Services under Contract No. PWC08-22, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$39,400.00 for this purpose, with funds available for payment in Account No. DGS H 1997 20000 000 2010 001, Project ID No. 2010 TWNA-03 and further requested that Van Deusen Associates Inc. and Reilly Engineering, D.P.C., be approved as sub-consultants; and

WHEREAS, the proposed vendors' disclosure questionnaires have been reviewed and have satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Lizardos Engineering Associates D.P.C. is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC08-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$39,400.00 for this purpose, with funds available for payment in Account No. DGS H 1997 20000 000 2010 001, Project ID No. 2010 TWNA-03 and that Van Deusen Associates Inc. and Reilly Engineering, D.P.C., be approved as sub-consultants

-#-

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

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

December 1, 2023

TO : MEMORANDUM DOCKET

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

SUBJECT: ON CALL ENGINEERING SERVICES RELATIVE TO
MECHANICAL ENGINEERING AND USE OF SUB-CONSULTANT
CONTRACT NO. PWC 08-22
ACCOUNT NO.: DGS H 1997 20000 000 2010 001
PROJECT ID: 2010 TWNA-03

The consultant, Lizardos Engineering Associates D.P.C. 200 Old Country Road, Suite 670 Mineola NY 11501, has been approved by the Commissioner of Public Works to provide Engineering services under On-Call Contract No PWC 08-22 by Resolution No. 740-2021 for the subject project. Funds have been made available by the Director of Finance.

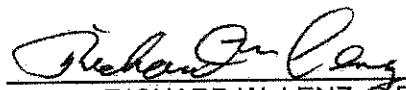
Attached is a letter dated November 14, 2023 from Lizardos Engineering Associates D.P.C. regarding the scope of work to be performed in an amount not to exceed \$39,400.00. Services to be performed include mechanical, electrical and structural engineering for elevator modernization at Town Hall South 977 Hicksville Road Massapequa NY 11758.

Attached is an availability of funds in the amount of \$39,400.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DGS H 1997 20000 000 2010 001, Project ID: 2010 TWNA-03.

The office of Lizardos Engineering Associates D.P.C. further requests to utilize, as sub-consultants, Van Deusen Associates, Inc., for elevator design and inspection services and Reilly Engineering, D.P.C., for structural engineering.

The proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy.

It is hereby requested that the Town Board authorize by Resolution, Lizardos Engineering Associates D.P.C. under Contract No. PWC 08-22 for On-Call Engineering Services Relative to Mechanical Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and that Van Deusen Associates Inc., and Reilly Engineering, D.P.C., be approved as sub-consultants.



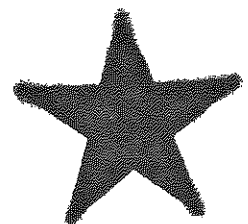
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/JP/lk

Attachment

cc: Steven C. Ballas, Comptroller
Ralph Raymond, Commissioner General Services

PWC 08-22 On Call Engineering Services Relative to Mechanical Engineering





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2022

Contract No. _____

Contract End 12/31/2023

Commencement Date 1/1/2023

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

Vendor Name and Address

Lizardos Engineering Associates D.P.C

200 Old Country Road Suite 670

Mineola NY 11501

Requesting Town Department _____

General Services

Contact John Piscitello

Phone (516) 677-6883

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

Provide services related to mechanical, electrical and structural engineering

for elevator modernization at Town Hall South 977 Hicksville Road Massapequa NY

This work order shall not exceed \$ \$39,400.00

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

Requesting Division/Department

Signature _____

Title COMMISSIONER

Date 11/30/23

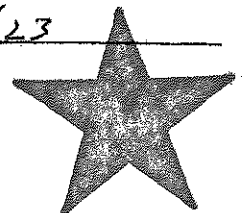
Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 12/6/23





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



Requesting Division/Department

General Services

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

Contract Number PWC 08-22

Contract Period January 1, 2022 through December 31, 2023

Consultant/Contractor Lizardos Engineering Associates P.C.

Discipline MECHANICAL ENGINEERING

Total Authorization \$434,431.09

Resolution No. 740-2021 Date 12/7/2021

Funded To Date \$395,031.09

Amount Requested \$39,400.00

Account To Be Used PID 2010 TWNA - 03
DGS H 1907 20000 000 2010 001

If Capital Account, State The Related Contract Number: DGS23-282

Description Of Work

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

Provide services related to mechanical, electrical and structural engineering

for elevator modernization at Town Hall South 977 Hicksville Road Massapequa NY 11758

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$

Requesting Division/Department

Signature

Title

Date

COMMISSIONER General Services

11/30/23

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title

Date

Commissioner of Public Works

12/6/23

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 39,400.00

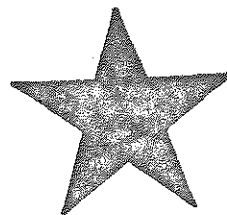
Unencumbered Balance 150,246.90

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

Signature

Date

11/30/23



LIZARDOS

November 14, 2023

Matt Russo, P.E.
Town of Oyster Bay
Dept. of Public Works
150 Miller Place
Syosset, NY 11791-5699

Reference: Town of Oyster Bay - South Elevator Modernization
977 Hicksville Rd, Massapequa, NY 11758
Schematic Design (SD) and Construction Documents (CD)
Lizardos Proposal Number: 23-755

Dear Mr. Russo:

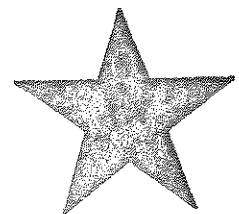
As requested Lizardos Engineering Associates, P.C. (Lizardos) has prepared this proposal to provide Architectural, Vertical transportation, Structural and MEP engineering Schematic Design (SD) and Construction Documents (CD) services for the above referenced project. The Town of Oyster Bay (TOB) wishes to remediate the issues they have with one (1) existing Dover passenger elevators at their Town South Building.

Lizardos has teamed with Van Deusen & Associates, Inc. (VDA) a vertical transportation systems consultant and Tarantino Structural Engineers to provide a comprehensive project team. VDA, Tarantino and Lizardos has extensive experience working together on past projects. Lizardos intends to work together with VDA and Tarantino to coordinate the requirements of the elevator equipment and systems, including architectural, structural and MEP items needed for a complete project.

Lizardos intends to provide the following Scope of Services in connection with the overall coordination, architectural, structural and MEP scope of work for this project:

SCOPE OF SERVICES

1. Survey the existing equipment and/or physical conditions as required to provide Schematic Design (SD) and Construction Documents (CD) for:
 - a. Upgrading/modernization of systems and maintenance services
 - OR
 - b. New equipment installation



Lizardos Engineering Associates D.P.C.
200 Old Country Road | Suite 670 | Mineola NY 11501 | 516 484 1020 | lizardos.com

2. Develop condition assessment of the Elevators and associated Equipment, develop schematic design and design documents to implement the recommendations for upgrading / modernization or new equipment installation of the systems.
3. Provide a budget estimates as required.
4. Based on the meeting with town representatives, the path forward is projected to be revamping existing elevator and associated equipment.
5. Lizardos will prepare all schematic design and construction bid documents in compliance with all New York State codes, NYS health codes, Federal, New York State (Energy Conservation Code and Mechanical Code), ASME A17.1 – Safety Code for Elevators and Escalators, CSA B44-16 – Safety Code for Elevators, NEC, NFPA 90A, ICC A117.1 – Standard for Accessible and Usable Buildings and Facilities and Local codes, laws, rules and regulations.
6. Lizardos shall provide a certificate of insurance evidencing general liability, auto liability, workman's compensation and professional liability of not less than \$1,000,000 with an A+ rated carrier, licensed in the State of New York.
7. At the end of the design for this project, Lizardos shall provide one set of reproducible contract drawings and an electronic copy (CD Rom) of all AutoCAD drawings.

SCHEMATIC DESIGN (SD) PHASE SERVICES

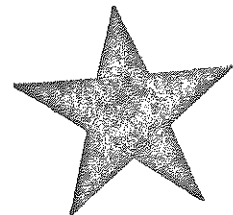
ARCHITECTURAL

- Review the conditions of the existing elevator shaft, equipment room and the immediate surrounding areas.
- Provide recommendations on improvements that could be made to the envelope of the elevator shaft.
- Coordinate with the vertical transportation consultant (VDA) on equipment selection and replacement.
- Provide schematic layouts of proposed elevator equipment and vestibule.
- Coordinate with Town Personnel regarding anticipated elevator cab finishes.
- Identify materials of construction.

ELEVATOR

A. Survey the referenced unit to provide:

- An overview audit of existing system.
- An identification and evaluation of the major vertical transportation equipment and/or system components.
- A recommended scope of work for remedial improvements.
- System modernization upgrades or new equipment installation.
- System preventive maintenance requirements.



LIZARDOS

- B. Prepare a letter report with the findings of our preliminary evaluation. Attach details relevant to the evaluation intent.
- C. Based upon the data gathered and client instructions, develop DRAFT elevator specifications which focus on long term dependability and improved performance. Elevator specifications shall also give particular attention to any code related issues. Specifications will either be for modernization/upgrading or a new elevator.

Please note that specifications shall be reviewed and approved by the client prior to issuance for bidding. The specifications will incorporate cab allowance, or a design prepared by others in a format that can be incorporated into our documents.

MECHANICAL

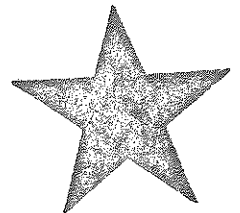
- Selection of new split type air conditioning units for the vestibules, verify locations for the major equipment components and identify the routing locations of the refrigerant lines. The anticipated system would include a single evaporator/compressor unit and individual evaporators in the elevator machine room.

ELECTRICAL

- Verify the existing services for the elevator equipment is sufficient for the new equipment selections.
- Locate services for the proposed HVAC equipment and lighting.
- Selection of lighting fixtures for the new vestibules.
- Power for elevated equipment.
- Modifications to fire alarm.

STRUCTURAL

- Verify the structure of the existing elevator shaft, equipment room and the immediate surrounding areas are sufficient in design and construction for the project modifications. Structural engineering scope is only for the Schematic Design (SD) phase.
- No other Structural design work is anticipated for this project and is excluded from this proposal. Should it be determined that structural design work is required, Lizardos will provide an Additional Services Request (ASR) for that work scope.



LIZARDOS

DESIGN/CONSTRUCTION DOCUMENT (CD) PHASED SERVICES**1. GENERAL**

- a. Construction Documents will be developed to address the TOB's requirement to maintain one elevator accessible and operational at all times during construction. The installation of the elevators will take place in two stages. Construction documents will indicate:

Phases of construction.

Contractor's laydown/storage areas.

Temporary walls isolating construction areas from publically accessible areas.

Egress routes and signage during each phase.

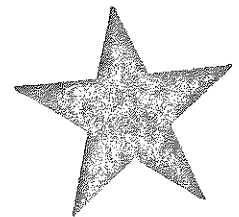
Contractor's responsibility to maintain one elevator as operational at all times. The contractor shall maintain a service contract for the active elevators maintenance during the course of the project. Should the active elevator cease working, the contractor shall arrange for its immediate repair and return to service.

2. ARCHITECTURAL

- a. Provide construction documents for the vestibules and modifications to the elevator shaft and equipment room.
- b. Coordinate with the vertical transportation consultant (VDA) to provide the elevator equipment specifications for bidding.
- c. Provide equipment layout drawings for the elevator equipment for bidding. (Note: equipment layouts will be for a generic elevator selection.)

3. ELEVATOR EQUIPMENT

- A. Upon review and approval from the Owner/Client, issue final elevator specifications to the Owner/Client for bidding purposes.
- B. Provide a form of agreement and specifications for Full Protective Vertical Transportation Maintenance services.
- C. In a separate section of the modernization/upgrading or a new elevator project specifications, provide detailed terms and conditions governing the manner in which all work must be performed. Included in this section, along with warranty information, insurance requirements, and applicable code listing, shall be procedures for:
 - 1) Material handling and storage
 - 2) Disposal of old equipment
 - 3) Erecting barricades/property protection
 - 4) Obtaining approval of submittal drawings
 - 5) Submitting progress payment requests
 - 6) Obtaining permits and/or approvals
 - 7) Conducting Code and acceptance inspections

**LIZARDOS**

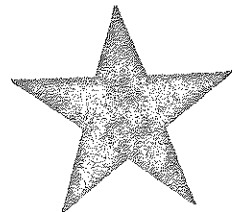
- 8) Resolving disputes over interpretation of the specifications
 - 9) Guaranteeing materials and workmanship
 - 10) Turning over wiring diagrams, instruction manuals and diagnostic tools
 - 11) Training personnel on new control safety features
 - 12) Obtaining final acceptance of completed work
 - 13) Project execution requirements/personnel
- D. Assist in identifying contractors with the expertise and logistical support necessary to successfully complete the specified work.
- E. Issue the following bid documents to identified contractors:
- A formal invitation to bid
 - General terms and conditions governing the technical specifications
 - Technical specifications for the work authorized
 - A bid proposal form
 - Contractor qualification form/references
- F. Attend one (1) pre-bid meeting on site
- G. Respond to bidder inquiries regarding the specifications and issue addenda when necessary.
- H. Provide spreadsheet analysis of bid proposals with a written recommendation for contract award based upon bid proposal review.
- I. Attend one (1) virtual meeting with the client to interview bidders whose proposals are viable and competitive.
- J. Provide telephone consultation after the issuance of the bid analysis and recommendation report.

MECHANICAL

- a. Provide construction documents for the new split type air conditioning for elevator machine room including all associated refrigerant piping, unit supports.

ELECTRICAL

- a. Provide construction documents for the electrical modifications required for the new elevator equipment.
- b. Provide construction documents for the new HVAC equipment and new lighting within the new elevator machine room including photometric study and calculations, per latest IESNA standards.

**LIZARDOS**

BIDDING ASSISTANCE

- a. Attend a pre-bid meeting/ walk through with the contractors.
- b. Review bids in conjunction with the TOB for technical conformance to the bid documents.
- c. Assist Owner's Building Department expediter in filling out technical portions of forms and sealing appropriate forms for filing purposes.
- d. Respond to Contractor Requests for Information (RFI's) during the bidding phase of work.
- e. Perform a bid leveling analysis.

SERVICES NOT INCLUDED

1. Preparation of as-built drawings.
2. Construction Phase Services, including shop drawing review, RFI's and construction administrative tasks (this shall be serviced under a separate proposal)
3. Sprinkler and Fire Protection Design.
4. Structural Design.
5. Controlled Inspections.
6. All environmental studies and testing.

ADDITIONAL SERVICES

1. Commissioning Services are available at an additional cost.
2. Construction phase services.

ALTERNATES

See attached alternates located on the elevator consultant (VDA) proposal. There are five (5) alternates anticipated for this project and is excluded from this proposal.

Alternate #1 (VDA) – Contract Review

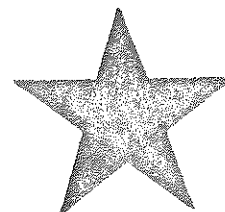
Alternate #2 (VDA) – Shop Drawing Review

Alternate #3 (VDA) – Design Meeting

Alternate #4 (VDA) – Construction Services (4 site visits)

Alternate #5 (VDA) – Final Acceptance Test Witnessing

Lizardos fee for the Construction services shall be determined after Construction Document (CD) phase and coordination with Town of Oyster Bay officials.



LIZARDOS

FEES

The engineering fee for the Scope of Services described shall be based on the total number of hours worked applied against an upset (not to exceed) fee as described below. All engineering services shall be billed monthly and shall be based on the actual employee salaries utilizing an overhead and profit multiplier of 3.0 with maximum hourly limit as approved by the Town Board, currently set at \$175/hour. We will schedule work for this project upon our receipt of your written authorization to proceed.

Schematic Design (SD) phase services

Elevator Equipment Services (VDA)	\$ 8,400.00
Architectural (Lizardos)	\$ 8,500.00
Structural Engineering Fee (Tarantino)	\$ 4,000.00
Electrical Engineering Fee (Lizardos)	\$ 9,500.00
<u>Mechanical Engineering Fee (Lizardos)</u>	<u>\$ 9,000.00</u>
Total Fee	\$39,400.00

Design/Construction Document (CD) phase services

Elevator Equipment Services (VDA)	\$ 4,200.00
Architectural (Lizardos)	\$14,500.00
Electrical Engineering Fee (Lizardos)	\$17,500.00
Mechanical Engineering Fee (Lizardos)	\$15,000.00
<u>Bid Assistance</u>	<u>\$ 8,500.00</u>
Total Fee	\$59,700.00

Alternates – See attached VDA proposal

Alternate #1 (VDA) – See attached proposal	\$ 1,050.00
Alternate #2 (VDA) – See attached proposal	\$ 3,500.00
Alternate #3 (VDA) – See attached proposal	\$ 1,050.00
Alternate #4 (VDA) – See attached proposal	\$ 4,200.00
Alternate #5 (VDA) – See attached proposal	\$ 1,050.00

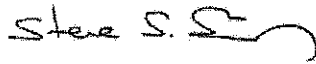
All engineering services shall be invoiced monthly based on the percentage of work completed. We will schedule work for this project upon our receipt of your written authorization to proceed. Our hourly billing rates are attached. This proposal will remain in effect for 60 days from the date of this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

We trust that the terms set forth in this proposal as well as our Standard Terms and Conditions, which are enclosed and constitute a part of our proposal sufficiently detail the engineering services which you require Lizardos to provide in connection with this project. If you find these terms acceptable, please sign and return a copy of this proposal. If you should have any questions, please feel free to call me.



Sincerely,

LIZARDOS ENGINEERING ASSOCIATES D.P.C.



S. Steve Sonmez, P.E.
Associate Vice President

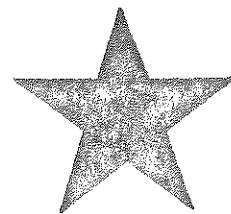
cc: M.E. Cocchi, Lizardos
M. Hoffman, Lizardos

ACCEPTED: Town of Oyster Bay

By _____

Print Name and Title

Date



LIZARDOS

Meeting of December 7, 2021

Resolution No. 740-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services Relative to Mechanical Engineering was issued in accordance with the specifications contained in Contract No. PWC08-22, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, in response to the aforementioned Request for Proposals, eight (8) responses were received by the Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 6 and 9 of the Town of Oyster Bay Procurement Policy and in conjunction with the current workload, the Department has selected H2M Engineers & Architects, Lizardos Engineering Associates, P.C., LiRo Engineers, Inc. and Cameron Engineering & Associates, LLP; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works to enter into Contract No. PWC08-22, On-Call Engineering Services Relative to Mechanical Engineering, with H2M Engineers & Architects, Lizardos Engineering Associates, P.C., LiRo Engineers, Inc. and Cameron Engineering & Associates, LLP, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

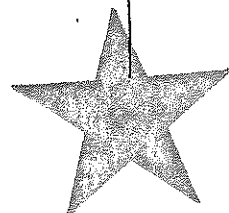
WHEREAS, the Office of the Inspector General has reviewed the Request for Proposals and the proposed vendors' disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works is hereby authorized to enter into Contract PWC08-22, On-Call Engineering Services Relative to Mechanical Engineering, with H2M Engineers & Architects, Lizardos Engineering Associates, P.C., LiRo Engineers, Inc. and Cameron Engineering & Associates, LLP, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023.

#

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

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



Reviewed By
Office of Town Attorney

Meeting of January 9, 2024

Resolution No.2 -2024

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated December 5, 2023, requested Town Board authorization to have Bryan Hermann, Coordinator for Community Development, Department of Intergovernmental Affairs, join the Long Island Community Development Organization, PKF O'Connor Davies, c/o Michele Yen 878 Veterans Memorial Highway, 4th Floor Hauppauge, New York 11788 for annual membership dues of \$90.00; and

WHEREAS, Commissioner Sammartano, by said memorandum advised that Agency-Level Membership in said Organization is open to municipal and not-for profit agencies that operate programs related to community development including housing, planning, economic development or intergovernmental affairs, with all agency employees being eligible to hold office and serve on committees, and all member agencies having one (1) vote in any matter to be decided by the general membership of the Organization; and

WHEREAS, Commissioner Sammartano, by said memorandum, further advised that funds are available for said payment in Account No. IGA CD 8668 48250 732 CD21,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Intergovernmental Affairs is hereby authorized to expend the sum of \$90.00, for the payment of the 2023-2024, Agency-Level, Membership Dues of Bryan Hermann, Coordinator for Community Development, Department of Intergovernmental Affairs, to join the Long Island Community Development Organization; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. IGA CD 8668 48250 732 CD21; and be it further

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

#

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

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

OR
Reviewed By
Office of Town Attorney

Paul P. Healy

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

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

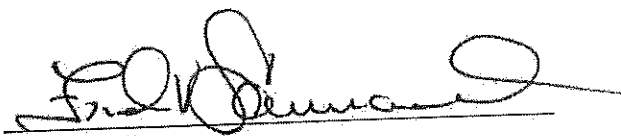
DATE: December 5, 2023

SUBJECT: Long Island Community Development Organization membership dues

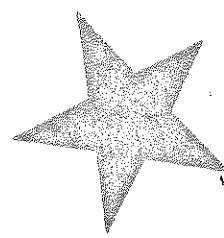
We are requesting permission for Bryan Herrmann, Coordinator for Community Development, to join the Long Island Community Development Organization.

This organization is open to municipal and not-for-profit agencies that operate programs related to community development, including housing, planning economic development or intergovernmental affairs. All agency employees are eligible to hold office and serve on committees. Member agencies have one vote in any matter to be decided by the general membership of the organization.

Funds are available for this purpose in Account Number IGA CD 8668 48250 732 CD21.


Frank V. Sammartano
Commissioner Intergovernmental Affairs

FS/bh





LONG ISLAND COMMUNITY DEVELOPMENT ORGANIZATION

Allison Karppi
President

Erinn McDonnell
Vice President

Jill Gallant
Secretary

Michele Yen
Treasurer

2023 - 2024 Dues Notice

MEMBERSHIP CATEGORIES:

Agency Membership: Open to municipal and not-for-profit agencies that operate programs related to community development including housing, planning, economic development or intergovernmental affairs. All agency employees are eligible to hold office and serve on committees. Member agencies have one vote in any matter to be decided by the general membership of the organization.

Individual Membership: Open to individuals who are or were previously employed by agencies eligible for Agency membership and to individuals who are or were previously employed by federal, state or local government agencies in a position whose area of responsibility includes/included housing, planning, community development, economic development or intergovernmental affairs. Individual members are eligible to hold office (except that of President and Vice President) and can serve on committees. Individual Members have one vote in any matter to be decided by the general membership of the organization other than the election of the officers.

Affiliate Membership: Open to private organizations who do business with Agency members whose mission is otherwise concerned with matters pertaining to the goals of LICDO. Affiliate members are eligible to hold office (except that of President and Vice President) and can serve on committees. Each Affiliate Member organization shall be entitled to one vote in any matter to be decided by the general membership of the organization other than the election of officers.

DUES FOR 2023-2024

Agency - \$90

Individual - \$55

Affiliate - \$135

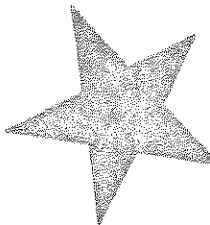
Kindly complete the attached membership application and email Michele Yen at myen@pkfod.com
This information will be used for the LICDO Member Directory.

Mail Checks payable to:

Long Island Community Development Organization

Mailing Address:

PKF O'Connor Davies
c/o Michele Yen
878 Veterans Memorial Highway, 4th Floor
Hauppauge, New York 11788



Meeting of January 9, 2024

Resolution No. 3 -2024

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated December 8, 2023 requested that the Town Board authorize the Department of Community and Youth Services to co-sponsor the 2024 Spring Distinguished Artists Concert Series, with various public libraries throughout the Town of Oyster Bay, and to enter into agreements with the artists listed on the attached table to render performances on the dates and at the times and locations specified on said table, subject to the following terms and provisions:

1. The Town and the individual library shall each pay \$600.00 toward the noted performance.
2. The Town's responsibility shall not exceed \$10,200.00 for the Spring 2024 portion of the Concert series; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board authorize the Town Supervisor, or his designee, to execute the aforementioned agreements; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that funds for the aforementioned concert fees are available in Account No. CYS A 7020 47660 000 0000 (*Special Events*); and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the Town has reviewed the listed performers' vendor disclosure questionnaires', and has been satisfied that the requirements of the Town of Oyster Bay Procurement Policy have been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and that the Department of Community and Youth Services is hereby authorized to co-sponsor the Spring 2024 Distinguished Artists Concert Series, with various public libraries throughout the Town of Oyster Bay, and to enter into agreements with the artists listed on the attached table to render performances on the dates and at the times and locations specified on said table, subject to the foregoing terms and provisions; and be it further

RESOLVED, That the Town Supervisor, or his designee, are hereby authorized to execute the aforementioned agreements; and be it further

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

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

-#-

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Deady

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

December 8, 2023

TO: Memorandum Docket

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

SUBJECT: 2024 Spring Distinguished Artists Concert Series

The Department of Community & Youth Services is requesting Town Board authorization to co-sponsor a Distinguished Artist's Concert Series with various libraries throughout the Town of Oyster Bay. The Department is requesting approval to enter into Agreements, in accordance with the performers, dates and locations listed on the attached table, for the concert series.

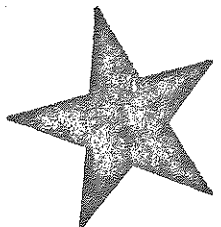
The Town and the individual library will each pay \$600.00 toward the noted performance. The Town's responsibility will not exceed \$10,200.00 for the Spring 2024 portion of the Concert Series. Funds for the concert fees are available in Account CYS A 7020 47660 000 0000, Special Events. The proposed vendors Disclosure Questionnaires have been reviewed and have satisfied the Town's Procurement Policy.

The Department also requests authorization for the Commissioner to cancel performances and make changes to the date, time and location of the performances as needed.

Therefore, it is respectfully requested that the Town Board authorize the Distinguished Artist's Concert Series and allow the Department to enter into Agreements, nunc pro tunc to January 7, 2024, and further authorize the Supervisor and/or his designee to execute said Agreements.

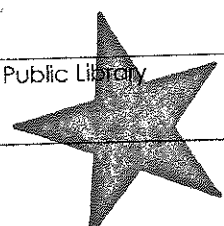

Maureen A. Fitzgerald
Commissioner

MAF:dj
Attachment



2024 Spring Distinguished Artist Concert Series

PERFORMER NAME	CHECK PAYABLE TO:	DATE/TIME OF PERFORMANCE	LOCATION OF PERFORMANCE
The Gypsy Felons Acoustic Trio	Christian Bisciello 309 South Clinton Avenue Lindenhurst, NY 11757	Sunday, January 7, 2024 2:30 PM	Farmingdale Public Library
Lee Glantz	Lee Glantz NEW ADDRESS: 309 West 99th Street, #7A New York, NY 10025	Sunday, January 14, 2024 2:00 PM	Jericho Public Library
The History of Rock & Roll	MJB Administrative Services 40 West Oak Street Farmingdale, NY 11735	Sunday, February 4, 2024 1:00 PM	Syosset Public Library
The Polezhayev Family Ensemble	Yelena Polezhayev 13 Club Road Sea Cliff, NY 11579	Saturday, February 10, 2024 2:00 PM	Massapequa Public Library
Gathering Time	Gathering Time 388 Ocean Avenue Malverne, NY 11565	Sunday, February 25, 2024 2:00 PM	Jericho Public Library
Carlson & Grant	Samantha Carlson Luecken 897 Third Avenue Franklin Square, NY 11010	Sunday, March 3, 2024 1:00 PM	Syosset Public Library
Mambo Loco	Wayne Burgess 12 8th Street Bayville, NY 11709	Sunday, March 10, 2024 2:00 PM	Jericho Public Library
One More Once Jazz Ensemble	Sheryl Ferralolo 431 Commercial Avenue Islip Terrace, NY 11752	Sunday, March 17, 2024 2:30 PM	Farmingdale Public Library
Danny Kean & Friends	Danny Kean Music Productions, Inc. 7 Elm Drive Farmingdale, NY 11735	Saturday, March 23, 2024 7:00 PM	Plainview-Old Bethpage Public Library
The Brooklyn Bards	Joseph Mayer 23 Colony Road Port Jefferson Station, NY 11776	Sunday, March 24, 2024	Bethpage Public Library 2:00 PM
Gemini Journey	Diane Block 30 East Pocahontas Street Massapequa, NY 11758	Saturday, April 6, 2024 2:00 PM	Massapequa Public Library 2:00 PM
Phil Costa and the Something Special Swing Band	Something Special Big Band 127 Pollok Place Hicksville, NY 11801	Sunday, April 7, 2024 2:30 PM	Farmingdale Public Library 2:30 PM
The Hambones	John Kouri 142 Main Street, #3C Mineola, NY 11501	Sunday, April 14, 2024 3:00 PM	Plainview-Old Bethpage Public Library
Squeaky Clean Band	Squeaky Clean Music Corporation PO Box 3453 New Hyde Park, NY 11040	Sunday, April 21, 2024 2:00 PM	Hicksville Public Library
Tom Polito and Friends	James T. Polito 86 Grohmans Lane Plainview, NY 11803	Sunday, April 28, 2024 2:00 PM	Jericho Public Library
Gene Casey and the Lone Sharks	Eugene Casey PO Box 794 Greenport, NY 11944	Sunday, May 5, 2024 2:30 PM	Farmingdale Public Library
Bay Big Band	William F. Joseph 15 Valleywood Road Commack, NY 11725	Sunday, May 19, 2024 2:00 PM	Hicksville Public Library



Meeting of January 9, 2024

Resolution No. 4 -2024

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated December 7, 2023, requested that the Town Board authorize the Department, to use Workforce Innovation Opportunity Act (WIOA) grant funds for Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) meeting expenses, for the period commencing on January 1, 2024, nunc pro tunc and concluding on December 31, 2025, in an amount not to exceed \$3,000.00, said funds being a WIOA expense, and thus, at no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved and the Town Board authorizes the Department of Intergovernmental Affairs to use WIOA grant funds for WDB meeting expenses, for the period commencing on January 1, 2024, nunc pro tunc and concluding on December 31, 2025, in an amount not to exceed \$3,000.00, said funds being a WIOA expense, and therefore, at no cost to the Town; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. IGA CD 6293 47900 000 CW22; and be it further

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

-#-

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

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

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

December 7, 2023

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

SUBJECT: WORKFORCE DEVELOPMENT BOARD MEETING EXPENSES

The Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) will host and participate in meetings throughout 2024 and 2025, to discuss workforce development and economic development in the aforementioned municipalities.

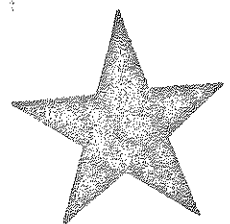
Every effort is made to minimize expenses associated with having these required meetings and are often done at no cost to the Workforce Innovation and Opportunity Act grant received by the Town of Oyster Bay. However, on occasion, room rental, speaker fees and other associated grant eligible expenses are incurred.

It is respectfully requested that the Town Board pass a resolution authorizing the use of WIOA grant funds for WDB meeting expenses not to exceed \$3,000 for a period of January 1, 2024 to December 31, 2025. Funds for this purpose are available in IGA CD 6293 47900 000 CW22. This is a WIOA expense, and therefore, of no cost to the Town.

Thank you for your attention to this matter.



Frank V. Sammartano
Commissioner



Meeting of January 9, 2024

Resolution No. 5 -2024

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Elizabeth A. Jankins

WHEREAS, by Resolution No. 12-2023, adopted on January 10, 2023, 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, 2023 through December 31, 2023, *nunc pro tunc*, at a cost of \$2,804.01, plus the Service Agreement Fee of \$750.00, for a total cost of \$3,554.01; acknowledging that the premium of \$6,997.07 has been reduced by a \$4,193.06 credit refund received due to an audit on a previous policy; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated December 7, 2023, advised that the 2023 Workers Compensation policy with the New York State Insurance Fund contained an auto-renew provision through which this policy has been renewed for the period January 1, 2024 through December 31, 2024, at a cost of \$3,558.33, plus the Service Agreement Fee of \$750.00, for a total cost of \$4,308.33; and

WHEREAS, Commissioner Sammartano, by said memorandum, requested Town Board authorization for payment of the above referenced premium of \$3,558.33 and the Service Agreement Fee of \$750.00, for the auto-renewal of the said Workers Compensation Insurance with the New York State Insurance Fund for the youth enrolled in the Division's Youth Employment and Training Program for the period January 1, 2024 through December 31, 2024, *nunc pro tunc*, to Salerno Brokerage Corp.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and payment of the above referenced premium of \$3,558.33 and the Service Agreement Fee of \$750.00, both to Salerno Brokerage Corp., for a total amount of \$4,308.33, for the auto-renewal of the said Workers Compensation Insurance with the New York State Insurance Fund for the youth enrolled in the Division's Youth Employment and Training Program for the period January 1, 2024 through December 31, 2024, *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 \$4,308.33, 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 CW22.

#

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

December 7, 2023

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.

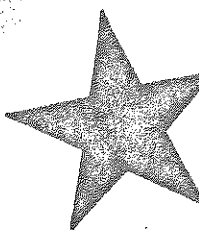
Resolution number 12-2023 (enclosed) authorized the purchase of Workers Compensation Insurance for a period of January 1, 2023 through December 31, 2023. The 2023 Workers' Compensation policy contained an auto-renew condition through which this policy has been renewed.

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, 2024 through December 31, 2024. 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, 2024 nunc pro tunc ratifying the procurement of this coverage and authorizing payment to Salerno Brokerage Corp in the amount of \$3558.33 and the service agreement fee of \$750. Funds are available in account IGA CD 6293 43000 000 CW22.



Frank V. Sammartano
Commissioner



WHEREAS, John Canning, Commissioner, and Vicki Spinelli, Deputy Commissioner, Department of Human Resources, by memorandum dated December 8, 2023, advised that the following health insurance premiums have been quoted by HIP Health Plan of New York, effective January 1, 2024 through December 31, 2024:

<u>OPTION</u>	<u>COVERAGE</u>	<u>RATE/MONTH</u>	<u>RATE VARIATION</u>	<u>ENROLLMENT</u>
HIP PRIME:	Single	\$1,760.82	13.5% over 2023	22
	Family	\$4,314.00	13.5% over 2023	09
MEDICARE				
RISK-NY:	NYC	\$525.98	7.2% over 2023	00
	Nassau	\$557.03	5.0% over 2023	04
	Westchester	\$620.42	4.9% over 2023	00
	Suffolk	\$613.66	6.4% over 2023	02; and

WHEREAS, Commissioner Canning, and Deputy Commissioner Spinelli, by said memorandum, recommended that the HIP Health Plan of New York be approved by the Town Board as a continued Health Insurance Option for Town employees through December 31, 2024, and that funding be encumbered in the amount of \$1,282,159.68, in Account No. TWN AMM 9060 80010 000 0000 000, for the period from January 1, 2024 through December 31, 2024, which allows for an approximate twenty percent (20%) increase in enrollment at the average monthly premium, and a broker advisory fee not to exceed 4%,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board hereby approves HIP Health Plan of New York as a continued Health Insurance Option for Town employees through December 31, 2024, and directs the Supervisor, or his designee, to execute the appropriate contract and/or renewal documents with HIP Health Plan of New York, at the above listed rates, for the period from January 1, 2024 through December 31, 2024; and be it further

RESOLVED, That funding be encumbered in the amount of \$1,282,159.68, in Account No. TWN AMM 9060 80010 000 0000 000, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit.

-#-

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

Supervisor 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

Elisabeth O. Taubman

December 8, 2023

TO: Memorandum Docket

FROM: John Canning, Commissioner
Department of Human Resources

SUBJECT: 2024 Rates and Funding for Health Insurance Option-HIP of NY

Pursuant to Town Board Resolution no. 815-94, the Honorable Town Board authorized optional health insurance for employees who select said coverage. The following premiums have been quoted by HIP Health Plan of New York, effective ~~nunc pro tunc~~ January 1, 2024 through December 31, 2024:

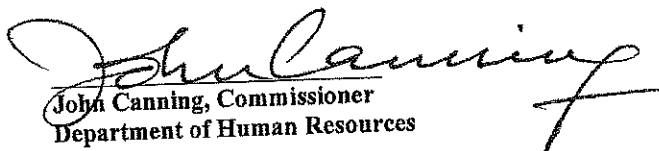
<u>OPTION</u>	<u>COVERAGE</u>	<u>RATE/MO.</u>	<u>RATE VARIATION</u>	<u>ENROLLMENT</u>
HIP PRIME:	SINGLE	\$ 1760.82	13.5% over 2023	22
	FAMILY	\$ 4314.00	13.5% over 2023	09
MEDICARE RISK-NY:	NYC	\$ 525.98	7.2% over 2023	00
	NASSAU	\$ 557.03	5.0% over 2023	04
	WESTCHESTER	\$ 620.42	4.9% over 2023	00
	SUFFOLK	\$ 613.66	6.4% over 2023	02

The total number of HIP enrollees is thirty-eight (38), with an average HIP enrollee monthly premium of \$2,374.36. The average monthly premium cost will be \$106,844.78, which allows for an approximate 20% increase in enrollment at the average monthly premium and includes the broker advisory fee, not to exceed 4%.

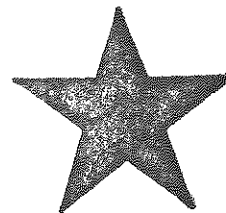
Therefore, I recommend that HIP Health Plan of New York be approved by the Town Board as a continued Health Insurance Option through December 31, 2024, and that funding be encumbered in the amount of \$1,282,159.68 in account no. TWN AMM 9060 80010 000 0000 000 for the period January 1, 2024 through December 31, 2024.

It is further requested that the Honorable Town Board authorize the Town Supervisor to exercise the renewal option with HIP Health Plan of New York at the above listed rates for the year 2024.

As per usual procedure, this is an annual renewal option, and it is further requested that this matter be placed on the Town Board Calendar for action for the next meeting.


John Canning, Commissioner
Department of Human Resources

JC:jnc
Attachs.



RENEWAL PLAN
RATES FOR: TOWN OF OYSTER BAY TOWN HALL DEPT HUM RES
EFFECTIVE DATE: 01/01/2024
PLAN OPTION: HIP PRIME HMO - LG
NETWORK: HIP PRIME NETWORK
CONTRACT #: 1102105
SubGroup ID: 1001
Class ID: 1001
AREA: Downstate NY
Comment:

		<u>INDIVIDUAL</u>	<u>FAMILY</u>
PREMIUM RATE	CR	\$1,760.82	\$4,314.00
BROKER ADVISORY FEE	4.00 %	\$70.43	\$172.56
TOTAL BILLED AMOUNT		\$1,831.25	\$4,486.56

SCHEDULE OF BENEFITS INCLUDED IN ABOVE RATES

<u>BASE BENEFIT</u>	<u>CODE</u>	<u>DESCRIPTION</u>
PLAN:	PHSTDD	HIP PRIME HMO - LG
BENEFIT PERIOD	RMNF04	Plan Year
 BASE PLAN COPAYS:		
----PCP VISIT	RMC001	\$0 Copay - PCP Office Visits
---- SPECIALIST VISIT	RMC008	\$0 Copay - Specialist
INPATIENT HOSPITAL (NON MATERNITY)	RMC024	\$0 Copay
INPATIENT HOSPITAL (MATERNITY)	RMC043	\$0 Copay
----AMBULATORY SURG.	RMC051	\$0 Copay - Amb Surgery Facility Fee
OP HOSP SURGERY FACILITY CHARGE	RMC070	\$0 Copay
---- EMERGENCY ROOM	RMC088	\$0 Copay
---- MOOP	RMC305	\$0 Inpt Copay/\$6,600/\$13,200 - MOOP
 <u>ADDITIONAL RIDERS</u>		
PRESCRIPTION DRUGS	RMRX141	\$0/\$0 Formulary Required
---- DME	RMV860	\$0 Deductible, Covered In Full - DME
---- PROSTHETICS	RMV870	\$0 Deductible, Covered In Full - Prosthetics
---- ORTHOTICS	RMV880	\$0 Deductible, Covered In Full - Orthotics
---- MEDICAL SUPPLIES	RMV890	\$0 Copay - Medical Supplies
VASECTOMY	RMV1034	\$0 Copay
NON EMERGENCY AMB SERVICES	RMV545	\$0 Copay
EMERGENCY AMB SERVICES	RMV556	\$0 Copay
URGENT CARE	RMV001	\$0 Copay
---- ACUPUNCTURE	RMV921	Not Covered
SPEC. OFC ADV IMAGE	RMV689	\$0 Copay
FREESTD CTR ADV IMAGE	RMV706	\$0 Copay
OP HOSP ADV IMAGE	RMV728	\$0 Copay
---- PCP OFC ALLERGY TESTING & TREATMENT	RMV1010	\$0 Copay - PCP Ofc Allergy Testing & Treatment
----SPEC. OFC ALLERGY TESTING & TREATMENT	RMV1018	\$0 Copay - Spec. Ofc Allergy Testing & Treatment
IP CARDIAC REHABILITATION	RMV333	Included
OP CARDIAC REHABILITATION	RMV334	\$0 Copay, 32 Visits
SPEC. OFC CARDIAC REHABILITATION	RMV355	\$0 Copay, 32 Visits
---- PCP OFC CHEMOTHERAPY	RMV947	\$0 Copay - PCP Ofc Chemotherapy
---- SPEC. OFC CHEMOTHERAPY	RMV955	\$0 Copay - Spec. Ofc Chemotherapy
---- OP HOSP OFC CHEMOTHERAPY	RMV972	\$0 Copay - OP Hosp Ofc Chemotherapy
---- CHIROPRACTIC SVCS	RMV993	\$0 Copay - Chiropractic Svcs
PCP OFC DIAG TESTING	RMV772	\$0 Copay
SPEC. OFC DIAG TESTING	RMV780	\$0 Copay
OP HOSP DIAG TESTING	RMV750	\$0 Copay
PCP OFC DIALYSIS	RMV381	\$10 Copay
SPEC. OFC DIALYSIS	RMV388	\$10 Copay
FREESTD CTR DIALYSIS	RMV404	\$10 Copay
OP HOSP DIALYSIS	RMV425	\$10 Copay
---- PCP OFC OP HABILITATION	RMV1199	\$0 Copay, 90 visits
---- SPEC. OFC OP HABILITATION	RMV1258	\$0 Copay, 90 Visits
----OP HOSP OP HABILITATION	RMV1333	\$0 Copay, 90 Visits
HOME HEALTH CARE	RMV092	200 Visits - HHC
---- IN VITRO FERTILITY	RMV900	3 Cycles IVF, Per Lifetime, Sub To Applicable Copy
PCP OFC INFUSION THERAPY	RMV481	\$0 Copay - PCP Office Visits
SPEC OFC INFUSION THERAPY	RMV489	\$0 Copay - Specialist



RENEWAL

2024 Medicare Worksheet

Group Name:
Group Number:
Standard Plan:

Town Of Oyster Bay Town Hall Dept Hum Res
1102105
Stand Plan 2_Opt 2

Effective Date:

1/1/2024



EmblemHealth

Jan 2024 Final Billed Rates

BRONX, KINGS,NY, QUEENS

\$525.98

SI, NASSAU

\$557.03

SUFFOLK

\$613.66

WESTCHESTER& UPSTATE

\$620.42

<u>Item</u>	<u>Description</u>		
PCP Copay	\$0 Copay		
Specialist Copay	\$10 Copay		
IP Copay	\$50 Copay per day days 1-5; \$0 copay days 6-90		
IP Therapy Copay	\$50 Copay per day days 1-5; \$0 copay days 6-90		
IP Delox Copay	\$50 Copay per day days 1-5; \$0 copay days 6-90		
Preventive Services	Covered Preventive Services		
Chiro Copay	\$10 Copay		
AmSurg Copay	\$50 Copay; \$150 Copay Ambulatory Surgery/Outpatient Facility		
X-Ray Copay	\$10 office visit and \$50 outpatient facility		
OP Mental Health Copay	\$10 Copay		
OP Therapies Copay	\$10 Copay PT, OT, ST		
OP Sub. Abuse Copay	\$10 Copay Unlimited Outpatient SA		
Urgent Care Copay	\$10 Copay		
ER Copay	\$90 Copay ER		
SNF Benefit	\$0 Copay Day(s) 1-20/\$50 Day(s) (21-100)		
Ambulance Copay	\$50 Copay		
Radiation Therapy Copay	\$50 Copay		
Home Health Care Copay	\$0 Copay Home Health Care		
Eye Exam Copay	\$15 Copay Medicare; \$15 Copay routine 1 visit per year		
Hearing Exam Copay	\$10 Copay Medicare; \$10 Copay Routine; 1 Routine visit p/yr		
OP Facility Copay - MRI, CAT, PET	\$50 Copay - OP Facility MRI,CAT,PET		
Lab Copay	\$0 Copay Outpatient Lab		
Podiatry Copay	\$10 Copay; 4 Routine Visit / Yr		
DME	10% Coinsurance - DME		
Diabetic Supplies	0% Coinsurance		
Private Duty Nursing	Not Covered Private Duty Nursing		
Hearing Aid	1 hearing aid or a \$500 hearing aid credit every 36 months		
Dialysis Transportation	Not Covered -Dialysis Transportation		
Dialysis	10% Coinsurance - Dialysis		
Vision	\$0 Copay 1 Pair /12 months		
Dental	Preventive dental covered		
Part B Rx	10% Coinsurance - Part B Drugs/Chemotherapy		
OOP Max	\$8,850 OOP Max		
Rx	\$0;\$5/\$10;\$15/\$40;\$47/23%;25%/33%/\$0 Full Gap Coverage		
Fitness	N/A		

490.66 x

7.2 %

35.32 *

525.98 *

530.74 x

5. %

26.53 *

557.27 *

591.21 x

4.9 %

28.96 *

620.17 *

576.95 x

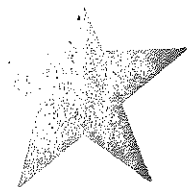
6.4 %

36.92 *

613.87 *

Signature

Date



Meeting of January 9, 2024

Resolution No. 7-2024

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Elizabeth A. Taughman

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated December 8, 2023, requested Town Board authorization for the continuation of the Town's participation in the New York State Health Insurance Program's "Empire Plan" for the period from January 1, 2024 through December 31, 2024, and that funding be based on the current enrollment and the 2024 premium figures, as follows:

35.70% of enrollees have Family coverage at a premium of \$3,367.09 per month (6.02% increase over 2023 rate)

22.90% of enrollees have Single coverage at a premium of \$1,445.66 per month (7.48% increase over 2023 rate)

5.16% of enrollees have Medi-Prime Family w/1 coverage at a premium of \$1,654.92 per month (21.51% increase over 2023 rate)

16.30% of enrollees have Medi-Prime Family w/2 coverage at a premium of \$1,498.01 per month (20.57% increase over 2023 rate)

19.74% of enrollees have Medi-Prime Individual coverage at a premium of \$548.95 per month (15.16% increase over 2023 rate)

.172% of enrollees have COBRA Individual coverage at a premium of \$1,445.66 per month

.120% of enrollees have COBRA Family coverage at a premium of \$3,367.09 per month

0.00% of our enrollees have COBRA Medi-Prime Individual coverage at a premium of \$548.95 per month

There are presently 1,742 enrollees; and

WHEREAS, allowing for an approximate 4.6% increase in the number of enrollees, (equaling 80 additional employees) the total annual premium for the period from January 1, 2024 through December 31, 2024, will be approximately \$44,669,463.84,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby authorizes the continuation of the Town's participation in the Empire Plan, *nunc pro tunc*, for the period from January 1, 2024 through December 31, 2024, at an approximate cost of \$44,669,463.84, with said funds to be drawn from Account No. TWN AMM 9060 80000 000 0000 000; and be it further

Resolution No.7 -2024

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

-#-

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

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

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December 8, 2023

TO: Memorandum Docket

FROM: John Canning, Commissioner
Department of Human Resources

SUBJECT: Continuation of New York State Health Insurance Program
(NYSHIP, a/k/a "Empire Plan") -2024

Pursuant to Town Board Resolution No. 780-2021, adopted on December 7, 2021, the Honorable Town Board authorized continuation of the Town's participation in the Empire Plan through December 31, 2023. It is hereby recommended that this plan be continued an additional twelve (12) months, effective **nunc pro tunc** from January 1, 2024 through December 31, 2024.

It is also recommended that funding be based on the current enrollment and 2024 premium figures, as follows:

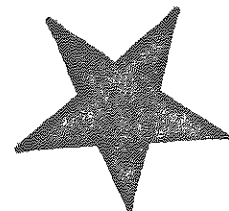
- 35.70% of our enrollees have *FAMILY* coverage at a premium of \$3,367.09 per month. (6.02% increase over 2023 rate)
- 22.90% of our enrollees have *SINGLE* coverage at a premium of \$1,445.66 per month. (7.48% increase over 2023 rate).
- 5.16% of our enrollees have *MEDI-PRIME FAMILY w/1* coverage at a premium of \$1,654.92 per month. (21.51% increase over 2023 rate).
- 16.30% of our enrollees have *MEDI-PRIME FAMILY w/2* coverage at a premium of \$1,498.01 per month. (20.57% increase over 2023 rate)
- 19.74% of our enrollees have *MEDI-PRIME INDIVIDUAL* coverage at a premium of \$548.95 per month. (15.16% increase over 2023 rate)
- 0.172% of our enrollees have *COBRA INDIVIDUAL* coverage, at a premium of \$1,445.66 per month.
- 0.120 % of our enrollees have *COBRA FAMILY* coverage, at a premium of \$3,367.09 per month.
- 0.00% of our enrollees have *COBRA MEDI-PRIME INDIVIDUAL* coverage, at a premium of \$548.95 per month.
- There are presently 1742 enrollees.

Allowing for an approximate 4.6% (80) increase in the number of enrollees, the 2024 total annual premium for the period of January 1, 2024 through December 31, 2024 will be approximately \$44,669,463.84.

Therefore, it is requested that the Empire Plan be continued by the adoption of a resolution on or before the Town Board Calendar of January 9, 2024, as set forth in the 2024 adopted budget, and that payment be made by the Town Comptroller upon receipt of a duly certified Town Claim Form from account no. TWN AMM 9060 80000 000 0000 000.


John Canning, Commissioner
Department of Human Resources

JC: jnc
Attachs.



Department of Civil Service (<https://www.cs.ny.gov>)

The Empire Plan is a unique health insurance plan designed especially for public employees in New York State. Empire Plan benefits include inpatient and outpatient hospital coverage, medical/surgical coverage, Centers of Excellence for transplants, infertility and cancer, home care services, equipment and supplies, mental health and substance abuse coverage and prescription drug coverage.

Participating Agency Monthly Premium Rates for Employers

Empire Plan

January 1, 2024 Rates

PLAN PRIME

Individual \$1,445.66

Family \$3,367.09

MEDIPRIME

Individual Coverage (1 Medicare primary) \$548.95

Family Coverage (1 Medicare primary) \$1,654.92

Family Coverage (2 or more Medicare primary) \$1,498.01

Excelsior Plan

January 1, 2024 Rates

PLAN PRIME

Individual \$1,344.47

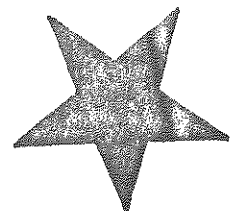
Family \$3,131.42

MEDIPRIME

Individual Coverage (1 Medicare primary) \$510.54

Family Coverage (1 Medicare primary) \$1,539.11

Family Coverage (2 or more Medicare primary) \$1,393.20



Employers are required to contribute a minimum of 50% of the cost for individual coverage and 35% of the cost for dependent coverage (The dependent coverage cost is the difference between the family premium and the individual premium).

Family coverage for NYSHIP plans is for 2 or more covered members.

Plan Prime rates apply to active employees and retirees who are not Medicare primary.

MediPrime rates apply to Medicare primary enrollees and/or their Medicare primary dependents.

Employers are required by Civil Service Law to reimburse Medicare primary enrollees and their enrolled Medicare primary dependents for their cost of the Medicare Part B Premium.

Meeting of January 9, 2024

Resolution No. 8 -2024

WHEREAS, DAMIEN CHIN-SANG has applied for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 5 Dolphin Drive, Massapequa, New York 11758, known and designated as Section 65, Block 213 Lot 51, on the Nassau County Land and Tax Map; and

WHEREAS, Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, by memorandum dated December 4, 2023, stated that Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and requested a calendar date of January 9, 2024, for Town Board action, in connection with the aforementioned application; and

WHEREAS, pursuant to Section 241-9(E)(3) of the Code of the Town of Oyster Bay, Deputy Commissioner Byrne, by said memorandum directed DAMIEN CHIN-SANG, Applicant, to provide an Affidavit of Mailing Notice; and

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

WHEREAS, Julia K. Schneider, AICP, CPESC, Director of TEQR, Department of Environmental Resources, by memorandum dated November 30, 2023, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay Town Code), the Department of Environmental Resources has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act (SEQR), 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such have been predetermined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock application is a Type II Action pursuant to the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c) (12) Type II Actions List; and be it further

RESOLVED, That the application of DAMIEN CHIN-SANG, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 5 Dolphin Drive, Massapequa, New York 11758, known and designated as Section 65, Block 213, Lot 51 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

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TO: MEMORANDUM DOCKET

FROM: SCOTT L. BYRNE, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: DECEMBER 4, 2023

SUBJECT: WATERWAYS REVIEW
DAMIEN CHIN-SANG
5 DOLPHIN DRIVE
MASSAPEQUA, NY 11758
SECTION 65, BLOCK-213, LOT(S) 51
DOCK BUILDING PERMIT APPLICATION # P2311-0384

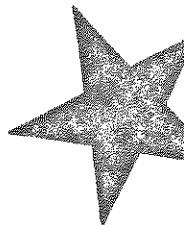
We have received a request from Damien Chin-Sang to "construct a 4' x 125' and 4' x 20' L shaped pier. Install a 12' x 12' boat lift supported by four piles at end of pier. Replace 110' of bulkhead, install two 6' returns. Remove existing 6' x 110' and 6' x 20' piers from property. All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03483/00001 dated July 25, 2023. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. P2311-0384; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03483/00001 dated July 25, 2023, Department of the Army, New York District Corps of Engineers Permit No. NAN-2023-00545-ELO dated October 20, 2023 and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated October 17, 2023. Also attached is a memo from Julia Schneider, Director of TEQR Department of Environmental Resources dated November 30, 2023, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC Permit approval.

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


Pursuant to Section §241-9(E)(3) of the Code of the Town of Oyster Bay, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14



HONORABLE MEMBERS OF THE TOWN BOARD
WATERWAYS REVIEW
DAMIEN CHIN-SANG
5 DOLPHIN DRIVE
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 213, LOT(S) 51
DOCK BUILDING PERMIT APPLICATION # P2311-0384

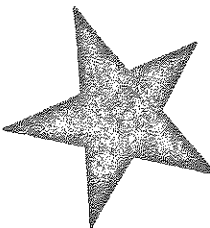
Page 2

days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the January 9, 2024 Town Board calendar to provide the applicant ample time to comply with this requirement.


SCOTT L. BYRNE
DEPUTY COMMISSIONER

SLB/dh
Encls.

cc: Legislative Affairs (2 copies w/ attachments)
cc: Town Attorney's Office, Attn: Dennis Sheehan



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

November 30, 2023

TO: SCOTT BYRNE, DEPUTY COMMISSIONER,
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: JULIA K. SCHNEIDER, DIRECTOR OF TEQR,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT:
REVIEW OF WATERWAY APPLICATION NUMBER P2311-0384
DAMIEN CHIN-SANG


LOCATION: 5 DOLPHIN DRIVE, MASSAPEQUA, NY 11758
SECTION 65, BLOCK 213, LOT(S) 51

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

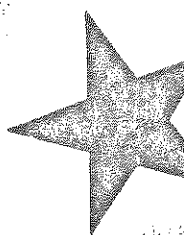
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios,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

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

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


Julia K. Schneider, AICP, CPESC
Director of TEQR

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/5 Dolphin Drive, Massapequa_11.30.23



SECTION 65 BLOCK 213 LOT(S) 51



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

22B11-0384

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

PROPERTY OWNER: Damien Chir-Sang 5 Dolphin Drive Massapequa 11758 [REDACTED]
LESSEE: _____
TENANT: _____
APPLICANT: Janet Moses 2 Whalenek Dr Hickock 11566 [REDACTED]
ARCHITECT: John Weiburg 4046 Hudson Ave Salford N.H. 0307 516-603-5770
CONTRACTOR: KEVEL MARINE 2930 Shore Rd Leafield 11783 516 541 8819
PLUMBER: _____

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

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

TYPE OF BUILDING

A. TYPE OF IMPROVEMENT

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

B. PROPOSED USE

EXISTING _____ PROPOSED _____
1. ONE FAMILY _____
2. TWO FAMILY _____
3. PARENT CHILD _____
4. GARAGE _____
5. BUSINESS _____
6. INDUSTRIAL _____
7. RESTAURANT _____
8. PUBLIC ASSEMBLY _____
9. OTHER 2x12' x 12' x 20' long L-shaped pier

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s)) Remove 6'x10' and 6'x20' pier
(2) returns 12'x12' foot pier. Koles replace no. 6 bulkhead 18" higher

A Disclosure Affidavit needs to be filed with the Application if there is a potential conflict of interest between a property owner, applicant, contractor or other involved party to an Application and any employees or other relationships to the Town of Oyster Bay.

HAVE BOTH AFFIDAVITS NOTARIZED

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

APPLICANT

STATE OF NEW YORK
COUNTY OF NASSAU

Janet Moses being duly sworn, deposes and says: That he/she resides at 2 Whalenek Dr in the State of New York and that he/she is authorized by the Owner Damien Chir-Sang who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponent's own knowledge.
Address: 2 Whalenek Dr Hickock NY 11566
Phone: 516 546 3477
(Sign here) Janet Moses
Sworn to before me this First day of November 2023

Gary W. Moses
Notary Public State of New York
Notary Public/Notary
Qualified in Nassau County
Commission Expires 05/15/2024

STATE OF NEW YORK
COUNTY OF NASSAU

Damien Chir-Sang being duly sworn, deposes and says: That he/she resides at 5 Dolphin Drive in the State of New York and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Janet Moses (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.
(Sign here) [Signature] (owner)
Sworn to before me this First day of November 2023

Gary W. Moses
Notary Public State of New York
Notary Public/Notary
Qualified in Nassau County
Commission Expires 05/15/2024

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

October 17, 2023

Janet Moses - Bulkhead Permits by Gary, Inc
2 Whaleneck Dr,
Merrick, NY
Bulkheadpermits@aol.com

Re: **F- 2023-0691**
U.S. Army Corps of Engineers/ New York District
Permit Application - **NAN-2023-00545-ELO** -
Damien Chin-Sang: Proposes to construct a 4-foot
by 125-foot and 4-foot by 20-foot-long L shape
pier with vinyl thru flow material. Install a 12-foot
by 12-foot boat lift, supported by four (4) piles at
the end of the pier. Replace 110 feet of bulkhead,
install two (2) 6-foot returns, 18 inches higher.
Removal of the existing 6-foot by 110-foot and 6-
foot by 20-foot pier from the property.
Located at 5 Dolphin Drive, on Great South Bay,
Town of Oyster Bay, Nassau County, NY
Letter of Permission / General Concurrence

Dear Matthew Look:

The Department of State received your consistency certification and supporting information regarding the above proposal on September 25, 2023. The proposed activity involves the following components as shown on received plans:

Construct a 4-foot by 125-foot and 4-foot by 20-foot-long L shape pier with vinyl thru flow material. Install a 12-foot by 12-foot boat lift, supported by four (4) piles at the end of the pier. Replace 110 feet of bulkhead, install two (2) 6-foot returns, 18 inches higher. Removal of the existing 6-foot by 110-foot and 6-foot by 20-foot pier from the property.

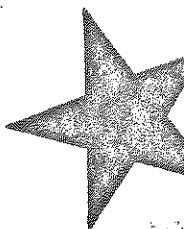
The Department of State received and reviewed a letter from the Army Corps of Engineers dated August 1, 2023 regarding the eligibility of portions of the work to be authorized by the Letter of Permission.

Based upon the submitted information, the Department of State has no objection to the authorization of those elements specified in the Army Corps of Engineers' August 1, 2023 letter by Letter of Permission.

The Army Corps of Engineers has indicated that the following components would be authorized by Nationwide Permits and not be specifically included within the Letter of Permission:



**Department
of State**



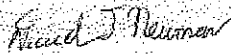
- (1) Under Nationwide General Permit #3 MAINTENANCE: replace 110 feet of bulkhead, install two (2) 6-foot returns, 18 inches higher. Removal of the existing 6-foot by 110-foot and 6-foot by 20-foot pier.

The Department of State has determined that the work that would be authorized under Nationwide Permits #3 (above), meets the Department's general consistency concurrence criteria. Therefore, further review of this portion of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification are not required.

These decisions are with without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, other forms of authorization or approval that may be required pursuant to existing State statutes.

When communicating with us regarding this matter, please contact us at (518) 474 6000 and refer to our file #F-2023-0691

Sincerely,

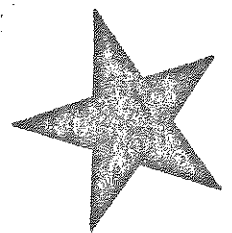


David Newman
Supervisor, Consistency Review Unit
Office of Planning, Development and
Community Infrastructure

DN/bw

ecc: COE/ NY District - Matthew.Look@usace.army.mil
DEC/Region 1: Kevin Kispert (App# 1-2824-03483)

(NAN-2023-00545-ELO)





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

October 20, 2023

REGULATORY BRANCH

SUBJECT: Department of the Army Permit Number NAN-2023-00545
Issued to Damien Chin-Sang

Damien Chin-Sang
5 Dolphin Drive
Massapequa, New York 11758

Dear Mr. Chin-Sang:

We have completed our review of Application Number NAN-2023-00545-ELO.

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

ACTIVITY: Under the Authority of Nationwide Permit 3 MAINTENANCE: Replacement, in-kind and in-place, of 110 feet of bulkhead, and install two (2) 6-foot-long returns. Removal of the existing 6-foot (ft) by 110 ft and 6 ft by 20 ft pier.

By Letter of Permission: Construct a 4 ft by 125 ft and 4 ft by 20 ft vinyl thru flow material L shaped pier supported by twenty-six (26) timber piles. Additionally, construct a 12 ft by 12 ft boatlift at the end of the pier.

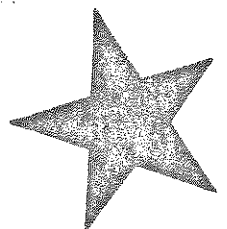
All work shall be done in accordance with the attached plans, subject to Special Conditions A through B, which are hereby made part of this permit.

WATERWAY: Great South Bay

LOCATION: 5 Dolphin Drive, Massapequa, Town of Oyster Bay, Nassau County, New York

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

Based on the information submitted to this office and accomplishment of any required notification in accordance with the applicable federal requirements, our review



PERMITTEE: Damien Chin-Sang
PERMIT NO.: NAN-2023-00545

of the activities listed above under Nationwide Permit Authorization indicates that an individual Department of the Army permit is not required. It appears that the activities

within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Numbers 3 MAINTENANCE in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The nationwide permits are prescribed at Reissuance and Modification of Nationwide Permits in the Federal Register dated December 27, 2021 (86 FR 73522). The subject work may be performed without further authorization from this office provided it complies with Numbers 3 MAINTENANCE; New York District regional conditions; the following work-specific Special Conditions listed below; and any applicable regional conditions added by the State of New York.

Other than the work-specific Special Conditions listed below, the 2021 nationwide general permits in the State of New York, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

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

If you require a specific paper copy, please contact our Regulator-of-the-Day at 917-790-8511 to request one be mailed to you. Please be sure to have the above eighteen-character file number readily available when you call.

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

Stephan A. Ryba
Chief, Regulatory Branch
New York District Corps of Engineers
26 Federal Plaza, Room 16-406
New York, New York 10278-0090

In order for a RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by December 19, 2023. Additionally, send an electronic copy of the RFA form to matthew.look@usace.army.mil. It is not necessary to submit a RFA form to the District Office if you do not object to the permit decision in this letter.

PERMITTEE: Damien Chin-Sang
PERMIT NO.: NAN-2023-00545

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

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

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

If any questions should arise concerning this matter, please contact Matthew Look, of my staff, at matthew.look@usace.army.mil

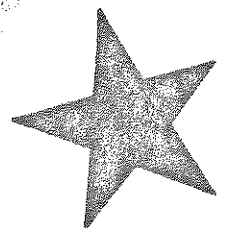
Sincerely,

Rosita Miranda

Digitally signed by
Rosita Miranda
Date: 2023.10.20
10:15:26 -04'00'

FOR AND IN BEHALF OF

Alexander Young
Colonel, U.S. Army
Commander and District Engineer



PERMITTEE: Damien Chin-Sang
PERMIT NO.: NAN-2023-00545

PERMIT CONDITIONS:

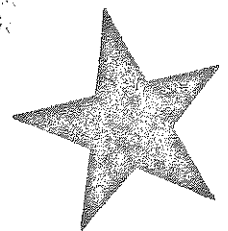
NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office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

GENERAL CONDITIONS:

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

Special Conditions:

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



PERMITTEE: Damien Chin-Sang
PERMIT NO.: NAN-2023-00545

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

Further Information:

1. Limits of authorization.

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

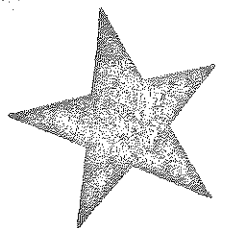
2. Limits to Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

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

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

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

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).

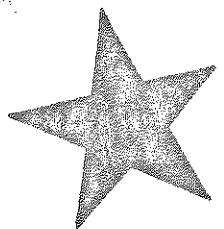


PERMITTEE: Damien Chin-Sang
PERMIT NO.: NAN-2023-00545

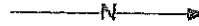
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

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

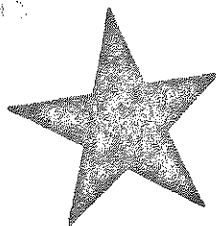
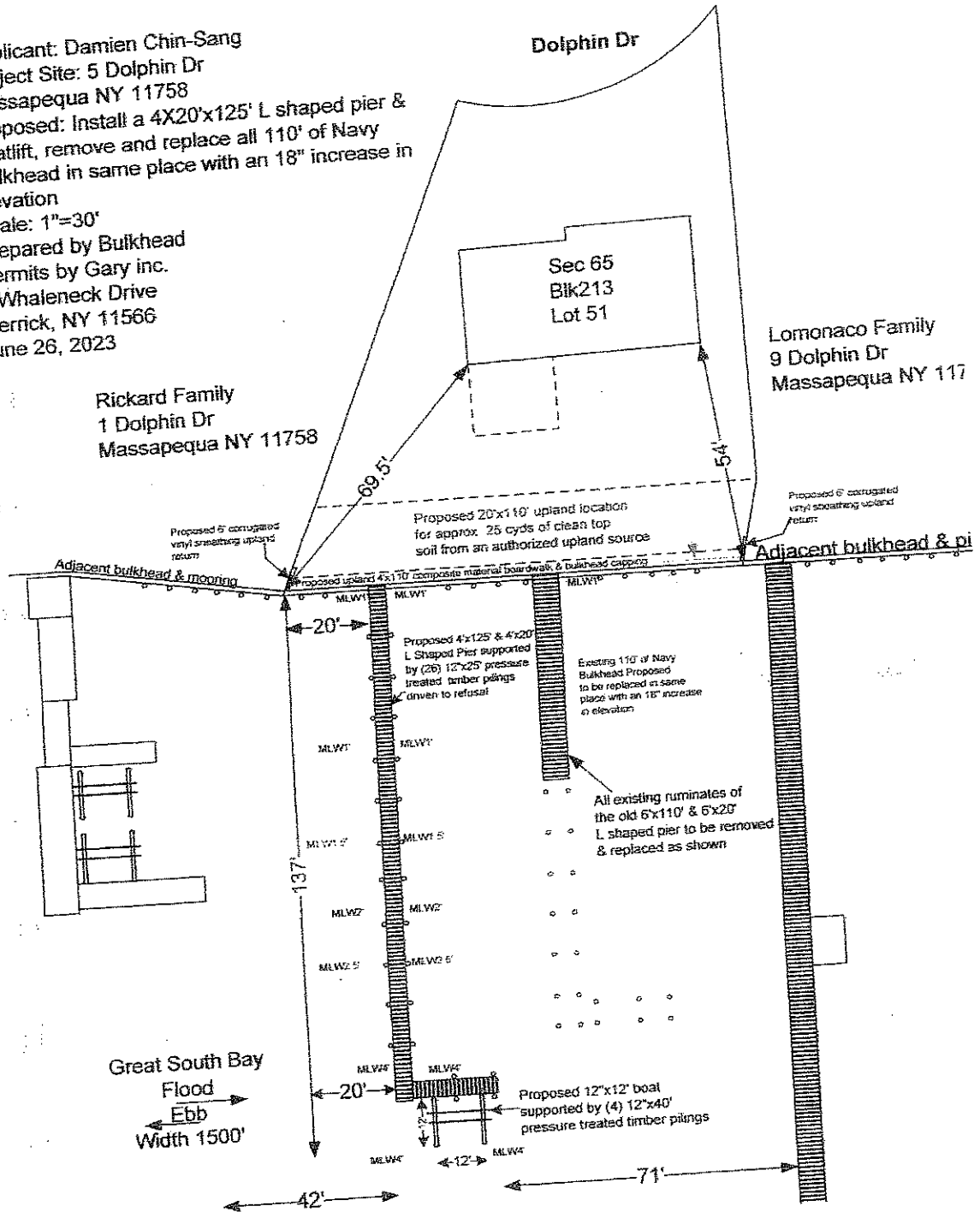
- 5. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable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



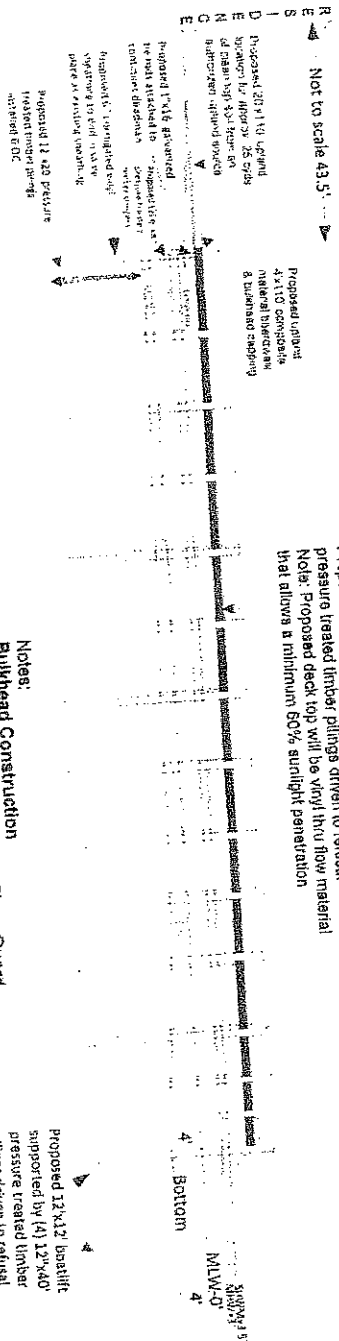
Project Plan



Applicant: Damien Chin-Sang
 Project Site: 5 Dolphin Dr
 Massapequa NY 11758
 Proposed: Install a 4X20'x125' L shaped pier &
 boatlift, remove and replace all 110' of Navy
 Bulkhead in same place with an 18" increase in
 elevation
 Scale: 1"=30'
 Prepared by Bulkhead
 Permits by Gary inc.
 2 Whaleneck Drive
 Merrick, NY 11566
 June 26, 2023



Proposed 4'x20' 4x12's L shaped pier supported by (28) 12"x26 pressure treated timber pilings driven to refusal.
Note: Proposed deck top will be vinyl thru flow material that allows a minimum 50% sunlight penetration



Notes:

Bulkhead Construction

1. Bulkhead Sheathing will be Shore Guard 425 or approved equivalent.
2. Contractor shall field fit mooring piles and sheathing as shown on plan. Slight modification may be made to avoid conflict with tie rods and culverts.
3. Anchoring hardware, nails and bolts shall be hot dip galvanized.
4. Sheet pile length minimum 18' in length.
5. Galvanized or stainless steel bolt heads and nuts will be used with cut washers.
6. Timber will be pressure treated marine grade.

Perpetration

1. Existing bulkhead removed new bulkhead installed with an 18" increase in elevation prior to dredging and back fill to prevent a return flow into waterway during construction.

Bulkhead Installation

1. Piling installed 8' OC and will be driven to depth shown on the typical section or refusal pilings will be minimum 12'x20' length & diameter. Installed 8'OC, with (2) 6"x8" support walers min. 2. Virtual refusal is defined as ten blows per inch with an approved pile hammer. (By Geotechnical Engineer)
3. Sheet pilings shall be driven vertical to form a continuous bulkhead with horizontal tolerance of 2% of plumb length measured along the pile
4. For sheet piles a vibratory hammer to drive to specified depth may be used

Lumber Specifications

1. Fb- 1700 PSI; E=1,800,000 PSI
2. Preservation Treatment: Comply with AWPA Standards for Marine-Salt Water piles with a minimum wet retention of 2.5 CCA for AWPA Category UC5A, and UC5C exposures. Testing of retention by the gauge method will be acceptable.

Applicant: Damien Chin-Sang
Project Site: 5 Dolphin Dr
Massapequa NY 11758
Proposed: Install a L shaped 4X20&4X12's pier & boat lift, replaced all 110' of Navy Bulkhead, in same place, with an 18" increase in elevation
Scale: 1"=20'
Prepared by Bulkhead
Permits by Gary Inc.
2 Whalenek Drive
Merrick, NY 11566
June 2, 2023

North

West

East

South Oyster Bay

Project site

Public Street

Applicant: Damien Chin-Sang

South

Project Site: 5 Dolphin Dr

Massapequa NY 11758

Proposed: Replace all 4X20'x125'

L shaped pier & all 110' of Navy Bulkhead

in same place with an 18" increase in elevation

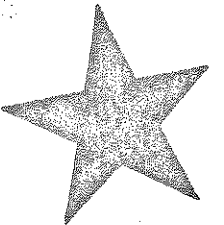
Prepared by Bulkhead

Permits by Gary Inc.

2 Whaleneck Drive

Merrick, NY 11566

Latitude, Longitude
40°39'26.14"N 73°28'22.84"W



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Damien Chin-Sang		File Number: NAN-2023-00545	Date: October 20, 2023
Attached is:		See Section below	
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramsandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

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

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

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

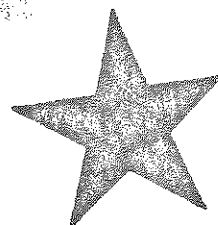
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the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

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

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

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

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



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

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

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

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

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

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

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

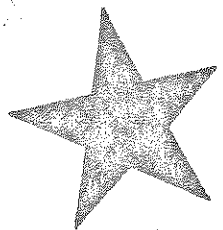
Mr. Andrew Dangler
Regulatory Appeals Review Officer
U.S. Army Corps of Engineers
North Atlantic Division - Fort Hamilton
301 John Warren Avenue - First Floor
Brooklyn, New York 11252-6700
Telephone number: 518-4870215

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

Signature of appellant or agent.

Date:

Telephone number:





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

CENAN-OP-R

IMPORTANT

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

Permittee: Damien Chin-Sang Permit No. NAN-2023-00545

Date Permit Issued October 20, 2023 Expiration Date: October 20, 2026

Waterway: Great South Bay

Project Location: 5 Dolphin Drive, Massapequa, Oyster Bay, Nassau County, New York

Work will commence on or about: _____

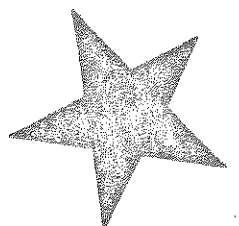
Name, Address & Telephone Number of Contractor: _____

Signature of Permittee Date

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

Place Stamp Here

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



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

07/25/2023

Damien Chin-Sang
5 Dolphin Drive
Massapequa NY 11758

Re: Application #1-2824-03483/00001
Chin-Sang Property - 5 Dolphin Drive
NCTM# 65-213-51

Dear Permittee:

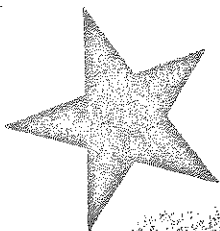
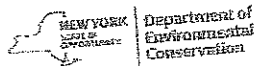
In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the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

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

Sincerely,

Kevin Kispert
Environmental Analyst III

cc: Janet Moses
MHP
File



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
DAMEN CHIN-SANG
5 DOLPHIN DR
MASSAPEQUA, NY 11758

Facility:
CHIN-SANG PROPERTY
5 DOLPHIN DR#65-213-51
MASSAPEQUA, NY 11758

Facility Application Contact:
JANET MOSES
2 WHALENECK DR
MERRICK, NY 11566

Facility Location: in OYSTER BAY in NASSAU COUNTY

Facility Principal Reference Point: NYTM-E: 628.995 NYTM-N: 4501.109
Latitude: 40°39'02.8" Longitude: 73°28'27.3"

Project Location: 5 Dolphin Dr Massapequa

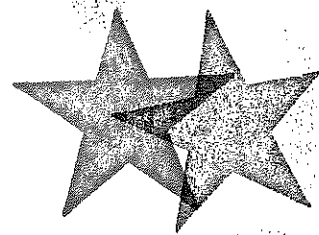
Authorized Activity: Remove and replace 110' of existing, functional bulkhead in place. Install two 6' returns, 4'x110' boardwalk and bulkhead capping. Backfill 20'x110' upland area. Construct 4'x20' & 4'x125' L shaped pier and 12'x12' boat float. Existing dilapidated pier will be removed. All authorized activities shall be done in strict conformance with the attached plans by Bulkhead Permits by Gary, Inc on 06/26/2023 and crossview last revised on 06/02/2023, both stamped "NYSDEC Approved" on 07/25/2023. SAS

Permit Authorizations

Tidal Wetlands - Under Article 25
Permit ID 1-2824-03483/00001
New Permit

Effective Date: 7/25/2023

Expiration Date: 7/24/2028



NYSDEC Approval

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

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

Date 7/1/23

Authorized Signature: _____

Distribution List

JANET MOSES
Bureau of Marine Habitat Protection
Stephanie Sforza
File

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

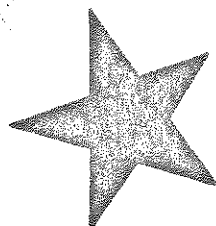
Permit Attachments

Site Plan
Crossview of Site Plans

6/26/2023
6/2/2023

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

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Bulkhead Permits by Gary, Inc on 06/26/2023 and crossview last revised on 06/02/2023, both stamped "NYSDEC Approved" on 07/25/2023.



2. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

3. Notice of Commencement At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.

4. No Construction Debris in Wetland or Adjacent Area Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.

5. Materials Disposed at Upland Site Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.

6. No Disturbance to Vegetated Tidal Wetlands There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.

7. Storage of Equipment, Materials The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.

8. Clean Fill Only All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).

9. Grade to Match That Adjacent to Bulkhead All fill must be graded to match the elevation of the land immediately adjacent to the bulkhead.

10. Backfilling All peripheral berms, cofferdams, rock revetments, seawalls, gabions, bulkheads or other approved shoreline stabilization structures shall be completed prior to placement of any fill material behind such structures.

11. Bulkhead Height The new bulkhead height shall not exceed the height of the adjacent bulkheads.

12. No Seaward Extension of Bulkhead The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.

13. Replacement Bulkhead Maximum Height The top elevation of the replacement bulkhead shall be no more than 18 inches higher than the existing bulkhead.

14. No Structures on Bulkhead No permanent structures shall be installed on the authorized bulkhead without first obtaining written department approval (permit, modification, amendment).

15. Excavation for Bulkhead/Structure Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.

16. **No Runoff Over or Through Bulkhead or into Wetland** There shall be no discharge of runoff or other effluent over or through any bulkhead or shoreline stabilization structure or into any tidal wetland or protected buffer area.

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

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

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

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

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

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

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

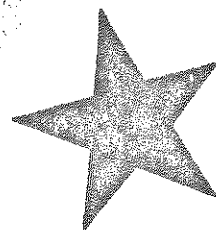
24. **No Permanent Structures on Dock** No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).

25. **Docks at Property Lines** Docks/catwalks/floats must not:

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

26. **Pilings at Property Lines** Pilings shall not:

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



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

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

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

29. Area of Disturbance for Structures Disturbance to the natural vegetation or topography greater than 25 feet seaward of the approved structure is prohibited.

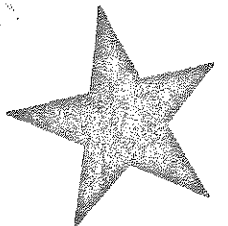
30. Disposal Locations All excavated material shall be appropriately disposed of as per the project plan with minimal disturbance and/or impact to vegetated marsh areas. Disposal of excess material beyond the approved project site will require further written approval from the Department (permit, modification,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

31. Activities Consistent with Approved Plans All activities and marsh alterations must be consistent with the approved plan. Activities or alterations beyond the scope of the approved project and/or not explicitly authorized by the permit will require further written approval of the Regional Habitat - TW office prior to commencement.

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

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

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



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

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

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

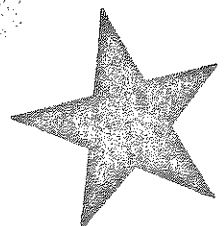
GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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

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

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

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



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

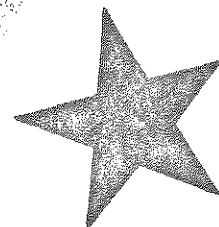
Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook 50 Circle Rd
Stony Brook, NY 11790 -3409

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

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

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

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



NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

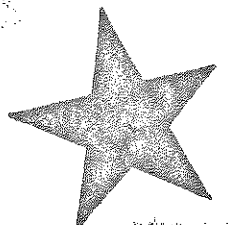
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



Project Plan

Applicant: Damien Chin-Sang
 Project Site: 5 Dolphin Dr
 Massapequa NY 11758
 Proposed: Install a 4X20'x125' L shaped pier &
 atlift, remove and replace all 110' of Navy
 bulkhead in same place with an 18" increase in
 elevation.

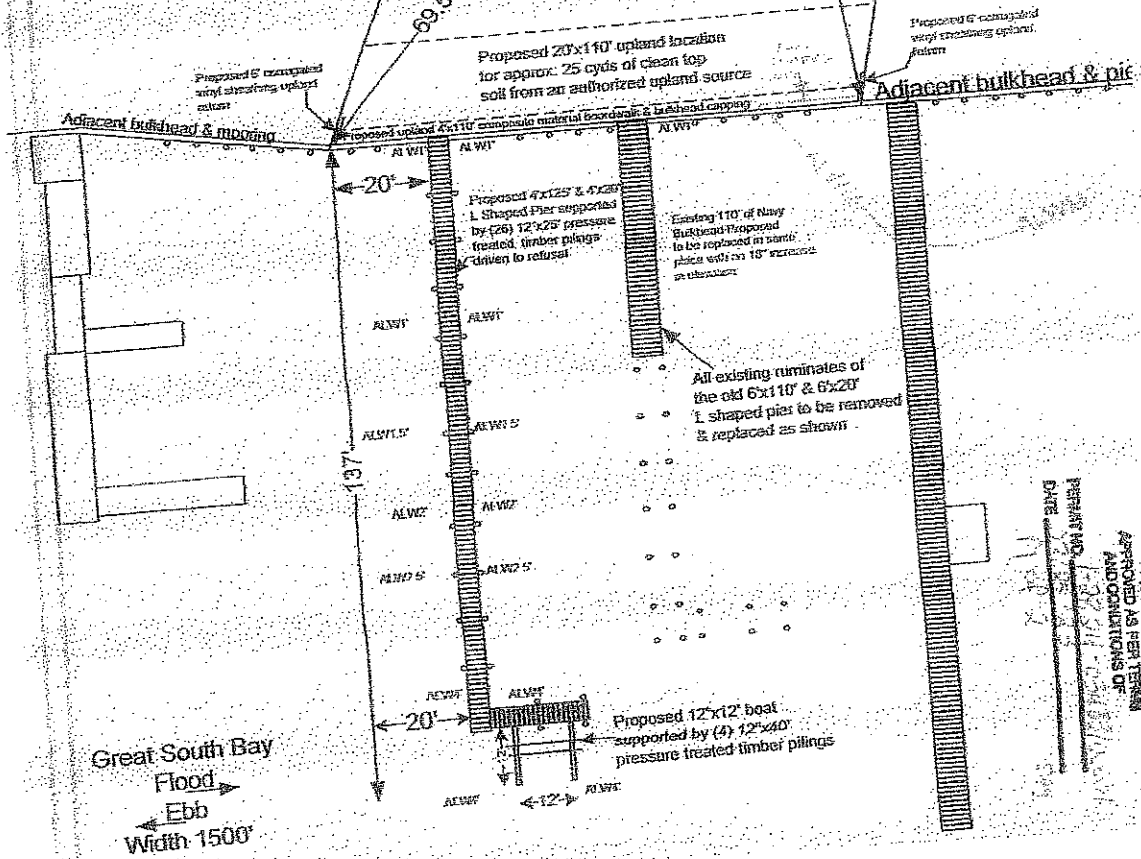
Scale: 1"=30'
 Prepared by Bulkhead
 Permits by Gary Inc.
 Whalenack Drive
 Merrick, NY 11566
 Date: 06/26/2023

Rickard Family
 1 Dolphin Dr
 Massapequa NY 11758

Dolphin Dr

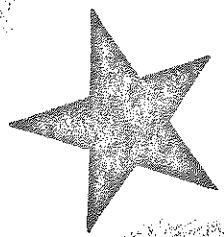
Sec 65
 Blk 213
 Lot 51

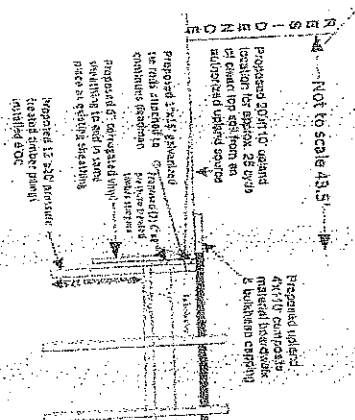
Lomonaco Family
 9 Dolphin Dr
 Massapequa NY 117



PERMIT NO. 123456789
 DATE 06/26/2023
 APPROVED AS PER TERMS
 AND CONDITIONS OF
 NYSD&C

Great South Bay
 Flood
 Ebb
 Width 1500'





فصل

ABM+3
ALW-0
4
Bottom
4

Bulkhead Construction

1. Bulkhead Sheathing will be Shore Guard 425 or approved equivalent.
2. Contractor shall field fit mooring piles and sheathing as shown on plan. Slight modification may be made to avoid conflict with tie rods and clippers
3. Anchoring hardware, nails and bolts shall be hot dip galvanized
4. Sheet pile length minimum 16' in length
5. Galvanized or stainless steel bolt heads and nuts will be treated with oil washers
6. Timber will be pressure treated marine grade.

1. Pillings installed 6" O

1. Piling installed 6' OC and will be driven to depth shown on the typical section or refusal piling will be minimum 12'x20' length & diameter. Installed 6'OC, with (2) 8"x8" support whalers min.
2. Virtual refusal is defined as ten blows per inch with an approved pile hammer. (By Geotechnical Engineer)
3. Sheet piling shall be driven vertical to form a continuous bulkhead with horizontal tolerance of 2% of piling length.
4. For sheet piles a vibratory hammer to drive to specified depth may be used.

1. E_h=1700 PSI; E=1,800,000 PSI

2. Preservation Treatment: Comply with AWWA Standards for Marine-Salt Water pipes with a minimum wet-tension of 2.5 CCA for AWWA Category UC5A, and UC5C exposures. Testing of the marine method will be acceptable.

NYSD DO
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO. 1-2884-03/13/0000
DATE 07/31/03 SMS

NOTICE OF COMMENCEMENT OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE
Marine Habitat Protection - NYSDEC
SUNY at Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409

Or Fax to: 631-444-0272
E-Mail: dec.sm.R1MHP-BEH@dec.ny.gov

PERMIT NUMBER: _____ EXPIRATION DATE: _____

PERMITTEE NAME & PROJECT ADDRESS: _____

CONTRACTOR NAME & ADDRESS: _____

TELEPHONE: _____

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

PERMITTEE: _____ DATE: _____

CONTRACTOR: _____ DATE: _____

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

Cut along this line X X X X X X X X

NOTICE OF COMPLETION OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE
Marine Habitat Protection - NYSDEC
50 Circle Road
Stony Brook, NY 11790-3409

Or Fax to: 631-444-0272
E-Mail: dec.sm.R1MHP-BEH@dec.ny.gov

PERMIT NUMBER: _____ EXPIRATION DATE: _____

PERMITTEE NAME & PROJECT ADDRESS: _____

CONTRACTOR NAME & ADDRESS: _____

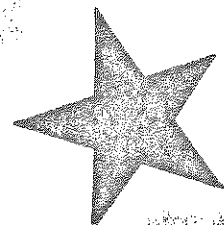
TELEPHONE: _____

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

PERMITTEE: _____ DATE: _____

CONTRACTOR: _____ DATE: _____

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





Department of
Environmental
Conservation

NOTICE

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

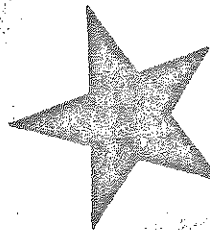
Regional Permit Administrator
SHERRI AICHER

Permit Number: 1-2824-03483/00001

NYSDEC Region 1 Environmental Permits
50 Circle Road
Stony Brook, NY 11790-3409
Email: dep.r1@dec.ny.gov

Expiration Date: 07/24/2028

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



**SURVEY OF
LOT 51
MAP OF
MASSAPEQUA SHORES, SECTION No. 4**

FILE No. 8342 FILED JANUARY 26, 1955

SITUATE

MASSAPEQUA

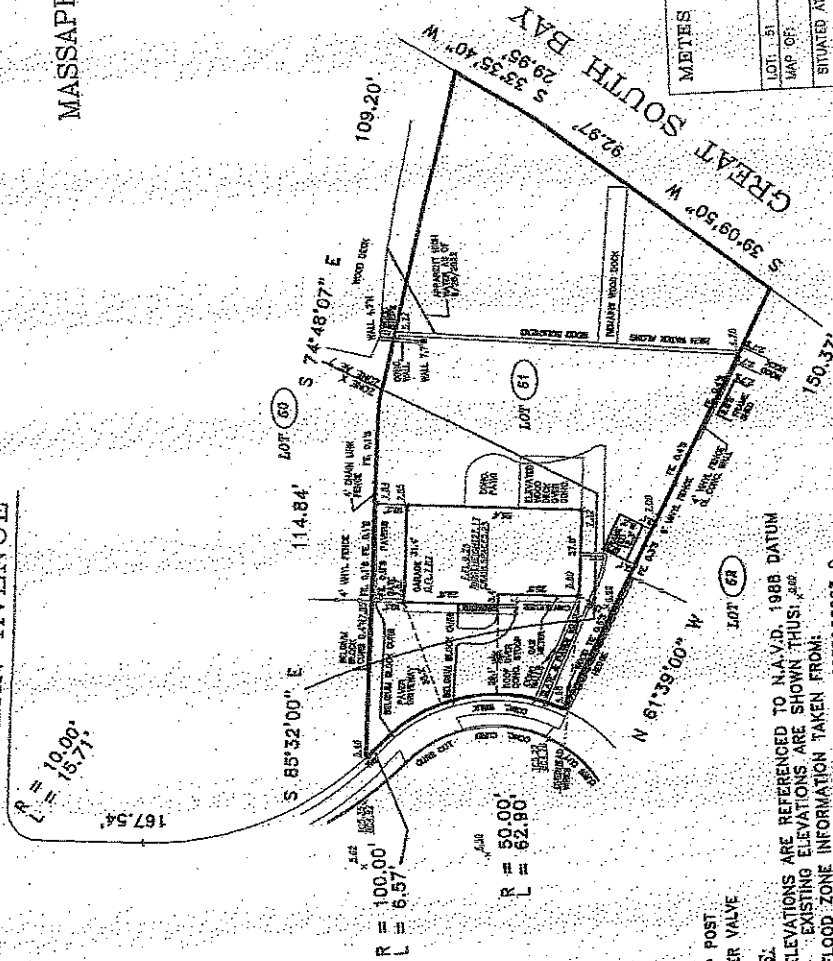
TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
N.C. TAX No. 65-213-51

SCALE 1"=30'
JUNE 28, 2022

AREA = 15,636.9 sq. ft.
0.352 ac.

OCEAN AVENUE

DOLPHIN DRIVE



1. LAMP POST
2. WATER VALVE

NOTES.

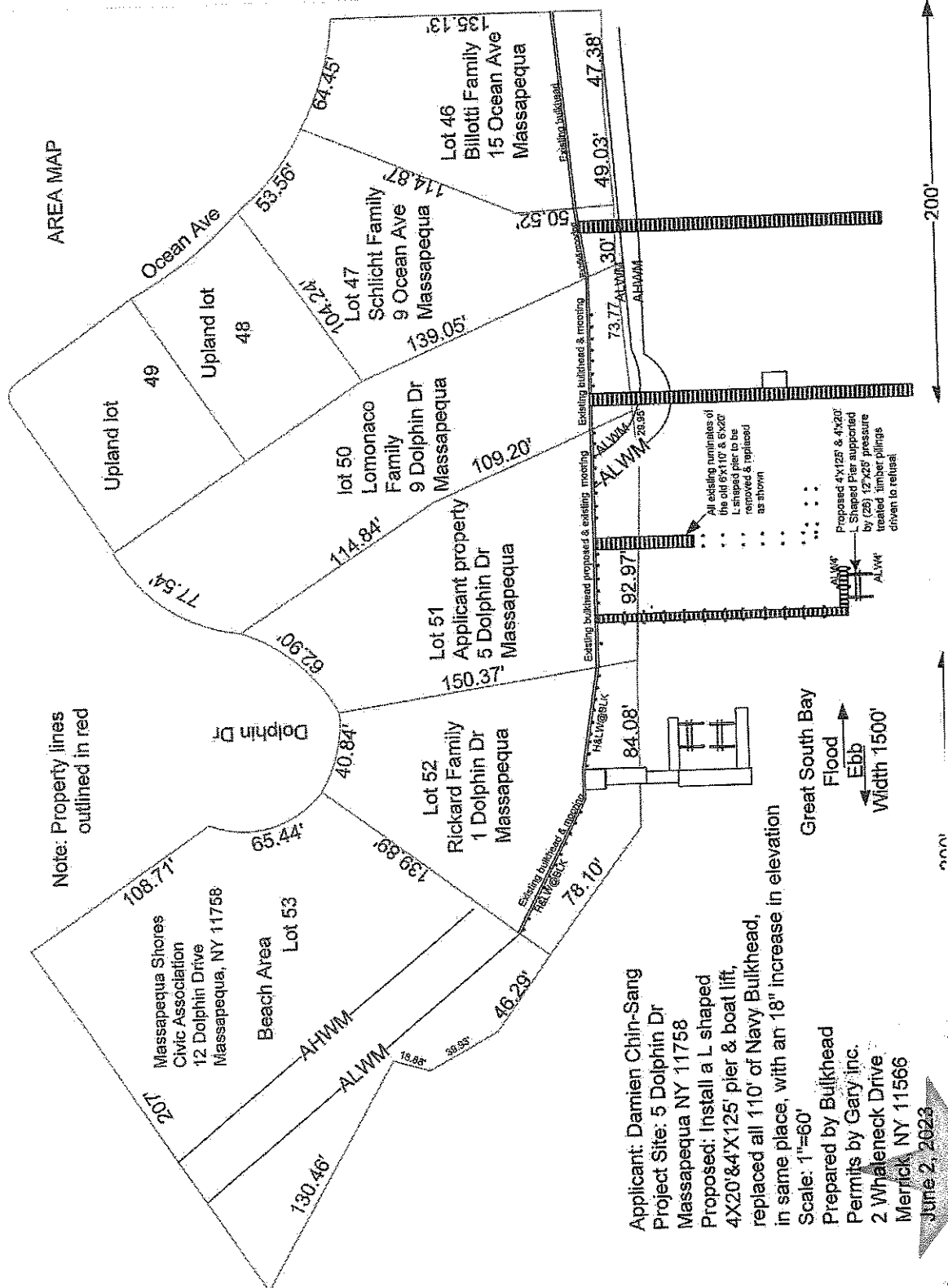
1. ELEVATIONS ARE REFERENCED TO N.A.V.D. 1988 DATUM. EXISTING ELEVATIONS ARE SHOWN THUS: ELEV .
2. FLOOD ZONE INFORMATION TAKEN FROM:
FLOOD INSURANCE RATE MAP No. 58059C0283 G
ZONE X: AREA OF MINIMAL FLOOD HAZARD
ZONE AE: BASE FLOOD ELEVATIONS DETERMINED
ELEVATION = 7

NOTE: LOCATIONS AND ELEVATIONS OF ALL
EXISTING UTILITIES SHOWN ARE NOT GUARANTEED
BY ANY MEANS.

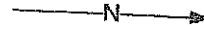
METES AND BOUNDS SURVEYING	
S.S. POSTER DRIVE SITUATE IN LOT 51 PHONE (516) 972-8812 www.southcoastonline.net	
LOT: 51	BLOCK: 213 SECTION: 60
MAP OF: MASSAPEQUA SHORES, SECTION No. 4	
SITUATED AT: MASSAPEQUA TOWN OF OYSTER BAY, NASSAU CO., N.Y.	
CERTIFIED TO	JOB NO.: 22-242 DATE: JUNE 28, 2022

Note: Property lines outlined in red

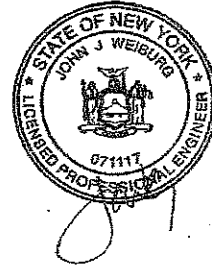
Note: Property lines outlined in red



Project Plan

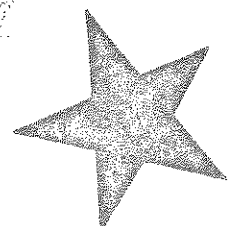
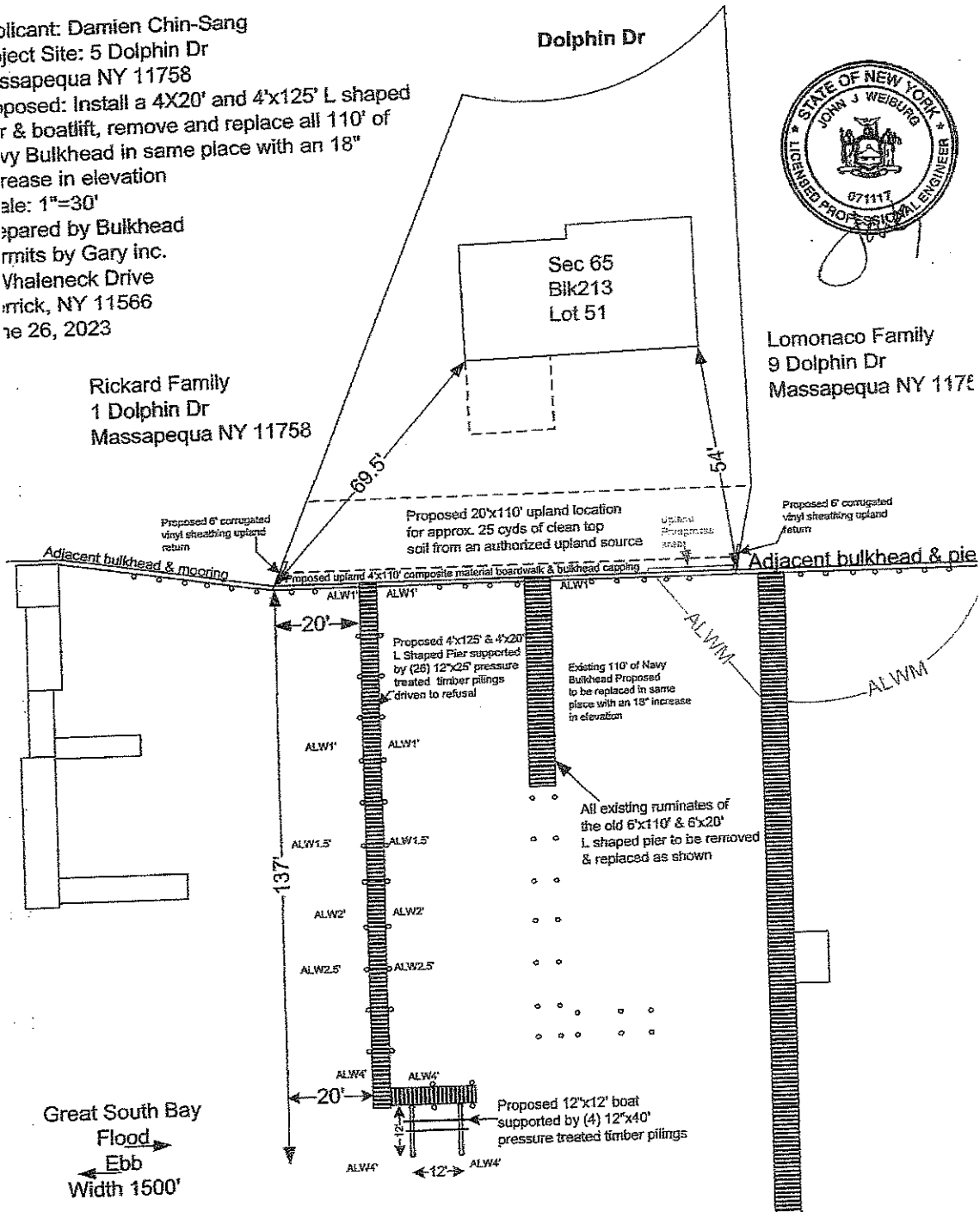


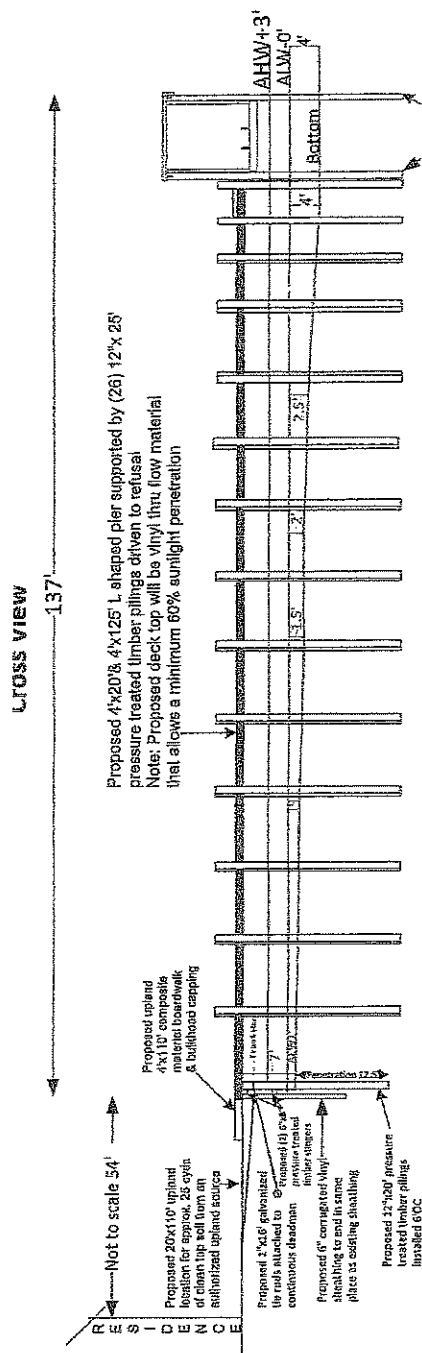
Applicant: Damien Chin-Sang
 Project Site: 5 Dolphin Dr
 Massapequa NY 11758
 Proposed: Install a 4x20' and 4x125' L shaped
 pier & boatlift, remove and replace all 110' of
 Navy Bulkhead in same place with an 18"
 increase in elevation
 Scale: 1"=30'
 Prepared by Bulkhead
 Permits by Gary Inc.
 Vhaleneck Drive
 Hicksville, NY 11566
 Date: 06/26/2023



Lomonaco Family
 9 Dolphin Dr
 Massapequa NY 11758

Rickard Family
 1 Dolphin Dr
 Massapequa NY 11758





Proposed 4'x20'8, 4'x125' L shaped pier supported by (26) 12"x25' pressure treated timber pilings driven to refusal
Note: Proposed deck top will be vinyl thru flow material that allows a minimum 60% sunlight penetration

Note: Proposed deck top will be vinyl thru flow material that allows a minimum 60% sunlight penetration

Notes:

Bulkhead Construction

1. Bulkhead Sheathing will be Shore Guard 425 or approved equivalent.
2. Contractor shall field fit mooring piles and sheathing as shown on plan. Slight modification may be made to avoid conflict with tie rods and culverts
3. Anchoring hardware, nails and bolts shall be h
4. Sheet pile length minimum: 16' In length
5. Galvanized or stainless steel bolt heads and n
6. Used with cut washers
6. Timber will be pressure treated marine grade

Preparation

1. Existing bulkhead removed; new bulkhead installed with an 18" increase in elevation prior to dredging and back fill to prevent a return flow into waterway during construction.

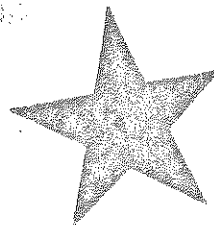
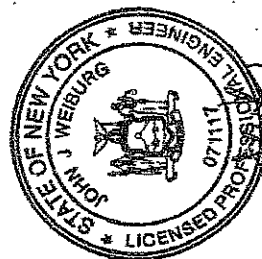
Bulkhead Installation

1. Piling installed 6' OC and will be driven to depth shown on the typical section or refusal piling will be minimum 12"x20" length & diameter, installed 6'OC. with (2) 6"x8" support whalers min.
2. Virtual refusal is defined as ten blows per inch with an approved pile hammer. (By Geotechnical Engineer)
3. Sheet piling shall be driven vertical to form a continuous bulkhead with horizontal tolerance of 2% of plumb length measured along the pile
4. For sheet piles a vibratory hammer to drive to specified depth may be used

Applicant: Damlen Chin-Sang
Project Site: 5 Dolphin Dr
Massapequa NY 11758

Proposed: Install a L shaped 4X20'x4'X125' pier & boat lift, replace all 110' of Navy Bulkhead, in same place, with an 18" increase in elevation
Scale: 1"=20'

Prepared by Bulkhead
Permits by Gary Inc.
2 Whaleneck Drive
Merrick, NY 11566
June 2, 2023



WHEREAS, ROBERT M. RENDA has applied for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 295 West Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 65 Lot 250, on the Nassau County Land and Tax Map; and

WHEREAS, Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, by memorandum dated December 4, 2023, stated that Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and requested a calendar date of January 9, 2024, for Town Board action, in connection with the aforementioned application; and

WHEREAS, pursuant to Section 241-9(E)(3) of the Code of the Town of Oyster Bay, Deputy Commissioner Byrne, by said memorandum directed ROBERT M. RENDA, Applicant, to provide an Affidavit of Mailing Notice; and

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

WHEREAS, Julia K. Schneider, AICP, CPESC, Director of TEQR, Department of Environmental Resources, by memorandum dated November 30, 2023, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay Town Code), the Department of Environmental Resources has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act (SEQR), 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such have been predetermined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock application is a Type II Action pursuant to the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c) (12) Type II Actions List; and be it further

RESOLVED, That the application of ROBERT M. RENDA, to erect, maintain, alter or improve a dock, pier, bulkhead or similar structure, at 295 West Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 65, Lot 250 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

9

TO: MEMORANDUM DOCKET

FROM: SCOTT L. BYRNE, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: DECEMBER 4, 2023

SUBJECT: WATERWAYS REVIEW
ROBERT M. RENDA
295 WEST SHORE DRIVE
MASSAPEQUA, NY 11758
SECTION 66, BLOCK 65, LOT(S) 250
DOCK BUILDING PERMIT APPLICATION # P2311-0379

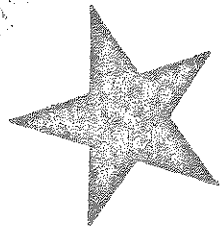
We have received a request from Robert M. Renda to "Install 3' x4' access platform and 2-pile elevator lift along existing bulkhead". All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-02042/00014 dated November 9, 2023. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. P2311-0379; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-02042/00014 dated November 9, 2023, Department of the Army, New York District Corps of Engineers letter dated January 2022 and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated December 10, 2020. Also attached is a memo from Julia Schneider, Director of TEQR Department of Environmental Resources dated November 30, 2023, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC Permit approval.

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

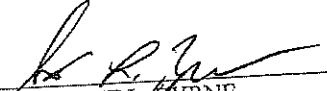
Pursuant to Section §241-9(E)(3) of the Code of the Town of Oyster Bay, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the



HONORABLE MEMBERS OF THE TOWN BOARD
WATERWAYS REVIEW
ROBERT M. RENDA
295 WEST SHORE DRIVE
MASSAPEQUA, NY 11758
SECTION 66, BLOCK 65, LOT(S) 250
DOCK BUILDING PERMIT APPLICATION # P2311-0379

Page 2

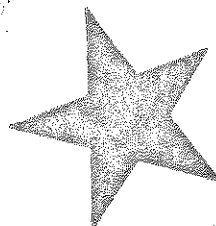
cost of same. Therefore, I respectfully request that this application be put on the agenda for the January 9, 2024 Town Board calendar to provide the applicant ample time to comply with this requirement.


SCOTT L. BYRNE
DEPUTY COMMISSIONER

SLB/dh
Encls.

cc: Legislative Affairs (2 copies w/ attachments)
cc: Town Attorney's Office, Attn: Dennis Sheehan

RW



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

November 30, 2023

TO: SCOTT BYRNE, DEPUTY COMMISSIONER,
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: JULIA K. SCHNEIDER, DIRECTOR OF TEQR,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT:
REVIEW OF WATERWAY APPLICATION NUMBER P2311-0379
ROBERT M. RENDA

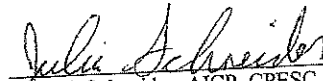
LOCATION: 295 W. SHORE DRIVE, MASSAPEQUA, NY 11758
SECTION 66, BLOCK 65, LOT(S) 250

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

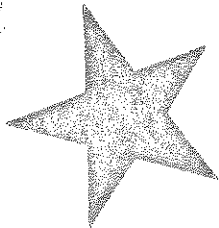
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios,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

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

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


Julia K. Schneider, AICP, CPESC
Director of TEQR

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/295 W. Shore Drive, Massapequa_11.30.23



SECTION 66 BLOCK 65 LOT(S) 250



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

92311-0379

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Street Address Post Office Zip Phone #
PROPERTY OWNER: Robert M. Renda 295 West Shore Drive Massapequa, NY 11758
LESSEE
TENANT:
APPLICANT: Shore Solutions Inc. - Donna Myers 32 Lincoln Ave. Massapequa NY 11758 516-816-4163
ARCHITECT: PR Consulting Engineers PC - Paul Barroca 147 Glen St. 2nd Floor Glen Cove NY 516-790-4583
CONTRACTOR: Bayview Dock Building Corp. 42 Mariners Circle West Islip, NY 11795 631-422-0943
PLUMBER: NA
ELECTRICIAN: NA

ADDRESS OF CONSTRUCTION: NO. & STREET POST OFFICE ZIP CODE
IF DIFFERENT FROM ABOVE
LOCATION OF PROPERTY: N.E.S.W. SIDE OF West Shore Drive 670 FEET
N.E.S.W. OF Seminole Avenue Massapequa
OR (STREET) (POST OFFICE)
N.E.S.W. OF corner of and (STREET) (POST OFFICE)

CHECK HERE IF REQUESTING A WAIVER OF THE RECENT SURVEY REQUIREMENT (SEE INSTRUCTIONS FOR FURTHER INFO).

TYPE OF BUILDING
A. TYPE OF IMPROVEMENT B. PROPOSED USE
EXISTING PROPOSED X EXISTING PROPOSED X
1. NEW BUILDING/STRUCTURE
2. ADDITION/EXTENSION
3. ALTERATION (i.e. Garage Conv.)
4. DECK
5. AWNING/ROOF-OVER
6. CELLAR ENTRANCE
7. REISSUE #
8. OTHER
1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s)) Install 12.75' x 9' wide elevator boat lift on two new piles off bulkhead in canal.

CHECK HERE IF TREES ARE BEING REMOVED ON THE PROPERTY. IF SO, A TREE PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PARKS. PLEASE CALL (516) 797-7956 FOR FURTHER INFORMATION.

HAVE BOTH AFFIDAVITS NOTARIZED

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

APPLICANT

STATE OF NEW YORK
COUNTY OF NASSAU

ss:

Donna Myers - Shore Solutions Inc. being duly sworn, deposes and says: That he/she resides at 32 Lincoln Ave in the State of NY in the hamlet of Massapequa and that he/she is authorized by the Owner Robert M. Renda who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponent's own knowledge.
Address: 32 Lincoln Ave. Massapequa, NY 11758
Phone: 516-816-4163

(Sign here) *Donna Myers*
Sworn to before me this 30 day of September, 2023

[Signature]
NOTARY PUBLIC
JENNIFER A. MARRAS
Notary Public - State of New York
NO. 01876248895
Qualified in Nassau County
My Commission Expires 9-19-27

STATE OF NEW YORK
COUNTY OF NASSAU

OWNER

ss:

Robert M. Renda being duly sworn, deposes and says: That he/she resides at 295 West Shore Drive in the hamlet of Massapequa in the State of NY and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Donna Myers - Shore Solutions Inc. (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.

(Sign here) *Robert M. Renda* (owner)
Sworn to before me this 30 day of September, 2023

[Signature]
NOTARY PUBLIC
THERESA ANN MARRAS
Notary Public - State of New York
NO. 01MA6219711
Qualified in Nassau County
My Commission Expires 3/09/26

(Rev. 03/13/2021)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

November 9, 2023

Robert Renda
295 W. Shore Drive
Massapequa, NY 11758

Re: Permit ID 1-2824-02042/00014
Renda Property
295 W. Shore Drive
Massapequa
Expiration Date: 11/8/2028


Dear Permittee:

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

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

Please be advised that this permit does not relieve you of the responsibility of obtaining any necessary permits or approvals from local municipalities or other agencies.

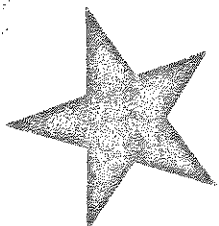
Sincerely,


Matthew R. Penski
Environmental Analyst

Distribution List:
Shore Solutions Inc.
BMHP
File



Department of
Environmental
Conservation





PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
ROBERT RENDA
295 W SHORE DR
MASSAPEQUA, NY 11758

Facility:
RENDA PROPERTY
295 W SHORE DR | 66-65-250
MASSAPEQUA, NY 11758

Facility Application Contact:
SHORE SOLUTIONS INC
32 LINCOLN AVE
MASSAPEQUA, NY 11758
(516) 816-4163

Facility Location: in OYSTER BAY in NASSAU COUNTY
Facility Principal Reference Point: NYTM-E: 631.446 NYTM-N: 4501.464
Latitude: 40°39'12.9" Longitude: 73°26'42.7"

Project Location: Canal #10

Authorized Activity: Install a 3' x 4' access platform and 2-pile elevator lift along the existing bulkhead. All work shall be done in conformance with the plans by Shore Solutions Inc. on 9/20/2023 and stamped NYSDEC Approved on 11/9/2023. ARNO-DEP

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-02042/00014

New Permit

Effective Date: 11/9/2023

Expiration Date: 11/8/2028

NYSDEC Approval

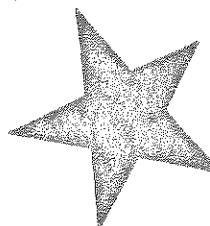
By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

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

Authorized Signature: _____

Sherry L. Aicher

Date: 11/9/2023



Distribution List

SHORE SOLUTIONS INC
Marine Habitat Protection
Environmental Permits

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

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

1. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
2. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Shore Solutions Inc. on 9/20/2023 and stamped NYSDEC Approved on 11/9/2023.
4. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.
5. **Boat Lifts at Property Lines** Boat lift/davit shall not:
 - a. extend laterally beyond property lines,
 - b. interfere with navigation, or
 - c. interfere with other landowners riparian rights.
6. **Installation of Boat Elevator Lift** The 2-pile boat elevator lift must be installed less than 25 percent of the canal width, as shown on the DEC stamped approved plans.



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

8. Wood Preservatives

- a. Pressure treated wood used for construction of in-water structures must have undergone a treatment process approved (stamped or otherwise marked as certified) by the American Wood Preservative Association.
- b. Wood treated with Pentachlorophenol (PCP) must not be used in marine or brackish waters. Wood treated with PCP must be aged in the open air for at least three months prior to in-water use.
- c. The use of creosote treated wood is prohibited both in the water and upland areas.
- d. Chromated Copper Arsenate (CCA) pressure treated wood must be clean and free of CCA surface deposits. Wood with surface deposits must be washed for at least 5 minutes under running water prior to use. The washing must occur greater than 100 feet landward of any regulated wetland and/or water body. (Note "E." below for handling wash water.)
- e. Any wood debris such as sawdust or wash water must not enter any water body, including wetlands or protected buffer areas.

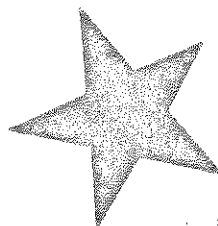
9. No Floats This permit does not authorize the installation of floats.

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

11. Materials Disposed at Upland Site Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.

12. No Construction Debris in Wetland or Adjacent Area Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.

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





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

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

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

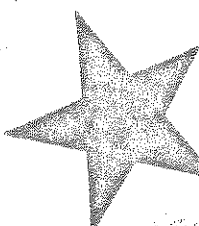
GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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

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

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

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





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

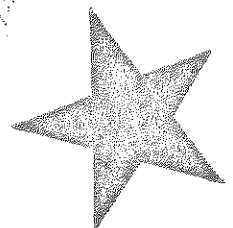
Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook 50 Circle Rd
Stony Brook, NY 11790 -3409

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

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

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

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





NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

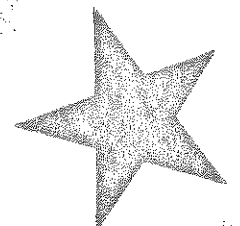
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



PROJECT PLAN SITE PLAN VIEW

TIDAL LINES DOCUMENTED & TIDAL WETLAND
BOUNDARY DELINEATED @ MHW - 1:30 PM
9/11/2023 BY DONNA MYERS / SHORE SOLUTIONS INC.
ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY
BY JOHN A. ROBINSON LAND SURVEYOR DATED 10/11/1997
ACCESS ROUTE VIA MARINE CONTRACTORS BARGE
& WEST SHORE DRIVE

ADJACENT PROPERTY OWNER:
MATTHEW LOGIUDICE RESIDENCE
285 WEST SHORE DRIVE

BRIGHTWATER PLACE
WEST SHORE DRIVE

NYSD DEC 10/22
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO 1-2824-02042/0004
DATE 11/9/2023

EXISTING ISS LF BULKHEAD
BULKHEAD RECONSTRUCTED
UNDER EXISTING PERMITS *
MHW/SHW/TWB @ BH

ADJACENT PROPERTY OWNER:
THOMAS BROWN RESIDENCE
42 BRIGHTWATER PLACE

SOUTH OYSTER BAY
DISTANCE OF WATERWAY -1.9 MILES
TO NATURAL SHORELINE

EXISTING PREVIOUSLY AUTHORIZED 5' X 5' PWC LIFT
USACE PERMIT# 1-2824-02042-0000H
USACE PERMIT# MAR-2021-00042
NYSDOS PERMIT# F-2021-0776 GC

EXISTING 12.75' X 9' TWO PILE ALN ELEVATOR LIFT
ON TWO TRACKS MOUNTED ON TWO NEW PILES
SEAWARD DISTANCE OF PROPOSED
ELEVATOR LIFT 12.75'
DISTANCE OF WATERWAY -54'
TO BULKHEAD SHORELINE
(LESS THAN 25% OF WIDTH OF CANAL)

EXISTING 1/3 LF BULKHEAD ALONG CANAL
MHW/SHW/TWB @ BH
BULKHEAD RECONSTRUCTED
UNDER EXISTING PERMITS *

* EXISTING NYSDOS PERMIT# 1-2824-02042-0000H
EXISTING USACE PERMIT# MAR-2021-00042
EXISTING NYSDOS PERMIT# F-2021-0776 GC
S. F-2022-0220 GC

PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL A 12.75' X 9' WIDE TWO PILE ELEVATOR BOAT LIFT ON TWO ALUMINUM TRACKS MOUNTED ON TWO NEW PILES INSTALLED ALONG EXISTING BULKHEAD

SHW = 1.2044'
MHW = 0.908'
DATUM NAVD 88 = 0.00'
ELLIP = -1.137'
TIDE RANGE = 1.2252'
NOAA VER TIDE DATUM
VERSION 3.4

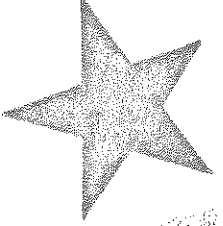
LAT 40° 59' 14.1222" N
LONG 73° 26' 42.9102" W

SCALE 1" = 50'

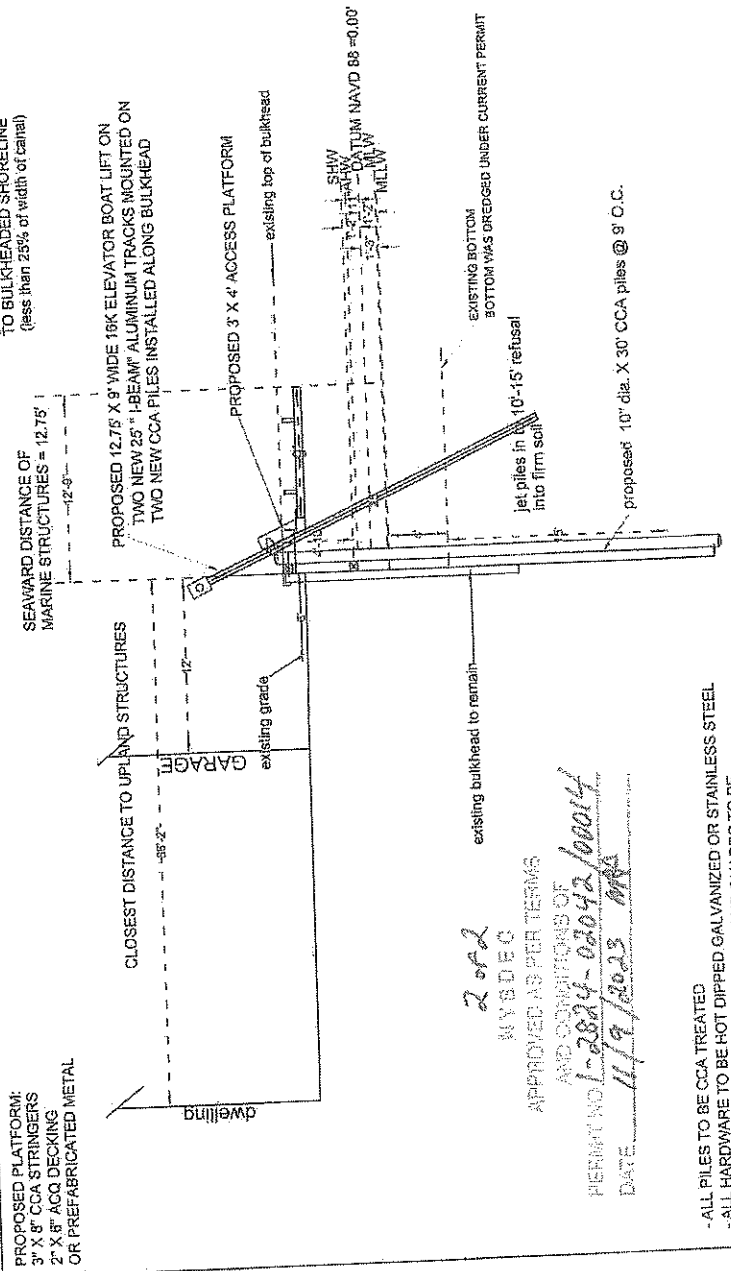
PREPARED 9/20/2023
BY SHORE SOLUTIONS INC.

NCTM# S SD 23 / SEC 66 /
BLK 66 / LOT 250
AT: 285 WEST SHORE DRIVE
MASAPEQUA, NY 11759
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: CANAL #10 OFF SOUTH OYSTER BAY
FOR: ROBERT M. RENDA

PAGE 1 OF 2



PROJECT PLAN CROSSVIEW

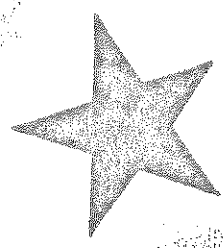


2 of 2
WYB DEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO. 1-2824-02042/00014
DATE 11/9/2023

- ALL PILES TO BE CCA TREATED
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL
- ALL STEPS, STAIRS, WALKS, RAILINGS AND GUARDS TO BE BUILT AS PER NYS AND TOWN BUILDING CODE

PURPOSE: PROVIDE A SAFE PRIVATE MOORING
PROPOSED: INSTALL A 12.75' X 9' WIDE TWO PILE ELEVATOR BOAT LIFT ON TWO ALUMINUM TRACKS MOUNTED ON TWO NEW PILES INSTALLED ALONG EXISTING BULKHEAD

SHW = 1.204' MHW = 0.908' DATUM NAVD 88 = 0.00' MLW = -1.191' MLLW = -1.920' TIDE RANGE 2.025' NOAA VERSION 3.4	LAT 40° 39' 14.1222" N LONG 73° 26' 42.9102" W	SCALE 1" = 10' PAGE 2 OF 2	PREPARED 9/20/2023 BY SHORE SOLUTIONS INC.	NCTM#S SD 23 / SEC 66 / BLK 65 / LOT 250 AT: 295 WEST SHORE DRIVE MASSAPEQUA, NY 11758 TOWN OF OYSTER BAY NASSAU COUNTY ONI: CANAL #10 OFF SOUTH OYSTER BAY FOR: ROBERT M. RENDA
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Nationwide Permit Reissuance

January 2022

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG.

Background: Under Section 404(e) of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) can issue general permits to authorize activities that have only minimal individual and cumulative adverse environmental effects. General permits can be issued for a period of no more than five years. A nationwide permit (NWP) is a general permit that authorizes activities across the country, unless a district or division commander revokes the NWP in a state or other geographic region. The NWPs authorize approximately 40,000 reported activities per year, as well as approximately 30,000 activities that do not require reporting to USACE districts. In 2017 the USACE issued 52 NWPs, and they authorized a wide variety of activities such as mooring buoys, residential developments, utility lines, road crossings, mining activities, wetland and stream restoration activities, and commercial shellfish aquaculture activities. To continue the NWP Program, the NWPs must be reissued before the 2017 NWPs expire in March 2022.

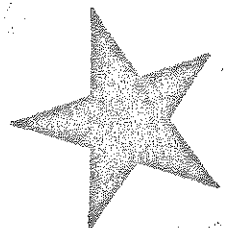
The process for issuing NWPs is a rulemaking activity. The proposal to reissue the NWPs was published in the *Federal Register* on September 15, 2020, for a 60-day public comment period ending on November 16, 2020. USACE proposed to reissue all 52 of its existing 2017 NWPs. USACE also proposed to issue five new NWPs that pertain to authorizing seaweed mariculture activities, finfish mariculture activities, electric utility line and telecommunications activities, utility line activities for water and other substances, and water reclamation and reuse facilities. Concurrent with the *Federal Register* notice, USACE districts issued local public notices to solicit comment on proposed regional conditions to further restrict the use of the NWPs to protect local aquatic resources.

Approximately 23,700 comments were received in response to the *Federal Register* notice. The comments were evaluated, and two draft final NWP rules were prepared to issue those NWPs. The first draft final rule for 16 NWPs was submitted to OMB on December 11, 2020, and the second final rule for 41 NWPs was submitted to OMB on June 11, 2021. Five agencies provided comments on the first draft final rule, and three agencies provided comments on the second draft final rule. The agency comments were reviewed, and modifications were made to the draft final NWPs to address agency comments.

The first final rule was published in the *Federal Register* on January 13, 2021 (86 FR 2744) and it reissued 12 existing NWPs and issued four new NWPs. The second final rule was published in the *Federal Register* on December 27, 2021 (86 FR 73522) and it reissued 40 existing NWPs and issued one new NWP.

2021 Nationwide Permits: In the January 2021 final rule, USACE reissued and modified 12 existing NWPs and issued four new NWPs. In the January 2021 final rule, USACE also reissued the NWP general conditions and definitions, with some modifications to respond to public and agency comments. The January 2021 final rule went into effect on March 15, 2021. In the December 2021 final rule, USACE reissued 40 existing NWPs and issued one new NWP. The NWP general conditions and definitions published in the January 2021 final rule apply to the 41 NWPs issued in the December 2021 final rule. The December 2021 final rule goes into effect on February 25, 2022. The reissued NWPs have no major changes from 2017, the last time the NWPs were authorized in accordance with the law. The revised NWPs will streamline the requirements of the Clean Water Act and the Rivers and Harbors Act of 1899 and their revisions were informed by extensive feedback from the public and various stakeholders. These permits provide effective review of projects that have minimal impact on the aquatic environment.

U.S. ARMY CORPS OF ENGINEERS – HEADQUARTERS
441 G. Street, N.W., Washington, D.C. 20314-1000
<http://www.usace.army.mil>



Buffalo & New York Districts Final Regional Conditions, Water Quality Certification and
Coastal Zone Concurrence for the 2021 Nationwide Permits for New York State
Effective February 25, 2022 - Expiration March 14, 2026

Table of Contents:

A. Nationwide Permits Index

- B. Nationwide Permit 2 – Structures in Artificial Canals
 - Specific NW terms and notification requirements
 - Buffalo & New York Districts Specific NWP Regional Conditions
 - Specific NWP Water Quality Certification
 - NYSDOS Specific NWP Coastal Zone Consistency Determination

C. Nationwide Permit General Conditions 1-32

D. District Engineer's Decision

E. Further Information

F. Definitions

G. Buffalo and New York District Regional General Conditions A-F (applicable to all NWPs)

H. NYSDEC General Water Quality Conditions (applicable to all NWPs for which Water Quality Certification has been provided)

I. NYSDOS Coastal Zone Management Consistency Additional Information (applicable to all projects located within the NYS Coastal Zone)

J. Information on Nationwide Permit Verification

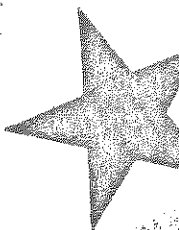
K. Agency Contact Information

ENCLOSURE 1: New York State Regulatory District Boundary Map

ENCLOSURE 2: NYC Water Supply – East of Hudson Watershed (for NY District Regional Conditions)

ENCLOSURE 3: Commercial Mooring Buoy Application Additional Information (for NY District Regional Conditions – not applicable within Buffalo District)

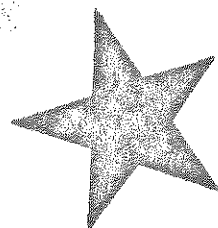
ENCLOSURE 4: Incident Report of Sea Turtle Take (for NY District Regional Conditions – not applicable within Buffalo District)



Buffalo & New York Districts Final Regional Conditions, Water Quality Certification and
Coastal Zone Concurrence for the 2021 Nationwide Permits for New York State
Effective February 25, 2022 - Expiration March 14, 2026

A. NATIONWIDE PERMITS INDEX:

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Bank Stabilization
13. Linear Transportation Projects
14. U.S. Coast Guard Approved Bridges
15. Return Water From Upland Contained Disposal Areas
16. Hydropower Projects
17. Minor Discharges
18. Minor Dredging
19. Response Operations for Oil or Hazardous Substances
20. Removal of Vessels
21. Approved Categorical Exclusions
22. Indian Tribe or State Administered Section 404 Programs
23. Structural Discharges
24. [Reserved]
25. Aquatic Habitat Restoration, Enhancement, and Establishment Activities
26. Modification of Existing Marinas
27. Moist Soil Management for Wildlife
28. Maintenance of Existing Flood Control Facilities
29. Completed Enforcement Actions
30. Temporary Construction, Access and Dewatering
31. Cranberry Production Activities
32. Maintenance Dredging of Existing Basins
33. Boat Ramps
34. Emergency Watershed Protection and Rehabilitation
35. Cleanup of Hazardous and Toxic Waste
36. Reshaping Existing Drainage and Irrigation Ditches
37. Repair of Uplands Damaged by Discrete Events
38. Discharges in Ditches
39. [Reserved]
40. Coal Mining Activities
41. Removal of Low-Head Dams
42. Living Shorelines
43. Water Reclamation and Reuse Facilities



**Buffalo & New York Districts Final Regional Conditions, Water Quality Certification and
Coastal Zone Concurrence for the 2021 Nationwide Permits for New York State
Effective February 25, 2022 - Expiration March 14, 2026**

B. NATIONWIDE PERMITS

2. Structures in Artificial Canals. Structures constructed in artificial canals within principally residential developments where the connection of the canal to a navigable water of the United States has been previously authorized (see 33 CFR 322.5(g)). (Authority: Section 10)

Permit-specific Regional Conditions (Buffalo and New York Districts): None

Section 401 Water Quality Certification (WQC):

Water Quality Certification, pursuant to Section 401 of the Clean Water Act, is not required because this Nationwide Permit only authorizes activities that are regulated under Section 10 of the Rivers and Harbors Act.

New York State Department of State Coastal Zone Management Consistency Determination:

Pursuant to 15 CFR Part 930.41, the New York State Department of State (NYSDOS) concurs with the USACE' consistency determination for this NWP where all general and all Buffalo and New York District regional conditions are complied.

For activities that are proposed within the New York City Waterfront Revitalization Program, the NYSDOS objects to the USACE' consistency determination and therefore, an individual consistency concurrence determination from NYSDOS is required for this NWP to be valid. Such activities shall be submitted to NYSDOS for review by the applicant. NYSDOS will review the proposed activities pursuant to 15 CFR Part 930 Subpart D. NYSDOS concurrence with an applicant's consistency certification shall not be presumed unless NYSDOS fails to concur with or object to an applicant's consistency certification within six (6) months of commencement of NYSDOS' review of an applicant's consistency certification and all necessary data and information in accordance with 15 CFR § 930.62 or § 930.63. See Section I below for further information.

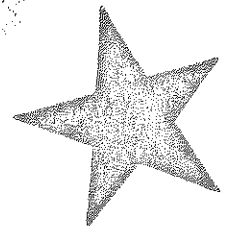
C. NATIONWIDE PERMIT GENERAL CONDITIONS

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

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



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

RECEIVED

By B. Brown USACE at 7:06 am, Dec 11, 2020

ANDREW M. GUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

December 10, 2020

Mr. Stephan A. Ryba
Chief, Regulatory Branch
Department of the Army
New York District, Corps of Engineers
Jacob K. Javits Federal Building
New York, New York 10278-0090

Ms. Diane Kozlowski
Chief, Regulatory Branch
Department of the Army
Buffalo District, Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207-3199

Re: F-2020-0754 (DA)
U.S. Army Corps of Engineers – Proposed 2020
New York and Buffalo Districts' Regional Conditions, the
Reissuance and Modification of the Nationwide Permit
Program, the issuance of five new Nationwide Permits.
Statewide Coastal Areas

Dear Sir and Madam:

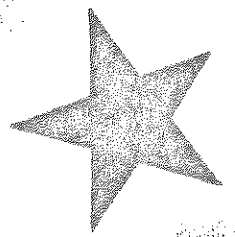
The Department of State (DOS) has completed its review of the U.S. Army Corps of Engineers (Corps) consistency determination indicating that the proposed reissuance and modification of its nationwide permits (NWPs) and issuance of five (5) new NWPs and proposed regional conditions, pursuant to 33 CFR Part 330 is and will be conducted in a manner consistent to the maximum extent practicable with the New York State Coastal Management Program.

I. Pursuant to 15 CFR § 930.41, DOS concurs with the Corps consistency determination for the following NWPs anywhere in the New York State coastal area

1. Aids to Navigation
4. Fish and Wildlife Harvesting, Enhancement and Attraction Devices and Activities
10. Mooring Buoys
15. U.S. Coast Guard Approved Bridges
16. Return Water from Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil and Hazardous Substances



Department
of State



- 22. Removal of Vessels
- 24. Indian Tribe or State Administered Section 404 Programs
- 30. Moist Soil Management for Wildlife
- 31. Maintenance of Existing Flood Control Facilities
- 34. Cranberry Production Activities
- 37. Emergency Watershed Protection and Rehabilitation
- 41. Reshaping Existing Drainage Ditches
- 46. Discharges in Ditches
- 53. Removal of Low-Head Dams

II. Pursuant to 15 CFR § 930.41 and § 930.43 DOS concurs with the Corps' consistency determination for those NWP's with the additional condition(s), as follows:

3. Maintenance

DOS concurs with the Corps' consistency determination for NWP 3;

- For projects outside of Marine and Coastal District Waters (all tidal waters south of the Governor Mario M. Cuomo Bridge) within or affecting the NYS Coastal Area where the activities to be authorized primarily involve the repair/replacement in-place or landward of a lawful structure or fill, with no waterward expansion or increase in footprint;
- for projects authorized by New York State Department of Environmental Conservation (DEC) under General Permit GP-0-20-004 Great Lakes Erosion Control General Permit;
- for projects proposed solely within the artificial canals identified by DOS at: <https://www.dos.ny.gov/opd/atlas/>.

6. Survey Activities

DOS concurs with the Corps' consistency determination for NWP 6 where the activities to be authorized would be limited to sample plots or transects for wetland delineations and historic resources surveys.

11. Temporary Recreational Structures

DOS concurs with the Corps' consistency determination for NWP 11 where the activities to be authorized are for structures that are in place for no more than 30 days in a given calendar year and are for non-residential purposes.

13. Bank Stabilization

DOS concurs with the Corps' consistency determination for NWP 13 where the activities would be authorized under General Permit GP-0-20-004 Great Lakes Erosion Control General Permit or would occur within the canals identified by DOS at: <https://www.dos.ny.gov/opd/atlas/>.

III. Pursuant to 15 CFR § 930.41 and § 930.43, DOS concurs with the Corps' consistency determination for the following NWP's where the activities would occur outside of the New York City Waterfront Revitalization Program:

- 2. Structures in Artificial Canals
- 9. Structures in Fleeting and Anchorage Areas
- 28. Modifications of Existing Marinas
- 35. Maintenance Dredging of Existing Basins
- 36. Boat Ramps

38. Cleanup of Hazardous and Toxic Waste

IV. Pursuant to 15 CFR § 930.41 and § 930.43 DOS objects to the Corps' consistency determination for the following NWP's anywhere in the New York coastal area:

- 5. Scientific Measuring Devices
- 7. Outfall Structures and Associated Intake Structures
- 8. Oil and Gas Structures on the Outer Continental Shelf
- 12. Oil or Natural Gas Pipeline Activities
- 14. Linear Transportation Projects
- 21. Surface Coal Mining Activities
- 23. Approved Categorical Exclusions
- 25. Structural Discharges
- 27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities
- 29. Residential Developments
- 32. Completed Enforcement Activities
- 33. Temporary Construction, Access, and Dewatering
- 39. Commercial and Institutional Developments
- 40. Agricultural Activities
- 42. Recreational Facilities
- 43. Stormwater Management Facilities
- 44. Mining Activities
- 45. Repair of Uplands Damaged by Discrete Events
- 48. Commercial Shellfish Aquaculture Activities
- 49. Coal Remining Activities
- 50. Underground Coal Mining Activities
- 51. Land-Based Renewable Energy Generation Facilities
- 52. Water-Based Renewable Energy Generation Pilot Projects
- 54. Living Shorelines
 - A. Seaweed Mariculture Activities
 - B. Finfish Mariculture Activities
 - C. Electric Utility Line and Telecommunications Activities
 - D. Utility Line Activities for Water and Other Substances
 - E. Water Reclamation and Reuse Facilities

Basis for Decision

The nationwide permits listed in II, III, and IV above could authorize activities which would be inconsistent with one or more of the State's CMP policies and federally approved amendments to the CMP. First, in II, where the listed conditions are not complied with, the activities should not be subject to a nationwide permit and if so conducted, would be inconsistent with the CMP. These activities would affect the State's CMP policies pertaining to water dependent uses (Policies #1, #2, #3, #4, #20, #21); appropriate development in appropriate areas and expediting permits for that development (Policies #1, #2, #5, #6); the protection, preservation, and where practicable restoration of State designated significant coastal fish and wild life habitats (Policy #7); the protection of fish and wildlife from pollutants and hazardous wastes (Policies #8, #31, #34, #35, #36, #38, #40); flooding and erosion hazards (Policies #11, #12, #13, #14, #15, #16, #17); infringements on the public use of coastal waters and water related recreational uses (Policies #19, #20, #21, #22); preventing the impairment of scenic resources (Policies #24 and #25); the conservation of agricultural lands (Policies #26, #35); the preservation and protection of freshwater and tidal wetlands and the benefits derived from them (Policy #44); and the protection of the quality of coastal waters (Policies #30, #31, #33, #34, #35, #36, #39).

These activities would also affect these policies as they are reflected in the Long Island Sound Regional Coastal Management Program and federally approved Local Waterfront Revitalization Programs.

Next, in **III**, where the activities would be located within the CMP special management area New York City Waterfront Revitalization Program (NYC WRP), the activities should not be subject to a nationwide or regional permit and if so conducted, would be inconsistent with the CMP. These activities would affect the NYC WRP policies pertaining to: water dependent uses (Policies #1, #2, #3, and #8); appropriate development in appropriate areas (Policies #1, #2, #3, #8, #9, and #10); the protection, preservation, and where practicable restoration of designated significant coastal fish and wildlife habitats (Policy #4); the protection of fish and wildlife from pollutants and hazardous wastes (Policies #4, #5, and #7); flooding and erosion hazards and increasing climate resilience (Policy #6); infringements on the public use of coastal waters and water related recreational uses (Policies #3, and #8); preventing the impairment of scenic resources (Policy #9); the preservation and protection of freshwater and tidal wetlands and the benefits derived from them (Policies #4, and #5); and the protection of the quality of coastal waters (Policies #4, #5, and #7).

Further, in **IV**, the activities should not be subject to a nationwide or regional permit and if so conducted, would be inconsistent with the CMP. These activities would affect the State's CMP policies pertaining to: water dependent uses (Policies #1, #2, #3, #4, #20, #21); appropriate development in appropriate areas and expediting permits for that development (Policies #1, #2, #5, #6); the protection, preservation, and where practicable restoration of State designated significant coastal fish and wild life habitats (Policy #7); the protection of fish and wildlife from pollutants and hazardous wastes (Policies #8, #31, #34, #35, #36, #38, #40); flooding and erosion hazards (Policies #11, #12, #13, #14, #15, #16, #17); infringements on the public use of coastal waters and water related recreational uses (Policies #19, #20, #21, #22); preventing the impairment of scenic resources (Policies 24 and 25); the conservation of agricultural lands (Policies #26, #35); the preservation and protection of freshwater and tidal wetlands and the benefits derived from them (Policy #44); and the protection of the quality of coastal waters (Policies #30, #31, #33, #34, #35, #36, #39). These activities would also affect these policies as they are reflected in the Long Island Sound Regional Coastal Management Program and federally approved Local Waterfront Revitalization Programs.

Finally, the NWP's listed in **II**, where the listed conditions are not complied with, **III**, where the activities would be located within the NYC Waterfront Revitalization Program, and **IV** above were determined not to be consistent to the maximum extent practicable with the State CMP policies for several reasons: 1) the specific nature of the authorized activity is unknown (e.g. structures in fleeting and anchorage areas, residential developments, approved categorical exclusions, completed enforcement actions); 2) the size, extent and duration of the authorized activity is limitless (e.g. utility line backfill and bedding, structural discharges, maintenance dredging of existing basins); 3) the established thresholds for an activity are excessive (e.g. bank stabilization, headwaters and isolated waters discharges, 1/2 acre loss of waters); 4) the provisions of the permits do not reflect the existing conditions of the geographic areas in which the authorized activity would occur; 5) coordinated review of authorized activities will be limited and expedited review by the Corps would exclude valuable local knowledge of on-site conditions and potential effects on local resources (e.g. water-based renewable energy); 6) the mitigation condition does not advocate "avoidance" and viable alternatives or advocating activities that would advance relevant CMP policies as the principal means of minimizing adverse effects on coastal waters, habitats, wetlands, scenic areas, special aquatic sites (mitigation banks vs. on-site mitigation); and 7) the authorized activities could be inconsistent with locally adopted and State and federally approved plans as expressed in federally approved amendments to the CMP.

Alternative Measures - Regional Conditions

Pursuant to 15 CFR § 930.43(a)(3), DOS should describe alternative measures which, if adopted by the Corps, would allow the Corps to proceed with the reissuance, modification, and issuance of new NWPs in a manner consistent to the maximum extent practicable with the CMP. According to 33 CFR § 330.4(d)(2), the Division or District Engineers may establish regional conditions for NWPs that would make them consistent with the CMP and as such, DOS is committed to developing regional conditions with the appropriate districts.

To ensure that the Corps' NWPs and activities authorized by them would be consistent with the CMP and approved LWRPs, the following condition applies to:

- 1) the NWPs listed in **II** above that do not meet the stated conditions and
 - 2) the NWPs listed in **III** when the activity to be authorized would occur within the NYC Waterfront Revitalization Program
- And
- 3.) the NWPs listed in **IV** above

Activities authorized pursuant to these Nationwide Permits shall be submitted to DOS for review by the applicant. DOS will review the proposed activities pursuant to 15 CFR Part 930 Subpart D. DOS concurrence with an applicant's consistency certification shall not be presumed unless DOS fails to concur with or object to an applicant's consistency certification within six (6) months of commencement of DOS' review of an applicant's consistency certification and all necessary data and information in accordance with 15 CFR § 930.62 or § 930.63.

Should you have any questions regarding this consistency decision please contact Matthew Maraglio (matthew.maraglio@dos.ny.gov) or Jennifer Street (jennifer.street@dos.ny.gov).

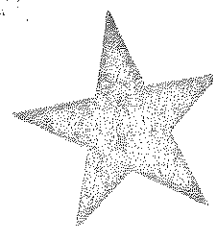
Sincerely



Kisha Santiago-Martinez
Deputy Secretary of State
Office of Planning, Development and Community
Infrastructure

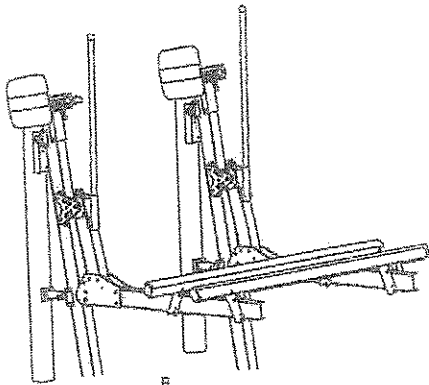
KSM/rf

cc: OCM – Jeffery L. Payne - via e-mail
OCM – Kerry Kehoe, David Kaiser – via e-mail
COE/HQ – David B. Olson - via e-mail
COE/Buffalo District -Bridget Brown -via e-mail
COE/New York District -Amanda Regan-via e-mail
NYSDEC/Central Office – Scott Sheeley via e-mail



IMM QUALITY BOAT LIFTS - ELEVATOR SPECIFICATIONS

4,500# - 20,000# Platinum



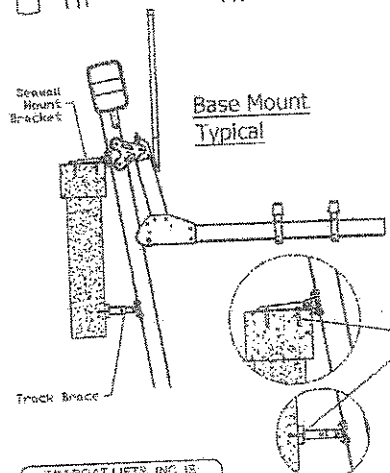
STRUCTURAL ENGINEER'S REVIEW

THIS DOCUMENT HAS BEEN REVIEWED BY A LICENSED PROFESSIONAL ENGINEER AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA BUILDING CODE, CHAPTER 630, PART 1, SECTION 630.01, AND THE FLORIDA MARINE BOAT LIFT ACT, CHAPTER 349, PART 1, SECTION 349.01. THE ENGINEER'S REVIEW IS LIMITED TO THE STRUCTURAL DESIGN OF THE BOAT LIFT SYSTEM AND DOES NOT INCLUDE THE DESIGN OF THE BOAT OR THE DOCK. THE ENGINEER'S REVIEW IS BASED ON THE INFORMATION PROVIDED BY THE SUBMITTER AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION. THE ENGINEER'S REVIEW IS NOT A SUBSTITUTE FOR THE SUBMITTER'S RESPONSIBILITY TO PROVIDE ACCURATE INFORMATION.

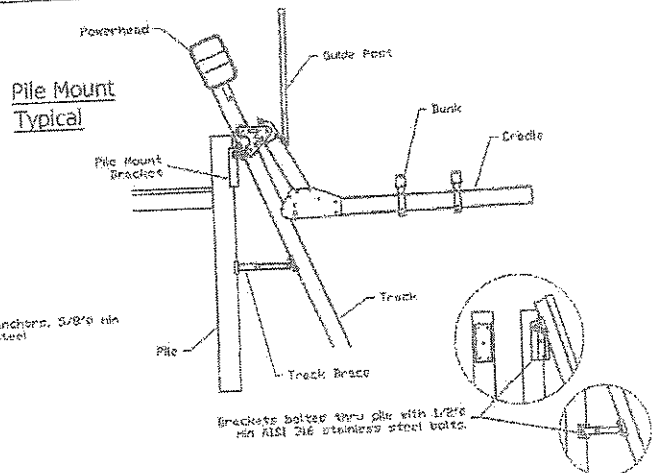
[Signature]

DATE: 11/11/2011

SIGNATURE NOT VALID WITHOUT RAISED SEAL



Base Mount Typical

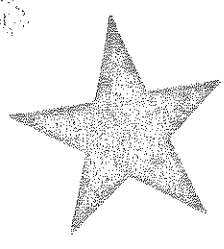


Pile Mount Typical

IMM BOAT LIFTS, INC. IS NOT RESPONSIBLE FOR THE DOCK STRUCTURE OR ITS ABILITY RESIST THE APPLIED LOADS OF THE BOAT LIFT. THE SITE SHOULD BE VERIFIED BY A LICENSED MARINE CONTRACTOR. APPLIED LOADS WILL BE PROVIDED UPON REQUEST.

- Notes:**
- Structure designed for loads associated with an ultimate wind speed of 180 MPH, exposure 'B', risk category 1, calculated for Florida Building Code 2014, ASCE/SEI 7-10 and ASHRAE 2010.
 - Boats shall not be stored on lifts during high wind events.
 - All primary structural members to be 6061-T6 aluminum.
 - Tracks are to be driven to firm bearing material.
 - Wood piles shall comply with ASTM D25 and be southern pine, 2.5 cca marine grade pressure treated.
 - Lateral support for piles and attachment to piles shall be engineered by others for site specific conditions.

LIFT CAPACITY	CRANES BEAM	TRACK MEANS	TRACK ANGLE OPTIONS	CABLE STD TRAVEL	CABLE EXT TRAVEL	TRACK SPREAD TYP	GUIDE POST HEIGHT	BEAM BOARD LENGTH	TRUSS SPACED	WHEELS	DRIVE GATED	MOTOR HP/PHASE	SPEED RPM	STANDARD TRAVEL	EXTENDED TRAVEL
4,500#	6W x 31 4W x 36	6W x 21 4W x 35 26	0, 10, 20	5/16 SSAC 7/16 SSAC 2-PART 24	5/16 SSAC 7/16 SSAC 2-PART 24					3 50-100 Pcs	202-1 1000mm	121-10-14 1155-220W 120V 1-2	20	12	27
8,000#	8W x 33 6W x 35	8W x 23 6W x 35 26	0, 10, 20	3/8 SSAC 5/8 SSAC 2-PART 24	3/8 SSAC 5/8 SSAC 2-PART 24	150	80	12 Minimum	1675 G-1 8-Quadrant						
10,000#	8W x 35 6W x 41	8W x 25 6W x 35 26	0, 10, 20												
15,000#	10W x 41 8W x 43	10W x 31 8W x 35 26	0, 20	1/2 SSAC 5/8 SSAC 4-PART 24	1/2 SSAC 5/8 SSAC 4-PART 24				4 800-80 Pcs			12-1 HP 120V 1-2	17		30
20,000#	10W x 43 8W x 45	10W x 33 8W x 35 26	0, 20												
25,000#	12W x 45 10W x 47	12W x 35 10W x 35 26	0, 20	3/4 SSAC 5/8 SSAC 4-PART 24	3/4 SSAC 5/8 SSAC 4-PART 24	125	120	10 Minimum		400-1 Pcs		12-1 HP 120V 1-2	14		18



500 W. 11th St.

TE

LAT 40° 39' 14.1222" N
LONG 73° 26' 42.9102" W

Massen County, Suffolk Co.

NASSAU COUNTY ASSESSORS MAP

SHW = 1.2044'
MHW = 0.908'
DATUM NAVD 88 = 0.00'
MLW = -1.1371'
MLLW = -1.2208'
TIDE RANGE 2.4252'
NOAA VERTICLE DATUM
VERSION 3.4

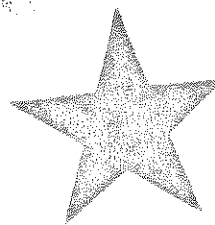
PREPARED BY
SHORE SOLUTIONS INC. - DM
32 LINCOLN AVE
MASSAPEQUA, NY 11758

NCTMP'S SD 23 / SEC 66 /
BLK 65 / LOT 250
AT: 295 WEST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: GREAT SOUTH BAY
FOR: ROBERT M. RENDA

PAGE 1 OF 2

SITE

LAT 40° 39' 14.1222" N
LONG 73° 26' 42.9102" W



300' Radius map for: NCTM# section 66 / block 65 / lot 250
Prepared By: Donna Myers / Shore Solutions Inc. 32 Lincoln Ave
Massapequa, NY 11758

For: Robert M. Renda
295 West Shore Drive
Massapequa, NY 11758

Section 66 / Block 68

Lot

- | | | |
|---|----|--|
| 1 | 11 | Michael & Annette Cracco Property
40 Brightwater Avenue
Massapequa, NY 11758 |
| 2 | 91 | Thomas Brown Property
42 Brightwater Avenue
Massapequa, NY 11758 |

Section 66 / Block 65

Lot

- | | | |
|---|---------|--|
| 3 | 247 | John Ackerson Property
285 West Shore Drive
Massapequa, NY 11758 |
| 4 | 117-121 | Fred & Ann De Stefano Property
275 West Shore Drive
Massapequa, NY 11758 |

Section 66 / Block 68

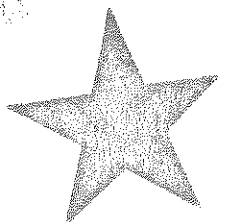
Lot

- | | | |
|---|----|---|
| 5 | 80 | Robert V. & Kim Love Property
39 Clearwater Avenue
Massapequa, NY 11758 |
| 6 | 93 | Gamrat G. Ariano & C Property
41 Clearwater Avenue
Massapequa, NY 11758 |

Section 66 / Block 73

Lot

- | | | |
|---|----|--|
| 7 | 43 | Philippin Charles J. & GST Trus Property
45 Clearwater Avenue
Massapequa, NY 11758 |
|---|----|--|



PROJECT PLAN SITE PLAN VIEW

DISTANCE OF WATERWAY ~1.9 MILES
TO NATURAL SHORELINE

ADJACENT PROPERTY OWNER:
MATTHEW LOGIUDICE, RESIDENCE
285 WEST SHORE DRIVE

BRIGHTWATER PLACE

SOUTH OYSTER BAY

FLOOD
EBB

EXISTING 155 LF BULKHEAD
BULKHEAD RECONSTRUCTED
UNDER EXISTING PERMITS *
MLW/SHW/TWB @ BH

EXISTING 143 LF BULKHEAD ALONG CANAL
MLW/SHW/SHW/TWB @ BH
BULKHEAD RECONSTRUCTED
UNDER EXISTING PERMITS *

BULKHEAD SHORELINE / NO MARINE STRUCTURES

DISTANCE OF WATERWAY ~54'
TO BULKHEAD SHORELINE
(LESS THAN 25% OF WIDTH OF CANAL)

EXISTING JETTY & STEPS

29' BH

37'

30' BH

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

ADJACENT PROPERTY OWNER:
THOMAS BROWN, RESIDENCE
42 BRIGHTWATER PLACE

- TIDAL LINES DOCUMENTED & TIDAL WETLAND BOUNDARY DELINEATED @ MHV - 1:30 PM 9/11/2023 BY DONNA FLYERS / SHORE SOLUTIONS INC.
- ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY BY JOHN A. ROBINSON, LAND SURVEYOR DATED 10/11/1997
- ACCESS ROUTE VIA MARINE CONTRACTORS BARGE & WEST SHORE DRIVE
- ALL STEPS, STAIRS, WALKS, RAILINGS AND GUARDS TO BE BUILT AS PER NYS AND TOWN/VILLAGE BUILDING CODE
- ALL PILES TO BE CCA TREATED
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL



PLANS REVIEWED BY
PAUL D. BARROCA, P.E.
N.Y. LIC. NO. 71630

P. R. CONSULTING ENGINEERING, P.C.
ENGINEERING CONSULTANTS
147 GLEN STREET 2ND FLR., GLEN COVE N.Y. 11542
TELE. 516 - 790 - 4583

PROPOSED: PROVIDE A SAFE PRIVATE MOORING
ALONG EXISTING BULKHEAD

PROPOSED: INSTALL A 12.75' X 9' WIDE TWO PILE ELEVATOR BOAT LIFT ON TWO ALUMINUM TRACKS MOUNTED ON TWO NEW PILES INSTALLED

SCALE 1" = 40'

PREPARED 9/20/2023
BY SHORE SOLUTIONS INC.

NCTA'S SD 23 / SEC 66 / BLK 65 / LOT 250
AT: 285 WEST SHORE DRIVE
TOWN OF OYSTER BAY
NASSAU COUNTY
ON CANAL #10 OFF SOUTH OYSTER BAY
FOR: ROBERT M. RENDA

SHW = 1.2044'
MHV = 0.908'
DATUM NAVD 83 = 0.00'
MLW = 1.12208'
TIDE RANGE 2.4252'
NOAA VERTICLE DATUM
VERSION 3.4

LAT 40° 39' 14.1222" N
LONG 73° 26' 42.9102" W

PAGE 1 OF 2

ADJACENT PROPERTY OWNER:
THOMAS BROWN, RESIDENCE
42 BRIGHTWATER PLACE

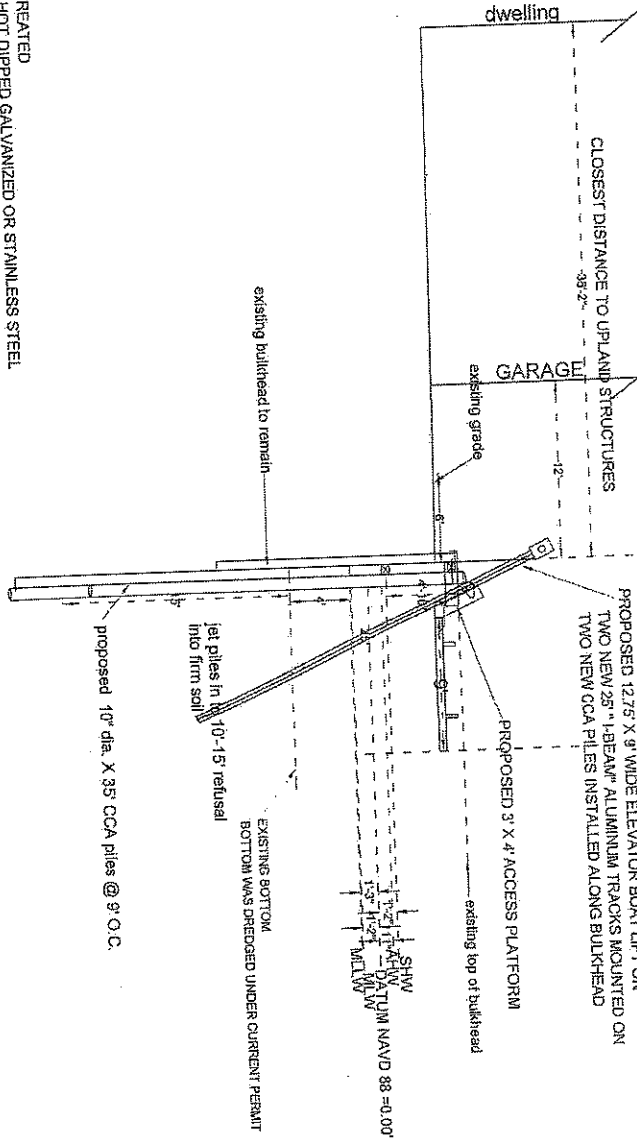
ADJACENT PROPERTY OWNER:
THOMAS BROWN, RESIDENCE
42 BRIGHTWATER PLACE

PROJECT PLAN CROSSVIEW

PROPOSED PLATFORM:
3" X 8" CCA STRINGERS
2" X 8" ACG DECKING
OR PREFABRICATED METAL

SEAWARD DISTANCE OF
MARINE STRUCTURES = 12.75'

DISTANCE OF WATERWAY - 54'
TO BULK-HEADED SHORELINE
(less than 25% of width of canal)



- ALL PILES TO BE CCA TREATED
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL
- ALL STEPS, STAIRS, WALKS, RAILINGS AND GUARDS TO BE BUILT AS PER NYS AND TOWN BUILDING CODE

PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL A 12.75' X 9' WIDE TWO PILE ELEVATOR BOAT LIFT ON TWO ALUMINUM TRACKS MOUNTED ON TWO NEW PILES INSTALLED ALONG EXISTING BULKHEAD

SHW = 1.2044'
MHW = 0.908'
DATUM NAVD 88 = 0.00'
MLW = -1.1371'
TIDE RANGE 2.4252'
NOAA VERTICL DATUM
VERSION 3.4

PREPARED 9/20/2023
BY SHORE SOLUTIONS INC.
LAT 40° 39' 14.1222" N
LONG 73° 26' 42.9102" W

SCALE 1" = 8'

PAGE 2 OF 2

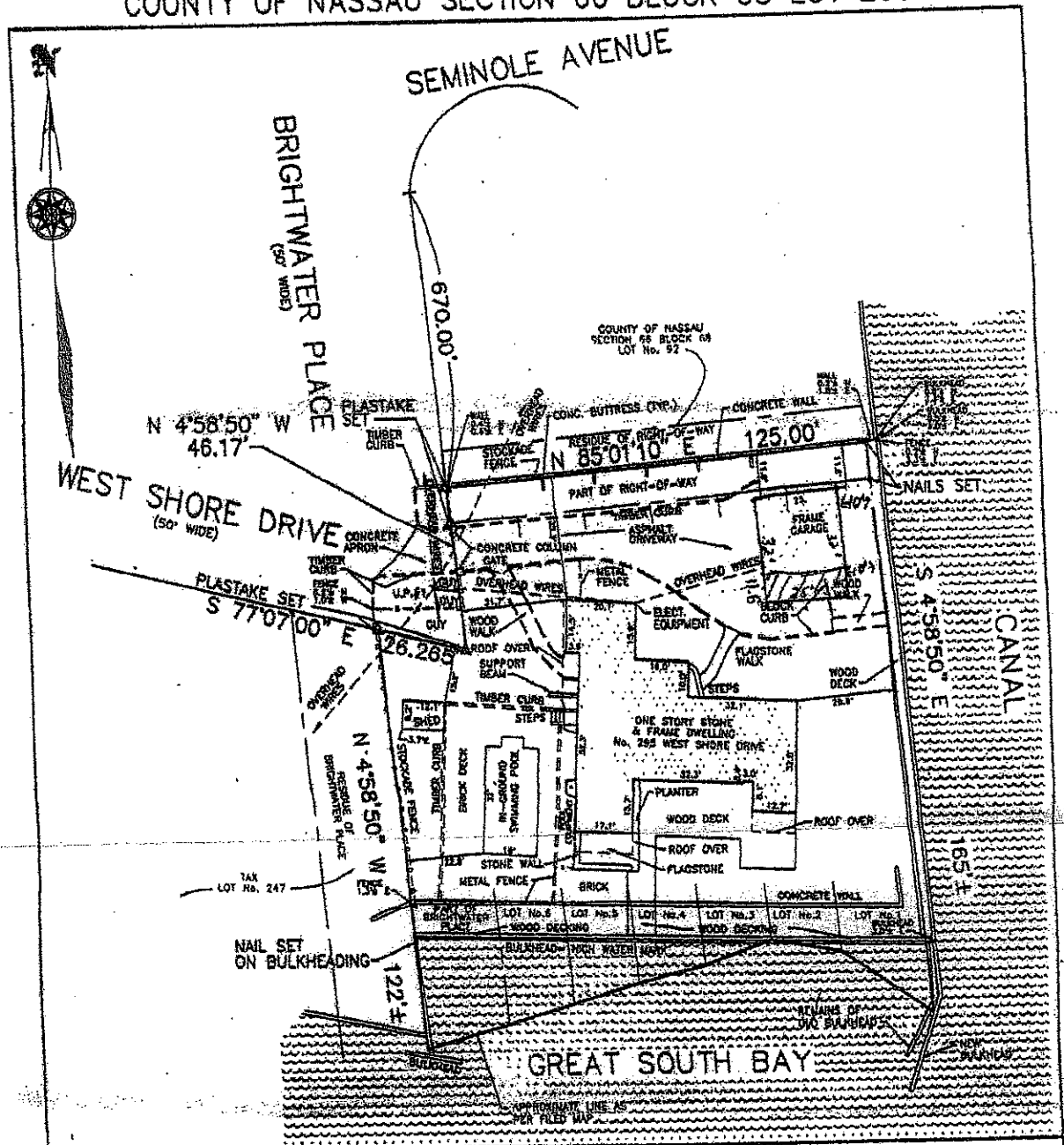
NCT#S SD 23 / SEC 66 / BLK 65 / LOT 250
AT 296 WEST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON CANAL #10 OFF SOUTH OYSTER BAY
FOR ROBERT M. RENDA

PLANS REVIEWED BY
BY PAUL D. BARROCA, P.E.
N.Y. LIC. NO. 71430

P. R. CONSULTING ENGINEERING, P.C.
ENGINEERING CONSULTANTS
147 GLEN STREET 2ND FLR, GLEN COVE N.Y. 11542
TELE. 516 - 790 - 4583



COUNTY OF NASSAU SECTION 66 BLOCK 65 LOT 250



LOTS 1, 2, 3, 4, 5 & 6 BLOCK No. 268
AND ADJACENT DESCRIPTIVE PROPERTY
MAP OF NASSAU SHORES, SECTION No. TWO
CASE No. 913 FILED: 22 MAY 1926
MASSAPEQUA, TOWN OF OYSTER BAY
COUNTY OF NASSAU, STATE OF NEW YORK
SCALE: 1" = 30'

SURVEYED FOR & CERTIFIED TO:

- ① DARLENE LONGO | SELLER
- ② TIMOTHY J. CONNORS | PURCHASER
- ③ JOAN CONNORS | PURCHASER

CERTIFIED TO:

- ① THE TOWN OF OYSTER BAY
- ② NORTHWEST MORTGAGE OF NEW YORK, INCORPORATED
- ③ BARRISTER LAND SERVICES, INCORPORATED
TITLE NUMBER BR-4957-N
- ④ CHICAGO TITLE INSURANCE COMPANY

SURVEYED: 11 OCTOBER 1997

NOTES:

1. PLOT AREA = 21,488± SQUARE FEET OR 0.49± ACRES TO APPROXIMATE MAP LINES
2. SUB-SURFACE CONDITIONS ARE NOT SHOWN OR ARE NOT CERTIFIED, IF SHOWN.
3. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7203 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY NOT BEARING THE LAND SURVEYOR'S EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. OFFSETS SHOWN HEREON SHOULD NOT BE USED AS A BASIS FOR CONSTRUCTION OF FENCES OR OTHER PERMANENT STRUCTURES.
5. CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

John A. Robinson
Land Surveyor N.Y.S. License No. 49059
1003 Park Boulevard
Massapequa Park, New York 11762
(516) 798-1290 (Fax) 541-1117

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EMBOSSED SEAL
AND SIGNATURE

Meeting of January 9, 2024

Resolution No. 10 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 20, 2023, authorized the Highway Department to clean up the premises located at Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 27, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 1, 2023, in the total amount of \$896.46, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 27, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$896.46 may be assessed by the Legislature of the County of Nassau against the parcel known as Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 27, 2023


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

The Department of Planning and Development, by memorandum dated July 20, 2023, directed the Highway Department to clean the premises located at Newbridge Road, Hicksville, New York 11801, also known as Section 45, Block 70, Lot 49 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated August 4, 2023, advised that the property was cleaned by a crew from the Highway Department on August 1, 2023. The cost incurred by the Town of Oyster Bay was \$896.46.

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

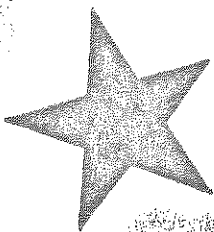
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



2023-9288

TOWN OF OYSTER BAY

Inter-Departmental Memo

July 20, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: NEWBRIDGE ROAD, HICKSVILLE, NEW YORK 11801
SBL: 45-70-49

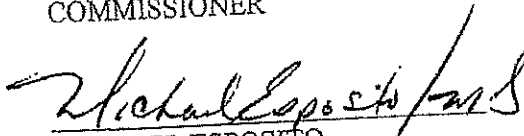
Notice of Violation number V256-23714111247 was issued to the owner of the above-referenced premises on 07/14/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Lawn and vegetation to be cut on the subject property.

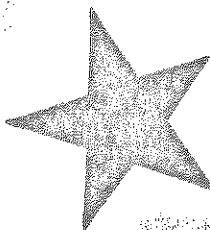
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney

No Deed



AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: AUGUST 10, 2023

SUBJECT: NEWBRIDGE ROAD, HICKSVILLE, NEW YORK 11801
SECTION 45, BLOCK 70, LOT(S) 49


RECEIVED
TOWN OF OYSTER BAY
AUG 14 2023

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 896.46

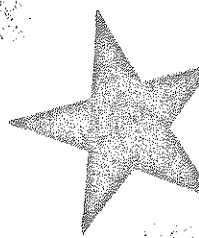
It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$896.46 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

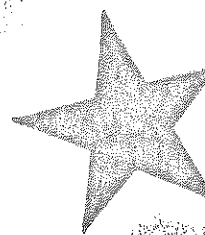
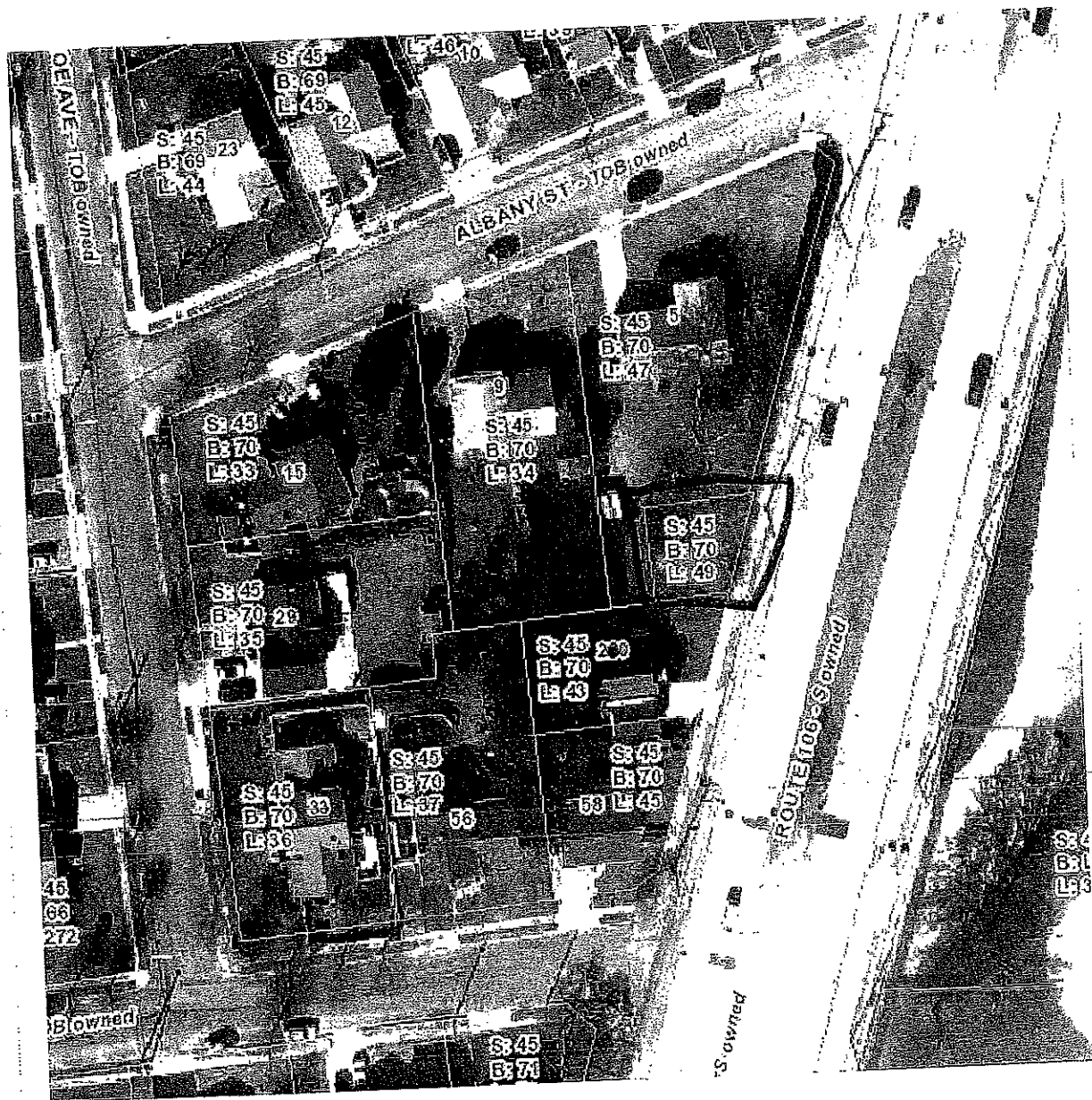
Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.



HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.







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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

July 20, 2023

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

RE: NEWBRIDGE ROAD, HICKSVILLE, NEW YORK 11801
SECTION 45 BLOCK 70 LOT 49
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

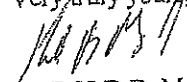
Eileen Schmidt,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V256-23714111247, dated 07/14/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have not complied with the above-mentioned Directive.

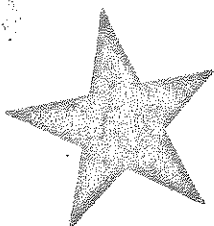
According to Chapter 135 (Housing Standards), Section 54 (Compliance With Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,


HAROLD B. MAYER, JR.
COMMISSIONER

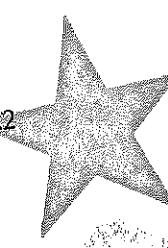
ME:sf
Enclosure





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Town of Oyster Bay
Inter- Departmental Memo

August 4, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


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

SUBJECT: NEWBRIDGE ROAD, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$896.46.

If you have any questions pertaining to the above subject, please feel free to contact this office.


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

CLEAN-UP - NEWBRIDGE ROAD, HICKSVILLE TO P & D 107386





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Date Aug 1, 2023

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

Work Order # 107386

Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
ANDREW HOUGHTON	General Maintenance	00:30	\$31.73	00:00	0	\$15.87
THOMAS CORBETT	General Maintenance	00:30	\$24.52	00:00	0	\$12.26
PETER K SELL	General Maintenance	00:30	\$28.13	00:00	0	\$14.07
JOHN MURRAY	General Maintenance	00:30	\$24.52	00:00	0	\$12.26
Total Labor						\$54.46

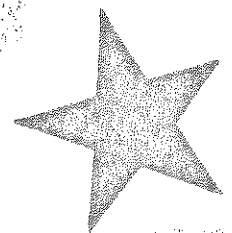
Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
PU413		PICK UP 2011 FORD F250 YELLO (14 / 027)	\$79.00	00:30	\$39.50
TD704		TRUCK DUMP 2011 FORD F350 YELLO (T145 / T-145) - Power Wagons	\$105.00	00:30	\$52.50
Total Equipment					\$92.00

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

Grand Total \$896.46

Description of Work:
CLEAN UP NEWBRIDGE ROAD HICKSVILLE

Signature: Peter Brown
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Aug 2, 2023



Meeting of January 9, 2024

Resolution No. 11 -2024

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to secure the dwelling located at, 306 Bayview Avenue, Massapequa, New York 11758, also known as Section 65, Block 102, Lot 221 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 28, 2023, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 1, 2023, in the amount of \$1,861.58, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 28, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,861.58 may be assessed by the Legislature of the County of Nassau against the parcel known as 306 Bayview Avenue, Massapequa, New York 11758, also known as Section 65, Block 102, Lot 221 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

Town of Oyster Bay Inter-Departmental Memo

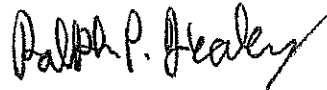
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: November 28, 2023
SUBJECT: Property Cleanup Assessment
306 Bayview Avenue, Massapequa, New York 11758
Section 65, Block 102, Lot 221

By the emergency powers granted to the Department of Planning and Development, the Highway Department installed temporary fencing around the entire premises located at 306 Bayview Avenue, Massapequa, New York 11758, also known as Section 65, Block 102, Lot 221 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 6, 2023, advised that the property was secured by a crew from the Highway Department on September 1, 2023. The cost incurred by the Town of Oyster Bay was \$1,861.58.

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

Kindly place this matter on the Town Board Action Calendar.

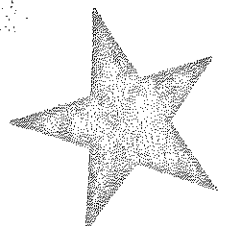
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

S:\Attys\aml\Cleanup MD&Reso\MD 306 Bayvies Ave bd up 11.28.2023



2023-9291

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 23, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 306 BAYVIEW AVENUE, MASSAPEQUA, NEW YORK 11758
SBL: 65-102-221

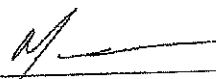
Notice of Violation number V340-23816140308 was issued to the owner of the above-referenced premises on 08/16/2023 for failing to secure property under building construction with proper fencing, in violation of Chapter 93, Section 14.1 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

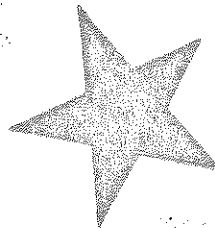
- Install six-foot chain link fencing around the entire property.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

August 23, 2023

Kevin Boyle
306 Bayview Avenue
Massapequa, N.Y. 11758

RE: 306 BAYVIEW AVENUE, MASSAPEQUA, NEW YORK 11758
SECTION 65 BLOCK 102 LOT 221
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

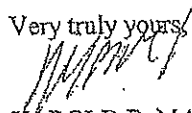
Kevin Boyle,

Pursuant to Chapter 93 (Building Construction), Section 14.1 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued a Notice of Violation, Number V340-23816140308, dated 8/16/2023, which gave you five (5) days to provide a temporary substantial fence, no less than 6 feet high of suitable material surrounding the property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to install on the subject property a substantial fence of no less than 6 feet high of wood or other suitable material which shall be built for its full length except for such openings with sliding doors or swing gate. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6237.

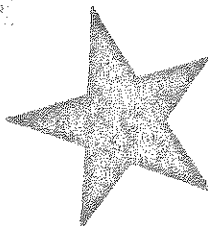
Very truly yours,


HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf

cc: Office of the Town Attorney

cc: Kevin Boyle @ 259 Biltmore Blvd., Massapequa, N.Y. 11758



AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 8, 2023

SUBJECT: 306 BAYVIEW AVENUE, MASSAPEQUA, NEW YORK 11758
SECTION 65, BLOCK 102, LOT(S) 221

The above referenced property was boarded-up (temporary fencing) by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the board-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the board-up of the subject property. The costs for the subject property's board-up are as follows:

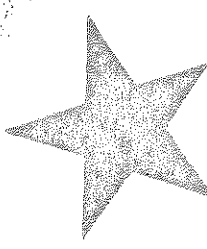
- 1) T.O.B. Highway Department Board-Up (temporary fencing) Costs: \$ 1,861.58

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,861.58 to be added to the subject property tax bill in order to be reimbursed for the Town's work to board-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Timothy R. Zike, D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



THIS INDENTURE, made the 16th day of Feb, two thousand twenty-one ^{two}

BETWEEN [REDACTED], his wife, residing at 306 Bayview Ave Massapequa, NY 11758

party of the first part, and

KEVIN BOYLE residing at
party of the second part.

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever; ALL that certain plot, piece or parcel of land, with the building and improvements thereon erected, situate, lying and being

"Schedule A" Attached Hereto"

PARTY OF FIRST PART being the same party who acquired title to the premises by Deed dated 7/9/1971 and duly recorded 7/15/1971 in the Nassau County Clerk's Office in Liber 8268 page 184.

SAID PREMISES known as 306 Bayview Ave Massapequa, NY 11758

See Schedule "A"

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

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

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

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

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

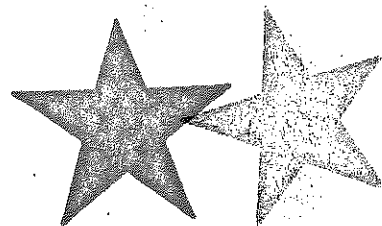
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



SECTION:65

LOCK:102

LOT:221

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

September 6, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


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

SUBJECT: 306 BAYVIEW AVENUE, MASSAPEQUA
FENCE

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,861.58.

If you have any questions pertaining to the above subject, please feel free to contact this office.

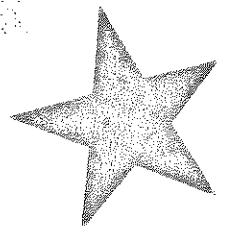


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

FENCE - 306 BAYVIEW AVENUE, MASSAPEQUA TO P & D 108159





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Date Sep 1, 2023

Location (65-102-221) 306 BAYVIEW AVE MASSAPEQUA 11758

Work Order # 108159


Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
ALBERT MAZLIAH	General Maintenance	01:30	\$27.40	00:00	0	\$41.10
JOHN MURRAY	General Maintenance	01:30	\$24.52	00:00	0	\$36.78
Total Labor						\$77.88

Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
TU052		TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:30	\$118.50
Total Equipment					\$118.50

Materials		Material	Cost Per Unit	Units	Line Cost
		Administrative Fee	\$750.00	1	\$750.00
		Temporary Fence	\$114.40	8	\$915.20
Total Materials					\$1665.20

Grand Total \$1861.58

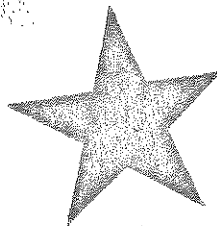
Description of Work:
FENCE PROPERTY 306 BAYVIEW AVENUE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 5, 2023



Meeting of January 9, 2024

Resolution No. 12 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 31, 2023, authorized the Highway Department to clean the premises located at 153 Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 37, Lots 45 to 47 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 8, 2023, in the total amount of \$1,398.84, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated September 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,398.84 may be assessed by the Legislature of the County of Nassau against the parcel known as 153 Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 37, Lots 45 to 47 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

12

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

SUBJECT: Property Cleanup Assessment
153 Ocean Avenue, Massapequa, New York 11758
Section 65, Block 37, Lots 45 to 47

The Department of Planning and Development, by memorandum dated August 31, 2023, directed the Highway Department to clean the premises located at 153 Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 37, Lots 45 to 47 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 13, 2023, advised that the property was cleaned by a crew from the Highway Department on September 8, 2023. The cost incurred by the Town of Oyster Bay was \$1,398.84.

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

Kindly place this matter on the Town Board Action Calendar.

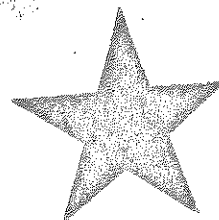
FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 153 Ocean Ave 11.29.2023.doc



2023-9289

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 31, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 153 OCEAN AVE., MASSAPEQUA, NEW YORK 11758
SBL: 65-37-45


Notice of Violation number V257-23823092212 was issued to the owner of the above-referenced premises on 08/23/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

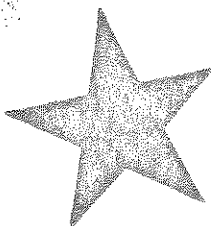
- Lawn and vegetation to be cut on the subject property.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:ml
cc: Frank Scalera, Town Attorney





Town of Oyster Bay
Department of Planning and Development
Town Hall - 74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6208
FAX (516) 624-6240
www.oysterbaytown.com

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

August 31, 2023

South St. Marks Corporation
144-42 Jewel Avenue
Flushing, N.Y. 11367

RE: 153 OCEAN AVE, MASSAPEQUA, NEW YORK 11758
SECTION 65 BLOCK 37 LOT 45
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V257-23823092212, dated 08/23/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner

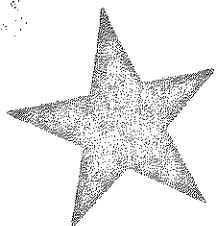
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf

cc: Office of the Town Attorney

Andrew Preston, Esq., BRFH&D Attorneys at Law

Enclosure



DL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY
FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
DATE: SEPTEMBER 20, 2023
SUBJECT: 153 OCEAN AVENUE, MASSAPEQUA, NEW YORK 11758
SECTION 65, BLOCK 37, LOT(S) 45

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

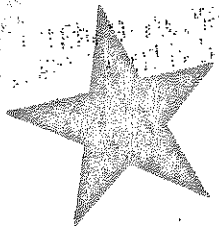
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,398.84

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,398.84 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Harold B. Mayer Jr.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
cc: Andrew Preston Bee, Ready, Fishbein, Hatter, & Donovan, LLP.
Encls.





50.2234-N

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

THIS INDENTURE, made on 13 th day of June, Two Thousand Eighteen
BETWEEN

party of the first part, and South
St. Marks Corp., having offices at 1123 Harrison Street, Baltimore, NY
11710

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) -----

----- dollars,

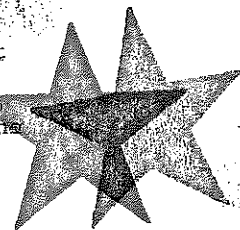
lawful money of the United States, and other valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors
and assigns of the party of the second part forever.

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

SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF (the
"Premises")

REVERSIONARY RIGHT AND RESTRICTION RUNNING WITH THE LAND. Grantee or
Grantee's
heirs, devisees, legal representatives, successors and assigns
(collectively, the "Owner") shall obtain a duly issued final certificate
of occupancy, or a duly issued certificate of completion, as applicable,
from the local building department with jurisdiction covering the
alterations and/or, building (s), as applicable and all other
improvements located on the Premises authorizing their use as a
residential dwelling (the "Final Certificate of Occupancy") within one
(1) year from the date of closing, indicating that all redevelopment of
the premises is consistent with local use and zoning regulations and
floodplain development and design requirements set forth in the New York
State Building Code and any local codes. Within fifteen (15) days of
the Owner's receipt of the Final Certificate of Occupancy, the owner
must submit the Final Certificate of Occupancy to the Grantor for the
Grantor's approval in order to release the Grantor's reversionary
interest in the Premises. Owner further acknowledges that failure to
obtain and present Grantor with a Final Certificate of Occupancy that is
satisfactory to Grantor within one (1) year of the date of closing will
result in the automatic reversion of the Premises to the Grantor. If at
the time of the automatic reversion there are liens and/or encumbrances
on the Premises, the Owner will be responsible for satisfying and
extinguishing such liens and encumbrances. If Owner has not satisfied
and extinguished the liens and encumbrances at the time of automatic
reversion, Owner shall indemnify and defend Grantor against any costs,
claims and expenses, including reasonable attorney's fees, arising out
of Owner's failure to satisfy and/or extinguish such liens and
encumbrances. The Grantor reserves the right, at its sole discretion,
to grant the Owner additional time to meet the condition or release the



of Owner's failure to satisfy and/or extinguish such liens and encumbrances. The Grantor reserves the right, at its sole discretion, to grant the Owner additional time to meet the condition or release the Grantor's reversionary interest upon written request by the Owner to the Grantor within one (1) year of the date of closing ("Request for Extension"), showing Owner's good faith efforts to satisfy the condition. If the Premises is non-conforming and therefore require a variance in order to obtain a Final Certificate of Occupancy, upon Owner's submission to Grantor of a variance application for the Premises that has been approved by the applicable municipality, Owner's time to obtain a Final Certificate of Occupancy will be two (2) years from the date of closing. An Owner wishing to combine a purchased Premises with an adjacently owned property may submit a written request to the Grantor to waive this restriction once the purchased Premises and the adjacent property have been merged. Such a request must include documentation filed with the relevant clerk's office that the plots have been merged prior to the request for waiver. Grantor may conduct biannual monitoring on the progress of the redevelopment of the premises and Owner shall cooperate with the Grantor and Grantor's agents and provide Grantor with such information and documentation as may be reasonably requested by Grantor in connection with the redevelopment of the Premises. Owner appoints and delegates Grantor to review the construction progress. Upon Owner's satisfaction of the above-referenced requirements, the Grantor's reversionary interest will be released and full title will vest in the Owner. The Final Certificate of Occupancy or any Request for Extension must be sent to acquisitionauctions@stormrecovery.ny.gov or to Housing Trust Fund Corporation, Attn: New York Rising Acquisition Auction Monitoring and Compliance, 500 Bi-County Boulevard, Suite 118, Farmingdale, NY 11735 or to 25 Beaver Street, 5th Floor, New York, NY 10004 or such other address as Grantor may designate upon notice to Owner.

COVENANT AS TO FLOOD INSURANCE RUNNING WITH THE LAND. If the Premises is located in a Special Flood Hazard Area under Federal Emergency Management Agency (FEMA) Flood Maps or within the Special Flood Hazard Area under the advisory Base Flood Elevations issued by FEMA, at the time of any conveyance, any dwelling on any part of the Premises shall be insured under the policy of flood insurance in the amount equal to the lesser of (a) the full insurable value, as determined by the property insurer secured by the transferee, or (b) the maximum amount of flood insurance coverage available under the National Flood Insurance Program to the extent coverage can be obtained under the National Flood Insurance Program. In the event the Grantee or subsequent owners/transferees shall fail to maintain flood insurance, Grantee or Owner may not be eligible for federal disaster relief assistance for repair, replacement, or restoration of damage due to flooding as provided in 42 U.S.C. 5154a. Grantee must notify subsequent transferees of the requirement to maintain flood insurance by including this covenant to secure flood insurance notification language in all subsequent written conveyance instruments. This covenant as to flood insurance shall run with the Premises in perpetuity or, alternatively, for the maximum period permitted by law, and may be enforced by any transferor, any of transferor's successors in interest or by FEMA, the United States Department of Housing and Urban Development or any other authorized government entity.

This conveyance is made pursuant to Section 45-a7(e) of the Private Housing Finance Law of the State of New York.

Being an intended to be the same premises as conveyed to Grantor herein by deed 4/17/2017 and recorded on 5/3/2017 in Liber 13503 Page 963 in the office of the Clerk of Nassau County.

SAID premises being known as 153 South Ocean Avenue, Massapequa, NY 11758

Section: 65 Block: 037 Loc: 45-47



ACKNOWLEDGMENT IN NEW YORK STATE (RPL 389-a)

State of New York, County of Nassau ss:
On 6/13/18 before me, the undersigned,
personally appeared [redacted]

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

RICHARD SMALKIN
Notary Public - State of New York
No. 815M4957065
Qualified in Nassau County
My Comm. Expires Oct. 14, 2021
[Signature]
18/10/21

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 389-b)

State of _____ County of _____ ss:
On _____ before me, the undersigned,
personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or country or other place acknowledged in)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

File No. 562234

Patrick McEvoy

TO

St. Marks Corp.

ACKNOWLEDGMENT BY SUBSCRIBING WITNESSES

State of _____ } ss:
County of _____

On _____ before me, the undersigned,
personally appeared _____

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____ (if the place of residence is in a city, include the street and street number, if any, thereof).

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

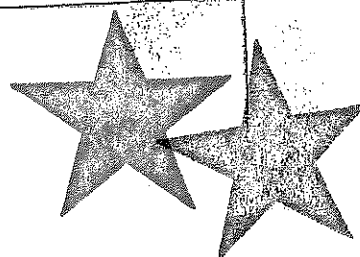
execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.
☐ If taken outside New York State insert city or political subdivision and state or country or other place acknowledgment taken. And that said subscribing witness(es) made such appearance before the undersigned in _____

(signature and office of individual taking acknowledgment)

SECTION 65
BLOCK 637
LOT 45-47
COUNTY OR TOWN Nassau

RETURN BY MAIL TO:

Robert O'Brien, Esq.
877 N Corona Avenue
N Valley Stream, NY 11580



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

September 13, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

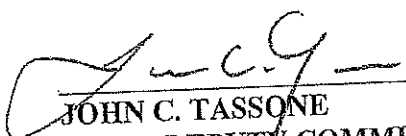
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 153 SO. OCEAN AVENUE, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,398.84.

If you have any questions pertaining to the above subject, please feel free to contact this office.

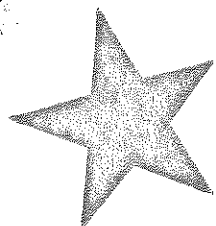


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

CLEAN UP - 153 SO. OCEAN AVENUE, MASSAPEQUA, TO P & D 108322





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (65-37-45) 153 SO OCEAN AVE MASSAPEQUA 11758

Date Sep 8, 2023

Work Order # 108322

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL MCGEEVER	General Maintenance	01:00	\$33.89	00:00	0	\$33.89
MICHAEL F FITZPATRICK	General Maintenance	01:00	\$23.03	00:00	0	\$23.03
LOUIS CICCOLELLA	General Maintenance	01:00	\$25.24	00:00	0	\$25.24
SCOTT KELLY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
STEVEN KELLY	General Maintenance	01:00	\$26.68	00:00	0	\$26.68
Total Labor						\$123.84

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU500	2023 FORD F-250 YW	\$79.00	01:00	\$79.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:00	\$105.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:00	\$105.00
TD778	2023 INT. DUMP TRUCK YELLOW	\$131.00	01:00	\$131.00
TR090	TRAILER 1992 MI/MO TRLR1 YW (M-90 / M90)	\$105.00	01:00	\$105.00
Total Equipment				\$525.00

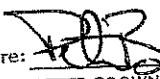
Materials

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

Grand Total \$1398.84

Description of Work:

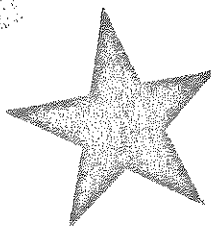
CLEAN UP 153 OCEAN AVENUE MASSAPEQUA

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 11, 2023



Meeting of January 9, 2024

Resolution No. 13 -2024

PPS
REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 6, 2023, authorized the Highway Department to clean up the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 14, 2023, in the total amount of \$1,456.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved; and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,456.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

13

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

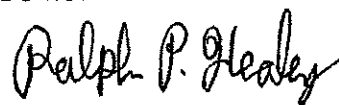
SUBJECT: Property Cleanup Assessment
101 Clocks Boulevard, Massapequa, New York 11758
Section 66, Block 133, Lot 239

The Department of Planning and Development, by memorandum dated September 6, 2023, directed the Highway Department to clean the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 19, 2023, advised that the property was cleaned by a crew from the Highway Department on September 14, 2023. The cost incurred by the Town of Oyster Bay was \$1,456.94.

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

Kindly place this matter on the Town Board Action Calendar.

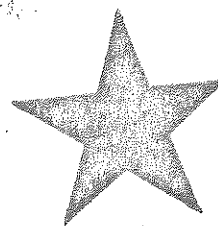
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 101 Clocks Blvd 11.29.2023.doc



PPS
REVIEWED BY
OFFICE OF TOWN ATTORNEY

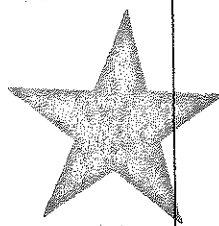
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 6, 2023, authorized the Highway Department to clean up the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 14, 2023, in the total amount of \$1,456.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,456.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2023-9296

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 06, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 101 CLOCKS BLVD., MASSAPEQUA, NEW YORK 11758
SBL: 66-133-239


Notice of Violation number 005655 on 08/30/2023 were issued to the owner of the above-referenced premises for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Lawn and vegetation to be cut on the subject property.

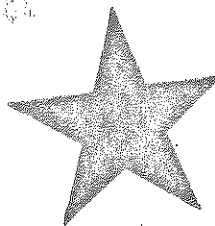
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 06, 2023

GeoTom Properties
12 Woodfield Lane
Glen Head, N.Y. 11548

RE: 101 CLOCKS BLVD., MASSAPEQUA, NEW YORK 11758
SECTION 66 BLOCK 133 LOT 239
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

GeoTom Properties:

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number 005655, dated 08/30/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

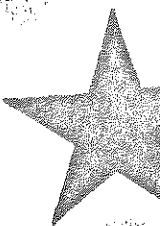
According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of Town Attorney
Enclosure



AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY
FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
DATE: SEPTEMBER 25, 2023
SUBJECT: 101 CLOCKS BLVD., MASSAPEQUA, NEW YORK 11758
SECTION 66, BLOCK 133, LOT(S) 239

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,456.94

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,456.94 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Harold B. Mayer Jr.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml

Encls.



SPECIAL WARRANTY DEED

DU
3
THIS INDENTURE, made ^{as of} the 29th day of September, 2020

BETWEEN

DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee for INDYMAC INDX
MORTGAGE LOAN TRUST 2007-AR5, MORTGAGE PASS-THROUGH CERTIFICATES
Series 2007-AR5
C/O PHH Mortgage Corporation 1 Mortgage Way, Mount Laurel, NJ 08054

party of the first part, and

Geotom Properties, Inc.
12 Woodfield Lane, Glen Head, NY 11548

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 Dollars (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby specially warrant unto the party of the second part, the heirs or successors and assigns of the party of the second part forever:

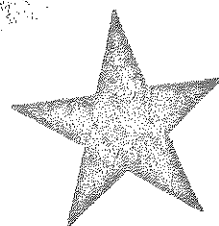
366
133
L239
ALL that certain plot, piece or parcel of land, situate, lying and being at Breezy Point, Amityville, Town of Oyster Bay, County of Nassau and State of New York, known as and by part of Plot Nos. 103 and 104 on a certain map entitled, "Map of Breezy Point situated at Amityville, Town of Oyster Bay, Nassau County, New York, property of Ridgewood Park Realty Company, surveyed January 1913 by Frank Asbury, C.E. & C.S." and filed in the Office of the Clerk of the County of Nassau on April 13, 1916 as Map No. 255, Case No. 1927 and which said part of plots are more particularly bounded and described as follows:

BEGINNING at a point which the corner formed by the intersection of the Westerly side of Clocks Boulevard with the Northerly side of Bayview Place;

RUNNING THENCE Westerly along said Northerly side of Bayview Place and at right angles to said Westerly side of Clocks Boulevard, 170.00 feet to a point, said point being 100 feet East of Yacht Channel;

RUNNING THENCE Northerly at right angles to said Northerly side of Bayview Place, 100.00 feet;

RUNNING THENCE Easterly at right angles to the last described course and parallel to said Northerly side of Bayview Terrace, 170.00 feet to said Westerly side of Clocks Boulevard;



RUNNING THENCE Southerly along said Westerly side of Clocks Boulevard and at right angles to last described course, 100.00 feet to the corner, to the point or place of BEGINNING.

Being and intended to be the property conveyed to Grantor by Referee's Deed Recorded February 14, 2020 in Book 13913 and Page 448

The subject property is located at: 101 Clocks Blvd., Massapequa, NY 11758

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

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

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

DATE
Douglas Townsend

Date: September 24, 2020

DEUTSCHE BANK NATIONAL TRUST
COMPANY as Trustee for INDYMAC INDEX
MORTGAGE LOAN TRUST 2007-AR5,
MORTGAGE PASS-THROUGH
CERTIFICATES Series 2007-AR5
By: its attorney-in-fact PHH Mortgage
Corporation

Seller

Carlene Reid
By: its attorney-in-fact PHH Mortgage
Corporation, POA recorded simultaneously
herewith

Carlene Reid,
Contract Management Coordinator

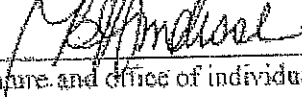
State of Florida

County of Palm Beach

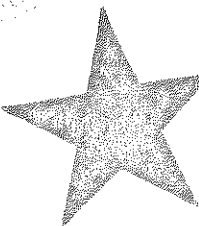
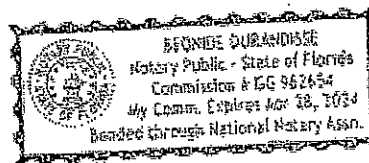


By means of ☒ physical presence or ☐ online notarization

On the 24 day of September in the year 2020 before me, the undersigned, personally appeared Carlene Reid as Contract Management Coordinator of its attorney-in-fact PHH Mortgage Corporation for DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee for INDYMAC INDX MORTGAGE LOAN TRUST 2007-AR5, MORTGAGE PASS-THROUGH CERTIFICATES Series 2007-AR5, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the city of West Palm Beach, Florida. (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).

 Beonide Durandisse
(Signature and office of individual taking acknowledgement.)

After Recording: Return
Geotom Properties, Inc.
12 Woodfield Lane, Glen Head, NY
11548



Town of Oyster Bay
Inter- Departmental Memo

September 19, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


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

SUBJECT: 101 CLOCKS BLVD., MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,456.94.

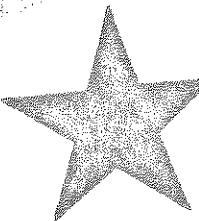
If you have any questions pertaining to the above subject, please feel free to contact this office.


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

CLEAN UP - 101 CLOCKS BLVD., MASSAPEQUA TO P & D 108507





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (66-133-239) 101 CLOCKS BLVD MASSAPEQUA 11758

Date Sep 14, 2023

Work Order # 108507

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
CHRISTOPHER MADDEN	General Maintenance	01:00	\$30.29	00:00	0	\$30.29
MICHAEL MCGEEVER	General Maintenance	01:00	\$33.89	00:00	0	\$33.89
LOUIS CICOLELLA	General Maintenance	01:00	\$25.24	00:00	0	\$25.24
SCOTT KELLY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
DANIEL MCQUAID	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
Total Labor						\$128.94

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU500	2023 FORD F-250 YW	\$79.00	01:00	\$79.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:00	\$105.00
TD729	6 WHEELER 2015 LIC AM8735	\$131.00	01:00	\$131.00
TO090	TRACTOR 2001 NEHO TN65 BLUE (LT-3 / LT3)	\$158.00	01:00	\$158.00
TR151	TRAILER 2007 CCOUN 510TS BLACK	\$105.00	01:00	\$105.00
Total Equipment				\$578.00

Materials

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

Grand Total \$1456.94

Description of Work:

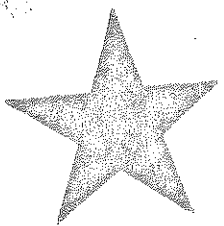
CLEAN UP 101 CLOCKS BLVD MASSAPEQUA

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 18, 2023



Meeting of January 9, 2024

Resolution No. 14 -2024

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to secure the dwelling located at, 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 5, 2023, in the amount of \$1,032.12, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,032.12 may be assessed by the Legislature of the County of Nassau against the parcel known as 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

SUBJECT: Property Cleanup Assessment
62 Alhambra Road, Massapequa, New York 11758
Section 65, Block 92, Lots 107 and 108

By the emergency powers granted to the Department of Planning and Development, the Highway Department secured the premises located at 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 13, 2023, advised that the property was secured by a crew from the Highway Department on September 5, 2023. The cost incurred by the Town of Oyster Bay was \$1,032.12.

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

Kindly place this matter on the Town Board Action Calendar.

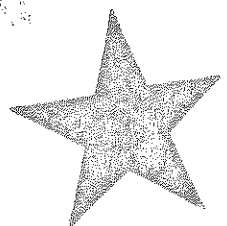
FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

S:\Attys\aml\Cleanup MD&Reso\MD 62 Alhambra Rd bd up 11.29.2023



WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to secure the dwelling located at, 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau; and

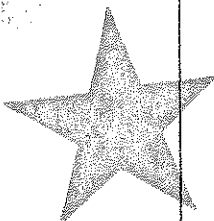
WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 5, 2023, in the amount of \$1,032.12, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,032.12 may be assessed by the Legislature of the County of Nassau against the parcel known as 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey



2023-9290

Ken Bishop

From: Daniel Kornfeld
Sent: Wednesday, September 6, 2023 9:49 AM
To: Ken Bishop
Subject: FW: 62 Alhambra Road, Massapequa - Dangerous Building

Please enter work order

From: Richard Lenz <rlenzen@oysterbay-ny.gov>
Sent: Tuesday, September 5, 2023 3:09 PM
To: John Tassone <jtassone@oysterbay-ny.gov>; Daniel Kornfeld <dkornfeld@oysterbay-ny.gov>; Peter Brown <pbrown@oysterbay-ny.gov>
Subject: FW: 62 Alhambra Road, Massapequa - Dangerous Building

Dangerous Building

Richard W. Lenz, P. E.
Commissioner
Department of Public Works / Highway
150 Miller Place, Syosset NY 11791
(516) 677-5124



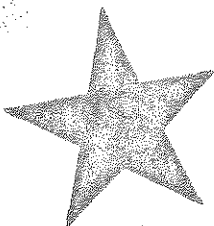
From: Timothy R. Zike <tzike@oysterbay-ny.gov>
Sent: Tuesday, September 5, 2023 2:37 PM
To: Richard Lenz <rlenzen@oysterbay-ny.gov>; John Tassone <jtassone@oysterbay-ny.gov>
Cc: Hal Mayer <hmayer@oysterbay-ny.gov>; Gregory Carman <gcarman@oysterbay-ny.gov>; Frank Scalera <fscalera@oysterbay-ny.gov>; Michael Esposito <mesposito@oysterbay-ny.gov>; Justin McCaffrey <jmccaffrey2@oysterbay-ny.gov>; Margaret Lippolt <mlippolt@oysterbay-ny.gov>; Angelo Delligatti <adelligatti@oysterbay-ny.gov>
Subject: 62 Alhambra Road, Massapequa - Dangerous Building

John,

Pursuant to Chapter 96 (Dangerous and Abandoned Buildings), Section 20 (Emergencies) of the Code of the Town of Oyster Bay, this Department has declared that the dwelling located at 62 Alhambra Road, Massapequa, New York (Section 65, Block 92, Lot 107) is a "Dangerous Building" and therefore it is to be vacated and secured.

It is respectfully requested that the Town of Oyster Bay's Department of Public Works – Highway Division have personnel immediately lock and secure all doors and windows on the dwelling.

Thank you for assistance in this matter.



If you have any questions, please contact me at extension 6267.

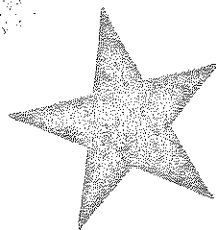
Timothy R. Zike

Deputy Commissioner

Town of Oyster Bay

Department of Planning and Development

(516) 624-6267



Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 20, 2023

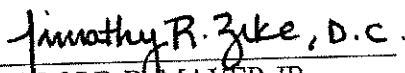
SUBJECT: 62 ALHAMBRA ROAD, MASSAPEQUA, NEW YORK 11758
SECTION 65, BLOCK 92, LOT(S) 107

The above referenced property was boarded-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the board-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the board-up of the subject property. The costs for the subject property's board-up are as follows:

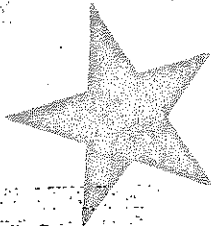
- 1) T.O.B. Highway Department Board-Up Costs: \$ 1,032.12

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,032.12 to be added to the subject property tax bill in order to be reimbursed for the Town's work to board-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.


HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



THIS INDENTURE, made the 30 day of Oct, nineteen hundred and 94
BETWEEN

party of the first part, and

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, known and designated on a certain map entitled "Map of Biltmore Shores, Section 1, Massapequa, Long Island, surveyed March 1926, by Smith & Malcolmson, Inc. Civ. Engineers, Freeport, N. Y." and filed in the office of the Clerk of the County of Nassau as Map No. 602, New No. 638, as and by the lot numbers 107, 108, 109 and 110 more particularly bounded and described as follows:
BEGINNING at a point on the westerly side of Alhambra Road, distant 466.98 feet northerly from the corner formed by the intersection on the northerly side Saltaire Place with the westerly side of Alhambra Road;

RUNNING Thence northerly along the westerly side of Alhambra Road, 80.0 feet;

THENCE westerly along a line which forms a right angle to the last mentioned course, 72.8 feet to the easterly side of Creek;

THENCE southerly and along the easterly side of Creek to the division line of lot 110 and 111 as shown on above mentioned filed map;

THENCE easterly and along a line which forms a right angle to the westerly side of Alhambra Road, 76.1 feet to the westerly side of Alhambra Road and the point or place of BEGINNING.

The grantors are the same persons as grantees in deed recorded in Liber 7206 and Page 83 and Liber 7206 Page 85.

Premises herein described are the and intended to be the same as those described in deed recorded in Liber 7206 Page 83 and Liber 7206 Page 85

Subject to drainage easement by the Town of Oyster Bay in Liber 3723 and Page 585, over the northerly three feet of lot 107

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

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

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

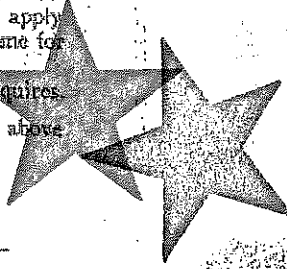
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

[Signature]

[Signature]



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

September 13, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

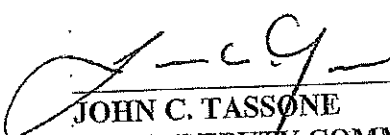
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 62 ALHAMBRA ROAD, MASSAPEQUA
BOARD-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,032.12.

If you have any questions pertaining to the above subject, please feel free to contact this office.

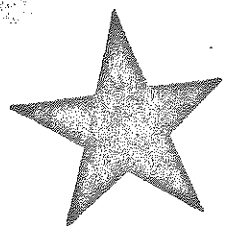


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

BOARD UP -- 62 ALHAMBRA ROAD, MASSAPEQUA, TO P & D 108414





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (65-92-107) 62 ALHAMBRA RD MASSAPEQUA 11758

Date Sep 5, 2023

Work Order # 108414

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ALBERT MAZLIAH	General Maintenance	02:00	\$27.40	00:00	0	\$54.80
Total Labor						\$54.80

Tools/Vehicle

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


Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Hasps	\$7.24	2	\$14.48
Locks	\$12.39	2	\$24.78
Plywood 4'X8'X3/4"	\$30.06	1	\$30.06
Total Materials			\$819.32

Grand Total \$1032.12

Description of Work:

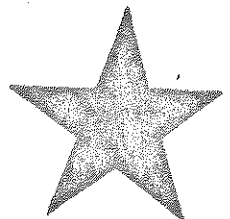
BOARD UP 62 ALHAMBRA ROAD MASSAPEQUA

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 11, 2023



Meeting of January 9, 2024

Resolution No. 15 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 8, 2023, authorized the Highway Department to clean up the premises located at 43 Sunnyside Boulevard, Plainview, New York 11803, also known as Section 13, Block 5, Lot 4 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 13, 2023, in the total amount of \$1,438.83, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,438.83 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 Sunnyside Boulevard, Plainview, New York 11803, also known as Section 13, Block 5, Lot 4 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

SUBJECT: Property Cleanup Assessment
43 Sunnyside Boulevard, Plainview, New York 11803
Section 13, Block 5, Lot 4

The Department of Planning and Development, by memorandum dated September 8, 2023, directed the Highway Department to clean the premises located at 43 Sunnyside Boulevard, Plainview, New York 11803, also known as Section 13, Block 5, Lot 4 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 19, 2023, advised that the property was cleaned by a crew from the Highway Department on September 13, 2023. The cost incurred by the Town of Oyster Bay was \$1,438.83.

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

Kindly place this matter on the Town Board Action Calendar.

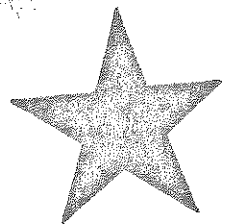
FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

amlS:\Attorney\Reso 2022\MD 43 Sunnyside Blvd 11.29.2023.doc



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 8, 2023, authorized the Highway Department to clean up the premises located at 43 Sunnyside Boulevard, Plainview, New York 11803, also known as Section 13, Block 5, Lot 4 on the Land and Tax Map of the County of Nassau; and

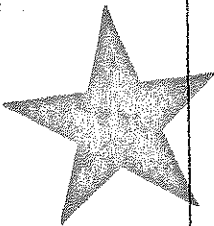
WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 13, 2023, in the total amount of \$1,438.83, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,438.83 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 Sunnyside Boulevard, Plainview, New York 11803, also known as Section 13, Block 5, Lot 4 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey



2023-9295

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 08, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW

From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 43 SUNNYSIDE BLVD., PLAINVIEW, NEW YORK
SBL: 13-5-4

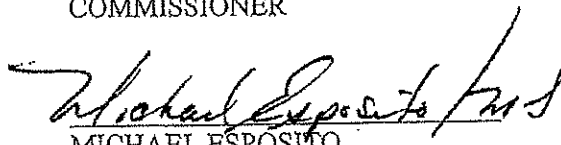
Notice of Violation number V254-23830121054 on 08/30/2023 were issued to the owner of the above-referenced premises for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

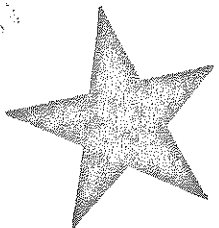
- Lawn and vegetation to be cut on the subject property.
- Remove garbage, litter and debris.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 08, 2023

Ved Gulati
43 Sunnyside Blvd.
Plainview, N.Y. 11803

RE: 43 SUNNYSIDE BLVD., PLAINVIEW, NEW YORK
SECTION 13 BLOCK 5 LOT 4
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Ved Gulati,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V254-23830121054 dated 08/30/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

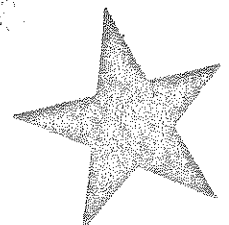
According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height, and remove garbage, litter and debris. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney
Enclosure



AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 25, 2023

SUBJECT: 43 SUNNYSIDE BLVD., PLAINVIEW NEW YORK 11803
SECTION 13, BLOCK 5, LOT(S) 4

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

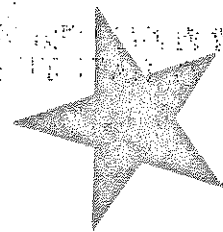
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,438.83

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,438.83 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Timothy R. Zylke, D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



4

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

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

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

THIS INDENTURE, made DECEMBER 13, 2011

BETWEEN Ved Gulati and [REDACTED], husband and wife, of 43 Sunnyside Boulevard, Plainview,
New York 11803, party of the first part, and

Ved Gulati and [REDACTED], husband and wife, and [REDACTED] as joint tenants with rights of
survivorship, all residing at 43 Sunnyside Boulevard, Plainview, New York 11803, party of the second
part;

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected,
situate, lying and being at Hicksville, in the Town of Oyster Bay, County of Nassau and State of New
York, known and designated as and by the Lot numbered 4 in Block 5, on a certain map entitled, "Map of
Hicksville Farms, situate near Hicksville, Town of Oyster Bay, Nassau County, N.Y., property of Land
Holding Corp., surveyed by Roswell S. Baylis, Inc., April 1927", and filed in the Office of the Clerk of
the County of Nassau on May 2nd, 1927 as Map No. 631, Case No. 727, which said lot is more
particularly bounded and described, according to said map, as follows:

BEGINNING at a point on the southerly side of Sunnyside Boulevard, distant 150 feet westerly from
the corner formed by the intersection of the southerly side of Sunnyside Boulevard with the westerly side
of Pal Street (Pine Street);

RUNNING THENCE south 17 degrees 32 minutes 50 seconds east, 275 feet;

RUNNING THENCE south 72 degrees 27 minutes 10 seconds west, 50 feet;

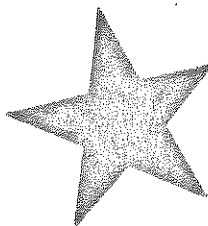
RUNNING THENCE north 17 degrees 32 minutes 50 seconds west, 275 feet to the southerly side of
Sunnyside Boulevard; and

RUNNING THENCE north 72 degrees 27 minutes 10 seconds east, along the southerly side of
Sunnyside Boulevard, 50 feet to the point or place of *BEGINNING*.

SAID premises are not encumbered by a credit line mortgage.

SAID premises being known as and by street number 43 Sunnyside Boulevard, Plainview, NY 11803.

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



TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

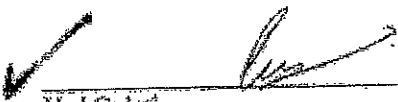
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.


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

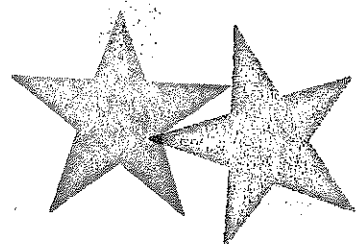
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

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


Ved Golati


IN PRESENCE OF:



Town of Oyster Bay
Inter- Departmental Memo

September 19, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

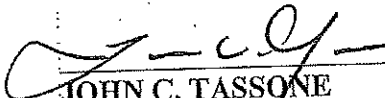
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 43 SUNNYSIDE BLVD., PLAINVIEW
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,438.83.

If you have any questions pertaining to the above subject, please feel free to contact this office.

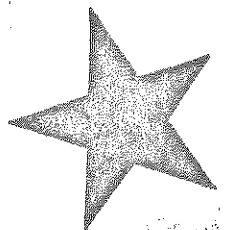


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

CLEAN UP - 43 SUNNYSIDE BLVD., PLAINVIEW TO P & D 108578





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (13-5-4) 43 SUNNYSIDE BLVD PLAINVIEW NY 11803

Date Sep 13, 2023

Work Order # 108578

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:00	\$38.46	00:00	0	\$38.46
BRIAN KWAS	General Maintenance	01:00	\$28.85	00:00	0	\$28.85
RICHARD SANDIFORD II	General Maintenance	01:00	\$36.06	00:00	0	\$36.06
JASON SEMINARIO JR.	General Maintenance	01:00	\$25.24	00:00	0	\$25.24
JEFFREY MOODY, JR.	General Maintenance	01:00	\$20.00	00:00	0	\$20.00
THOMAS CORBETT	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
KEVIN C KENNEY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
Total Labor						\$188.13

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK482	2021 INTERNATIONAL SANI PACKER YELLOW	\$105.00	01:00	\$105.00
PU489	2022 FORD F250 YELLOW	\$79.00	01:00	\$79.00
TD562	TRUCK DUMP 2005 FORD F-350 YW (HP923 / HP924)- Power Wagons	\$105.00	01:00	\$105.00
TD752	2019 FORD F450 POWER WAGON	\$105.00	01:00	\$105.00
Total Equipment				\$394.00

Materials

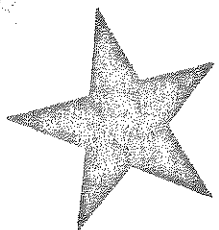
Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$88.92	1.2	\$106.70
Total Materials			\$856.70

Grand Total \$1438.83

Description of Work:

CLEAN UP 43 SUNNYSIDE BLVD PLAINVIEW

Signature: Peter Brown
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Sep 19, 2023



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 6, 2023, authorized the Highway Department to clean up the premises located at 43 Barter Lane, Hicksville, New York 11801, also known as Section 45, Block 285, Lot 3 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 12, 2023, in the total amount of \$1,022.17, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,022.17 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 Barter Lane, Hicksville, New York 11801, also known as Section 45, Block 285, Lot 3 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

Supervisor Saladipo	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

Ralph P. Healey

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

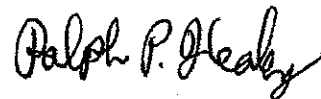
SUBJECT: Property Cleanup Assessment
43 Barter Lane, Hicksville, New York 11801
Section 45, Block 285, Lot 3

The Department of Planning and Development, by memorandum dated September 6, 2023, directed the Highway Department to clean the premises located at 43 Barter Lane, Hicksville, New York 11801, also known as Section 45, Block 285, Lot 3, on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 13, 2023, advised that the property was cleaned by a crew from the Highway Department on September 12, 2023. The cost incurred by the Town of Oyster Bay was \$1,022.17.

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

Kindly place this matter on the Town Board Action Calendar.

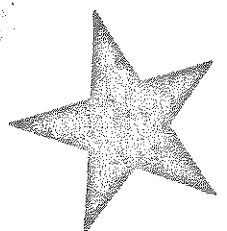
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

S:\aml\Attys\aph\MDReso\MD 43 Barter Ln 11.29.2023



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 6, 2023, authorized the Highway Department to clean up the premises located at 43 Barter Lane, Hicksville, New York 11801, also known as Section 45, Block 285, Lot 3 on the Land and Tax Map of the County of Nassau; and

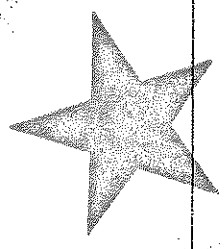
WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 12, 2023, in the total amount of \$1,022.17, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,022.17 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 Barter Lane, Hicksville, New York 11801, also known as Section 45, Block 285, Lot 3 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey



2023-9292

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 06, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 43 BARTER LANE, HICKSVILLE, NEW YORK 11801
SBL: 45-285-3

Notice of Violation number V255-23829101432 on 08/29/2023 were issued to the owner of the above-referenced premises for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

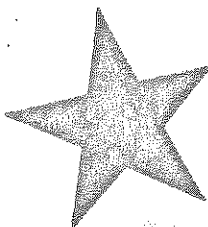
- **Lawn and vegetation to be cut on the subject property.**

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:ml
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 06, 2023

Bespoke Estates LLC
2 Tree Top Circle
Princeton, New Jersey 08740

RE: 43 BARTER LANE, HICKSVILLE, NEW YORK 11801
SECTION 45 BLOCK 285 LOT 3
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Bespoke Estates LLC:

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V255-23829101432, dated 08/29/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

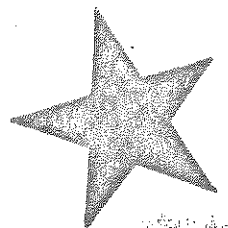
Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner

HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of Town Attorney
Enclosure



Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 20, 2023

SUBJECT: 43 BARTER LANE, HICKSVILLE, NEW YORK 11801
SECTION 45, BLOCK 285, LOT(S) 3

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

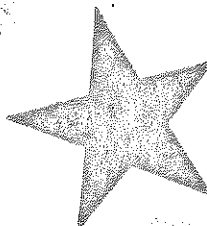
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,022.17

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,022.17 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Timothy R. Zike, D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



Date of delivery September 30, 2020

THIS INDENTURE, made as of the 26th day of September, 2020.

BETWEEN

D.G.S. REALTY, LLC, having an address at 43 Barter Lane, Hicksville New York 11801,

party of the first part, and

Bespoke Estates LLC

~~MANPREET SINGH~~, having an address at 2 Tree Tops Circle, Princeton, New Jersey 08740,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, bounded and described on SCHEDULE A annexed hereto and made a part hereof, with the buildings and improvements thereon erected,

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises;

TOGETHER with the appurtenances and all the estate and rights of the first part in and to said premises;

BEING AND INTENDED TO BE the same premises conveyed to grantors herein by deed recorded in Liber 11517, Page 93; Section: 45, Block: 285, Lot: 3

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

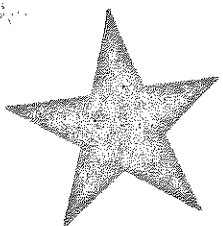
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

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

D.G.S. REALTY, LLC

By: 
David G. Schwartz, Member



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

September 13, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

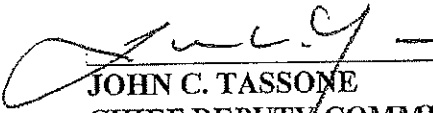
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 43 BARTER LANE, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,022.17.

If you have any questions pertaining to the above subject, please feel free to contact this office.

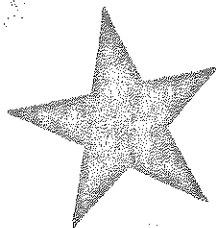


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

CLEAN UP - 43 BARTER LANE, HICKSVILLE TO P & D 108506





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (45-285-3) 43 BARTER LN HICKSVILLE 11801

Date Sep 12, 2023

Work Order # 108506

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
THOMAS CORBETT	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
PETER K SELL	General Maintenance	01:00	\$28.13	00:00	0	\$28.13
JOHN MURRAY	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
Total Labor						\$77.17

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD644	TRUCK DUMP 2008 INTL 4400 YW (T-617)- 10 Wheeler, Chipper Truck	\$90.00	01:00	\$90.00
TD704	TRUCK DUMP 2011 FORD F350 YELLO (T145 / T-145) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$195.00


Materials

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

Grand Total \$1022.17

Description of Work:

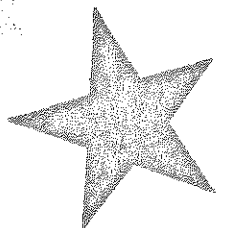
CLEAN UP 43 BARTER LANE HICKSVILLE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 13, 2023



Meeting of January 9, 2024

Resolution No. 17 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 8, 2023, authorized the Highway Department to clean up the premises located at 41 Nancy Place, Massapequa, New York 11758, also known as Section 53, Block 211, Lot 48 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 14, 2023, in the total amount of \$1,464.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,464.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 41 Nancy Place, Massapequa, New York 11758, also known as Section 53, Block 211, Lot 48 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

17

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

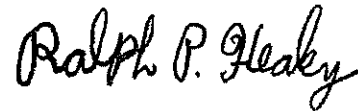
SUBJECT: Property Cleanup Assessment
41 Nancy Place, Massapequa, New York 11758
Section 53, Block 211, Lot 48

The Department of Planning and Development, by memorandum dated September 8, 2023, directed the Highway Department to clean the premises located at 41 Nancy Place, Massapequa, New York 11758, also known as Section 53, Block 211, Lot 48 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 19, 2023, advised that the property was cleaned by a crew from the Highway Department on September 14, 2023. The cost incurred by the Town of Oyster Bay was \$1,464.94.

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

Kindly place this matter on the Town Board Action Calendar.

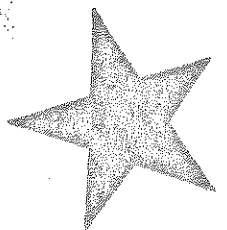
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

amlS:\Attorney\Reso 2022\MD 41 Nancy Pl 11.29.2023.doc



REVIEWED BY
OFFICE OF TOWN ATTORNEY

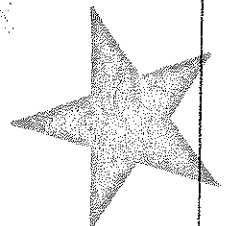
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 8, 2023, authorized the Highway Department to clean up the premises located at 41 Nancy Place, Massapequa, New York 11758, also known as Section 53, Block 211, Lot 48 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 14, 2023, in the total amount of \$1,464.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,464.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 41 Nancy Place, Massapequa, New York 11758, also known as Section 53, Block 211, Lot 48 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2023-9297

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 08, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 41 NANCY PLACE, MASSAPEQUA, NEW YORK 11758
SBL: 53-211-48

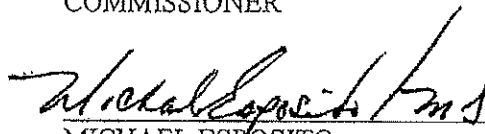
Notice of Violation number 09905 was issued to the owner of the above-referenced premises on 08/29/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

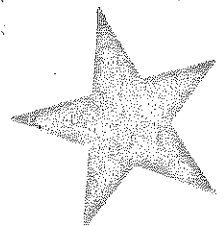
- Lawn and vegetation to be cut on the subject property.

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

HAROLD B. MAYER, JR.
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 08, 2023

C5 Investors LLC
130-06 150th Street
Jamaica, New York 11436

RE: 41 NANCY PLACE, MASSAPEQUA, NEW YORK 11758
SECTION 53 BLOCK 211 LOT 48
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Northeast Fix and Flip Corp./C5 Investors LLC:

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number 09905, dated 08/29/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

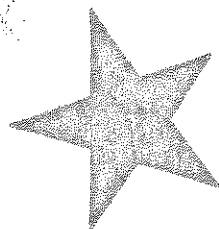
Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf

cc: Office of the Town Attorney

cc: Flip and Fix Corporation @ 41 Nancy Pl., Massapequa, NY 11758

Enclosure



AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 25, 2023

SUBJECT: 41 NANCY PLACE, MASSAPEQUA, NEW YORK 11758
SECTION 53, BLOCK 211, LOT(S) 48

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

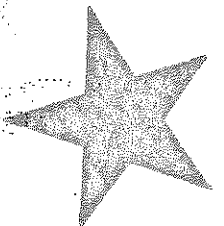
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,464.94

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,464.94 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Harold B. Mayer Jr., D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



THIS INDENTURE, made the 22nd day of September, in the year 2022

BETWEEN

NORTHEAST FIX AND FLIP CORPORATION, with an address at 41 Nancy Place, Massapequa, New York 11758

party of the first part, and

NORTHEAST FIX AND FLIP CORPORATION, with an address at 41 Nancy Place, Massapequa, New York 11758, as to a 50% tenant in common interest, and C5INVESTORS LLC, with an address at 130-06 150th Street, Jamaica, New York 11436, as to a 50% tenant in common interest

party of the second part,

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

TEN and 00/100 (\$10.00) dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

FOR FULL LEGAL DESCRIPTION SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

S: 53 FOR INFORMATION ONLY:

B: 211
L: 48 SAID PREMISES being known as 41 Nancy Place, Massapequa, New York 11758

Sec 53 - Rik 211 - 1 of 48

BEING and intended to be the same premises conveyed to the Party of the First Part herein by deed dated 11/9/2021 and recorded on 12/8/2021 in the Office of the Clerk of Nassau County in Liber 14172 at Page 931.

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

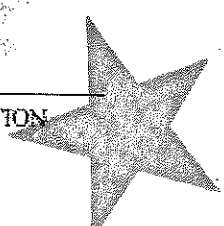
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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

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

IN PRESENCE OF:

Marita Rosado
NORTHEAST FIX AND FLIP CORPORATION
By: Marita Rosado



Town of Oyster Bay
Inter- Departmental Memo

September 19, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

SUBJECT: 41 NANCY PLACE, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,464.94.

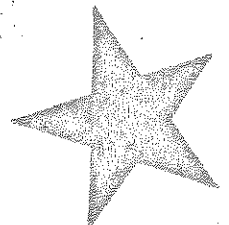
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-211-48) 41 NANCY PL MASSAPEQUA 11758

Date Sep 14, 2023

Work Order # 108582

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
CHRISTOPHER MADDEN	General Maintenance	01:00	\$30.29	00:00	0	\$30.29
MICHAEL MCGEEVER	General Maintenance	01:00	\$33.89	00:00	0	\$33.89
LOUIS CICCOLELLA	General Maintenance	01:00	\$25.24	00:00	0	\$25.24
SCOTT KELLY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
DANIEL MCQUAID	General Maintenance	01:00	\$24.52	00:00	0	\$24.52

Total Labor \$128.94

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU500	2023 FORD F-250 YW	\$79.00	01:00	\$79.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:00	\$105.00
TD729	6 WHEELER 2015 LIC AM8735	\$131.00	01:00	\$131.00
TO090	TRACTOR 2001 NEHO TN65 BLUE (LT-3 / LT3)	\$158.00	01:00	\$158.00
TR151	TRAILER 2007 CCOUN 510TS BLACK	\$105.00	01:00	\$105.00

Total Equipment \$578.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$88.92	0.09	\$8.00

Total Materials \$758.00

Grand Total \$1464.94

Description of Work:

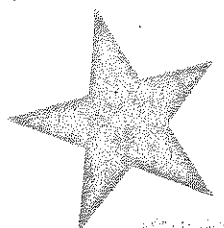
CLEAN OF 41 NANCY PLACE MASSAPEQUA

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 18, 2023



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 23, 2023, authorized the Highway Department to clean up the premises located at 40 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lot 173 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 31, 2023, in the total amount of \$1,550.92, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,550.92 may be assessed by the Legislature of the County of Nassau against the parcel known as 40 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lot 173 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

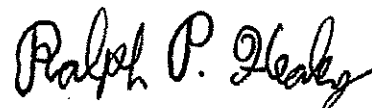
SUBJECT: Property Cleanup Assessment
40 Pirates Cove, Massapequa, New York 11758
Section 66, Block 131, Lot 173

The Department of Planning and Development, by memorandum dated August 23, 2023, directed the Highway Department to clean the premises located at 40 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lot 173, on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 6, 2023, advised that the property was cleaned by a crew from the Highway Department on August 31, 2023. The cost incurred by the Town of Oyster Bay was \$1,550.92.

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

Kindly place this matter on the Town Board Action Calendar.

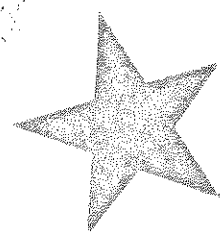
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

S:\aml\Attys\aph\MDReso\MD 40 Pirates Cove 11.29.2023

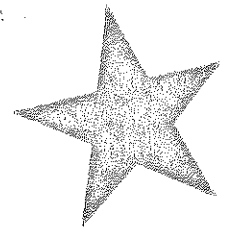


WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 23, 2023, authorized the Highway Department to clean up the premises located at 40 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lot 173 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 31, 2023, in the total amount of \$1,550.92, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,550.92 may be assessed by the Legislature of the County of Nassau against the parcel known as 40 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lot 173 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

2023-9298

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 23, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW

**From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Subject: 40 PIRATES COVE, MASSAPEQUA, NEW YORK 11758
SBL: 66-131-173**

Notice of Violation number V252-23816120407 was issued to the owner of the above-referenced premises on 08/16/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Lawn and vegetation to be cut on the subject property.

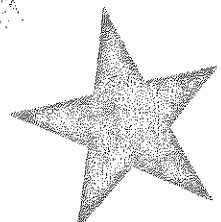
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

August 23, 2023

Janet Pecora
40 Pirates Cove
Massapequa, NY 11758

RE: 40 PIRATES COVE, MASSAPEQUA, NEW YORK 11758
SECTION 66 BLOCK 131 LOT 173
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Janet Pecora,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V252-23816120407, dated 08/16/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have not complied with the above-mentioned Directive.

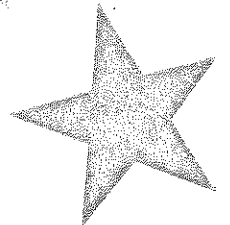
According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney
Enclosure



AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 8, 2023

SUBJECT: 40 PIRATES COVE, MASSAPEQUA, NEW YORK 11758
SECTION 66, BLOCK 131, LOT(S) 173

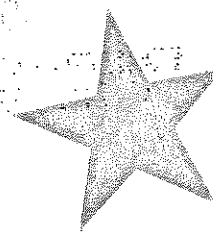
The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,550.92

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,550.92 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Harold B. Mayer Jr.
HAROLD B. MAYER JR.
COMMISSIONER



THIS INDENTURE DATED OCTOBER 25, 2000

Pavogin Q 651
603-N-7829

between: [REDACTED], 40 Pirates Cove, Massapequa, NY, party of the first part, and

JANET PECORA,

party of the second part residing at

21-77 33rd Street Astoria, NY 11105

WITNESSETH, that the party of the first part in consideration of TEN DOLLARS and other valuable consideration paid by party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part, forever,

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING & BEING (see attached schedule "A")

PREMISES KNOWN AS: 40 Pirates Cove, Massapequa, NY

BEING & INTENDED TO BE THE SAME PREMISES CONVEYED TO PARTY OF THE FIRST PART BY DEED DATED JUNE 4, 1997, & RECORDED ON JUNE 18, 1997, IN LIBER 1078, PAGE 73, IN THE OFFICE OF THE CLERK OF THE COUNTY OF NASSAU

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

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

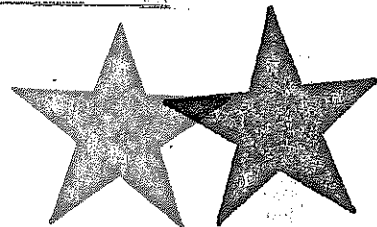
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

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

IN PRESENCE OF:

[REDACTED]



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

September 6, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

SUBJECT: 40 PIRATES COVE, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,550.92.

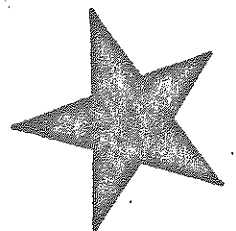
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (66-131-173) 40 PIRATES CV MASSAPEQUA 11758

Date Aug 31, 2023

Work Order # 108153

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
CHRISTOPHER MADDEN	General Maintenance	01:30	\$30.29	00:00	0	\$45.44
MICHAEL MCGEEVER	General Maintenance	01:30	\$33.89	00:00	0	\$50.84
LOUIS CICCONE	General Maintenance	01:30	\$25.24	00:00	0	\$37.86
DANIEL MCQUAID	General Maintenance	01:30	\$24.52	00:00	0	\$36.78
Total Labor						\$170.92

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU500	2023 FORD F-250 YW	\$79.00	01:30	\$118.50
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:30	\$157.50
TD729	6 WHEELER 2015 LIC AM8735	\$131.00	01:30	\$196.50
TR151	TRAILER 2007 CCOUN 510TS BLACK	\$105.00	01:30	\$157.50
Total Equipment				\$630.00


Materials

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

Grand Total \$1550.92

Description of Work:

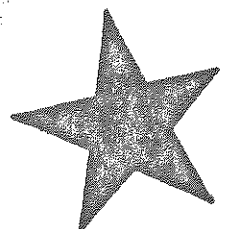
CLEAN UP 40 PIRATES COVE MASSAPEQUA

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 5, 2023



Meeting of January 9, 2024

Resolution No. 19 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 23, 2023, authorized the Highway Department to clean up the premises located at 2 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lots 133 and 134 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 31, 2023, in the total amount of \$1,283.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,283.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lots 133 and 134 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

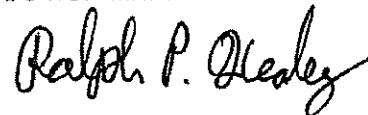
SUBJECT: Property Cleanup Assessment
2 Pirates Cove, Massapequa, New York 11758
Section 66, Block 131, Lots 133 and 134

The Department of Planning and Development, by memorandum dated August 23, 2023, directed the Highway Department to clean the premises located at 2 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lots 133 and 134, on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 6, 2023, advised that the property was cleaned by a crew from the Highway Department on August 31, 2023. The cost incurred by the Town of Oyster Bay was \$1,283.94.

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

Kindly place this matter on the Town Board Action Calendar.

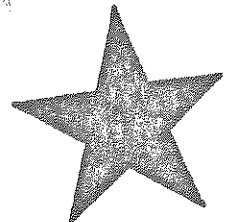
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

S:\aml\Attys\rph\MDReso\MD 2 Pirates Cove 11.29.2023



REVIEWED BY
OFFICE OF TOWN ATTORNEY

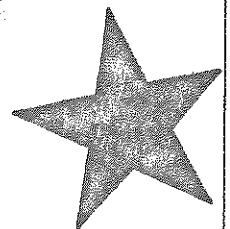
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 23, 2023, authorized the Highway Department to clean up the premises located at 2 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lots 133 and 134 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 31, 2023, in the total amount of \$1,283.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,283.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Pirates Cove, Massapequa, New York 11758, also known as Section 66, Block 131, Lots 133 and 134 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2023-9299

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 23, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW

**From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Subject: 2 PIRATES COVE, MASSAPEQUA, NEW YORK 11758
SBL: 66-131-133 +j34**

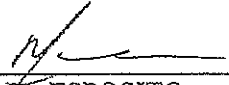
Notice of Violation number V252-23816112929 was issued to the owner of the above-referenced premises on 08/16/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- **Lawn and vegetation to be cut on the subject property.**

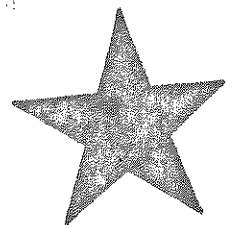
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR.
COMMISSIONER



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLAGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

August 23, 2023

Janet Pecora
2 Pirates Cove
Massapequa, NY 11758

RE: 2 PIRATES COVE, MASSAPEQUA, NEW YORK 11758
SECTION 66 BLOCK 131 LOT 133
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

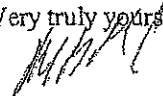
Janet Pecora,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V252-23816112929, dated 08/16/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have not complied with the above-mentioned Directive.

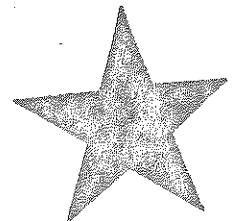
According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,


HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney
Enclosure



Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 8, 2023

SUBJECT: 2 PIRATES COVE, MASSAPEQUA, NEW YORK 11758
SECTION 66, BLOCK 131, LOT(S) 133

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

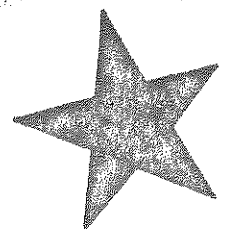
1) T.O.B. Highway Department Clean-Up Costs: \$ 1,283.94

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,283.94 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Harold B. Mayer Jr., D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



THIS INDENTURE, made the 20 day of November, 2013 and
BETWEEN [redacted] and [redacted] his wife,
both residing at 2 Pirates Cove, Massapequa NY

SECTION

66

LOCK

131

lot

133 & 134

party of the first part, and

JANET PECORA, residing at 1207 Hillsboro Mile,
Hillsboro Beach FL 33062

party of the second part,

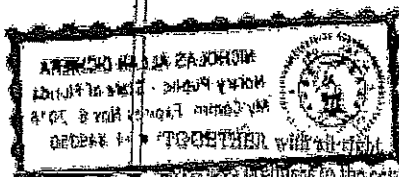
WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

SEE ATTACHED SCHEDULE A

SAID PREMISES BEING KNOWN AS 2 Pirates Cove, Massapequa NY.

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated 10/27/88, recorded in the Nassau County Clerk's Office on 12/13/88 in liber 9960 page 251.



RECEIVED IN
THIS CONDITION

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

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

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

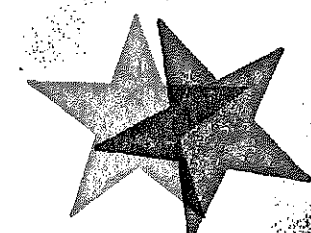
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

[redacted] (L.S.)

[redacted] (L.S.)



AL

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

September 6, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

SUBJECT: 2 PIRATES COVE, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,283.94.

If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location

Date Aug 31, 2023

Work Order # 108152

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
CHRISTOPHER MADDEN	General Maintenance	01:00	\$30.29	00:00	0	\$30.29
MICHAEL MCGEEVER	General Maintenance	01:00	\$33.89	00:00	0	\$33.89
LOUIS CICCOLELLA	General Maintenance	01:00	\$25.24	00:00	0	\$25.24
DANIEL MCQUAID	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
Total Labor						\$113.94

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU500	2023 FORD F-250 YW	\$79.00	01:00	\$79.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:00	\$105.00
TD729	6 WHEELER 2015 LIC AM8735	\$131.00	01:00	\$131.00
TR151	TRAILER 2007 CCOUN 510TS BLACK	\$105.00	01:00	\$105.00
Total Equipment				\$420.00


Materials

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

Grand Total \$1283.94

Description of Work:

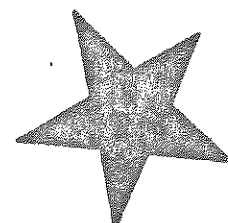
CLEAN UP 2 PIRATES COVE MASSAPEQUA

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 5, 2023



FLS
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 5, 2023, authorized the Highway Department to clean up the premises located at 32 South Oakdale Avenue, Bethpage, New York 11714, also known as Section 46, Block 307, Lot 28 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated November 29, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 8, 2023, in the total amount of \$1,263.20, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated November 29, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,263.20 may be assessed by the Legislature of the County of Nassau against the parcel known as 32 South Oakdale Avenue, Bethpage, New York 11714, also known as Section 46, Block 307, Lot 28 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: November 29, 2023

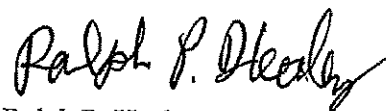
SUBJECT: Property Cleanup Assessment
32 South Oakdale Avenue, Bethpage, New York 11714
Section 46, Block 307, Lot 28

The Department of Planning and Development, by memorandum dated September 5, 2023, directed the Highway Department to clean the premises located at 32 South Oakdale Avenue, Bethpage, New York 11714, also known as Section 46, Block 307, Lot 28 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 13, 2023, advised that the property was cleaned by a crew from the Highway Department on September 8, 2023. The cost incurred by the Town of Oyster Bay was \$1,263.20.

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

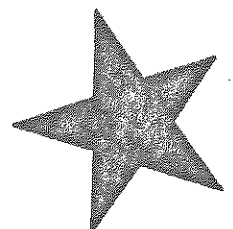
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



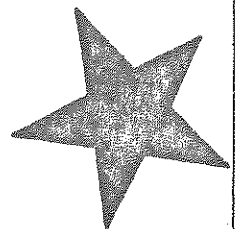
FMR
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 5, 2023, authorized the Highway Department to clean up the premises located at 32 South Oakdale Avenue, Bethpage, New York 11714, also known as Section 46, Block 307, Lot 28 on the Land and Tax Map of the County of Nassau; and

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- # -



2023-9293

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 05, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 32 S. OAKDALE AVE., BETHPAGE, NEW YORK 11714
SBL: 46-307-28

Notice of Violation number V256-23828151519 was issued to the owner of the above-referenced premises on 08/28/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

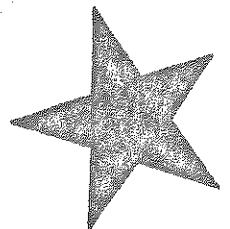
- Cut vegetation in rear yard left of dwelling.
- Install section of missing fencing to entirely enclose yard with swimming pool.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





Town of Oyster Bay
Department of Planning and Development
Town Hall—74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6200
FAX (516) 624-6246
www.oysterbaytown.com

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 05, 2023

Brian Harrigan
32 S. Oakdale Ave.
Bethpage, N.Y. 11714

RE: 32 S. OAKDALE AVE., BETHPAGE, NEW YORK 11714
SECTION 46 BLOCK 307 LOT 28
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Brian Harrigan,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V256-23828151519 dated 08/28/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of vegetation to be under 8 inches in height in the rear yard to the left of the dwelling and install section of missing fencing to entirely enclose yard with swimming pool. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

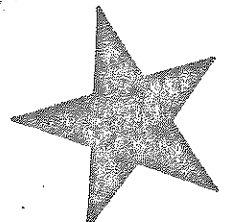
Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney

5/11/98

Confidential



Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 20, 2023

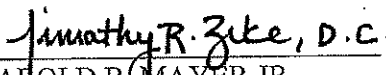
SUBJECT: 32 S. OAKDALE AVENUE, BETHPAGE, NEW YORK 11714
SECTION 46, BLOCK 307, LOT(S) 28

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

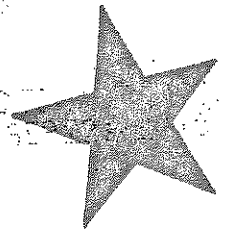
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,263.20

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,263.20 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.


HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.



THIS INDENTURE made the 29th day of September, 2020

his wife, both residing at 32 S. Oakdale Avenue, Bellingham, New York 11714

Part of the first part.

BRIAN HARRIGAN and [REDACTED], residing at 348 Richard Avenue 4A, Hicksville, New York 11801

Party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS and other consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

SEE LEGAL DESCRIPTION ATTACHED HERETO AS SCHEDULE "A"

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated December 14, 1992 and recorded in the Office of the Clerk of Nassau County on February 10, 1993 in Liber 12070 Page 187.

300
40

Premises known as 32 S. Oakdale Avenue, Bethpage, New York 11714

307

LOT
28

The Grantors herein are the same persons as the Grantees in deed dated December 14, 1992 and recorded on February 18, 1993 in Liber 12070 Page 187.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid. AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

If, the party of the first part has duly executed this deed the day and year last
[Redacted]
[Redacted] [Redacted]
[Redacted]

[Redacted] [Redacted]

★ ★

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

September 13, 2023

TO: HAROLD B. MAYER. JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


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

SUBJECT: 32 OAKDALE AVENUE, BETHPAGE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,263.20.

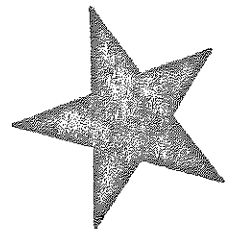
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (46-307-28) 32 OAKDALE AVE BETHPAGE 11714

Date Sep 8, 2023

Work Order # 108417

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
KEVIN FREIBERG	General Maintenance	01:00	\$40.63	00:00	0	\$40.63
ALBERT MAZLIAH	General Maintenance	01:00	\$27.40	00:00	0	\$27.40
THOMAS CORBETT	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
PETER K SELL	General Maintenance	01:00	\$28.13	00:00	0	\$28.13
JOHN MURRAY	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
Total Labor						\$145.20

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU488	2022 FORD F250 PICK UP YELLOW	\$79.00	01:00	\$79.00
TD704	TRUCK DUMP 2011 FORD F350 YELLO (T145 / T-145) - Power Wagons	\$105.00	01:00	\$105.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:00	\$105.00
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$368.00


Materials

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

Grand Total \$1263.20

Description of Work:

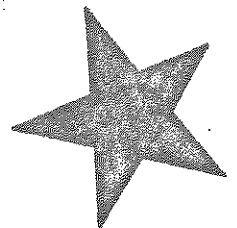
CLEAN UP 32 S. OAKDALE AVE BETHPAGE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 11, 2023



Meeting of January 9, 2024

Resolution No. 21 -2024

REVIEWED BY
OFFICE OF TOWN ATTORNEY

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 7, 2023, stated that the specifications for Contract No. H23-271, Oyster Bay Downtown Connectivity Improvements, have been completed, and the Department of Public Works has approved the specifications, and now seeks to award the requirements contract for a one hundred twenty (120) calendar day period, starting from the date of the award; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of General Services, Division of Purchasing, to proceed with the bidding phase and set a bid date for receiving bids for the contract,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of General Services, Division of Purchasing, is authorized and directed, to proceed with the bidding phase for Contract No. H23-271, and to set a bid date for receiving bids.

-#-

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

DECEMBER 7, 2023

TO: MEMORANDUM DOCKET


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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASE
OYSTER BAY DOWNTOWN CONNECTIVITY IMPROVEMENTS
CONTRACT NO. H23-271

Town Board Resolution No. 428-2023 authorized Cameron Engineering & Associates, LLP, to perform engineering services relative to the above-mentioned contract.

The design has been completed and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 120 calendar days.

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

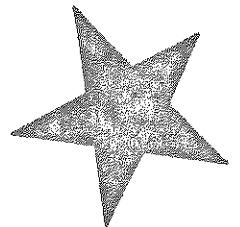


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/CC/ik

cc: Steven C. Ballas, Comptroller

H23-271 Oyster Bay Downtown Connectivity Improvements Permission to Bid



Meeting of June 27, 2023

Resolution No. 428-2023

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 741-2021, adopted on December 7, 2021, the Town Board authorized Cameron Engineering & Associates, LLP to provide On-Call Engineering Services in connection with Contract No. PWC09-22, Site Development, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Michael A. De Giglio, Senior Associate, Cameron Engineering & Associates, LLP, by letter dated May 18, 2023, described the scope of work to be performed under Contract No. PWC09-22, engineering services related to survey, design and permitting for walkability and recreation improvements throughout downtown Oyster Bay, and requested that authorization be given to utilize A.K. Associates, Professional Land Surveyors as a sub-consultant to provide surveying services; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated June 9, 2023, requested Town Board authorization for Cameron Engineering & Associates, LLP, to provide the aforesaid On-Call Engineering Services under Contract PWC09-22, that A.K. Associates, Professional Land Surveyors be approved as a sub-consultant for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$138,800.00 for this purpose, with funds available for payment in Account No. DPW H 5197 20000 000 2303 008, Project ID No. 2303HWYDB-03; and

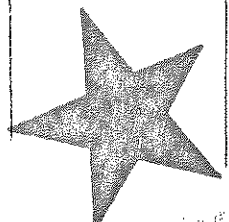
WHEREAS, the proposed vendor's and sub-contractor's disclosure questionnaires have been reviewed and has satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and Cameron Engineering & Associates, LLP is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC09-22, and A.K. Associates, Professional Land Surveyors is hereby authorized to be a sub-consultant for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$138,800.00 for this purpose, with funds available for payment in Account No. DPW H 5197 20000 000 2303 008, Project ID No. 2303HWYDB-03.

-#-

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

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



Meeting of January 9, 2024

Resolution No. 22 -2024

WHEREAS, by Resolution No. 745-2021, adopted on December 7, 2021, the Town Board authorized LiRo Engineering, Inc. to perform necessary services relative to Improvements to East Lincoln Avenue, Riverdale Avenue, and Pirates Cove; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 8, 2023, stated that the specifications for Contract No. H21-214, Improvements to East Lincoln Avenue, Riverdale Avenue and Pirates Cove, have been completed, and the Department of Public Works has approved the specifications, and now seeks to award the contract for a two hundred forty (240) calendar day period, starting from the date of the award; and


WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of General Services, Division of Purchasing, to proceed with the bidding phase and set a bid date for receiving bids for the contract,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of General Services, Division of Purchasing, is authorized and directed, to proceed with the bidding phase for Contract No. H21-214, and to set a bid date for receiving bids.

-#-

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


TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

DECEMBER 8, 2023

TO: MEMORANDUM DOCKET

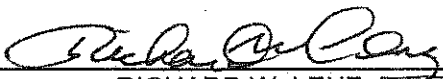
FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASE
IMPROVEMENTS TO EAST LINCOLN AVENUE, RIVERDALE AVENUE AND
PIRATES COVE
CONTRACT NO. H21-214

Town Board Resolution No. 745-2021 authorized Liro Engineering, Inc, to perform engineering services relative to the above-mentioned contract.

The design has been completed and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 240 calendar days.

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

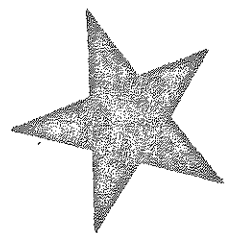


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/DDM/IK

cc: Steven C. Ballas, Comptroller

H21-214 IMPROVEMENTS TO EAST LINCOLN AVENUE, RIVERDALE AVENUE AND PIRATES COVE Permission to Bid



DPW
Reviewed By
Office of Town Attorney
Domenica Walte

Meeting of December 7, 2021

Resolution No. 745-2021

WHEREAS Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2021, advised that a request for Proposals for On-Call Engineering Services relative to Transportation Engineering, in the Town of Oyster Bay, Nassau County New York, in accordance with specifications contained in Contract No. ~~PWC15-22~~ for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, The Division of Engineering, Department of Public Works/Highway received timely, eleven (11) responses; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department has selected, Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, NV5 New York-Engineers, Architects, Landscape Architects & Surveyors, and LiRo Engineers, Inc.; and

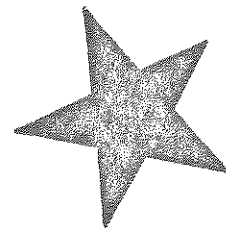
WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of Public Works to enter into agreements with Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, NV5 New York-Engineers, Architects, Landscape Architects & Surveyors, and LiRo Engineers, Inc., to provide the Town of Oyster Bay with on-call Engineering services relative to Transportation, in accordance with the terms and specifications contained in Contract No. PWC15-22, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No PWC15-22 with Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, NV5 New York-Engineers, Architects, Landscape Architects & Surveyors, and LiRo Engineers, Inc., in accordance with the terms and provisions thereunder, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023.

-#-

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

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



Meeting of January 9, 2024

Resolution No. 23 -2024

7/15
Reviewed By
Office of Town Attorney
Ralph P. J. J.

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community & Youth Services, by memorandum dated December 14, 2023, requested Town Board authorization for the Town Supervisor, or his designee, to enter into and to execute an agreement, as negotiated and approved by the Office of the Town Attorney, with JSJ Workshop Corp., located at 1047 Hicksville Road, Seaford, New York 11783, to provide entertainment for Group Activities Program ("GAP") participants, at an event to be held at the North Massapequa Community Center, on Friday, January 19, 2024, for a fee amount not to exceed Four Hundred Fifty Dollars (\$450.00); and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that sufficient funds for said payment are available in Account No. CYS A 7020 47660 000 0000, *Special Events*; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that in accordance with Guideline 5, Section b. of the Town of Oyster Bay Procurement Policy, the abovementioned entertainment services are exempt from the Policy's solicitation, written proposal or quotation requirements; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the Town has reviewed the proposed vendor's disclosure questionnaire, and has determined that the Town of Oyster Bay Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Supervisor, or his designee, is hereby authorized to enter into, and to execute, an agreement, as negotiated and approved by the Office of the Town Attorney, with JSJ Workshop Corp., to provide entertainment for Group Activities Program ("GAP") participants, for an event to be held at the North Massapequa Community Center, on Friday, January 19, 2024, for a fee amount not to exceed Four Hundred Fifty Dollars (\$450.00); and be it further

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

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

#

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

December 14, 2023

TO: Memorandum Docket

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

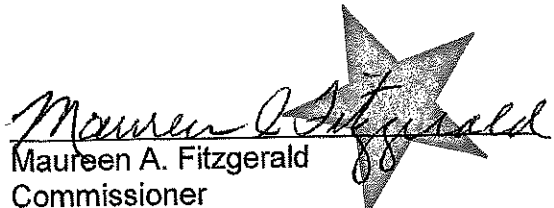
SUBJECT: Services for GAP

The Department of Community & Youth Services requests Town Board authorization to employ the services of JSJ Workshop Corp. of 1047 Hicksville Road, Seaford, NY 11783 on Friday, January 19, 2024 at the North Massapequa Community Center. They will be providing entertainment for GAP Program participants.

The total cost of this service is \$450.00. Funds are available in Account CYS A 7020 47660 000 0000, *Special Events*. In accordance with Guideline 5, Section b, of the Town Procurement Policy, these services are exempt from the solicitation, written proposal or requirements of the policy.

The proposed vendor's Disclosure Questionnaire has been reviewed and has satisfied the Town's Procurement Policy.

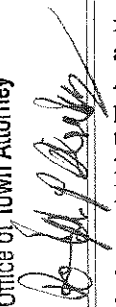
Therefore, it is respectfully requested that the Town Board authorize the Town to enter into an Agreement as negotiated and approved by the Town Attorney's Office and further authorize the Supervisor and/or his designee to execute said Agreement.


Maureen A. Fitzgerald
Commissioner

MAF:jd
Attachment

Meeting of January 9, 2024

Resolution No. 24 -2024

Reviewed By
Office of Town Attorney


WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community & Youth Services, by memorandum dated December 14, 2023, requested Town Board authorization for the Commissioner, Department of Community and Youth Services, to enter into and to execute, an agreement, as negotiated and approved by the Office of the Town Attorney, with Timothy Aldridge, residing at 38 Constable Lane Levittown, New York 11756, for said individual to provide entertainment for Group Activities Program ("GAP") participants at an event to be held at the Syosset-Woodbury Community Center, on Friday, February 2, 2024, and Friday, February 9, 2024, for a fee amount not to exceed Eight Hundred Dollars (\$800.00), and to be paid by the Friends of the Community Services Department, Inc.; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised, that the Town has reviewed the proposed vendor's disclosure questionnaire, and has determined that the Town of Oyster Bay Procurement Policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Commissioner, Department of Community and Youth Services, is hereby authorized to enter into and to execute an agreement, as negotiated and approved by the Office of the Town Attorney, with Timothy Aldridge, for said individual to provide entertainment for GAP participants at an event to be held at the Syosset-Woodbury Community Center, on Friday, February 2, 2024, and Friday, February 9, 2024 for a fee amount not to exceed Eight Hundred Dollars (\$800.00), and to be paid by the Friends of the Community Services Department, Inc.

#

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

December 14, 2023

TO: Memorandum Docket


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

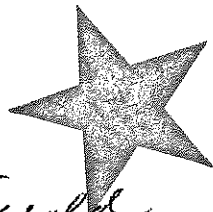
SUBJECT: Services for GAP

The Department of Community & Youth Services requests Town Board authorization to employ the services of Timothy Aldridge of 38 Constable Lane, Levittown, NY 11756 on Friday, February 2, 2024 and Friday, February 9, 2024 at the Syosset-Woodbury Community Center. He will be providing entertainment for GAP Program participants.

The total cost of these services is \$800.00 which will be paid by Friends of the Community Services Dept., Inc. The proposed vendor's Disclosure Questionnaire has been reviewed and has satisfied the Town's Procurement Policy.

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


Maureen A. Fitzgerald
Commissioner



MAF:jd

Meeting of January 9, 2024

Resolution No. 25 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 23, 2023, authorized the Highway Department to clean up the premises located at 20 Fourteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 68 to 70 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 20, 2023, in the total amount of \$2,095.58, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,095.58 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Fourteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 68 to 70 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

25

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 13, 2023

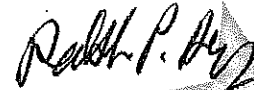
SUBJECT: Property Cleanup Assessment
20 Fourteenth Street, Locust Valley, New York 11560
Section 30, Block 22, Lots 68 to 70

The Department of Planning and Development, by memorandum dated August 23, 2023, directed the Highway Department to clean the premises located at 20 Fourteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 68 to 70 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 22, 2023, advised that the property was cleaned by a crew from the Highway Department on September 20, 2023. The cost incurred by the Town of Oyster Bay was \$2,095.58.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated August 23, 2023, authorized the Highway Department to clean up the premises located at 20 Fourteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 68 to 70 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 20, 2023, in the total amount of \$2,095.58, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,095.58 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Fourteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lots 68 to 70 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Frank M. Scalera

2023-9325

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 23, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 20 FOURTEENTH STREET, LOCUST VALLEY, NEW YORK 11560
SBL: 30-22-68 ~~ts~~ 70

Notice of Violation number 09075 was issued to the owner of the above-referenced premises on 08/16/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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


- Removal of all litter and debris.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney


No Dead



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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

August 23, 2023

The Estate of Anna Kozusko
20 Fourteenth Street
Locust Valley, NY 11560

RE: 20 FOURTEENTH STREET, LOCUST VALLEY, NY 11560
SECTION 30 BLOCK 22 LOT 68
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

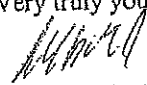
The Estate of Anna Kozusko;

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, 09075, dated 08/16/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the removal of all litter and debris. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,


HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney
Enclosure

192

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 29, 2023

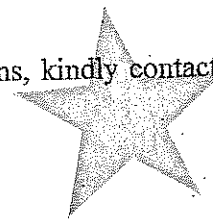
SUBJECT: 20 FOURTEENTH STREET, LOCUST VALLEY, NEW YORK 11560
SECTION 30, BLOCK 22, LOT(S) 68

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 2,095.58

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$2,095.58 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.



Timothy R. Zike, D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.

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

September 22, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

SUBJECT: 20 14TH STREET, LOCUST VALLEY
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$2,095.58.

If you have any questions pertaining to the above subject, please feel free to contact this office.



A handwritten signature in dark ink, appearing to read "John C. Tassone", written over a horizontal line.

**JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS**

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (30-22-68) 20 14TH ST LOCUST VALLEY 11560

Date Sep 20, 2023

Work Order # 108508

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	02:00	\$52.88	00:00	0	\$105.76
PAUL LIZARDOS	General Maintenance	02:00	\$27.40	00:00	0	\$54.80
DORIAN COVEN	General Maintenance	02:00	\$33.17	00:00	0	\$66.34
IVAN ANGLIN	General Maintenance	02:00	\$27.40	00:00	0	\$54.80
DARIN S RIEFBERG	General Maintenance	02:00	\$23.03	00:00	0	\$46.06
JACOB T JOHNSON	General Maintenance	02:00	\$15.00	00:00	0	\$30.00
LUKE F WHITTING	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
MICHAEL E RODDY	General Maintenance	02:00	\$15.00	00:00	0	\$30.00
Total Labor						\$436.80

Tools/Vehicle


Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK491	2023 INTERNATIONAL SANI PAKER YELLOW	\$105.00	02:00	\$210.00
PU455	2019 FORD F350 YW	\$79.00	02:00	\$158.00
TD764	2021 FORD F 450 POWER WAGON YW	\$105.00	02:00	\$210.00
Total Equipment				\$578.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$88.92	3.72	\$330.78
Total Materials			\$1080.78

Grand Total \$2095.58

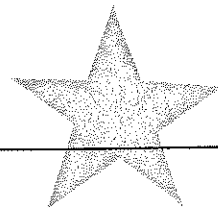
Description of Work:
CLEAN UP 20 14TH STREET LOCUST VALLEY

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 21, 2023



ruk
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 13, 2023, authorized the Highway Department to clean up the premises located at 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 19, 2023, in the total amount of \$909.40, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$909.40 may be assessed by the Legislature of the County of Nassau against the parcel known as 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

26

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 13, 2022

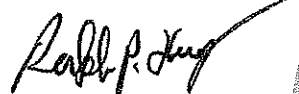
SUBJECT: Property Cleanup Assessment
37 Garfield Avenue, Glen Head, New York 11545
Section 20, Block 6, Lot 218

The Department of Planning and Development, by memorandum dated September 13, 2023, directed the Highway Department to clean the premises located at 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 22, 2023, advised that the property was cleaned by a crew from the Highway Department on September 19, 2023. The cost incurred by the Town of Oyster Bay was \$909.40.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney



RPH:aml
Attachments

202

REVIEWED BY
OFFICE OF TOWN ATTORNEY

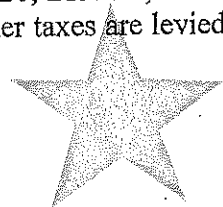
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 13, 2023, authorized the Highway Department to clean up the premises located at 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 19, 2023, in the total amount of \$909.40, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$909.40 may be assessed by the Legislature of the County of Nassau against the parcel known as 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



TOWN OF OYSTER BAY

Inter-Departmental Memo

September 13, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW

From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 37 GARFIELD AVENUE, GLEN HEAD, NEW YORK 11545
SBL: 20-6-218

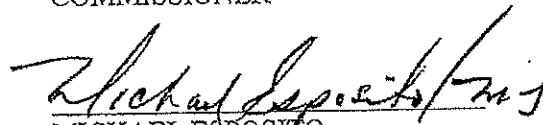
Notice of Violation number 005657 was issued to the owner of the above-referenced premises on 09/06/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Lawn and vegetation to be cut on the subject property.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
cc: Frank Scalera, Town Attorney





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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 13, 2023

Estate of Robert Nowak
37 Garfield Avenue
Glen Head, N.Y. 11545

RE: 37 GARFIELD AVENUE, GLEN HEAD, NEW YORK 11545
SECTION 20 BLOCK 6 LOT 218
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Estate of Robert Nowak,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number 005657, dated 09/06/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf

cc: Office of the Town Attorney

cc: Andrew Preston Esq., BRFH&D Attorneys at Law

Enclosure

AC

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY
FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
DATE: SEPTEMBER 29, 2023
SUBJECT: 37 GARFIELD AVENUE, GLEN HEAD, NEW YORK 11545
SECTION 20, BLOCK 6, LOT(S) 218

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

1) T.O.B. Highway Department Clean-Up Costs: \$ 909.40

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$909.40 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Harold B. Mayer Jr.
HAROLD B. MAYER JR.
COMMISSIONER



RECEIVED
SEP 30 2023
TOWN OF OYSTER BAY

ME:ml

cc: Andrew Preston Bee, Ready, Fishbein, Hatter, & Donovan, LLP.
Encls.

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

September 22, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

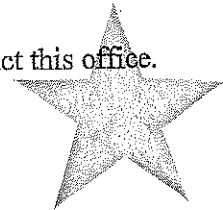
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


SUBJECT: 37 GARFIELD AVENUE, GLEN HEAD
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$909.40.

If you have any questions pertaining to the above subject, please feel free to contact this office.




JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

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

Date Sep 19, 2023

Work Order # 108738

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	00:30	\$52.88	00:00	0	\$26.44
IVAN ANGLIN	General Maintenance	00:30	\$27.40	00:00	0	\$13.70
JACOB T JOHNSON	General Maintenance	00:30	\$15.00	00:00	0	\$7.50
LUKE F WHITTING	General Maintenance	00:30	\$24.52	00:00	0	\$12.26
MICHAEL E RODDY	General Maintenance	00:30	\$15.00	00:00	0	\$7.50
Total Labor						\$67.40

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU455	2019 FORD F350 YW	\$79.00	00:30	\$39.50
TD764	2021 FORD F 450 POWER WAGON YW	\$105.00	00:30	\$52.50
Total Equipment				\$92.00


Materials

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

Grand Total \$909.40

Description of Work:

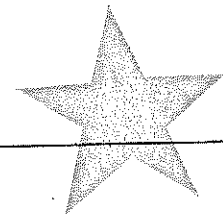
CLEAN UP 37 GARFIELD AVENUE GLEN HEAD

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 21, 2023



Meeting of January 9, 2024

Resolution No. 27 -2024

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 19, 2023, authorized the Highway Department to clean up the premises 6-8 Powell Street, Farmingdale, New York 11735, also known as Section 48, Block 505, Lots 20 and 21 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 20, 2023, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 27, 2023, in the total amount of \$1,007.41, be referred to the County of Nassau for assessment;

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 20, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,007.41 may be assessed by the Legislature of the County of Nassau against the parcel known as 6-8 Powell Street, Farmingdale, New York 11735, also known as Section 48, Block 505, Lots 20 and 21 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 20, 2023

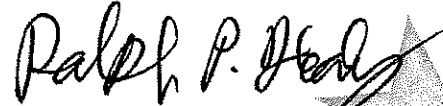
SUBJECT: Property Cleanup Assessment
6-8 Powell Street, Farmingdale, New York 11735
Section 48, Block 505, Lots 20 and 21

The Department of Planning and Development by memorandum dated September 19, 2023, directed the Highway Department to clean the premises located at 6-8 Powell Street, Farmingdale, New York 11735, also known as Section 48, Block 505, Lots 20 and 21 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 3, 2023, advised that the property was cleaned by a crew from the Highway Department on September 27, 2023. The cost incurred by the Town of Oyster Bay was \$1,007.41.

Pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney



RPH:aml
Attachment

File
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 19, 2023, authorized the Highway Department to clean up the premises 6-8 Powell Street, Farmingdale, New York 11735, also known as Section 48, Block 505, Lots 20 and 21 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 20, 2023, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 27, 2023, in the total amount of \$1,007.41, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 20, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,007.41 may be assessed by the Legislature of the County of Nassau against the parcel known as 6-8 Powell Street, Farmingdale, New York 11735, also known as Section 48, Block 505, Lots 20 and 21 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-



Commercial
2023-9322

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 19, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 6-8 POWELL STREET, FARMINGDALE, NEW YORK 11735
SBL: 48-505-20 421

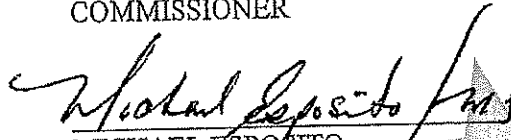
Notice of Violation number V343-23911142224 was issued to the owner of the above-referenced premises on 09/11/2023 for property non-maintenance, in violation of Chapter 182, Section 20 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Chapter 182, Section 20, I am directing that:

- Lawn and vegetation to be cut on the subject property.
- Remove garbage, litter and debris.

Pursuant to the provisions of Chapter 182, Section 22(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf

cc: Frank Scalera, Town Attorney



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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 19, 2023

6-8 Powell Street, LLC
6-8 Powell Street
Farmingdale, N.Y. 11735

RE: 6-8 POWELL STREET, FARMINDALE, NEW YORK 11735
SECTION 48, BLOCK 505, LOT 20
FAILURE TO MAINTAIN COMMERCIAL PROPERTY

6-8 Powell Street, LLC.:

Pursuant to Chapter 182 (Property Maintenance, Industrial and Commercial), Section 21 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued a Notice of Violation, Number V343-23911142224, dated 09/11/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 182 (Property Maintenance, Industrial and Commercial), Section 22 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 182, Section 22 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 182 (Property Maintenance, Industrial and Commercial), Section 32.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6237.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney

AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: October 06, 2023

SUBJECT: 6-8 POWELL STREET, FARMINGDALE, NEW YORK
SECTION 48, BLOCK 505, LOT(S) 20

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 182 (Property Maintenance, Industrial and Commercial) Article II of the Code of the Town of Oyster Bay. According to Chapter 182, Section 22 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

1) T.O.B. Highway Department Clean-Up Costs: \$ 1,007.41

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,007.41 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Margie Lippolt at extension 6190 in the Code Enforcement Bureau.

Harold B. Mayer Jr.
HAROLD B. MAYER JR.
COMMISSIONER



ME:sf
Encls.

THIS INDENTURE, made the 24th day of March, in the year 2021
BETWEEN

Stephen H. Levine, 43 Shoreham Drive East, Dix Hills, New York 11746

party of the first part, and 6-8 Powell Street LLC, c/o 238-43 117th Road, Elmont, New York 11003

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the at Farmingdale, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the lots No. 20 and 21 in Block No. 22 on a certain map entitled "Section 1 Section 2 properties at Farmingdale, Nassau County, New York, Fallwood Realty Corporation, surveyed by C. W. Smith, April 9, 1917," and filed in the Office of the Clerk of the County of Nassau on April 20, 1917 as map No. 38, which said lots when taken together are more particularly bounded and described according to said map as follows:

BEGINNING at a point on the westerly side of Powell Street distant 102.33 feet southerly from the corner formed by the intersection of the southerly side of Motor Avenue with the westerly side of Powell Street; thence from said point of beginning running North 89 degrees 00 minutes West 91.72 feet; running thence South 1 degree 00 minutes West 40 feet; running thence South 89 degrees 00 minutes East 100.40 feet to the westerly side of Powell Street; running thence North 11 degrees 15 minutes 20 seconds West along the westerly side of Powell Street 40.94 feet (according to said map) (actual 40.97 feet) to the point or place of BEGINNING.

Said premises being known as and by the street numbers 6-8 Powell Street, Farmingdale, New York.

Said premises being the same property as was transferred by deed dated 10/11/2020 and recorded on October 15, 2020 in Liber 13988 page 597 which was revised by Correction Deed dated 1/5/2021 which corrects deed to be properly filed against lots 20 and 21.

S: 48
B: 505
L: 20, 21

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

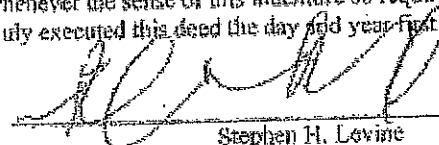
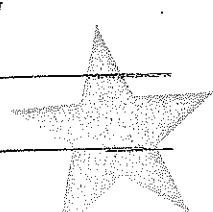
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

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

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

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

IN PRESENCE OF:


Stephen H. Levine


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

October 3, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


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

SUBJECT: 6-8 POWELL STREET, FARMINGDALE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,007.41.

If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-505-20) 6 -8 POWELL ST FARMINGDALE 11735

Date Sep 27, 2023

Work Order # 109Q13

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL MCGEEVER	General Maintenance	01:00	\$33.89	00:00	0	\$33.89
SCOTT KELLY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
DANIEL MCQUAID	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
Total Labor						\$73.41

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU500	2023 FORD F-250 YW	\$79.00	01:00	\$79.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$184.00


Materials

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

Grand Total \$1007.41

Description of Work:

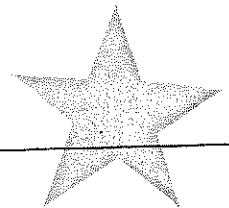
CLEAN UP 6-8 POWELL STREET FARMINGDALE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 2, 2023



Meeting of January 9, 2024

Resolution No. 28 -2024

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 15, 2023, authorized the Highway Department to clean up the premises located at 72 Eighth Street, Hicksville, New York 11801, also known as Section 46, Block 287, Lots 808 to 812 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 19, 2023, in the total amount of \$1,465.15, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,465.15 may be assessed by the Legislature of the County of Nassau against the parcel known as 72 Eighth Street, Hicksville, New York 11801, also known as Section 46, Block 287, Lots 808 to 812 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

REVIEWED BY
OFFICE OF TOWN ATTORNEY

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

28

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 13, 2023

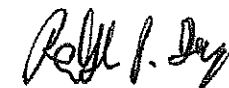
SUBJECT: Property Cleanup Assessment
72 Eighth Street, Hicksville, New York 11801
Section 46, Block 287, Lots 808 to 812

The Department of Planning and Development, by memorandum dated September 15, 2023, directed the Highway Department to clean the premises located at 72 Eighth Street, Hicksville, New York 11801, also known as Section 46, Block 287, Lots 808 to 812 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 22, 2023, advised that the property was cleaned by a crew from the Highway Department on September 19, 2023. The cost incurred by the Town of Oyster Bay was \$1,465.15.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney



RPH:aml
Attachments

REVIEWED BY
OFFICE OF TOWN ATTORNEY

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 15, 2023, authorized the Highway Department to clean up the premises located at 72 Eighth Street, Hicksville, New York 11801, also known as Section 46, Block 287, Lots 808 to 812 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 19, 2023, in the total amount of \$1,465.15, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,465.15 may be assessed by the Legislature of the County of Nassau against the parcel known as 72 Eighth Street, Hicksville, New York 11801, also known as Section 46, Block 287, Lots 808 to 812 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2023-9318

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 15, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW

From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 72 8TH STREET, HICKSVILLE, NEW YORK 11801
SBL: 46-287-808 to 812

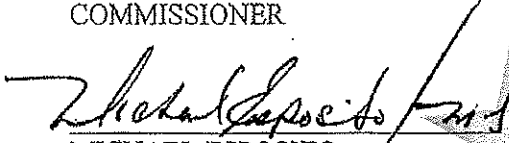
Notice of Violation number 005662 was issued to the owner of the above-referenced premises on 09/07/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.


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

- Lawn and vegetation to be cut on the subject property.

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

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU



HBM:ME:sf
cc: Frank Scalera, Town Attorney



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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 15, 2023

Glenn Putlock
72 8th Street
Hicksville, N.Y. 11801

RE: 72 8TH STREET, HICKSVILLE, NEW YORK 11801
SECTION 46 BLOCK 287 LOT 808
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Glenn Putlock,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number 005662, dated 09/07/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
Office of Town Attorney
Enclosure

AJ

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 29, 2023


SUBJECT: 72 EIGHTH STREET, HICKSVILLE, NEW YORK 11801
SECTION 46, BLOCK 287, LOT(S) 808

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,465.15

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,465.15 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.


Timothy R. Zike, D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.

EXECUTOR'S DEED (INDIVIDUAL OR CORPORATION)

FORM 8005 (short version), FORM 8010 (long version)

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

NO CONSIDERATION

THIS INDENTURE, made the 28th day of August, 2006, between ALFRED PUTLOCK, as Executor of the Estate of EDWARD M. PUTLOCK, late of 72 Eighth Street, Hicksville, New York 11801 who died on the 30th day of March, 2006, party of the first part, and GLENN R. PUTLOCK of 72 Eighth Street, Hicksville, New York 11801, party of the second part;

WITNESSETH, that the party of the first part, to whom Letters Testamentary were issued by the Surrogate's Court, Nassau County, New York on June 16, 2006, and by virtue of the power and authority given in and by the Last Will and Testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of 10.00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the distributees or successors and assigns of the party of the second part forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Hicksville, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the lot Numbers 808, 809, 810, 811 and 812 on a certain map entitled "Map of Property at Hicksville, situate at Hicksville, Town of Oyster Bay, Nassau County, L.I., William Ellison, C.E. & S., March 1907," and filed in the Office of the Clerk of the County of Nassau on June 6, 1919 as Map Number 39, Case Number 287 which said lots when taken together are more particularly bounded and described as follows:

SEC 46 BEGINNING at the corner formed by the intersection of the southerly side of Eighth Street with the Easterly side of Fifth Avenue, RUNNING THENCE easterly along the southerly side of Eighth Street on a line forming an interior angle of 93 degrees 53 minutes with the easterly side of Fifth Avenue, BLK 287 117.00 feet; RUNNING THENCE southerly on a line forming an interior angle of 86 degrees 07 minutes with the southerly side of Eighth Street, 104.50 feet; RUNNING THENCE westerly on a line forming an interior angle of 86 degrees 07 minutes with the easterly side of Fifth Avenue, 117.00 feet to the easterly side of Fifth Avenue, 104.50 feet to the corner, the point or place of BEGINNING.

LOTS
0808-
0812

SAID PREMISES known as and by 72 Eighth Street, Hicksville, New York 11801.

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

TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

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

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

IN PRESENCE OF:

ESTATE OF EDWARD M. PUTLOCK

Shirley Dyer

Alfred Putlock
ALFRED PUTLOCK, EXECUTOR

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

September 22, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

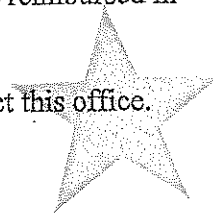
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


SUBJECT: 72 EIGHTH STREET, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,465.15.

If you have any questions pertaining to the above subject, please feel free to contact this office.





JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (46-287-808) 72 EIGHTH ST HICKSVILLE 11801

Date Sep 19, 2023

Work Order # 108823

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANDREW HOUGHTON	General Maintenance	01:00	\$31.73	00:00	0	\$31.73
GARY LEWIS, II	General Maintenance	01:00	\$38.46	00:00	0	\$38.46
VINCENT PADAVANO	General Maintenance	01:00	\$54.33	00:00	0	\$54.33
SEAN MCLAUGHLIN	General Maintenance	01:00	\$29.57	00:00	0	\$29.57
RICHARD SANDIFORD II	General Maintenance	01:00	\$36.06	00:00	0	\$36.06
Total Labor						\$190.15

Tools/Vehicle


Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU472	2020 FORD F250 PICK UP YELLOW	\$79.00	01:00	\$79.00
TD732	TRUCK DUMP 2016 INTL 7300 YW (T141) 6 WHEELER	\$131.00	01:00	\$131.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:00	\$105.00
TD752	2019 FORD F450 POWER WAGON	\$105.00	01:00	\$105.00
TR162	TRAILER 2009 HHAUL 5200 BLACK	\$105.00	01:00	\$105.00
Total Equipment				\$525.00

Materials

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

Grand Total \$1465.15

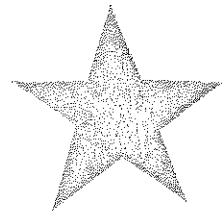
Description of Work:
CLEAN UP 72 8TH STREET HICKSVILLE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 21, 2023



Meeting of January 9, 2024

Resolution No. 29 -2024

70K
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 6, 2023, authorized the Highway Department to clean up the premises located at the corner of 380 Broadway, Hicksville, New York 11801, also known as Section 46, Block 170, Lot 38 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 14, 2023, in the total amount of \$3,501.09, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$3,501.09 may be assessed by the Legislature of the County of Nassau against the parcel known as 380 Broadway, Hicksville, New York 11801, also known as Section 46, Block 170, Lot 38 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-

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

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

29

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 13, 2023


SUBJECT: Property Cleanup Assessment
380 Broadway, Hicksville, New York 11801
Section 46, Block 170, Lot 38

The Department of Planning and Development by memorandum dated September 6, 2023, directed the Highway Department to clean the premises located at 380 Broadway, Hicksville, New York 11801, also known as Section 46, Block 170, Lot 38 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 19, 2023, advised that the property was cleaned by a crew from the Highway Department on September 14, 2023. The cost incurred by the Town of Oyster Bay was \$3,501.09.

Pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachment

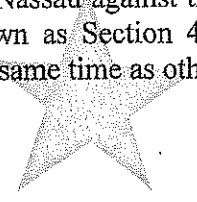
70X
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 6, 2023, authorized the Highway Department to clean up the premises located at the corner of 380 Broadway, Hicksville, New York 11801, also known as Section 46, Block 170, Lot 38 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 13, 2023, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 14, 2023, in the total amount of \$3,501.09, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 13, 2023, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$3,501.09 may be assessed by the Legislature of the County of Nassau against the parcel known as 380 Broadway, Hicksville, New York 11801, also known as Section 46, Block 170, Lot 38 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-



2023-9315
Commercial

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 06, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 380 BROADWAY, HICKSVILLE, NEW YORK
SBL: 46-170-38

Notice of Violation number V257-23830092646 was issued to the owner of the above-referenced premises on 08/30/2023 for property non-maintenance, in violation of Chapter 182, Section 20 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

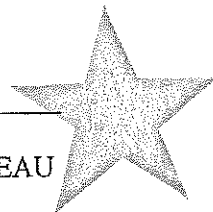
In accordance with the provisions of Chapter 182, Section 20, I am directing that:

- Lawn and vegetation to be cut on the subject property.

Pursuant to the provisions of Chapter 182, Section 22(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU



HBM:ME:sf

cc: Frank Scalera, Town Attorney



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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 06, 2023

Hicksville Family Care Center LLC
915 Hillside Avenue
New Hyde Park, N.Y. 11040

RE: 380 BROADWAY, HICKSVILLE, NEW YORK 11801
SECTION 46, BLOCK 170, LOT 38
FAILURE TO MAINTAIN COMMERCIAL PROPERTY

Hicksville Family Care Center LLC.:

Pursuant to Chapter 182 (Property Maintenance, Industrial and Commercial), Section 21 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued a Notice of Violation, Number V257-23830092646, dated 08/30/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 182 (Property Maintenance, Industrial and Commercial), Section 22 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 182, Section 22 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 182 (Property Maintenance, Industrial and Commercial), Section 32.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6237.

Very truly yours,

Timothy R. Zike, Deputy Commissioner

HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf

cc: Office of the Town Attorney

AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 25, 2023

SUBJECT: 380 S. BROADWAY, HICKSVILLE, NEW YORK 11801
SECTION 46, BLOCK 170, LOT(S) 38

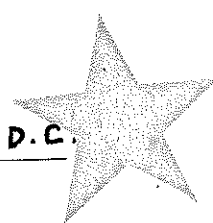
The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 182 (Property Maintenance, Industrial and Commercial) Article II of the Code of the Town of Oyster Bay. According to Chapter 182, Section 22 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

1) T.O.B. Highway Department Clean-Up Costs: \$ 3,501.09

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 3,501.09 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Margie Lippolt at extension 6190 in the Code Enforcement Bureau.

Timothy R. Zike, D.C.
HAROLD B. MAYER JR.
COMMISSIONER



ME:ml
Encls.

THIS INDENTURE, made the 30th day of June, in the year 2017

BETWEEN

Ronald M. Puleio and James M. Sheehy with an address of 380 South Broadway, Hicksville, New York 11801

party of the first part, and

Hicksville Family Care Center LLC, with an address of 380 South Broadway, Hicksville, New York 11801

party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

See attached sheet.

Being and intended to be the same premises conveyed to the party of the first part by deed dated 02/02/1990 and recorded 02/23/1990 in Liber 10050, Page 86 in the Nassau County Clerk's Office. Said premises being known as 380 South Broadway, Hicksville, New York.

Sec. 46
Blk. 170
Lot 38

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


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

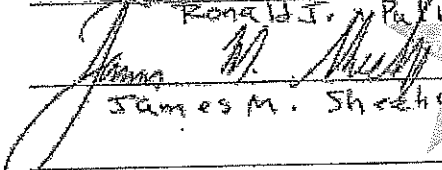
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

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

IN PRESENCE OF:



Ronald J. Puleio


James M. Sheehy

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

September 19, 2023

TO: HAROLD B. MAYER. JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

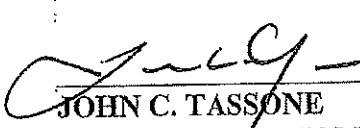
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 380 BROADWAY, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$3,501.09.

If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (46-170-38) 380 BROADWAY HICKSVILLE 11801

Date Sep 14, 2023

Work Order # 108509

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANDREW HOUGHTON	General Maintenance	03:00	\$31.73	00:00	0	\$95.19
THOMAS KRAEMER	General Maintenance	03:00	\$52.88	00:00	0	\$158.64
JOHN KOZIKOWSKI	General Maintenance	03:00	\$40.63	00:00	0	\$121.89
TIMUR YILMAZ	General Maintenance	03:00	\$39.90	00:00	0	\$119.70
JASON SEMINARIO JR.	General Maintenance	03:00	\$25.24	00:00	0	\$75.72
PETER K SELL	General Maintenance	03:00	\$28.13	00:00	0	\$84.39
JOHN MURRAY	General Maintenance	03:00	\$24.52	00:00	0	\$73.56

Total Labor \$729.09

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PL089	PAYLOADER 2012 KOMAT WA470 YELLO	\$168.00	01:00	\$168.00
PU459	PICK UP TRUCK 2020 FORD F350 YW	\$79.00	03:00	\$237.00
PU470	2020 FORD F 350 YW PICK UP	\$79.00	03:00	\$237.00
SK006	SKID LOADER 2007 KOMAT 1020 YW	\$26.00	03:00	\$78.00
TD594	2006 FORD F 350 POWER WAGON YW	\$105.00	03:00	\$315.00
TD704	TRUCK DUMP 2011 FORD F350 YELLO (T145 / T-145) - Power Wagons	\$105.00	03:00	\$315.00
TD732	TRUCK DUMP 2016 INTL 7300 YW (T141) 6 WHEELER	\$131.00	03:00	\$393.00
TD757	10 WHEEL DUMP 2020 INTL HV607 YW	\$93.00	03:00	\$279.00

Total Equipment \$2022.00

Materials

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

Total Materials \$750.00

Grand Total \$3501.09

Description of Work:

CLEAN UP 380 BROADWAY HICKSVILLE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 19, 2023



Meeting of January 9, 2024

Resolution No. 31 -2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 19, 2023, requested Town Board authorization for the Town of Oyster Bay to accept a donation to the Animal Shelter of \$1,033.25 from the Rotary Club of Oyster Bay, at the behest of the Apolant family, to be put towards the purchase of new Kuranda beds for all dogs at the shelter;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Board hereby authorizes the Department of Public Works to accept the above stated donation, and that said donation be deposited in Account No. TWN A 0001 02705 000 0000, to be put towards the purchase of new Kuranda beds for all dogs at the animal shelter.

#-

Reviewed By
Office of Town Attorney
[Signature]

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memo

December 19, 2023

TO: Memorandum Docket
FROM: Richard W. Lenz, PE. Commissioner/Department of Public Works
SUBJECT: ACCEPTANCE OF DONATION TO THE ANIMAL SHELTER

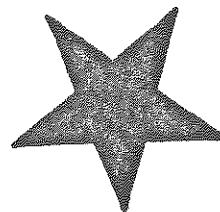
The Department of Public Works requests Town Board approval to accept the following donation presented to the Animal Shelter:

\$1,033.25- Rotary Club of Oyster Bay

The donation was made by the Rotary Club of Oyster Bay at the behest of the Apolant family.

The above donation would benefit the Town by adding to the funds needed to help purchase new Kuranda beds for all the dogs at the shelter.

We respectfully request the Town Board approve the acceptance of the above donation, and that the funds be deposited into account TWN A 0001 02705 000 0000, Gifts and Donations.



A handwritten signature in cursive script, reading "Richard W. Lenz", written over a horizontal line.

Richard W. Lenz, P.E.
Commissioner
Department of Public Works

RWL/LS/kt
Attachment
cc: Frank M. Scalera, Town Attorney
Steven Ballas, Comptroller

Meeting of January 9, 2024

Resolution No. 32-2024

Reviewed By
Office of Town Attorney
Ralph P. Healey

WHEREAS, Richard LaMarca, Town Clerk, by memorandum dated December 15, 2023, requested that pursuant to Section 4121, Article 41, of the Public Health Law of the State of New York, the Town Board designate, and re-appoint, Richard LaMarca, Town Clerk of the Town of Oyster Bay, as Registrar of Vital Statistics for the Town of Oyster Bay, and designate and re-appoint Donna Antetomaso, Deputy Town Clerk of the Town of Oyster Bay, as Deputy Registrar of Vital Statistics for the Town of Oyster Bay, for the period commencing from January 1, 2024 through December 31, 2025, *nunc pro tunc*,

NOW, THEREFORE BE IT RESOLVED, That the request as hereinabove set forth is approved, and that pursuant to Section 4121, Article 41, of the Public Health Law of the State of New York, the Town Board hereby designates, and re-appoints, Richard LaMarca, Town Clerk of the Town of Oyster Bay, as Registrar of Vital Statistics for the Town of Oyster Bay, and hereby designates, and re-appoints Donna Antetomaso, Deputy Town Clerk of the Town of Oyster Bay, as Deputy Registrar of Vital Statistics for the Town of Oyster Bay, for the period commencing from January 1, 2024 through December 31, 2025, *nunc pro tunc*.

#

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



32

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

Date: December 15, 2023
To: MEMORANDUM DOCKET
From: Richard LaMarca, Town Clerk
Subject: Re-appointment of Registrar of Vital Statistics and Deputy Registrar of Vital Statistics for the Town of Oyster Bay.

It is hereby requested, pursuant to Section 4121, Article 41 of the Public Health Law of the State of New York, that the Town Board hereby designates and re-appoints Richard LaMarca, Town Clerk of the Town of Oyster Bay, as registrar of Vital Statistics for the Town of Oyster Bay, and designates and re-appoints Donna Antetomaso, Deputy Town Clerk of the Town of Oyster Bay, as Deputy Registrar of Vital Statistics for the Town of Oyster Bay, for the period beginning January 1, 2024 and ending December 31, 2025.


Richard LaMarca
Town Clerk

RL/lg

Meeting of January 9, 2024

Resolution No. 33-2024

WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated December 21, 2023, advised that the Supervisor was authorized to enter into an agreement with Fiscal Advisors & Marketing, Inc. as per Resolution No. 681-2020, adopted on December 8, 2020, to provide financial advisor services for the Town for a three year period with the option for one (1) three-year extension; and

WHEREAS, Mr. Darienzo, by said memorandum, advised that the three-year period has ended, and recommended that the Town Board exercise the option to extend the contract for a final three-year period, with the agreement to take effect January 1, 2024 and run through December 31, 2026, nunc pro tunc,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board shall exercise their option to extend the agreement with Fiscal Advisors & Marketing, Inc., for a three year period with the agreement to take effect January 1, 2024 and run through December 31, 2026, nunc pro tunc; and be it further

RESOLVED, That the Supervisor, or his designee, is hereby authorized to execute any and all documents in connection with the recommendation hereinabove set forth; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from a main account number of 29999, upon submission of a duly certified claim, after audit.

- # -

Reviewed By
Office of Town Attorney
[Signature]

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

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

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: Appointment of Financial Advisor

As per resolution 681-2020 dated December 8, 2020, the Supervisor was authorized to enter into an agreement with Fiscal Advisors & Marketing, Inc. to provide financial advisor services for a three-year period with the option for one three-year extension.

The initial three-year period will end on December 31, 2023. It is recommended that the agreement with Fiscal Advisors & Marketing, Inc. be extended for a final three-year period. That term shall commence nunc pro tunc to January 1, 2024 and conclude on December 31, 2026.

The Town has reviewed the vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

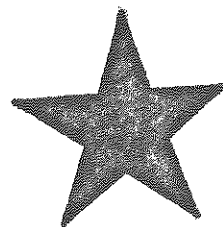
The value of Financial Advisor services would be contingent upon the type and amount of debt issued. Funds for this purpose are available in various capital authorizations with main account 29999, or other appropriate accounts.

Thank you.



Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/financial advisor renewal



34-2024

1000179864.185 (279)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,940,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF EQUIPMENT OR VEHICLES FOR CONSTRUCTION AND MAINTENANCE PURPOSES, EACH ITEM COSTING \$30,000 OR MORE, IN AND FOR SAID TOWN.

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

Section 1. For the class of objects or purposes of paying the cost of the acquisition of equipment or vehicles for construction and maintenance purposes, each item costing \$30,000 or more, in and for the Town, including incidental expenses in connection therewith, there are hereby authorized to be issued \$9,940,000 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 \$9,940,000, and the plan for the financing thereof is by the issuance of the \$9,940,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law, as each item in said class shall have a cost of \$30,000 or more. It is hereby further determined that the maximum maturity of the bonds 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

Reviewed By
Office of Town Attorney

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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

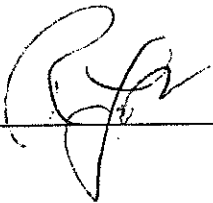
Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on
January 9, 2024.



Town Clerk

5

Town of Oyster Bay Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Fifteen Year Equipment

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Fifteen Year Equipment Purchase. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.


Rob Darienzo
Director of Finance



RD/rd
Word/Documents/Docket/2024 15 year

35-2024

1000179864.185 (280)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,400,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF VARIOUS EQUIPMENT AND VEHICLES FOR USE IN CONNECTION WITH TOWN FACILITIES, WHICH MAY INCLUDE, BUT IS NOT LIMITED TO, WASTE MANAGEMENT AND MAINTENANCE MACHINERY, VEHICLES AND RELATED EQUIPMENT, COPY MACHINES, TECHNOLOGY EQUIPMENT AND SOFTWARE, MOWERS, MOTORS AND GENERATORS, IN AND FOR SAID TOWN.

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 the cost of the acquisition of various equipment for use in connection with facilities of the Town, which may include, but is not limited to, waste management and maintenance machinery, vehicles and related equipment, copy machines, technology equipment and software, mowers, motors and generators, and incidental expenses in connection therewith, there are hereby authorized to be issued \$5,400,000 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 \$5,400,000, and the plan for the financing thereof is by the issuance of the \$5,400,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision eighty-nine of paragraph a of Section 11.00 of the Local Finance Law, as each item in said class shall have a period of probable usefulness of at least five years under one or more of subdivisions six, six-a, twenty-eight, twenty-nine, thirty-two, eighty-one or one hundred eight of said paragraph a. 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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

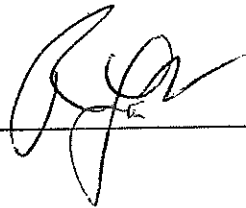
Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

6

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket.
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Five Year Equipment

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Five Year Equipment Purchase. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.


Rob Darienzo
Director of Finance



RD/rd
Word/Documents/Docket/2024 5 year

36-2024

1000179864.185 (281)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$340,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF REPLACEMENT PASSENGER VEHICLES FOR USE BY VARIOUS DEPARTMENTS OF THE TOWN TO REPLACE SIMILAR VEHICLES IN SERVICE FOR ONE YEAR OR MORE, IN THE CASE OF POLICE VEHICLES, OR THREE YEARS OR MORE, IN THE CASE OF ALL OTHER PASSENGER VEHICLES, IN AND FOR SAID TOWN.

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

Section 1. For the class of objects or purposes of paying the cost of the purchase of replacement passenger vehicles for use by various departments of the Town to replace similar vehicles in service for one year or more, in the case of police vehicles, or three years or more, in the case of all other passenger vehicles, in and for the Town, including incidental expenses in connection therewith, there are hereby authorized to be issued \$340,000 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 \$340,000, and the plan for the financing thereof is by the issuance of the \$340,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years, pursuant to subdivision seventy-seven of said paragraph a. It is hereby further determined that the maximum maturity of the bonds authorized will not exceed three 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

Reviewed By
Office of Town Attorney

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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

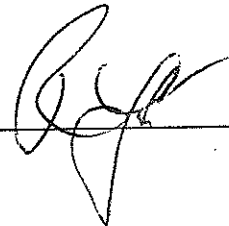
Town of Oyster Bay

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:

<u>Designated Location(s) of Posted Notice</u>	<u>Date of Posting</u>
Bulletin board, 1 st floor, 54 Audrey Avenue	January 5, 2024
Oyster Bay, NY 11771	

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.

(CORPORATE
SEAL)



Town Clerk

7

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Three Year Equipment

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Three Year Equipment Purchase. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.


Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/2024 3 year

37-2024

1000179864.185 (277)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$15,000,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY A PORTION OF THE \$17,300,000 ESTIMATED MAXIMUM COST OF THE RECONSTRUCTION OF VARIOUS TOWN ROADS AND HIGHWAYS LOCATED THROUGHOUT AND IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE, BE IT

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

Section 1. For paying a portion of the \$17,300,000 estimated maximum cost of the reconstruction of various Town roads and highways located throughout and in and for the Town, including incidental improvements and expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$15,000,000 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 \$17,300,000, and the plan for the financing thereof is by (i) the application of \$2,300,000 anticipated to be received under the New York State Consolidated Local Street and Highway Improvement Program ("CHIPS Program") and (ii) the issuance of the \$15,000,000 bonds authorized hereby; provided, however, that the amount of bonds to be issued shall be reduced by the amount of any State or Federal aid received for the aforesaid class of objects or purposes in excess of the aforesaid \$2,300,000 CHIPS Program monies.

Reviewed By
Office of Town Attorney

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision ninety-one of paragraph a of Section 11.00 of the Local Finance Law, as said class consists of items which have a period of probable usefulness of at least fifteen years under one or more of subdivisions twenty, twenty-two, and seventy-two of said paragraph a. It is hereby further determined that the maximum maturity of the bonds 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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best

for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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	January 5, 2024
Town of Oyster Bay	

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 Notice

Date of Posting

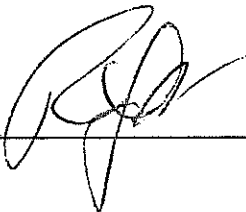
Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on
January 9, 2024.

(CORPORATE
SEAL)



Town Clerk

38-2024

1000179864.185 (278)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

8

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program - Highway

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Highway Improvements. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance



RD/rd
Word/Documents/Docket/2024 highway

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$7,700,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS IMPROVEMENTS TO TOWN-OWNED BUILDINGS AND FACILITIES, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE, BE IT

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

Section 1. For paying the cost of various improvements to Town-owned buildings and facilities, in and for the Town, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$7,700,000 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 \$7,700,000, and the plan for the financing thereof is by the issuance of the \$7,700,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years pursuant to subdivision ninety of said paragraph a of Section 11.00 of the Local Finance Law, as said class consists of items with a period of probable usefulness of at least ten years under one or more of subdivisions eleven, twelve, thirteen, nineteen, twenty-five, thirty-five, fifty-six, or eighty-eight of said paragraph a. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

Reviewed By
Office of Town Attorney

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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

(CORPORATE
SEAL)

9

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Improvements to Town Facilities

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Improvements to Various Town Facilities. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.

 
Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/2024 var town fac

39-2024

1000179864.185 (276)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$13,400,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS IMPROVEMENTS TO TOWN PARKS AND RECREATIONAL AREAS, OUTSIDE OF TOWN PARK DISTRICTS, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE, BE IT

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

Section 1. For paying the cost of various improvements to Town parks and recreational areas, outside of Town Park Districts, in and for the Town, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$13,400,000 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 \$13,400,000, and the plan for the financing thereof is by the issuance of the \$13,400,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision ninety-one of paragraph a of Section 11.00 of the Local Finance Law, as said class consists of items with a period of probable usefulness of at least fifteen years under one or more of subdivisions nineteen

Reviewed By
Office of Town Attorney

and fifty-four of said paragraph a. It is hereby further determined that the maximum maturity of the bonds 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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

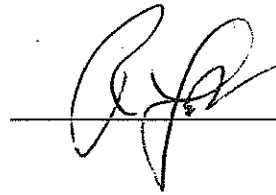
Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

(CORPORATE
SEAL)

10


Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

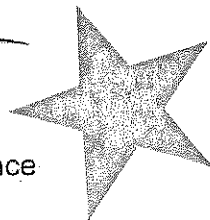
To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Parks General

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Park Improvements. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance



RD/rd

Word/Documents/Docket/2024 parks general

40-2024

1000179864.185 (283)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024:

RESOLUTION NO. 40 -2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,850,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE REPLENISHMENT OF SAND AND OTHER EROSION CONTROL IMPROVEMENTS AT TOWN BEACHES, IN AND FOR SAID TOWN.

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 the cost of the replenishment of sand and other erosion control improvements at Town beaches, in and for the Town of Oyster Bay, Nassau County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,850,000 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 \$1,850,000, and the plan for the financing thereof is by the issuance of the \$1,850,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision thirty-five 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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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:

<u>Designated Location(s) of Posted Notice</u>	<u>Date of Posting</u>
Bulletin board, 1 st floor, 54 Audrey Avenue	January 5, 2024
Oyster Bay, NY 11771	

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

11

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

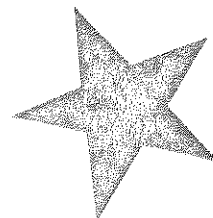
To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Erosion Protection

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Erosion Protection. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance



RD/rd

Word/Documents/Docket/2024 erosion protection

41-2024

1000179864.185 (282)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF CLASS "A" BUILDINGS, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE, BE IT

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

Section 1. For paying the cost of the construction of Class "A" buildings, including a new building at 150 Miller Place, in and for the Town, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$6,000,000 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 \$6,000,000, and the plan for the financing thereof is by the issuance of the \$6,000,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision eleven of said paragraph a of Section 11.00 of the Local Finance Law, as said building is to be a class "A" building within the meaning of said subdivision. It is hereby further determined that the maximum maturity of the bonds 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

Reviewed By
Office of Town Attorney

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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.

Richard LaMarca
Town Clerk

(CORPORATE
SEAL)

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 Notice

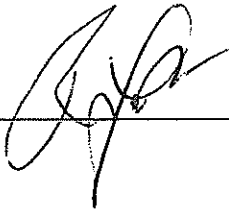
Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

(CORPORATE
SEAL)

42-2024

1000179864.185 (284)

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, on January 9, 2024, at 10:00 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 Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

12

41

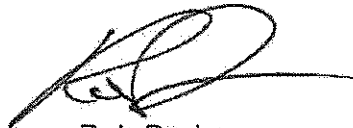
Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Class A Building Construction

Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Class A Building Construction. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/2024 class a

BOND RESOLUTION DATED JANUARY 9, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE DREDGING AND RESTORATION OF CANALS AND WATERWAYS, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW,

THEREFORE, BE IT

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

Section 1. For paying the cost of the dredging and restoration of canals and waterways, in and for the Town, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$5,000,000 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 \$5,000,000, and the plan for the financing thereof is by the issuance of the \$5,000,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision three 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 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

Reviewed By
Office of Town Attorney

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 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town 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 the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice


Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

(CORPORATE
SEAL)

13

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Dredging of Canals and Waterways

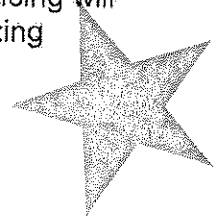
Town Board action is required to approve the appropriating resolution for the 2024 Capital Program – Dredging of Canals and Waterways. Financing will be by the issuance of serial bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/2024 dredging



43-2024

43

1000179864.185 (274)

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, on January 9, 2024, at 10:00 A.M., Prevailing Time.

PRESENT:

Joseph Saladino
Supervisor

Michele Johnson
Councilperson

Louis Imbroto
Councilperson

Thomas Hand
Councilperson

Steve Labriola
Councilperson

Laura Maier
Councilperson

Vicki Walsh
Councilperson

In the Matter of the Increase and Improvement
of the Facilities of All Park Districts in the Town
of Oyster Bay, Nassau County, New York

Resolution No. 43-2024

ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has had under consideration the joint increase and improvement of the facilities of all Park Districts in said Town (in the aggregate, the "Park Districts", each, a "Park District"), consisting of the refurbishing and improvement of facilities in all Park Districts, including incidental expenses in connection therewith; and

WHEREAS, the estimated maximum cost to said Park Districts of such joint increase and improvement of facilities is determined to be \$1,750,000; and

WHEREAS, such cost shall be annually apportioned among such Park Districts by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within each said Park 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;

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 in connection with such increase and improvement of the facilities of all Park Districts, for the particular improvements that have been identified, and it has been determined that such increase and improvement of the facilities of all Park Districts will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing on said proposed joint increase and improvement of facilities and the estimate of cost, pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town as follows:

Section 1. A meeting of the Town Board of the Town shall be held at the Town Hall East, 54 Audrey Avenue, Oyster Bay, New York, in said Town, on January 23, 2024, at 10:00 A.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of all Park Districts in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published, at least ten days, but not more than twenty days, prior to the public hearing in the Newday, the official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), will meet at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, on January 23, 2024, at 10:00 A.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed joint increase and improvement of the facilities of all Park Districts in said Town (in the aggregate, the "Park Districts", each, a "Park District"), consisting of the refurbishing and improvement of facilities in the Park Districts, including incidental expenses in connection therewith, at an estimated maximum cost of \$1,750,000, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Such cost shall be annually apportioned amongst such Park Districts by said Town Board, and the amounts so apportioned shall be levied and collected in each Park 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.

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 in connection with such increase and improvement of the facilities of all Park Districts and, for the particular improvements that have been identified, it has been determined that such increase and improvement of the facilities of all Park Districts will not result in any significant environmental effects.

Dated: Oyster Bay, New York
January 9, 2024

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF OYSTER BAY,
NASSAU COUNTY, NEW YORK

Richard LaMarca
Town Clerk

Section 3. 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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on
January 9, 2024.



Town Clerk

(CORPORATE
SEAL)

14

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

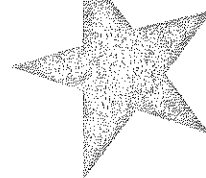
To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Public Hearing – Park Districts

Town Board action is required to approve the resolution calling for a public hearing for Special District Park Improvements in the 2024 Capital Program. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance



RD/rd
Word/Documents/Docket/2024 parks.ph

44-2024

1000179864.185 (275)

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 9, 2024, at 10:00 A.M., Prevailing Time.

PRESENT:

Joseph Saladino

Supervisor

Michele Johnson

Councilperson

Louis Imbroto

Councilperson

Thomas Hand

Councilperson

Steve Labriola

Councilperson

Laura Maier

Councilperson

Vicki Walsh

Councilperson

In the Matter of the Increase and Improvement of the Facilities of the Solid Waste District in the Town of Oyster Bay, Nassau County, New York

Resolution No. 44-2024

ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has had under consideration the increase and improvement of the facilities of the Solid Waste District (the "District") in said Town, consisting of the refurbishing and improvement of the

Solid Waste Disposal Facility in said District, including incidental expenses in connection therewith;
and

WHEREAS, the estimated maximum cost to said District of such increase and improvement of facilities is determined to be \$620,000; and

WHEREAS, 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;

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 in connection with such increase and improvement of the facilities of said District and use and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement of facilities and the estimate of cost, pursuant to Section 202-b of the Town Law;
NOW, THEREFORE, BE IT

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

Section 1. A meeting of the Town Board of the Town shall be held at the Town Hall East, 54 Audrey Avenue, Oyster Bay, New York, on January 23, 2024, at 10:00 A.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of said District in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published, at least ten, but not more than twenty, days prior to the public hearing in the Newsday, the official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

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.

* * * *

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Oyster Bay, Nassau County, New York, will meet at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, on January 23, 2024, at 10:00 A.M., Eastern Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Solid Waste District (the "District") in said Town, consisting of the refurbishing and improvement of the Solid Waste Disposal Facility in said District, including incidental expenses in connection therewith, at an estimated maximum cost of \$620,000, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such 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.

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 in connection with such increase and improvement of the facilities of said District and use and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects.

Dated: Oyster Bay, New York
January 9, 2024

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF OYSTER BAY,
NASSAU COUNTY, NEW YORK

Richard LaMarca
Town Clerk

Section 3. This order shall take effect immediately.

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 9, 2024, 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.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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:

Newspaper and/or Other News Media

Date Given

Various publications throughout the

January 5, 2024

Town of Oyster Bay

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 Notice

Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue

January 5, 2024

Oyster Bay, NY 11771

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 9, 2024.



Town Clerk

(CORPORATE
SEAL)

44

15

Town of Oyster Bay
Inter-Departmental Memo

December 21, 2023

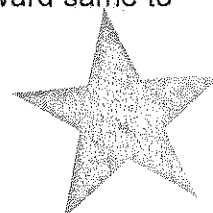
To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: 2024 Capital Program – Public Hearing – Solid Waste

Town Board action is required to approve the resolution calling for a public hearing for Special District Solid Waste Improvements in the 2024 Capital Program. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Thank you.



Rob Darienzo
Director of Finance



RD/rd
Word/Documents/Docket/2024 solid waste ph

Meeting of January 9, 2024

Resolution No. 45 -2024

WHEREAS, by Resolution No. 179-2023, adopted March 7, 2023, the Town Board awarded Contract No. HRR23-257, Requirements Contract for Road Restoration Throughout the Town of Oyster Bay, to Posillico Civil, Inc., for the initial contract period of March 7, 2023 through March 6, 2024, with an option for two (2) one (1) year extensions upon the same terms of the original contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 22, 2023, requested Town Board authorization to exercise the first one-year extension of Contract No. HRR23-257, with Posillico Civil, Inc. for the period commencing March 7, 2024 through March 6, 2025, at the same prices, conditions and terms provided for in the original contract, in an amount not to exceed \$5,000,000.00; and

WHEREAS, Commissioner Lenz by said memorandum, informed the Town Board that, to date, Posillico Civil, Inc.'s work under Contract No. HRR23-257 has been satisfactorily completed in a timely manner, and further advised that the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and Contract No. HRR23-257 with Posillico Civil, Inc. is hereby extended, for the period from March 7, 2024 through March 6, 2025, upon the same prices, conditions, and terms as provided in the original contract, in an amount not to exceed \$5,000,000.00.

-#-

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
DPS
2/2/24

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

DECEMBER 22, 2023

TO: MEMORANDUM DOCKET

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

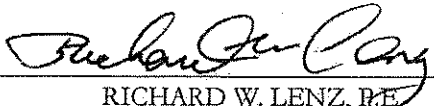
SUBJECT: REQUEST EXTENSION OF REQUIREMENTS CONTRACT FOR
ROAD RESTORATION THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. HRR23-257

Contract No. HRR23-257 was awarded to Posillico Civil, Inc. by the Town Board on March 7, 2023 by Resolution No. 179-2023, which allowed for two potential one-year extensions to the Contract at the discretion of the Town at the same pricing and terms as the original bid.

The Department of Public Works has reviewed the work performed by Posillico Civil, Inc. and finds that it is in the best interest of the Town to exercise the first one-year extension. Also attached is a letter dated December 14, 2023 from Posillico Civil, Inc. requesting an extension of the Contract. This first extension will be for the period of March 7, 2024 through March 6, 2025. As per the Contract, the annual value of this contract is not to exceed \$5,000,000.00

The proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy.

Therefore, the Department of Public Works recommends that Contract No. HRR23-257, Requirements Contract for Road Restoration throughout the Town of Oyster Bay, be extended for one year at the same terms, conditions and pricing for the period of March 7, 2024 through March 6, 2025.



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

RWL/MR/TLS/lk

Attachment

cc: Steven C. Ballas, Comptroller
John Tassone, Chief Deputy Commissioner/DPW

HRR23-257 DOCKET FIRST EXTENSION



Meeting of March 7, 2023

Resolution No.179-2023

WHEREAS, pursuant to public notice, bids were duly solicited, and eight (8) bids were received for Contract No. HRR23-257, Requirements Contract for Road Restoration Throughout the Town of Oyster Bay, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated February 17, 2023 and February 28, 2023, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. HRR23-257, were reviewed by Department of Purchasing, and it was determined that Posillico Civil, Inc., 1750 New Highway, Farmingdale, New York 11735, submitted the lowest responsible and responsive bid in the total weighted amount of \$2,848,722.00; and

WHEREAS, Commissioner Lenz, by said memoranda, reported that Posillico Civil, Inc. has successfully completed such work for multiple local municipalities, and that said agreement with Posillico Civil, Inc. will be for a one-year period starting from the date of the award, with an option for two (2) individual one-year extensions, at the same terms and conditions; and

WHEREAS, The Office of the Inspector General has reviewed the contract and the vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that Contract No. HRR23-257 be awarded to Posillico Civil, Inc., in the total weighted amount of \$2,848,722.00, with an estimated annual budget amount not to exceed \$5,000,000.00, and the Supervisor or his designee, is hereby authorized and directed to execute documents accordingly; and

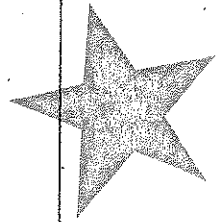
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and Contract No. HRR23-257 is awarded to Posillico Civil, Inc., in the total weighted bid amount of \$2,848,722.00 and the annual budget amount not to exceed \$5,000,000.00, and the Town Supervisor, or his duly appointed designee, is hereby authorized and directed to execute documents accordingly.

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

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

Reviewed By
Office of Town Attorney





December 14, 2023

Town of Oyster Bay
74 Audrey Ave.
Oyster Bay, NY

Re: Town of Oyster Bay Contract # HRR23-257 Requirements for road restoration

Attn: Mr. Matt Russo

Dear Mr. Russo:

Posillico – Civil would like to extend the above referenced contract for the year 2024. I understand that the contract will be extended “at the same prices, terms and conditions as the original bid”.

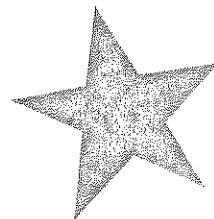
Thank-you and we look forward to working with you and your staff for another year.

If you have any questions please do not hesitate to contact me at 631-390-5706.

Very truly yours,
Posillico- Civil

A handwritten signature in black ink, appearing to read 'Chuck Forte'.

Chuck Forte
Vice President



Meeting of January 9, 2024

Resolution No. 46 -2024

WHEREAS, by Resolution No. 349-2023, adopted on May 22, 2023, the Town Board awarded Contract No. H23-261, Concrete Replacement at Various Locations Throughout the Town of Oyster Bay to Road Work Ahead, Inc.; and

WHEREAS, Nelson & Pope, Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated December 20, 2023, advised that the Contractor, Road Work Ahead, Inc., had completed work and had assessed materials actually used in the project as part of the closeout process. As a result of the process, it has been determined that there was an overall item net decrease in the amount of materials used in the amount of \$600,261.41; and

WHEREAS, Commissioner Lenz, by memorandum dated December 21, 2023, recommended that the aforesaid quantity increase/decrease, to Contract No. H23-261, be accepted, and that total value of Contract No. H23-261 be decreased in the amount of \$600,261.41;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and in connection with Contract No. H23-261, the proposed quantity increase/decrease, to Contract No. H23-261, is hereby accepted for a total net decrease in Contract No. H23-261 of \$600,261.41.

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Reviewed By
Office of Town Attorney

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

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

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

DECEMBER 21, 2023

TO : MEMORANDUM DOCKET

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


SUBJECT : QUANTITY INCREASE – QUANTITY DECREASE NO. 1
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. H23-261

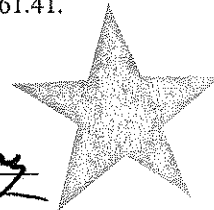
Attached is a letter from the office of N&P Engineering, Architecture and Land Surveying, PLLC, dated December 20, 2023, concerning increases and decreases in quantities which result in a net decrease in the amount of \$600,261.41. Said quantity adjustments are necessary to accommodate construction methods utilized in the field to meet varying site conditions.

While the Contractor, Road Work Ahead, Inc., has completed the work, negotiation of final quantities is underway as part of the closeout process. A final quantity adjustment request will be made along with the final acceptance request by the Division of Engineering when the closeout process has been completed.

The proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy.

It is hereby requested that the Town Board authorize, by resolution, the above-described request having a net result of a decrease in the value of Contract No. H23-261 in the amount of \$600,261.41.


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



RWL/~~MR~~/mr

Attachments

C: Steven Ballas, Comptroller
John Tassone, Chief Deputy Commissioner/DPW

Meeting of May 23, 2023

Resolution No.349-2023

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated May 9, 2023 and May 15, 2023, advised that on May 3, 2023, the Division of Purchasing received bids for the award of a construction contract with respect to Concrete Replacement at various locations throughout the Town and the consulting engineer reviewed the eight (8) bids submitted, and Roadwork Ahead, Inc., 2186 Kirby Lane, Syosset, New York 11791, submitted the lowest responsive bid, in the amount of \$1,413,100.00; and

WHEREAS, Commissioner Lenz, by said memoranda, reported that Russel Scott, P.E., Partner, N&P Engineering, Architecture and Land Surveying, PLLC, by letter dated May 8, 2023, recommended the award of Contract No. H23-261 to Roadwork Ahead, Inc., in the amount of \$1,413,100.00. In accordance with Town policy, an additional \$70,655.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$1,483,755.00; and

WHEREAS, Commissioner Lenz, by said memoranda, further advised that the estimated construction time for completion of the subject contract is one hundred fifty (150) calendar days, and that funds are available in Account No. DPW H5197 20000 000 2303 008, Project ID No. 2303HWYDB-07 in the amount of \$1,483,755.00; and

WHEREAS, Commissioner Lenz, by said memoranda, recommended and requested Contract No. H23-261, for concrete replacement at various locations throughout the Town, be awarded to Roadwork Ahead, Inc., in the amount of \$1,413,100.00; and

WHEREAS, Commissioner Lenz, by said memoranda, also advised the Board that the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy,

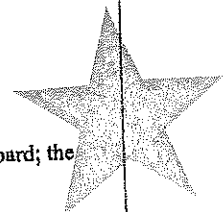
NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and Contract No. H23-261 for Concrete Replacement at various locations throughout the Town is awarded to Roadwork Ahead, Inc., 2186 Kirby Lane, Syosset, New York 11791, in the total amount of the bid of \$1,413,000.00, with an additional \$70,655.00 applied to the low bid amount for a total bid encumbrance of \$1,483,755.00.

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

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

Reviewed By
Office of Town Attorney





December 20, 2023

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

Re: Concrete Replacement at Various locations throughout the Town of Oyster Bay
Contract: H23-261
Nelson + Pope No. 21190

Dear Commissioner Lenz:

Submitted herewith is a list of contract items that require an increase or a decrease in quantity for the above referenced project. A summary of the increases and decreases is as follows:

DECREASED ITEMS:

Item 2X – Unclassified Excavation

Original Bid Quantity = 200 CY

Unit Bid Price = \$50.00

Bid Total = \$10,000.00

Quantity Used (Update) = 0 CY

Decrease (Update) = 200 CY

Decrease Cost (Update) = \$10,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 4C – Cement Concrete Sawcut

Original Bid Quantity = 900 LF

Unit Bid Price = \$3.00

Bid Total = \$2,700.00

Quantity Used (Update) = 840 LF

Decrease (Update) = 60 LF

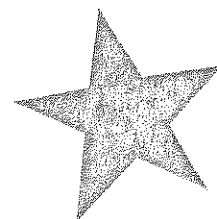
Decrease Cost (Update) = \$180.00

Reason for Decrease: Quantity needed was less than estimated.

Item 4D – Asphalt Concrete Sawcut

Original Bid Quantity = 22,500 LF

N&P Engineering, Architecture and Land Surveying, PLLC
70 Maxess Road, Melville, NY 11747 • 631.427.5665 • nelsonpope.com



Unit Bid Price = \$3.00
Bid Total = \$67,500.00

Quantity Used (Update) = 4,973.70 LF
Decrease (Update) = 17,526.30 LF
Decrease Cost (Update) = \$52,578.90

Reason for Decrease: Quantity needed was less than estimated.

Item 5SX – Select Borrow Fill

Original Bid Quantity = 200 CY
Unit Bid Price = \$10.00
Bid Total = \$2,000.00

Quantity Used (Update) = 0 CY
Decrease (Update) = 200 CY
Decrease Cost (Update) = \$2,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 16CB-7 – Reconstruct Catch Basin Top Slab

Original Bid Quantity = 5 CY
Unit Bid Price = \$3,000.00
Bid Total = \$15,000.00

Quantity Used (Update) = 0 CY
Decrease (Update) = 5 CY
Decrease Cost (Update) = \$15,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 26X – Cement Concrete Curb

Original Bid Quantity = 8,500 LF
Unit Bid Price = \$33.00
Bid Total = \$280,500.00

Quantity Used (Update) = 4,707.40 LF
Decrease (Update) = 3,792.60 LF
Decrease Cost (Update) = \$125,155.80

Reason for Decrease: Quantity needed was less than estimated.

Item 26B2X – Belgian Block Curb

Original Bid Quantity = 1,500 LF
Unit Bid Price = \$32.00
Bid Total = \$48,000.00



Quantity Used (Update) = 0 LF
Decrease (Update) = 1,500 LF
Decrease Cost (Update) = \$48,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 26BGX – Belgian Block Curb and Gutter

Original Bid Quantity = 1,000 LF
Unit Bid Price = \$40.00
Bid Total = \$40,000.00

Quantity Used (Update) = 56.5 LF
Decrease (Update) = 943.50 LF
Decrease Cost (Update) = \$37,740.00

Reason for Decrease: Quantity needed was less than estimated.

Item 26CG – Integral Cement Concrete Curb and Gutter

Original Bid Quantity = 6,000 LF
Unit Bid Price = \$40.00
Bid Total = \$240,000.00

Quantity Used (Update) = 3,820.83 LF
Decrease (Update) = 2,179.17 LF
Decrease Cost (Update) = \$87,166.80

Reason for Decrease: Quantity needed was less than estimated.

Item 28B – Loose Stone Sidewalks, Driveways, & Driveway Aprons

Original Bid Quantity = 750 SF
Unit Bid Price = \$18.00
Bid Total = \$13,500.00

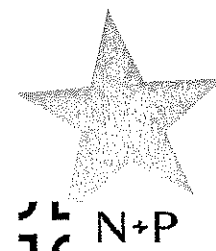
Quantity Used (Update) = 0 SF
Decrease (Update) = 750 SF
Decrease Cost (Update) = \$13,500.00

Reason for Decrease: Quantity needed was less than estimated.

Item 28CX – Reinforced Cement Concrete Driveways, Aprons, & Slabs (7" Thick)

Original Bid Quantity = 8,500 SF
Unit Bid Price = \$14.00
Bid Total = \$119,000.00

Quantity Used (Update) = 6,424.53 SF
Decrease (Update) = 2,075.47 SF
Decrease Cost (Update) = \$29,056.58



Reason for Decrease: Quantity needed was less than estimated.

Item 34X – Furnish & Install Miscellaneous Metals

Original Bid Quantity = 500 LBS
Unit Bid Price = \$1.00
Bid Total = \$500.00

Quantity Used (Update) = 0 LBS
Decrease (Update) = 500 LBS
Decrease Cost (Update) = \$500.00

Reason for Decrease: Quantity needed was less than estimated.

Item 36-2AX – Asphalt Concrete Pavement (Various Thicknesses)

Original Bid Quantity = 850 TONS
Unit Bid Price = \$130.00
Bid Total = \$110,500.00

Quantity Used (Update) = 167.94 TONS
Decrease (Update) = 682.06 TONS
Decrease Cost (Update) = \$88,667.80

Reason for Decrease: Quantity needed was less than estimated.

Item 49E – Reinforced Concrete Valley Gutter

Original Bid Quantity = 800 SF
Unit Bid Price = \$25.00
Bid Total = \$20,000.00

Quantity Used (Update) = 176 SF
Decrease (Update) = 624 SF
Decrease Cost (Update) = \$15,600.00

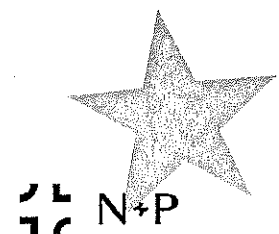
Reason for Decrease: Quantity needed was less than estimated.

Item 74AX – Replace or Construct Loose Flagstone, Brick, Block, or Similar Walkways

Original Bid Quantity = 200 SF
Unit Bid Price = \$18.00
Bid Total = \$3,600.00

Quantity Used (Update) = 0 SF
Decrease (Update) = 200 SF
Decrease Cost (Update) = \$3,600.00

Reason for Decrease: Quantity needed was less than estimated.



Item 76X – Topsoil & Seeding

Original Bid Quantity = 4,800 SY
Unit Bid Price = \$13.00
Bid Total = \$62,400.00

Quantity Used (Update) = 2049.49 SY
Decrease (Update) = 2750.51 SY
Decrease Cost (Update) = \$35,756.63

Reason for Decrease: Quantity needed was less than estimated.

Item 396X – Planted Sod, Supplied or Rehandled

Original Bid Quantity = 100 SY
Unit Bid Price = \$25.00
Bid Total = \$2,500.00

Quantity Used (Update) = 16.22 SY
Decrease (Update) = 83.78 SY
Decrease Cost (Update) = \$2,094.50

Reason for Decrease: Quantity needed was less than estimated.

Item 398X – Dense Graded Aggregate Base Course

Original Bid Quantity = 650 CY
Unit Bid Price = \$30.00
Bid Total = \$19,500.00

Quantity Used (Update) = 16.75 CY
Decrease (Update) = 633.25 CY
Decrease Cost (Update) = \$18,997.50

Reason for Decrease: Quantity needed was less than estimated.

Item 501 – Detectable Warning Surface

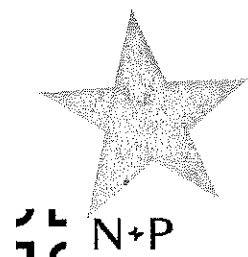
Original Bid Quantity = 1,500 SF
Unit Bid Price = \$60.00
Bid Total = \$90,000.00

Quantity Used (Update) = 500 SF
Decrease (Update) = 1,000 SF
Decrease Cost (Update) = \$60,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 502 – Furnish & Install 1" Inside Diameter PVC Electrical Conduit

Original Bid Quantity = 800 LF
Unit Bid Price = \$20.00



Bid Total = \$16,000.00

Quantity Used (Update) = 0 LF
Decrease (Update) = 800 LF
Decrease Cost (Update) = \$16,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 503 – Furnish & Install Wire Mesh Reinforcement (6"x6" W2.9xW2.9)

Original Bid Quantity = 200 SF
Unit Bid Price = \$2.00
Bid Total = \$400.00

New Quantity (Update) = 0 SF
Decrease (Update) = 200 SF
Decrease Cost (Update) = \$400.00

Reason for Decrease: Quantity needed was less than estimated.

Item 504 – Brick Walkways

Original Bid Quantity = 100 SF
Unit Bid Price = \$20.00
Bid Total = \$2,000.00

Quantity Used (Update) = 0 SF
Decrease (Update) = 100 SF
Decrease Cost (Update) = \$2,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 505A – Stump Grinding up to & Including 24" Diameter

Original Bid Quantity = 10 EA
Unit Bid Price = \$650.00
Bid Total = \$6,500.00

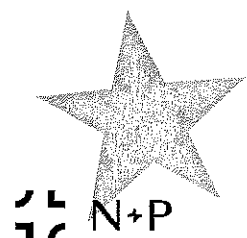
Quantity Used (Update) = 0 EA
Decrease (Update) = 10 EA
Decrease Cost (Update) = \$6,500.00

Reason for Decrease: Quantity needed was less than estimated.

Item 505B – Stump Grinding Greater Than 24" and Less Than 36" Diameter

Original Bid Quantity = 10 EA
Unit Bid Price = \$700.00
Bid Total = \$7,000.00

Quantity Used (Update) = 0 EA



Decrease (Update) = 10 EA
Decrease Cost (Update) = \$7,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 505C – Stump Grinding Greater Than and Including 36" Diameter

Original Bid Quantity = 10 EA
Unit Bid Price = \$1,000.00
Bid Total = \$10,000.00

Quantity Used (Update) = 0 EA
Decrease (Update) = 10 EA
Decrease Cost (Update) = \$10,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 506A – Tree Removal up to & Including 24" Diameter

Original Bid Quantity = 10 EA
Unit Bid Price = \$1,000.00
Bid Total = \$10,000.00

Quantity Used (Update) = 0 EA
Decrease (Update) = 10 EA
Decrease Cost (Update) = \$10,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 505B – Tree Removal Greater Than 24" and Less Than 36" Diameter

Original Bid Quantity = 10 EA
Unit Bid Price = \$1,400.00
Bid Total = \$14,000.00

Quantity Used (Update) = 0 EA
Decrease (Update) = 10 EA
Decrease Cost (Update) = \$14,000.00

Reason for Decrease: Quantity needed was less than estimated.

Item 506C – Tree Removal Greater Than and Including 36" Diameter

Original Bid Quantity = 10 EA
Unit Bid Price = \$1,750.00
Bid Total = \$17,500.00

Quantity Used (Update) = 0 EA
Decrease (Update) = 10 EA
Decrease Cost (Update) = \$17,500.00



Reason for Decrease: Quantity needed was less than estimated.

TOTAL DECREASE: (\$728,994.51)

INCREASED ITEMS:

Item 26FX – Face Form Curb

Original Bid Quantity = 250 LF

Unit Bid Price = \$38.00

Bid Total = \$9,500.00

New Quantity (Update) = 3,189.40 LF

Increase (Update) = 2,939.40 LF

Increase Cost (Update) = \$111,697.20

New Updated Cost= \$121,197.20

Reason for Increase: Quantity needed was more than estimated.

Item 27X – Cement Concrete Sidewalk, Ramps, & Slabs (5" Thick)

Original Bid Quantity = 9,000 SF

Unit Bid Price = \$12.00

Bid Total = \$108,000.00

New Quantity (Update) = 9,968.70 SF

Increase (Update) = 968.70 SF

Increase Cost (Update) = \$11,624.40

New Updated Cost= \$119,624.40

Reason for Increase: Quantity needed was more than estimated.

Item 28AX – Bituminous Sidewalks, Driveways, & Driveway Aprons

Original Bid Quantity = 1,000 SF

Unit Bid Price = \$5.00

Bid Total = \$5,000.00

New Quantity (Update) = 2,082.30 SF

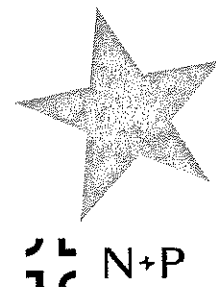
Increase (Update) = 1,082.30 SF

Increase Cost (Update) = \$5,411.50

New Updated Cost=\$10,411.50

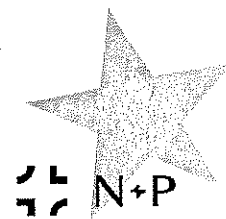
Reason for Increase: Quantity needed was more than estimated.

TOTAL INCREASE: (\$128,733.10)



SUMMARY:

TOTAL CONTRACT:	\$1,413,100.00
TOTAL INCREASE:	\$128,733.10
TOTAL DECREASE:	-\$728,994.51
NET CHANGE:	-\$600,261.41
INITIAL CHANGE:	\$812,838.59
PROJ. CONTINGENCY:	-\$50,000.00
FINAL COST:	\$762,838.59



INTERIM CONTRACT INCREASES/DECREASE
H23-261 CONCRETE REPLACEMENT AT VARIOUS LOCATIONS THROUGHOUT THE TOWN OF OYSTER BAY
ROAD WORK AHEAD

ITEM No.	DESCRIPTION	UNIT	UNIT PRICE	BID ESTIMATE		INCREASE		DECREASE		FINAL QUANT	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
2X	UNCLASSIFIED EXCAVATION	CY	\$50.00	200	\$ 10,000.00		\$ -	200.00	\$ 10,000.00		\$ -
4C	CEMENT CONCRETE SAWCUT	LF	\$3.00	900	\$ 2,700.00		\$ -	60.00	\$ 180.00	840.00	\$ 2,520.00
4D	ASPHALT CONCRETE SAWCUT	LF	\$3.00	22,500	\$ 67,500.00		\$ -	17,526.30	\$ 52,578.90	4,973.70	\$ 14,921.10
55X	SELECT BORROW FILL	CY	\$10.00	200	\$ 2,000.00		\$ -	200.00	\$ 2,000.00		\$ -
16CB-7	RECONSTRUCT CATCH BASIN TOP SLAB	CY	\$3,000.00	5	\$ 15,000.00		\$ -	5.00	\$ 15,000.00		\$ -
26X	CEMENT CONCRETE CURB	LF	\$33.00	8,500	\$ 280,500.00		\$ -	3,792.60	\$ 125,155.80	4,707.40	\$ 155,344.20
26B2X	BELGIAN BLOCK CURB	LF	\$32.00	1,500	\$ 48,000.00		\$ -	1,500.00	\$ 48,000.00		\$ -
26BGX	BELGIAN BLOCK CURB AND GUTTER	LF	\$40.00	1,000	\$ 40,000.00		\$ -	943.50	\$ 37,740.00	56.50	\$ 2,260.00
26CG	INTEGRAL CEMENT CONCRETE CURB AND GUTTER	LF	\$40.00	6,000	\$ 240,000.00		\$ -	2,179.17	\$ 87,166.80	3,820.83	\$ 152,833.20
26FX	FACE FORM CURB	LF	\$38.00	250	\$ 9,500.00	2,939.40	\$ 111,697.20		\$ -	3,189.40	\$ 121,197.20
27X	CEMENT CONCRETE SIDEWALK, RAMPS & SLABS (5" THICK)	SF	\$12.00	9,000	\$ 108,000.00	968.70	\$ 11,624.40		\$ -	9,968.70	\$ 119,624.40
28AX	BITUMINOUS SIDEWALKS, DRIVEWAYS & DRIVEWAY APRONS	SF	\$5.00	1,000	\$ 5,000.00	1,082.30	\$ 5,411.50		\$ -	2,082.30	\$ 10,411.50
28B	LOOSE STONE SIDEWALKS, DRIVEWAYS & DRIVEWAY APRONS	SF	\$18.00	750	\$ 13,500.00		\$ -	750.00	\$ 13,500.00		\$ -
28CX	REINFORCED CEMENT CONCRETE DRIVEWAYS, APRONS & SLABS (7" THICK)	SF	\$14.00	8,500	\$ 119,000.00		\$ -	2,075.47	\$ 29,056.58	6,424.53	\$ 89,943.42
34X	FURNISH AND INSTALL MISCELLANEOUS METALS	LBS	\$1.00	500	\$ 500.00		\$ -	500.00	\$ 500.00		\$ -
36-2AX	ASPHALT CONCRETE PAVEMENT (VARIOUS THICKNESSES)	TONS	\$130.00	850.0	\$ 110,500.00		\$ -	682.06	\$ 88,667.80	167.94	\$ 21,832.20
49E	REINFORCED CONCRETE VALLEY GUTTER	SF	\$25.00	800.0	\$ 20,000.00		\$ -	624.00	\$ 15,600.00	176.00	\$ 4,400.00
74AX	REPLACE OR CONSTRUCT LOOSE FLAGSTONE, BRICK, BLOCK OR SIMILAR WALKWAYS	SF	\$18.00	200	\$ 3,600.00		\$ -	200.00	\$ 3,600.00		\$ -
76X	TOPSOIL & SEEDING	SY	\$13.00	4,800	\$ 62,400.00		\$ -	2,750.51	\$ 35,756.63	2,049.49	\$ 26,643.37
98X	WORK ZONE TRAFFIC CONTROL	LS	\$10,000.00	1	\$ 10,000.00		\$ -		\$ -	1.00	\$ 10,000.00
396X	PLANTED SOD, SUPPLIED OR REHANDLED	SY	\$25.00	100	\$ 2,500.00		\$ -	83.78	\$ 2,094.50	16.22	\$ 405.50
398X	DENSE GRADED AGGREGATE BASE COURSE	CY	\$30.00	650	\$ 19,500.00		\$ -	683.25	\$ 18,997.50	16.75	\$ 502.50
501	DETECTABLE WARNING SURFACE	SF	\$60.00	1,500	\$ 90,000.00		\$ -	1,000.00	\$ 60,000.00	500.00	\$ 30,000.00
502	FURNISH & INSTALL 1" INSIDE DIAMETER PVC ELECTRICAL CONDUIT	LF	\$20.00	800	\$ 16,000.00		\$ -	800.00	\$ 16,000.00		\$ -
503	FURNISH & INSTALL WIRE MESH REINFORCEMENT (6"x6" W2.9xW2.9)	SF	\$2.00	200	\$ 400.00		\$ -	200.00	\$ 400.00		\$ -
504	BRICK WALKWAYS	SF	\$20.00	100	\$ 2,000.00		\$ -	100.00	\$ 2,000.00		\$ -
505A	STUMP GRINDING UP TO & INCLUDING 24" DIAMETER	EA	\$650.00	10	\$ 6,500.00		\$ -	10.00	\$ 6,500.00		\$ -
505B	STUMP GRINDING GREATER THAN AND LESS THAN 36" DIAMETER	EA	\$700.00	10	\$ 7,000.00		\$ -	10.00	\$ 7,000.00		\$ -
505C	STUMP GRINDING GREATER THAN & INCLUDING 36" DIAMETER	EA	\$1,000.00	10	\$ 10,000.00		\$ -	10.00	\$ 10,000.00		\$ -
506A	TREE REMOVAL UP TO & INCLUDING 24" DIAMETER	EA	\$1,000.00	10	\$ 10,000.00		\$ -	10.00	\$ 10,000.00		\$ -
506B	TREE REMOVAL GREATER THAN 24" AND LESS THAN 36" DIAMETER	EA	\$1,400.00	10	\$ 14,000.00		\$ -	10.00	\$ 14,000.00		\$ -
506C	TREE REMOVAL GREATER THAN AND INCLUDING 36" DIAMETER	EA	\$1,750.00	10	\$ 17,500.00		\$ -	10.00	\$ 17,500.00		\$ -
507	CONTINGENCY ALLOWANCE	EA	\$50,000.00	1	\$ 50,000.00		\$ -		\$ -		\$ -
					Contract Amount \$ 1,413,100.00	Subtotal \$ 128,733.10		\$ 728,994.51		\$ 762,838.59	

Net Decrease = \$600,261.41

Meeting of January 9, 2024

Resolution No. 47 -2024

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Elizabeth A. Joughin

WHEREAS, Terrence Kenniff, President, Gold Coast Business Association, by email, requested the use of a portion of Parking Field G-2 near the intersection of Glen Head Road and Railroad Avenue, Glen Head, from 5:00 p.m. to 9:00 p.m. on December 18, 2023, as well as the use of various Parks Department equipment, for use at the Business Association's Annual Holiday Tree Lighting Event, to be held on Monday, December 18, 2023, from 5:00 pm until 9:00 pm; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 21, 2023, advised that the Department of Public Works had no objection to providing the Gold Coast Business Association with the use of a portion of Parking Field G-2 near the intersection of Glen Head Road and Railroad Avenue, Glen Head, from 5:00 p.m. to 9:00 p.m. on December 18, 2023, as well as the use of various Parks Department equipment, for use at the Business Association's Annual Holiday Tree Lighting Event, to be held on Monday, December 18, 2023, from 5:00 pm until 9:00 pm, since the equipment was not required for use by the Town at that time; and requested Town Board approval of the provision of same, *nunc pro tunc*; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of Public Works is hereby authorized, *nunc pro tunc*, to provide the Gold Coast Business Association with the use of a portion of Parking Field G-2 near the intersection of Glen Head Road and Railroad Avenue, Glen Head, from 5:00 p.m. to 9:00 p.m. on December 18, 2023, as well as the use of various Parks Department equipment, for use at the Business Association's Annual Holiday Tree Lighting Event, to be held on Monday, December 18, 2023, from 5:00 pm until 9:00 pm; subject to the following terms and conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of the Department of Public Works or his duly authorized representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment, and in the conduct of the afore-described activity;
3. The said organization shall file a certificate of insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amount of \$2,000,000 bodily injury and \$1,000,000 property damage, and naming the Town as an additional insured, in connection with the afore-described activity.

-#-

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

December 21, 2023

TO: MEMORANDUM DOCKET

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


SUBJECT: GOLD COAST BUSINESS ASSOCIATION TREE LIGHTING
MONDAY, DECEMBER 18TH 2023
(NUNC PRO TUNC)

Enclosed please find an email from Terrence Kenniff, President, from The Gold Coast Business Association, requesting our assistance for their Tree Lighting on December 18th, 2023.

The Highway Division has no objection to the organization utilizing a couple of parking spaces in parking Field G-2 for their tree lighting on the above mentioned date from 5:00 pm to 9:00 pm for their event.

The Parks Department is also providing various equipment for this event as well.

Also attached are a Certificate of Insurance, Endorsement Sheet and Hold Harmless to cover this event. Therefore, Town Board approval is requested.


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



JCT/kaz
Attachments

C: John C. Tassone, Chief Deputy Commissioner
Justin McCaffrey, Commissioner, Dept. Public Safety
Peter Brown, General Foreman 002
Cathy McWilliams, Department of Parks
Grace SantaMaria, Highway Administration

Hi Kim,

Thanks for your work on this. We are getting a bandshell to host the HS band and The Big Guy from the North Pole. We will be hosting the event 5:00 Monday 12/18/23.

Let me know if you have any questions or if there is anything else you need from me.

Regards,

Terrence Kenniff
President, Gold Coast Business Association



718-986-1442 m

Pres. GCBA E-mail: President@GoldCoastBusinessAssociation.com

Web Site: <http://www.GoldCoastBusinessAssociation.com/>





GOLD-5

OP ID: MC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/19/2023

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
BADGE AGENCY, INC.
1000 Woodbury Rd, Suite 207
Woodbury, NY 11797

516-676-0070

CONTACT

NAME:

PHONE (A/C, No, Ext): 516-676-0070

FAX (A/C, No): 516-676-0258

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: THE HARTFORD

22357

INSURER B: PHILADELPHIA INSURANCE COS.

18058

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
GOLD COAST BUSINESS ASSOCIATION INC
PO Box 251
Glen Head, NY 11545-0000

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY					
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR	Y	12SBMBE1917	11/29/2023	11/29/2024	EACH OCCURRENCE \$ 1,000,000
	X Business Owners					DAMAGE TO RENTED PREMISES (Per occurrence) \$ 300,000
						MED EXP (Any one person) \$ 10,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ 2,000,000
						\$
	GEN'L AGGREGATE LIMIT APPLIES PER:					
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
	OTHER:					
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Per accident) \$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB					EACH OCCURRENCE \$
	EXCESS LIAB					AGGREGATE \$
	DED <input type="checkbox"/> RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N <input type="checkbox"/>	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

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

Certificate holder is additional insured

Re: Tree Lighting

CERTIFICATE HOLDER

TOBMLS

TOWN OF OYSTER BAY
Highway Division
150 MILLER PLACE
SYOSSET, NY 11791

Reviewed By
Official [Signature]

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

[Signature]

ACORD 25 (2016/03)

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POLICY NUMBER: 12SBMBE1917

COMMERCIAL GENERAL LIABILITY
CG 20 28 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)

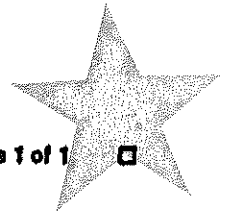
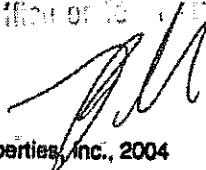
Town of Oyster Bay
Highway Division
150 Miller Place
Syosset, NY 11791

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
Official of ISO



Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 15 day of December 2023, by The Gold Coast Business Association (hereinafter "CONCESSIONAIRE"). Whereas, the CONCESSIONAIRE has entered into a contract to provide certain services and products at various Town locations, as designated in the contract between the TOWN and the CONCESSIONAIRE for the contract period Dec 18 2023 through Dec 18 2027.

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

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, evidencing primary coverage in the amounts of \$1,000,000 each occurrence, \$2,000,000 general aggregate, \$500,000 for property damage and, where appropriate, \$1,000,000 products, naming the Town as additional insured. The Organization's insurance shall be primary insurance as respects the Town, and any insurance or self-insurance maintained by the Town shall be in excess of Town's insurance and shall not contribute to it. All certificates of insurance must be accompanied by an endorsement.

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

Name of Organization:

Gold Coast Business Association

Address of Organization:

PO Box 251

Glen Head NY 11545

By: [Signature]

Authorized Representative

Title: President

Telephone Number: 516-277-2657

Reviewed By
Office of Town Attorney

[Signature]

CORRECTED COPY

Meeting of January 9, 2024

Resolution No. 48-2024

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND CHAPTER 4 OF THE CODE OF THE TOWN OF OYSTER BAY – ADMINISTRATION OF GOVERNMENT, SECTION 4-3 DEPARTMENT OF TOWN CLERK, SECTION 4-15 DEPARTMENT OF RECEIVER OF TAXES, SECTION 4-39 EXECUTIVE DEPARTMENT, AND SECTION 4-81 OFFICE OF TOWN BOARD"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on January 9, 2024, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated January 4, 2024, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 26, pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that such Local Law to amend the Code of the Town of Oyster Bay is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 26; and be it further

RESOLVED, That said Local Law -2024, entitled "A LOCAL LAW TO AMEND CHAPTER 4 OF THE CODE OF THE TOWN OF OYSTER BAY – ADMINISTRATION OF GOVERNMENT, SECTION 4-3 DEPARTMENT OF TOWN CLERK, SECTION 4-15 DEPARTMENT OF RECEIVER OF TAXES, SECTION 4-39 EXECUTIVE DEPARTMENT, AND SECTION 4-81 OFFICE OF TOWN BOARD", is hereby; and be it further

RESOLVED, That this Resolution is subject to a permissive referendum; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State; and be it further

RESOLVED, That this Resolution shall take effect upon filing with the Secretary of State and the completion of the forty-five day permissive referendum period.

-#-

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

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

Reviewed By
Office of Town Attorney

[Signature]

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

January 4, 2024

TO: RICHARD L. LAMARCA, TOWN CLERK
FRANK M. SCALERA, TOWN ATTORNEY, OFFICE OF THE TOWN ATTORNEY
THOMAS M. SABELLICO, SPECIAL COUNSEL, OFFICE OF THE TOWN ATTORNEY
SHEILA TARNOWSKI, DIRECTOR OF LEGISLATIVE AFFAIRS


FROM: JULIA K. SCHNEIDER, DIRECTOR OF TEQR,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: "A LOCAL LAW TO AMEND CHAPTER 4 OF THE CODE OF THE TOWN OF OYSTER BAY - ADMINISTRATION OF GOVERNMENT, SECTION 4-3 DEPARTMENT OF TOWN CLERK, SECTION 4-15 DEPARTMENT OF RECEIVER OF TAXES, SECTION 4-39 EXECUTIVE DEPARTMENT, AND SECTION 4-81 OFFICE OF TOWN BOARD; CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR): TYPE II

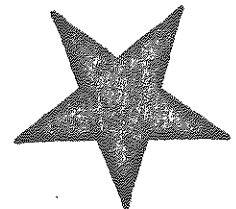
Pursuant to Article 8 of the New York State Environmental Conservation Law and implementing provisions of the State Environmental Quality Review Act (SEQR) at 6 NYCRR Part 617, and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Code of the Town of Oyster Bay), the Department of Environmental Resources (DER) has reviewed the above-referenced proposed action. In connection with review of this subject action pursuant to SEQR/TEQR, DER was provided with the subject draft local law from the Office of The Town Attorney via email on January 4, 2024.

On the basis of our evaluation, the Department of Environmental Resources concludes that this proposed action is classified as Type II pursuant to the SEQR Type II Actions List, at 6 NYCRR §617.5(c) item #26, pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment."

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


Julia K. Schneider, AICP, CPESC
Director of TEQR

cc. Louis G. Savinetti, Commissioner, Department of Environmental Resources
Colin Bell, Deputy Commissioner, Department of Environmental Resources



Meeting of January 9, 2024

Resolution No. 49-2024

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 23rd day of January, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 246 - ZONING, SECTION 246-4, GENERAL REGULATIONS, AND SECTION 246-5, DISTRICT REGULATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND THE BUILDING ZONING MAP OF THE TOWN OF OYSTER BAY"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

-#-

DRS
REVIEWED BY
OFFICE OF TOWN ATTORNEY
[Signature]

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

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

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 23rd day of January, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND CHAPTER 246 - ZONING, SECTION 246-4, GENERAL REGULATIONS, AND SECTION 246-5, DISTRICT REGULATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND THE BUILDING ZONING MAP OF THE TOWN OF OYSTER BAY." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

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

Dated: January 9, 2024, Oyster Bay, New York.

OPB
REVIEWED BY
OFFICE OF TOWN ATTORNEY

Tom Molloy

4

49

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : December 26, 2023

SUBJECT: Proposed Local Law to amend Chapter 246 – Zoning, of the Code of the Town of Oyster Bay, Section 246-4 and Section 246-5, General Regulations and to amend the Building Zoning Map of the Town of Oyster Bay.

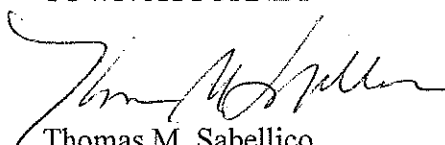
The Town seeks to amend Chapter 246 – Zoning, of the Code of the Town of Oyster Bay and to amend the Building Zoning Map.

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

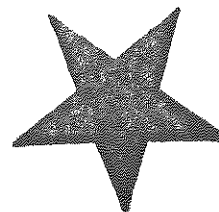
1. Resolution calling for a Public Hearing to be held on January 23, 2024 at 10:00 am;
2. Public Notice; and
3. Proposed legislation.

Kindly place this matter on the January 9, 2024 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS/nb
Attachment

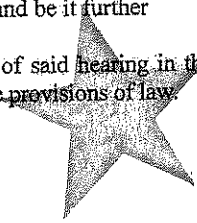


DRS
REVIEWED BY
OFFICE OF TOWN ATTORNEY
John H. H. H.

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 23rd day of January, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 246 - ZONING, SECTION 246-4, GENERAL REGULATIONS, AND SECTION 246-5, DISTRICT REGULATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND THE BUILDING ZONING MAP OF THE TOWN OF OYSTER BAY"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

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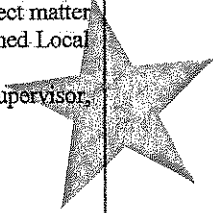
PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 23rd day of January, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND CHAPTER 246 - ZONING, SECTION 246-4, GENERAL REGULATIONS, AND SECTION 246-5, DISTRICT REGULATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND THE BUILDING ZONING MAP OF THE TOWN OF OYSTER BAY." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

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

Dated: January 9, 2024, Oyster Bay, New York.

JPAS
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Tom McHale



Local Law Filing

TOWN of OYSTER BAY

Local Law No. _____ of the year 2024

A LOCAL LAW TO AMEND CHAPTER 246 – ZONING, SECTION 246-4, GENERAL REGULATIONS, AND SECTION 246-5, DISTRICT REGULATIONS, OF THE CODE OF THE TOWN OF OYSTER BAY, AND TO AMEND THE BUILDING ZONING MAP OF THE TOWN OF OYSTER BAY.

Be it enacted by the TOWN BOARD of THE TOWN OF OYSTER BAY as follows:

Section 1. Amend Section 246-4, “General Regulations”, by adding a new Subsection 4.13, as follows:

4.13 Residential Subdivision Yield.

4.13.1. Legislative Intent. It is the legislative intent of the Town Board of the Town of Oyster Bay to promote the public health, safety, and general welfare by protecting and preserving sensitive environmental resources and associated community character, which contribute significantly to the high quality of life enjoyed by the residents of the Town. In advancing this goal, the Town Board finds that it is appropriate and necessary to establish regulatory standards and procedures to deduct from the yield calculation for a parcel proposed for residential subdivision those areas of environmental sensitivity that merit protection and are not considered suitable for *disturbance* or other development activities, particularly those areas containing *steep slopes* and/or *wetlands*. The sensitivity of *steep slopes* and the importance of their preservation are set forth in §246-4.10 of this Chapter. The sensitivity of *wetlands* and the importance of their preservation are also well-established, as set forth in Title 6, Part 611 of the New York Code, Rules and Regulations (NYCRR) pertaining to tidal wetlands and 6 NYCRR Parts 663 and 664 pertaining to freshwater wetlands.

4.13.2. Applicability. All residential subdivision applications shall be subject to the provisions set forth herein for determining

buildable area and calculating the maximum permissible number of residential *lots*.

- 4.13.3. Procedures. The application and approval of residential subdivisions, specifically with regard to calculation of the maximum permissible residential lot yield of a given parcel of land, shall continue to follow the usual procedures as administered by the Nassau County Planning Commission, except as specified herein below.
- 4.13.4. Residential Yield Calculation. In determining the maximum permissible lot yield of a parcel proposed for residential subdivision, areas of the parcel containing either or both of the following features shall be excluded as buildable area:
 - (1) *Wetland* areas as defined in §246-2.4 of this Chapter
 - (2) *Steep Slope* areas, as defined in §246-2.4 of this Chapter.

Section 2. Amend Section 246-5, "District Regulations", Subsection 5.4, "Additional Regulations", Subsection 4.1, "Conservation Subdivisions", Paragraph 1.2 therein, as follows:

- 5.4.1.2 Applicability. Conservation development shall be mandatory for all residential subdivision applications of twenty (20) acres or more. All residential subdivision applications having an area of five (5) acres or more, but less than twenty (20) acres, shall be considered for possible conservation subdivision.

Section 3. Amend Section 246-5, "District Regulations", Subsection 5.4, "Additional Regulations", Subsection 4.7, "Additional Regulations in the APO District", Paragraph 7.5 therein, as follows:

- 5.4.7.5 Conservation (cluster) development. The Town Board of the Town of Oyster Bay, pursuant to the authority granted to it by § 278 of the Town Law of the State of New York, and in furtherance of the purposes and legislative intent as set forth in this Chapter, may permit or require *applicants* for subdivision approval in the Town's One-Family Residence Districts, to apply for conservation (cluster) development subdivision approval, except that in the case of properties which are twenty (20) acres or larger, conservation development shall be mandatory; and conservation development shall also be mandatory for parcels located in the APO District that have an area of less than twenty (20) acres, but more than five (5) acres, unless the applicant can demonstrate to the satisfaction of the reviewing agency that a standard subdivision layout in accordance with the applicable district regulations provides environmental protection benefits that are equal to or greater than that which can be achieved with conservation development. In addition to the goal of increasing the amount of *open space* and *natural vegetation* to

be preserved, any such conservation development plan shall also seek to maximize the contiguity of such preserved areas as well as the quantity and quality of groundwater *recharge*. The Town Board in each case may specify the minimum permissible *lot area* for *one-family dwellings*, the types of *dwellings* to be permitted, and any other special standards as it may determine appropriate, taking into consideration the size, location and nature of the property involved, as well as the purposes of this Chapter. The procedure for so doing shall be as set forth in § 5.4.1 of this Chapter.

Section 4. Amend the Building Zone Map, Town of Oyster Bay, Nassau County, New York to change the zoning district from R1-20 One-Family Residence to R1-2A One-Family Residence for the property known as North Shore Country Club in the unincorporated community of Glenwood Landing, as illustrated in the accompanying map, extending to the center line of adjoining roadways, comprising the following tax parcel on the Land and Tax Map of Nassau County, New York:

- Section 21, Block M, Lot 28E

Section 5. Amend the Building Zone Map, Town of Oyster Bay, Nassau County, New York to change the zoning district from R1-7 One-Family Residence to R1-2A One-Family Residence for the property known as Engineers Country Club in the unincorporated community of Glenwood Landing, as illustrated in the accompanying map, comprising the following tax parcel on the Land and Tax Map of Nassau County, New York:

- Section 20, Block F, Lot 36H

Section 6. Amend the Building Zone Map, Town of Oyster Bay, Nassau County, New York to change the zoning district from LI Light Industry to REC Recreation for the property known as Cantiague County Park in the unincorporated community of Hicksville, as illustrated in the accompanying map, extending to the center line of adjoining roadways, comprising the following tax parcels on the Land and Tax Map of Nassau County, New York:

- Section 11, Block 499, Lot 103
- Section 11, Block 499, p/o Lot 106 (i.e., excluding the area of said lot containing the Nassau County Highway Yard on the west side of the lot, fronting on Cantiague Rock Road)

Section 7. Amend the Building Zone Map, Town of Oyster Bay, Nassau County, New York to change the zoning district from R1-10 One-Family Residence and ~~R1-1A~~ One-Family Residence to REC Recreation for the property known as Bethpage State Park in the unincorporated communities of Bethpage, Old Bethpage and Farmingdale, as illustrated in the accompanying map, extending to the center line of adjoining roadways,

comprising the following tax parcels on the Land and Tax Map of Nassau County, New York:

- Section 47, Block A, Lot 21A
- Section 47, Block A, Lot 21C
- Section 47, Block A, Lot 21G
- Section 47, Block A, Lot 21H
- Section 47, Block A, Lot 21J
- Section 47, Block A, Lot 25
- Section 47, Block H, Lot 100A
- Section 47, Block H, Lot 100B
- Section 47, Block A, Lot 157
- Section 47, Block A, Lot 158
- Section 47, Block D, Lot 17A
- Section 47, Block D, Lot 17H
- Section 47, Block D, Lot 17J
- Section 47, Block H, Lot 70A
- Section 47, Block H, Lot 70D

Section 8. Conflicting Standards. When the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of Oyster Bay, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 9. SEQR Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

Section 10. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 11. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

Certification:

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2024 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2024, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2024

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.

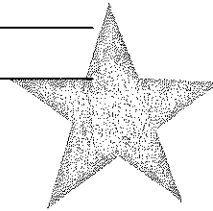
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2024



Meeting of January 9, 2024

Resolution No. 50 -2024

WHEREAS, the Town Board heretofore authorized the Town to implement a Program of Self-Insurance for General Liability, including Automobile Liability; and

WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated January 2, 2024 advised that the Office of the Town Attorney sought proposals from law firms in order to assist the Town in connection with the Town's negligence defense practice; and

WHEREAS, the Office of the Town Attorney, after having investigated and reviewed the qualifications of the ten (10) responding law firms, by said memorandum, recommended that the following firms be retained to assist the Town in the aforementioned self-insurance program:

Montfort, Healy, McGuire & Salley LLP
840 Franklin Avenue, P.O. Box 7677
Garden City, New York 11530-7677

Milber Makris Plousadis and Seiden, LLP
1000 Woodbury Rd, Suite 402
Woodbury, New York 11797

Cascone and Kluepfel, LLP
497 Main Street
Farmingdale, New York 11735

Devitt Spellman Barrett, LLP
50 Route 111, Suite 314
Smithtown, New York 11787

Mulholland Minion Davey McNiff & Beyrer
374 Hillside Avenue
Williston Park, New York 11596

Bee, Ready, Fishbein, Hatter, & Donovan, LLP.
170 Old Country Road, Suite 200
Mineola, New York 11501

Law Office of Vincent D. McNamara
1045 Oyster Bay Road, Suite 1
East Norwich, New York 11732

Kendric Law Group, PC
126 Main Street #279
Cold Spring Harbor, NY 11724

Creedon & Gill, PC
24 Woodbine Avenue, Suite 8
Northport, New York 11768

Hannum Feretic Prendegast & Merlino, LLC
55 Broadway - Suite 202
New York, NY 10006

WHEREAS, payment to said law firms will be in accordance with the terms, conditions and fee schedules set forth in the Request for Proposals,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, the abovementioned law firms are hereby retained to provide legal services in connection with the Town's self-insurance program, for claims and cases assigned from January 1, 2024 through December 31, 2024, with a one (1) one-year extension option at the Town's sole and exclusive discretion, and be it further

RESOLVED, That the Comptroller is authorized and directed to make payment for same in an amount not to exceed \$30,000.00 per firm, upon submission of duly certified claims, after audit by the Comptroller, in accordance with the fee provisions outlined in the Request for Proposals, with funds to be drawn from Account Nos. TWN AMS 1910 43010 602 0000 000 and/or TWN AMS 1910 43020 602 0000 000.

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

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

Reviewed By
Office of Town Attorney

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

TO: Memorandum Docket

FROM: Office of the Town Attorney

DATE: January 2, 2024

SUBJECT: Retention of Attorneys to Represent the Town in Negligence Matters

This Office solicited proposals from law firms that routinely handle general liability and negligence actions in order to assist this Office in the defense of certain claims in connection with the Town's self-insurance program. In addition to publishing the Request for Proposals ("RFP") on the Town's website, the RFP was sent by direct mail to firms known to handle negligence actions. A total of ten (10) responses were received by the deadline established in the RFP.

A review of the proposals was conducted in accordance with all pertinent and relevant provisions of the Town's Procurement Policy. In no particular order, this Office recommends and requests that the following law firms be authorized to assist the Town in its defense of certain negligence actions at the terms and rates set forth in the RFP:

Montfort, Healy, McGuire & Salley LLP
840 Franklin Avenue, P.O. Box 7677
Garden City, New York 11530-7677

Milber Makris Plousadis and Seiden, LLP
1000 Woodbury Rd, Suite 402
Woodbury, New York 11797

Cascone and Kluepfel, LLP
497 Main Street
Farmingdale, New York 11735

Devitt Spellman Barrett, LLP
50 Route 111, Suite 314
Smithtown, New York 11787

Mulholland Minion Davey McNiff & Beyrer
374 Hillside Avenue
Williston Park, New York 11596

Bee, Ready, Fishbein, Hafter, & Donovan, LLP
170 Old Country Road, Suite 200
Mineola, New York 11501

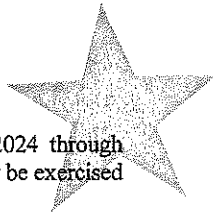
Law Office of Vincent D. McNamara
1045 Oyster Bay Road, Suite 1
East Norwich, New York 11732

Kendric Law Group, PC
126 Main Street #279
Cold Spring Harbor, NY 11724

Creedon & Gill, PC
24 Woodbine Avenue, Suite 8
Northport, New York 11768

Hannum Feretic Prendergast & Merlino, LLC
55 Broadway - Suite 202
New York, NY 10006

The term of the retention under the RFP shall commence on January 1, 2024 through December 31, 2024, with one (1) one-year extension option. The extension option may be exercised

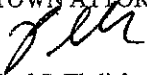


in accordance with the terms, conditions, and fee schedule set forth in the RFP, a copy of which is attached hereto.

Funds for such services, in an amount not to exceed \$35,000.00 per matter *per annum*, are available in Account Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS 1910 43020 602 0000 000.

Kindly suspend the rules and place this matter on the Town Board action calendar for January 9, 2024.

FRANK M. SCALERA
TOWN ATTORNEY


Paul S. Ehrlich
Deputy Town Attorney

PSE:pe
Attachments



Meeting of January 9, 2024

Resolution No. 51 -2024

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated January 2, 2024, reported that, pursuant to the Town of Oyster Bay's Procurement Policy, a Request for Proposal was issued for New York State Volunteer Firefighter's Benefit Law insurance coverage for the period January 1, 2024 through January 1, 2025 *nunc pro tunc*; and

WHEREAS, one (1) response was received and reviewed by the Office of the Town Attorney; and

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by said memorandum requested and recommended that the New York State Volunteer Firefighter's Benefit Law Policy, be secured from Fire Districts of New York Mutual Insurance Company, Inc., P.O. Box 22185, New York, N.Y., 10087-2185, for the period from January 1, 2024 through January 1, 2025, *nunc pro tunc*, at a premium amount not to exceed \$196,074.00; and

WHEREAS, the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's procurement policy,

NOW, THEREFORE BE IT RESOLVED, That the recommendation and request as hereinabove set forth is hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the New York State Volunteer Firefighter's Benefit Law Policy, from Fire Districts of New York Mutual Insurance Company, Inc., P.O. Box 22185, New York, N.Y., 10087-2185, for the period from January 1, 2024 through January 1, 2025, *nunc pro tunc*, at a premium amount not to exceed \$196,074.00; 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, after audit, with said funds to be drawn from Account Nos. TWN SF 02-3410-47790-000-0000; TWN SF 08-3410-47790-000-0000; TWN SF 09-3410-47790-000-0000; and TWN SF 12-3410-47790-000-0000, as appropriate.

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

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

76
Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

15

51

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 2, 2024

SUBJECT: New York State Volunteer Firefighters' Benefit Law Policy
Town of Oyster Bay Volunteer Firefighters

On December 19, 2023, this Office issued a Request for Proposals for the provision of insurance pursuant to the New York State Volunteer Firefighters' Benefit Law Policy (VFBL) for the period January 1, 2024 – January 1, 2025 for certain volunteer firefighters in the Town of Oyster Bay. In addition to publishing the Request for Proposals ("RFP") on the Town's website, the RFP was directly sent to 14 insurance brokerages and/or companies known to handle insurance. One (1) response was received by the deadline established in the RFP.

A review of the proposal was conducted in accordance with all pertinent and relevant provisions of the Procurement Policy including Guidelines 6 and 9 thereof. At this time, this Office recommends and requests that the New York State VFBL Policy, be secured from Fire Districts of New York Mutual Insurance Company, Inc., P.O. Box 22185, New York, N.Y., 10087-2185, for the period January 1, 2024 – January 1, 2025 *nunc pro tunc*, in an amount not to exceed \$196,074.00. Funds for such payment are available in Account Nos. TWN SF 02-3410-47790-000-0000; TWN SF 08-3410-47790-000-0000; TWN SF 09-3410-47790-000-0000; and TWN SF 12-3410-47790-000-0000.

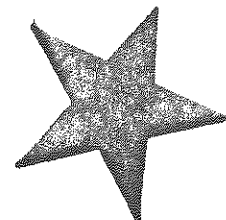
The proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's procurement policy.

It is requested and recommended that the Town Board suspend the rules and include this matter on the action calendar for its January 9, 2024 Town Board meeting, and authorize this Office to secure the New York State Volunteer Firefighters' Benefit Law Policy, from Fire Districts of New York Mutual Insurance Company, Inc., for the period January 1, 2024 – January 1, 2025, *nunc pro tunc*, in an amount not to exceed \$196,074.00.

FRANK M. SCALERA
TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

EAF:eaf
GS 4299



745
Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated January 2, 2024, reported that, pursuant to the Town of Oyster Bay's Procurement Policy, a Request for Proposal was issued for New York State Volunteer Firefighter's Benefit Law insurance coverage for the period January 1, 2024 through January 1, 2025 *nunc pro tunc*; and

WHEREAS, one (1) response was received and reviewed by the Office of the Town Attorney; and

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by said memorandum requested and recommended that the New York State Volunteer Firefighter's Benefit Law Policy, be secured from Fire Districts of New York Mutual Insurance Company, Inc., P.O. Box 22185, New York, N.Y., 10087-2185, for the period from January 1, 2024 through January 1, 2025, *nunc pro tunc*, at a premium amount not to exceed \$196,074.00; and

WHEREAS, the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's procurement policy,

NOW, THEREFORE BE IT RESOLVED, That the recommendation and request as hereinabove set forth is hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to secure the New York State Volunteer Firefighter's Benefit Law Policy, from Fire Districts of New York Mutual Insurance Company, Inc., P.O. Box 22185, New York, N.Y., 10087-2185, for the period from January 1, 2024 through January 1, 2025, *nunc pro tunc*, at a premium amount not to exceed \$196,074.00; 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, after audit, with said funds to be drawn from Account Nos. TWN SF 02-3410-47790-000-0000; TWN SF 08-3410-47790-000-0000; TWN SF 09-3410-47790-000-0000; and TWN SF 12-3410-47790-000-0000, as appropriate.

#



Invoice

Invoice #: 323
Invoice Date: 01/03/2024
Due Date: 02/02/2024
Tran Type: Renew

Remit To: FDM Preferred Insurance Company Inc.
P.O. Box 22185
New York, NY 10087-2185

Make Checks Payable To:
FDM Preferred Insurance Company Inc.

Bill To: TOWN OF OYSTER BAY VOLUNTEER
FIREFIGHTERS
54 AUDREY AVENUE
OYSTER BAY, NY 11771

Agency:
HARBOR INSURANCE AGENCY, LLC
5 FLINT ROAD
AMITY HARBOR, NY 11701

Policy Number	FPI-VF-10061-24	Eff Date	01/01/2024	Exp Date	01/01/2025
Invoice Total:					\$196,074.00

Please Detach and Return Bottom Portion with Payment

Invoice #: 323

Amount Due: \$196,074.00

Due Date: 02/02/2024

Amount Paid:

Remit To FDM Preferred Insurance Company Inc.
P.O. Box 22185
New York, NY 10087-2185

Insured: TOWN OF OYSTER BAY
VOLUNTEER FIREFIGHTERS
Re: FPI-VF-10061-24

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 941-2023, adopted on December 12, 2023, the Town Board authorized the use of two (2) court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year, authorizing North Shore Court Reporters, Inc., P.O. Box 382, Manhasset, New York 11030; and Fevola Reporting & Transcription, Inc., 15 Franciscan Lane, Smithtown, New York 11787 to provide said services; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 3, 2024, advised that as only two court reporting companies responded to the prior RFP issued by the Town Attorney's Office in November 2023, that the Town Attorney's Office deemed it prudent to again issue the RFP to determine whether there be any further interest of court reporting companies in providing the aforementioned stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, resulting in two additional court reporting companies responding the further RFP at the close of the designated time for receipt of responses to the RFP; and

WHEREAS, Msrs. Scalera and Lesser, by said memorandum, requested that Resolution No. 941-2023 be amended to authorize the use of the following four (4) court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, *nunc pro tunc*, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year in total:

North Shore Court Reporters, Inc.
P.O. Box 382
Manhasset, New York 11030

Fevola Reporting & Transcription, Inc.
15 Franciscan Lane
Smithtown, New York 11787

N.Y. Reporting, Inc.
78 Division Avenue
Massapequa, New York 11758

Laura Pristina
915 North Central Avenue
Massapequa, New York 11758,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth are hereby approved, and the Town Board hereby amends Resolution No. 941-2023, authorizing the aforementioned four (4) court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, *nunc pro tunc* with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year, in total, with funds to be drawn from Account No. OTA A 1420 44800 000 0000.

-#-

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

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: January 3, 2024

SUBJECT: Request to Amend Resolution No. 941-2023 (Stenographic Services for Employee Relations Proceedings)

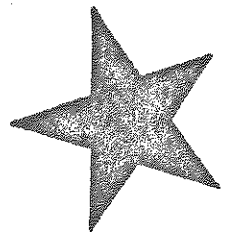
On December 12, 2023, the Town Board adopted Resolution No. 941-2023, authorizing the use of two court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year. This authorization followed the issuance of an RFP by the Town Attorney's Office in November 2023, soliciting these services. Two court reporting companies responded to the RFP. As a result, and at the request of the Town Attorney's Office, these two companies were authorized by the Town Board, pursuant to Resolution No. 941-2023. The two court reporting providers authorized by the Town Board were North Shore Court Reporters, Inc., P.O. Box 382, Manhasset, New York 11030; and Fevola Reporting & Transcription, Inc., 15 Franciscan Lane, Smithtown, New York 11787.

Since only two responses to the RFP were received, the Office of Town Attorney deemed it prudent to again issue the RFP to determine whether there be any further interest of court reporting companies in providing the aforementioned stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024.

At the close of the designated time for receipt of responses to the RFP, two further court reporting companies responded to the RFP. As a result and following review of the further responses received, the Town Attorney's Office requests that Resolution No. 941-2023 be amended to authorize the use of the following four court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, *nunc pro tunc*, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year in total:

North Shore Court Reporters, Inc.
P.O. Box 382
Manhasset, New York 11030

Fevola Reporting & Transcription, Inc.
15 Franciscan Lane
Smithtown, New York 11787



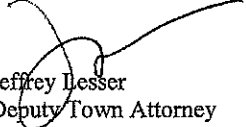
N.Y. Reporting, Inc.
78 Division Avenue
Massapequa, New York 11758

Laura Pristina
915 North Central Avenue
Massapequa, New York 11758

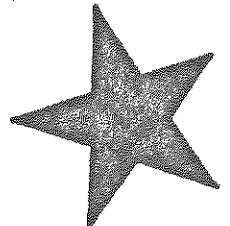
The Office of Town Attorney requests that Resolution No. 957-2022 be amended to authorize the four aforementioned court reporting companies reflected above to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, *nunc pro tunc*, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year, in total, with funds available in Account No. OTA A 1420 44800 000 0000. The vendors' disclosure questionnaires have been reviewed and the Town is satisfied the Procurement Policy standards have been met.

Kindly suspend the rules and place this matter on the Town Board action calendar for January 9, 2024.

FRANK M. SCALERA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JL:jl
Attachments



Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 941-2023, adopted on December 12, 2023, the Town Board authorized the use of two (2) court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year, authorizing North Shore Court Reporters, Inc., P.O. Box 382, Manhasset, New York 11030; and Fevola Reporting & Transcription, Inc., 15 Franciscan Lane, Smithtown, New York 11787 to provide said services; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 3, 2024, advised that as only two court reporting companies responded to the prior RFP issued by the Town Attorney's Office in November 2023, that the Town Attorney's Office deemed it prudent to again issue the RFP to determine whether there be any further interest of court reporting companies in providing the aforementioned stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, resulting in two additional court reporting companies responding the further RFP at the close of the designated time for receipt of responses to the RFP; and

WHEREAS, Mssrs. Scalera and Lesser, by said memorandum, requested that Resolution No. 941-2023 be amended to authorize the use of the following four (4) court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, *nunc pro tunc*, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year in total:

North Shore Court Reporters, Inc.
P.O. Box 382
Manhasset, New York 11030

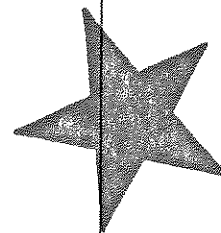
Fevola Reporting & Transcription, Inc.
15 Franciscan Lane
Smithtown, New York 11787

N.Y. Reporting, Inc.
78 Division Avenue
Massapequa, New York 11758

Laura Pristina
915 North Central Avenue
Massapequa, New York 11758,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth are hereby approved, and the Town Board hereby amends Resolution No. 941-2023, authorizing the aforementioned four (4) court reporting companies to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from January 1, 2024 through and including December 31, 2024, *nunc pro tunc* with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year, in total, with funds to be drawn from Account No. OTA A 1420 44800 000 0000.

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TOWN ATTORNEY
FRANK M. SCALERA

SPECIAL COUNSEL
THOMAS M. SABELLICO

**Office of the Town Attorney
Town of Oyster Bay**

TOWN HALL
54 AUDREY AVENUE
OYSTER BAY, NY 11771
(516) 624-6150
FAX (516) 624-6196
www.oysterbaytown.com

DEPUTY TOWN ATTORNEY
ANTHONY C. CURCIO
PAUL S. EHRLICH
ELIZABETH A. FAUGHNAN
MATTHEW D. FERNANDO
RALPH P. HEALEY
JEFFREY A. LESSER
DENNIS P. SHEEHAN
DOMENICA R. WOLFE

December 21, 2023

**REQUEST FOR PROPOSALS
STENOGRAPHIC SERVICES FOR PROCEEDINGS**

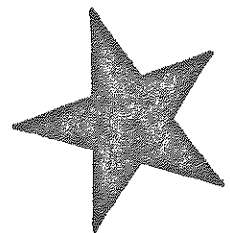
Dear Sir or Madam:

Pursuant to New York State General Municipal Law § 104-b and the Procurement Policy of the Town of Oyster Bay (the "Town"), the Town is presently soliciting for professional stenographic services required by the Town for employee relation and disciplinary proceedings for the period of January 1, 2024 through and including December 31, 2024, with an option, at the discretion of the Town, for two (2) one-year extensions should it be mutually agreeable between the successful firm(s) and the Town of Oyster Bay.

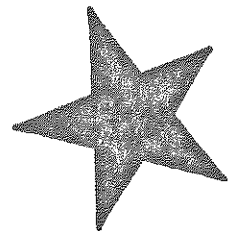
In November 2023, the Town issued an RFP for these services, receiving only two (2) responses. As only two (2) responses were received, the Town is serving this supplemental RFP soliciting further responses for professional stenographic services required by the Town for employee relation and disciplinary proceedings for the period of January 1, 2024 through and including December 31, 2024, in addition to the two responses previously received.

The following is a list of terms and requirements which must be agreed to by each perspective company:

1. Transcripts are to be delivered no later than ten (10) business days after testimony is taken. There will be a penalty imposed for late delivery as follows:
 - i. up to five (5) business days late (fifteen (15) business days after testimony is taken) a five percent (5%), per page/minimum transcription fee, reduction:



- ii. more than five (5) business days late (over fifteen (15) business days after testimony is taken), a fifteen percent (15%), per page/minimum transcription fee, reduction;
- 2. Expedited transcripts shall be paid as follows:
 - 6 to 9 days- plus fifty percent (50%) per page;
 - 4 to 7 days- plus sixty percent (60%) per page;
 - 1 to 3 days- plus seventy-five percent (75%) per page;
- 3. Stenographer is to be present at least thirty (30) minutes prior to start of any proceeding. The attending stenographer shall be experienced in providing stenographic services for examinations before trial, depositions, disciplinary hearings, testimony, etc.
- 4. Type shall be in black ink, ten (10) letters to the inch, six and a half (6.5) inches to a line, double spaced, twenty-five (25) lines per page and reproducible by standard office copy equipment.
- 5. Transcript shall be in verbatim form with all words and names spelled correctly, properly punctuated and hyphenated.
 - a. Errors in spelling or grammar shall be corrected by the company at no charge to the Town. The Town will indicate, on a separate page, each and every correction to be made, and will forward the corrections page to the company. Within five (5) days of receipt of correction page, the company shall mail corrected transcript pages back to the Town.
 - b. Excessive errors in spelling or grammar, as determined by the Town, shall be cause for the Town to terminate its relationship with the company.
- 6. All original notes and/or other records taken in connection with any proceeding shall be held in security by the company for a period of time not to exceed five (5) years. All recorded or hard copy material will be maintained in confidentiality and no materials shall be released to any parties without the express permission of the Town or its designee.
- 7. In addition to accepting each and every one of the terms herein, the proposal must be accompanied by three (3) references from clients to whom the company provided similar stenographic work. Such references shall include the name of a contact person, address and telephone number. Kindly include the company's resume, profile, and relevant experience with the response, as well.
- 8. Payment to said stenographic service provider will be in accordance with the terms, conditions and fee schedule set forth below:



Appearance or Bust Fee

Conferences, disciplinary hearings, testimony, and stenographic services as needed with respect to Employee Relations Matters.

Appearance or Bust Fee.....\$85.00
(add an additional \$35.00 for an
assignment more than four (4) hours.)


Transcript Fee (calculated per page for original transcript)

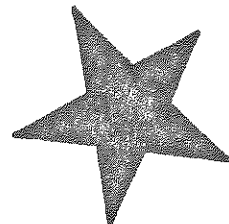
Minimum Transcript Fee.....\$195.00
Per page for original transcription.....\$ 3.25

Your response to this RFP should be made to the attention of the undersigned, and must be received by this Office on or before January 2, 2024.

Very truly yours,

FRANK M. SCALERA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney



Meeting of January 9, 2024

Resolution No. 54 -2024

WHEREAS, by Resolution No. 804-2021, adopted on December 7, 2021, the Town Board approved a Collective Bargaining Agreement between the Town of Oyster Bay and Local 881 of the Civil Service Employees Association, Local 1000, AFSCME AFL-CIO ("CSEA") for the period from January 1, 2022 through December 31, 2028, and by said Resolution the Town Board provided that except for elected public officials, all full-time employees of the Town of Oyster Bay not covered by the Collective Bargaining Agreement between the Town and CSEA shall receive the benefits provided by the Collective Bargaining Agreement, including wage increases as set forth therein; and

WHEREAS, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated January 9, 2024, advised that a Memorandum of Agreement, dated January 9, 2024, was entered into between the Town and the CSEA, which amended said Collective Bargaining Agreement by extending its terms to December 31, 2030, and amending Sections 5-1.0.1, 5-1.0.7, 5-1.0.8, 5-1.0.9, 5-1.0.10, 5-1.0.11, 5-1.0.11.1, 5-1.0.11.2, 5-1.0.14, and 9-7.2 thereof and the Graded Salary Schedules attached thereto, which Memorandum was executed by Jarvis T. Brown, President, CSEA, who asserted that he had the agency and authority to bind the CSEA, and by Joseph S. Saladino, Supervisor, on behalf of the Town, subject to ratification by the Town Board in order for said Memorandum of Agreement to be binding upon the Town, and Mr. Scalera and Mr. Sabellico, by said memorandum, requested and recommended that the Town Board ratify the Memorandum of Agreement; and

WHEREAS, Messrs. Scalera and Sabellico, by said memorandum, further requested and recommended that except for elected public officials, all full-time employees of the Town of Oyster Bay not covered by the Collective Bargaining Agreement between the Town and the CSEA shall receive the benefits under the Collective Bargaining Agreement as modified and extended by the Memorandum of Agreement dated January 9, 2024, including the wage increases of two thousand five hundred (\$2,500.00) dollars per year for 2029 and 2030,

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and the Town Board approves and ratifies the Memorandum of Agreement between the Town and CSEA dated January 9, 2024, and be it further

RESOLVED, that except for elected public officials, all full-time employees of the Town of Oyster Bay not covered by the Collective Bargaining Agreement between the Town and the CSEA, as modified and extended, shall receive the benefits provided for by the Collective Bargaining Agreement as modified and extended, including wage increases of two thousand five hundred (\$2,500.00) dollars per year for 2029 and 2030.

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

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

Reviewed By
Office of Town Attorney

Meeting of January 9, 2024

Resolution No. 55 -2024

Reviewed By
Office of Town Attorney

RESOLVED, That a public hearing, that was originally scheduled for the 9th day of January, 2024, will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 23rd day of January, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the condemnation of real property known as Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot, 14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10, 10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11, 30 Herzog Place & Three Jerusalem Avenue, Hicksville, N.Y., Section 11, Block 240, Lot 213, and to determine the need and location of a commuter parking lot and pedestrian walkway, a public use, prior to any acquisition of the aforementioned real property required for the project, which will provide open parking for commuting residents and a pedestrian walkway for the residents of the Town of Oyster Bay; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said Town Board meeting and hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of the law.

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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

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing that was previously scheduled for the 9th day of January, 2024, will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 23rd day of January, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the condemnation of real property known as Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot, 14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10, 10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11, 30 Herzog Place & 3 Jerusalem Avenue, Hicksville, N.Y., Section 11, Block 240, Lot 213, and to determine the need and location of a commuter parking lot and pedestrian walkway, a public use, prior to any acquisition of the aforementioned real property required for the project, which will provide open parking for commuting residents and a pedestrian walkway for the residents of the Town of Oyster Bay. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned hearing at the time and place designated herein.

IF YOU, THE PROPERTY OWNER(S), SUBSEQUENTLY WISH TO CHALLENGE CONDEMNATION OF THE AFORESAID PROPERTY VIA JUDICIAL REVIEW, YOU MAY DO SO ONLY ON THE BASIS OF ISSUES, FACTS, AND OBJECTIONS RAISED AT THE ABOVE REFERENCED HEARING.

TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LAMARCA, Town Clerk. Dated: January 5, 2024, Oyster Bay, New York.

Reviewed By
Office of Town Attorney