

*John Lanning*  
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting of May 10, 2022

RESOLUTION P-8-2022

WHEREAS, The 2022 Budget, adopted October 26, 2021 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 2022 Budget, on October 26, 2021, 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

APPROVED  
*John Canning*  
COMMISSIONER OF REVENUE

Meeting of May 24, 2022

RESOLUTION P-9-2022

WHEREAS, The 2022 Budget, adopted October 26, 2021 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 2022 Budget, on October 26, 2021, 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

*John Canino*  
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting Of May 24, 2022

Resolution PA-5-2022

RESOLVED, That Daniel M. Pearl, residing at 363 Philadelphia Avenue, Massapequa Park, NY 11762 is hereby appointed to the position of Commissioner of Sanitation in the Sanitation Department of the Town of Oyster Bay, effective May 24, 2022, and to serve at the pleasure of the Town Board.

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

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

Meeting of May 24, 2022

Resolution No. TF-8-2022

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

ITEM NO.	DEPT.	AMOUNT	FROM
025-22	OTA	\$ 830.00	OTA A 1420 47210 000 0000
		\$ 830.00	TO OTA A 1420 25000 000 0000
026-22	DPS	\$ 10,000.00	FROM DPS A 3010 47800 000 0000
		\$ 10,000.00	TO DPS A 3010 41600 000 0000
		\$ 5,000.00	FROM DPS A 3010 47800 000 0000
		\$ 5,000.00	TO DPS A 3010 25000 000 0000
027-22	IGA	\$ 87.67	FROM IGA CD 8676 48280 741 CD20
		\$ 87.67	TO IGA CD 8668 48250 732 CD20
		\$ 31.06	FROM IGA CD 8676 48280 745 CD20
		\$ 31.06	TO IGA CD 8668 48250 732 CD20

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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	Absent
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** : May 6, 2022  
**SUBJECT**: TRANSFER OF FUNDS

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Town Board authorization is hereby requested to transfer funds between the following accounts:

FROM:

OTA A 1420 47210 000 0000 (Auto mileage) \$830.00

TO:

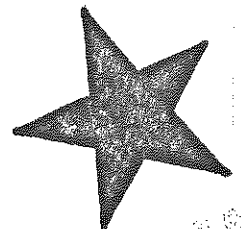
OTA A 1420 25000 000 0000 (General Equipment) \$830.00

Justification: To replace malfunctioning refrigerator.



FRANK M. SCALERA  
TOWN ATTORNEY

FMS:mek



## TOWN OF OYSTER BAY

## Inter-Departmental Memo

May 5, 2022

TO: MEMORANDUM DOCKET  
FROM: JUSTIN McCaffrey, COMMISSIONER, PUBLIC SAFETY  
Subject: TRANSFER OF FUNDS

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Town Board authorization is requested for the following transfer of funds:

FROM:	TO:
DPS A 3010 47800 000 0000	DPS A 3010 41600 000 0000
CONTRACTUAL EXPENSES	MATERIAL & SUPPLIES
\$10,000.00	\$10,000.00

The above transfer is necessary to purchase installation and maintenance materials and supplies for Public Safety and Bay Constable Divisions.

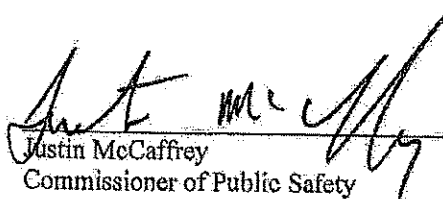
FROM:	TO:
DPS A 3010 47800 000 0000	DPS A 3010 25000 000 0000
CONTRACTUAL EXPENSES	GENERAL EQUIPMENT
\$5,000.00	\$5,000.00

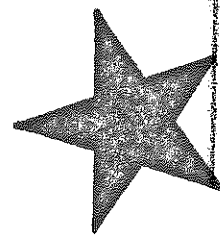
The above transfer is necessary to purchase materials and equipment to facilitate asset management requirements.

RECEIVED  
TOWN OF OYSTER BAY  
MAY 9 2022

2022 MAY -9 P 2:58

TOWN OF OYSTER BAY

  
Justin McCaffrey  
Commissioner of Public Safety



Meeting of May 24, 2022

Resolution No 359-2022

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

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated April 28, 2022, requested Town Board authorization for the Department of Community and Youth Services' Senior Citizens Division to purchase provisions for and plan and execute activities related to "National Hot Dog Day" which shall be recognized on Wednesday, July 20, 2022, and "National S'Mores Day" which shall be recognized on Wednesday, August 20, 2022, at the North Massapequa Community Center, during the regularly scheduled senior activity day; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised, that the aforementioned purchase of provisions shall be made through the Town of Oyster Bay's "Shop Rite" account, that the total cost of both events shall not exceed \$1,800.00, and that funds for this purpose are available in Account No. CYS A 7020 41800 000 0000 (*Recreational Supplies*),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Community and Youth Services' Senior Citizens Division is hereby authorized to purchase provisions for and plan and execute activities related to "National Hot Dog Day," which shall be recognized on Wednesday, July 20, 2022, and "National S'Mores Day," which shall be recognized on Wednesday, August 20, 2022, at the North Massapequa Community Center, during the regularly scheduled senior activity day, with the purchase of said provisions to be made through the Town of Oyster Bay's "Shop Rite" account, at a total cost of both events not to exceed \$1,800.00; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 7020 41800 000 0000 (*Recreational Supplies*); and be it further

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

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

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

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

April 28, 2022

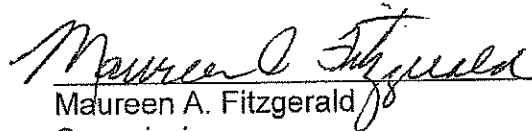
TO: Memorandum Docket  
FROM: Maureen A. Fitzgerald, Commissioner  
Department of Community and Youth Services  
SUBJECT: Senior Summer Program Enhancements

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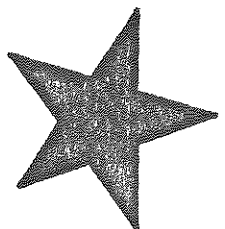
The Department of Community and Youth Services requests Town Board authorization to enhance the Senior Citizen Division's Summer Program by purchasing provisions for "National Hot Dog Day" on Wednesday, July 20, 2022 and "National S'mores Day" on Wednesday, August 10, 2022. If approved, both activities will take place at the North Massapequa Community Center during the regularly scheduled senior activity day.

The purchase of the supplies for the two events will be made through the Town's "ShopRite" account. The total cost of both events shall not exceed \$1,800.00 and funds for this purpose are available in account CYS A 7020 41800 000 0000, *Recreational Supplies*.

Therefore, it is respectfully requested that the Town Board authorize the Department of Community & Youth Services to plan and execute the recognition of "National Hot Dog Day" and "National S'mores Day" for the Senior Citizen Program participants during their regularly scheduled activity day.

  
Maureen A. Fitzgerald  
Commissioner

MAF:sab



Meeting of May 24, 2022

Resolution No 360-2022

WHEREAS, Linda Logdberg has requested to donate a memorial plaque and bench to be placed in Harry Tappen Beach, Sea Cliff, in memory of Lennart Logdberg; and

WHEREAS, the value of the plaque and bench is estimated to be \$1,350.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 27, 2022, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$1,350.00 from Linda Logdberg to donate a memorial plaque and bench to be placed in Harry Tappen Beach, Sea Cliff, in memory of Lennart Logdberg.

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Reviewed By  
Office of Town Attorney  
*Domenica Wolfe*

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

**TO:** Memorandum Docket  
**FROM:** Joseph G. Pinto, Commissioner of Parks  
**SUBJECT:** Memorial Plaque and Bench  
**DATE:** April 27, 2022

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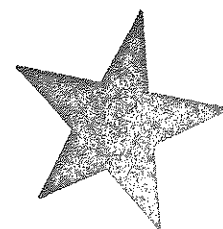
The Department of Parks has received a request from Linda Logdberg (letter attached) requesting to donate a memorial plaque and a new bench to be placed in Harry Tappen Beach in memory of Lennart Logdberg.

The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

The plaque and bench will be purchased by Linda Logdberg and donated to the Parks Department. The value of the plaque and bench is estimated to be \$1350.00. Town Board approval is requested on behalf of Linda Logdberg. The monies will be collected in account PKS A 0001 02705 000 0000.

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/dc



## Diann Codispodo

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**From:** Linda Logdberg <linda.logdberg@gmail.com>  
**Sent:** Tuesday, April 26, 2022 4:33 PM  
**To:** Diann Codispodo  
**Subject:** Lennart Lögberg memorial bench request

**CAUTION:** This email originated from outside of our organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

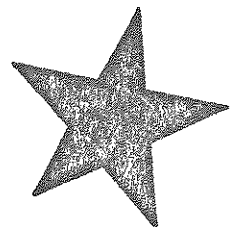
Hello Again Diann,

Thanks again for your help in setting this up. I would like to let you know the following, a copy of which I'm also sending you via regular mail along with a check for \$1350.00.

My name is Linda Lögberg. I would like to donate a bench at Tappen Beach in memory of my husband, Lennart Lögberg, who died suddenly on June 7, 2021. The bench will carry a plaque in his memory. We would like to have the bench--and if possible, the plaque--finished for installation by June 7, since this is the time when I, our children, and our closest friends, could be there. Our daughter is in the Navy in Virginia and needs to ask for time off several weeks beforehand.

Last October 14, I spoke with Scott, who was out of town at the time but told me I could meet with one of his colleagues to show the site where we would like the bench placed. This is the place that Lennart most loved to stand or sit and look at the water. We managed to walk from our home on 2 Locust Place down to the far parking lot almost every day of the pandemic--even in winter--and we always stopped for that beautiful view. The site is just past the pool (pool on right as you walk northbound), on a point under a tree and next to a wastebasket. Even though there were other benches there, the person I went with told me that it would be OK to put another one there.

Here are pictures of that site:

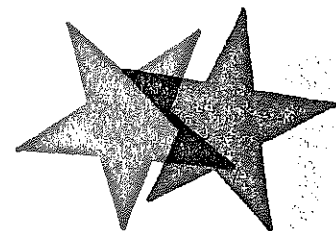




Thank you again, Diann. I can be reached at [REDACTED] and am currently staying at a friend's condominium in Atlanta, GA--the same time zone as New York. My address is [REDACTED]  
[REDACTED] Chase Bank is sending me new checks with that address, but the account number remains the same.

Yours,

Linda Lögdberg





Reviewed By  
Office of Town Attorney  
*Danica Wolfe*

Meeting of May 24, 2022

Resolution No 361-2022

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated May 2, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a "Notice to Bidders" was published in Newsday on March 4, 2022, as well as sent to interested parties from the Town's vendor database, for Bid Proposal SE 002A-22, Glass Recycling for the Town of Oyster Bay; and

WHEREAS, Commissioner Tuman, by said memorandum, recommended that Bid Proposal SE 002A-22 be awarded to EWG Glass Recovery & Recycle Corp., P. O. Box 313005, Jamaica, New York, *nunc pro tunc*, for the period of May 1, 2022 through April 30, 2023, in accordance with the terms and conditions of Bid Proposal SE 002A-22 as the lowest responsible bidder, at a rate of \$62.50 per ton; and

WHEREAS, The Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's procurement policy standards have been met, and

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted, and Bid Proposal SE 002A-22 is hereby awarded to EWG Glass Recovery & Recycle Corp., Jamaica, New York, *nunc pro tunc*, for the period of May 1, 2022 through April 30, 2023, in accordance with the terms and conditions of Bid Proposal SE 002A-22, as the lowest responsible bidder, at a rate of \$62.50 per ton.

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

7

Town of Oyster Bay  
Inter-Departmental Memo

**To:** Memorandum Docket  
**From:** General Services - Division of Purchase and Supply  
**Subject:** SE002A-22 GLASS RECYCLING FOR THE TOWN OF OYSTER BAY  
 Opening Date: 03/23/2022  
 Contract Period: 5/1/2022 - 4/30/2023

Date: 05/02/2022

Please be advised that the "Notice to Bidders" was advertised in the following newspaper(s):

NEWSDAY on 03/04/2022

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

Please be advised that Bid Proposal SE002A-22 GLASS RECYCLING FOR THE TOWN OF OYSTER BAY

is being awarded to the lowest responsible bidder(s) meeting specifications.

To: 24546	Terms: Net 30	Vendor contract: SE002A-22-01
EWG Glass Recovery & Recycle Corp.	Cash discount:	
P.O. Box 313005 JAMAICA, NY 11431	FOB: FOBDEST	

Item#	Offering	Bid Qty	Unit Id	Price
SE002A-001-A	RECYCLING OF GLASS CHARGE THE TOWN OF OYSTER BAY AS PER BID SPECIFICATIONS	PER	TON	62.50

SHOULD THE TOWN BOARD CONCUR, MAY THE TOWN ATTORNEY'S OFFICE BE DIRECTED TO PREPARE A RESOLUTION TO AWARD SE 002A-22 TO EWG GLASS RECOVERY & RECYCLING CORP., JAMAICA, NEW YORK, NUNC PRO TUNC, MAY 1, 2022 THROUGH APRIL 30, 2023 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF BID PROPOSAL SE 002A-22

THE OFFICE OF THE INSPECTOR GENERAL HAS REVIEWED THE PROPOSED VENDOR'S DISCLOSURE QUESTIONNAIRE AND IS SATISFIED THE PROCUREMENT POLICY STANDARDS HAVE BEEN MET.

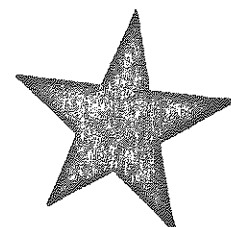
THIS IS A REQUIREMENT BID. ACTUAL PURCHASE ORDERS SHALL CONSTITUTE THE CONTRACT.

The successful vendor(s) shall be notified of award on 5/4/2022

*Eric Tuman*  
ERIC TUMAN

Commissioner of General Services

Cc: COMPTROLLER/ACCOUNTS PAYABLE  
 ENVIRONMENTAL RESOURCES  
 DEPARTMENT OF PUBLIC WORKS  
 SANITATION



Meeting of May 24, 2022

Resolution No 362-2022

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, and Michael Cipriano, Division Head, Central Vehicle Maintenance, by memorandum dated April 22, 2022, recommended that the Town-owned equipment on the attached list be declared surplus and that the necessary steps be taken to secure bids on said vehicles and equipment;

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated May 2, 2022, requested the Town Board declare that the Town-owned equipment on the attached list be declared surplus and that he be authorized to prepare and advertise said vehicles and equipment for competitive bid sale or public auction; and

WHEREAS, the aforementioned memoranda are in conformance with the requirements of the Town's Surplus Equipment Policy as set forth in Resolution No. 415-2018, adopted on June 12, 2018,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and the Town-owned vehicles and equipment on the attached list are declared surplus, and the Commissioner of the Department of General Services is hereby authorized to prepare and advertise said equipment for competitive bid sale or public auction, in accordance with the Town's Surplus Equipment Policy.

#

Reviewed By  
Office of Town Attorney  
*Paul R. Deady*

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

To: MEMORANDUM DOCKET

From: ERIC TUMAN, COMMISSIONER  
GENERAL SERVICES DEPARTMENT


Date: MAY 2, 2022

Subject: SURPLUS EQUIPMENT – TOWN EQUIPMENT

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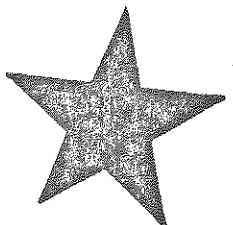
The undersigned, in accordance with the requirement of the Town of Oyster Bay Surplus Policy, as set forth in Resolution No. 415-2018, has declared the equipment set forth on the attached list as surplus property. The estimated value of each item is less than \$10,000.00.

As required by Resolution No. 415-2018, this Department requests and recommends Town Board authorization to prepare these items for public auction.

  
Eric Tuman, Commissioner  
General Services Department

ET/sc  
Attachments

cc: Comptrollers/Accounts Payable  
Comptrollers/Accounts Receivable  
General Services Department  
Department of Public Works  
Central Vehicle Maintenance



# TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

April 22, 2022


**TO:** ERIC TUMAN, COMMISSIONER DEPT. OF GENERAL SERVICES  
**FROM:** MICHAEL CIPRIANO, DIVISION HEAD, C.V.M.  
**THRU:** RICHARD W. LENZ, P.E., COMMISSIONER, D.P.W. / HIGHWAY  
**SUBJECT:** SURPLUS EQUIPMENT BID  
RESOLUTION NO. 415-2018


RECEIVED  
PURCHASING  
2022 APR 26 PM 1:36  
TOWN OF OYSTER BAY, N.Y.

The attached paperwork shows fifty seven (57) Town owned pieces of equipment that is now surplus. Included is the Vehicle Master Inquiry and Fixed Asset Inventory Inquiry. The attached spread sheet shows the item number, computer number / asset number, year, make, model, department, color, condition, Vin#'s, original cost, and estimated value.

Please begin the necessary procedure to secure bids on this equipment.

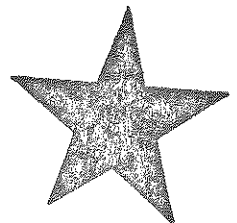
If you should have any questions, please contact Kenneth Hamel at ext. 5749

  
Michael Cipriano  
Division head C.V.M.

  
Richard W. Lenz, P.E.  
Asst. Commissioner D.P.W./Highway

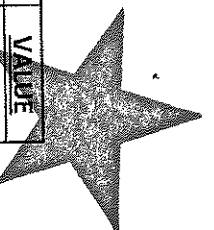
MC/RWL/kh

CC: Kenneth Hamel, C.V.M.  
File



2022 SURPLUS EQUIPMENT  
POWER EQUIPMENT VEHICLES

Item #	COMPUTER #	Year	Make	Model	Department	Color	Condition	Mileage	VIN # / SERIAL #	COST	VALUE
1	BR112	2007	CHEVY	EQUINOX	CVM	TAN	POOR / TRANS	84,319	2CNDL23FX76227701	\$ 21,087.00	\$2,500.00
2	BR114	2007	CHEVY	EQUINOX	CVM	TAN	POOR	156,420	2CNDL23F576229419	\$ 21,087.00	\$2,500.00
3	BR120	2008	CHEVY	EQUINOX	CVM	TAN	POOR / TRANS	104,943	2CNDL23F986321473	\$ 21,041.00	\$2,500.00
4	HK067	2001	MOTT	SHD74	HIGHWAY	YELLOW	POOR	N/A	60054	\$ 1,995.00	\$300.00
5	HK069	2001	MOTT	SHD74	HIGHWAY	YELLOW	POOR	N/A	58957	\$ 1,995.00	\$300.00
6	IM007	1991	ZAMBONI	500	PARKS	BLUE	RUN	N/A	4583	\$ 44,475.00	\$6,000.00
7	LV037	2003	GIANT	11BIC	HIGHWAY	RED	POOR	N/A	60903026	\$ 2,800.00	\$350.00
8	PU365	2006	FORD	F250	CVM	YELLOW	FAIR	108,682	1FTNF215X6ED00258	\$ 21,560.00	\$3,500.00
9	PU366	2006	FORD	F250	CVM	YELLOW	FAIR	84,667	1FTNF21586EC00257	\$ 21,560.00	\$5,000.00
10	PU369	2007	FORD	F250	CVM	YELLOW	FAIR	132,284	1FTSX21547EA67952	\$ 25,450.00	\$3,000.00
11	RR041	2006	STONE	R2500	HIGHWAY	YELLOW	POOR	N/A	42006156	\$ 7,000.00	\$1,500.00
12	RR042	2006	STONE	R2500	HIGHWAY	YELLOW	POOR	N/A	42006362	\$ 7,000.00	\$1,500.00
13	SA003	2007	K&K	B5025	HIGHWAY	ORANGE	POOR	N/A	1K9BA08117T244293	\$ 6,487.00	\$300.00
14	SI031	2003	MITTY-M	M-10	HIGHWAY	BLACK	POOR	N/A	15008384	\$ 2,425.00	\$500.00
15	SI032	2003	MITTY-M	M-10	HIGHWAY	BLACK	POOR	N/A	15008383	\$ 2,425.00	\$500.00
16	SP018	2004	MEYER	ST-75	PARKS	YELLOW	POOR	N/A	454509163	\$ 3,000.00	\$30.00
17	SP054	2005	MEYER	C-8	HIGHWAY	YELLOW	POOR	N/A	101909240	\$ 4,000.00	\$30.00
18	SP092	2006	MEYER	C-7.5	HIGHWAY	YELLOW	POOR	N/A	199809240	\$ 5,000.00	\$30.00
19	SP139	2007	MEYER	C-8	PARKS	YELLOW	POOR	N/A	412209286	\$ 5,000.00	\$30.00
20	SP183	2008	MEYER	C-8	HIGHWAY	YELLOW	POOR	N/A	703309286	\$ 5,000.00	\$30.00
21	SP184	2008	MEYER	C-8	HIGHWAY	YELLOW	POOR	N/A	627809286	\$ 5,000.00	\$30.00
22	SP269	2010	MEYER	LP-8	HIGHWAY	YELLOW	POOR	N/A	41509401	\$ 6,000.00	\$30.00
23	SP276	2010	MEYER	MBDP6	HIGHWAY	YELLOW	POOR	N/A	112009274	\$ 6,424.00	\$30.00
24	SP858	1998	MEYER	ST-90	PARKS	YV/BK	POOR	N/A	TOB-0191	\$ 2,000.00	\$30.00
25	SP973	2002	MEYER	ST-90	HIGHWAY	YELLOW	POOR	N/A	TOB0261	\$ 6,000.00	\$30.00
26	SS303	2005	AIRFLO	20010	HIGHWAY	YELLOW	POOR	N/A	475	\$ 11,987.00	\$1,500.00
27	SS315	2011	AIRFLO	2000	HIGHWAY	YELLOW	POOR	N/A	796	\$ 17,887.00	\$2,500.00
28	SS316	2011	AIRFLO	2000	HIGHWAY	YELLOW	POOR	N/A	795	\$ 17,887.00	\$2,500.00
29	SS317	2011	AIRFLO	F2000	HIGHWAY	YELLOW	POOR	N/A	794	\$ 17,887.00	\$2,500.00
30	SW188	2013	CLARK	FOCUS	CVM	BLUE	POOR	N/A	3000142261	\$ 18,993.00	\$200.00
31	SZ008	1999	BARBER	600HD	PARKS	GREEN	POOR	N/A	8709	\$ 44,375.00	\$3,500.00
32	SZ009	2000	BARBER	600HD	PARKS	GREEN	POOR	N/A	6772	\$ 46,325.00	\$3,500.00
33	TD568	2005	FORD	F350	HIGHWAY	YELLOW	POOR	80,458	1FDWF37Y55EB12854	\$ 33,356.00	\$3,000.00





Meeting of May 24, 2022

Resolution No 363-2022

Reviewed By  
Office of Town Attorney

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 27, 2022, directed ANTHONY CORALLO, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 171 Biltmore Boulevard, Massapequa, New York 11758, known and designated as Section 65, Block 98, Lot 1271, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of May 24, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated April 25, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has 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, 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 does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock 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 ANTHONY CORALLO, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 171 Biltmore Boulevard, Massapequa, New York 11758, known and designated as Section 65, Block 98, Lot 1271 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

363

TO: MEMORANDUM DOCKET

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

DATE: APRIL 27, 2022

SUBJECT: WATERWAYS REVIEW  
ANTHONY CORALLO  
171 BILTMORE BLVD.  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 98, LOT(S) 1271  
DOCK BUILDING PERMIT APPLICATION # 22020220

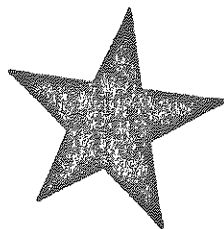
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We have received a request from Anthony Corallo for the removal of 155 lf. of existing bulkhead and reconstruction of 94 lf. of bulkhead, the removal of an existing 40' x 8' floating dock, installation of a new 24' x 6' floating dock seaward of the proposed property with a 7' x 4' access dock and gangway. The project includes net fill of 163 cy. to fill existing slip below the SHW elevation and maintenance dredging 10' seaward of the bulkhead to a depth of 4' below the mean low water elevation. All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03410/00001 dated July 14, 2021 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2021-00283-EKO dated December 30, 2021. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 22020220; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03410/00001 dated July 14, 2021; Department of the Army, New York District Corps of Engineers Permit No. NAN-2021-00283-EKO dated December 30, 2021, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated May 25, 2021. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated April 25, 2022, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

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



HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
ANTHONY CORALLO  
171 BILTMORE BLVD  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 98, LOT(S) 1271  
DOCK BUILDING PERMIT APPLICATION # 22020220

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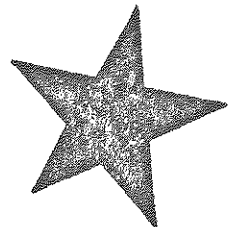
Page 2

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 cost of same. Therefore, I respectfully request that this application be put on the agenda for the May 24, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

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



SECTION 65 BLOCK 98 LOT(S) 1271

22020220



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

**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: MR. ANTHONY CORALLO 171 BILTMORE BLVD MASSAPEQUA, NY 11758  
LESSEE  
TENANT:

APPLICANT: RISING TIDE WATERFRONT SOLUTIONS 80 KILLIANS ROAD, SUITE 280 MASSAPEQUA, NY 11758 (516) 595-3483

ARCHITECT:

CONTRACTOR: MARINE BULKHEADING INC. 3512 BAY COURT SEAFORD 11783 (516) 785-7557

PLUMBER:

ELECTRICIAN:

ADDRESS OF CONSTRUCTION: 171 BILTMORE BLVD MASSAPEQUA, NY 11758  
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  
OR  
N.E.S.W. OF corner of BILTMORE BLVD and LAGOON BLVD (POST OFFICE)  
(STREET) (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 ☒

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 ☒

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER ☒

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s) REMOVE 115 LF BULKHEAD, CONSTRUCT 94 LF BULKHEAD, FILL EXISTING SLIP.  
INSTALL 4X6 KNEE DOCK, ACCESS GANGWAY AND 6X24 FLOATING DOCK, MAINTENANCE DREDGE (10 CY) W/ SPOILS PLACED LANDWARD OF BULKHEAD.

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**

**OWNER**

STATE OF NEW YORK  
COUNTY OF NASSAU

STATE OF NEW YORK  
COUNTY OF NASSAU

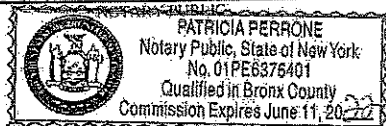
MR. ADON M AUSTIN, PE being duly sworn, deposes and says: That he/she resides at 171 BILTMORE BLVD in the State of NEW YORK and that he/she is authorized by the Owner MR. ANTHONY CORALLO who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying 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: 80 KILLIANS ROAD, SUITE 280, MASSAPEQUA, NEW YORK  
Phone: (516) 595-3483

MR. ANTHONY CORALLO being duly sworn, deposes and says: That he/she resides at 171 BILTMORE BLVD 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 MR. ADON M AUSTIN, PE (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.

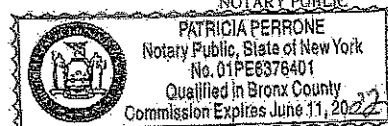
(Sign here) *[Signature]*  
Sworn to before me this 16th day of March 2022

(Sign here) *[Signature]*  
Sworn to before me this 16th day of March 2022

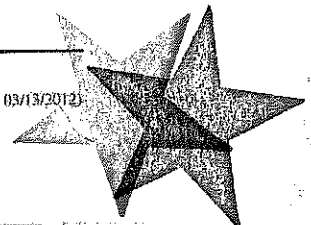
*Patricia Perrone*



*Patricia Perrone*



(Rev. 03/13/2012)



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

July 14, 2021

Anthony Corallo  
171 Biltmore Blvd.  
Massapequa, NY 11758

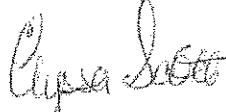
Re: Application #1-2824-03410/00001  
Corallo Property: 171 Biltmore Boulevard  
NCTM# 65-98-1271

Dear Anthony Corallo:

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,

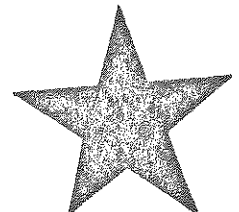


Elyssa Scott  
Environmental Analyst

cc: Rising Tide Waterfront Solutions  
BMHP  
File



Department of  
Environmental  
Conservation





## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

**Permit Issued To:**  
ANTHONY CORALLO  
171 BILTMORE BLVD  
MASSAPEQUA, NY 11758

**Facility:**  
CORALLO PROPERTY  
171 BILTMORE BLVD|65-98-1271  
MASSAPEQUA, NY 11758

**Facility Application Contact:**  
RISING TIDE WATERFRONT SOLUTIONS -  
AN ENGINEERING COMPANY PLLC  
80 KILLIANS RD STE 280  
MASSAPEQUA, NY 11758

**Facility Location:** in OYSTER BAY in NASSAU COUNTY

**Facility Principal Reference Point:** NYTM-E: 629.427 NYTM-N: 4501.885  
Latitude: 40°39'27.7" Longitude: 73°28'08.3"

**Authorized Activity:** Reconstruction of a bulkhead, closing off and filling in a boat slip, maintenance dredging 10' seaward of the bulkhead, and the installation of a platform, ramp and float. All work must be done according to the plans prepared by Rising Tide Waterfront Solutions, last revised 4/9/2021 and stamped NYSDEC approved 7/14/2021. EES. (DEP-ARNO)

#### Permit Authorizations

**Tidal Wetlands - Under Article 25**

Permit ID 1-2824-03410/00001

New Permit

Effective Date: 7/14/2021

Expiration Date: 7/13/2026

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

Permit ID 1-2824-03410/00002

New Permit

Effective Date: 7/14/2021

Expiration Date: 7/13/2026

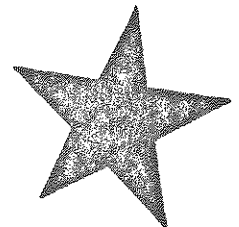
**Water Quality Certification - Under Section 401 - Clean Water Act**

Permit ID 1-2824-03410/00003

New Permit

Effective Date: 7/14/2021

Expiration Date: 7/13/2026



**NYSDEC Approval**

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

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

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

Date 7/14/2024

**Distribution List**

RISEING TIDE WATERFRONT SOLUTIONS - AN ENGINEERING COMPANY PLLC  
Bureau of Marine Habitat Protection  
Elyssa E Scott

**Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

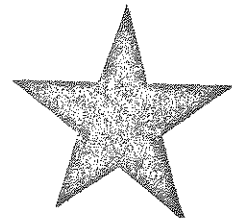
GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

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

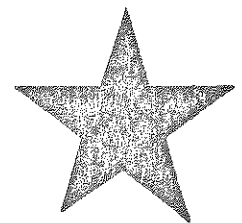
1. **Regulated Activities Authorized By This Permit** This permit ONLY authorizes those regulated activities / structures identified under the section titled "SAP Authorized Activity". The Department does not issue after-the-fact or as-built permits. This permit does not authorize activities, or legitimize the existence of structures, which would have required a permit but for which no permit or other authorization has been granted by the Department

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. **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 Rising Tide Waterfront Solutions, last revised 4/9/2021.
5. **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.
6. **Materials Disposed at Upland Site** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.
7. **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.
8. **Replacement Bulkhead Maximum Height** The top elevation of the replacement bulkhead shall be no more than 18 inches higher than the existing bulkhead.
9. **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.
10. **Jet-in Bulkhead** Bulkheads constructed directly adjacent to vegetated tidal wetlands shall be hand driven or jetted in with no disturbance to the tidal wetland. Trenching is strictly prohibited.
11. **Backfilling** The installation of the approved replacement bulkhead shall be completed prior to the placement of any fill material behind the structure.
12. **Clean Fill Only** All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).
13. **No Runoff Over or Through Bulkhead or into Wetland** Upon completion of the bulkhead replacement authorized herein, there shall be no discharge of runoff or other effluent over or through the structure or into any tidal wetland or protected buffer area.
14. **Use of Treated Wood** The use of wood treated with creosote, 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.
15. **No Structures on Reconstructed Bulkhead or Pilings** No structures, other than structures specifically authorized by this permit, shall be constructed on the reconstructed bulkhead or pilings without further authorization from the department (new permit, modified permit).



**16. Pilings and Floats at Property Lines** Pilings and floats shall not:

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

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

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

**19. No Side-casting of Dredged Material** Excavated sediment shall be placed directly into the approved work area landward of the replacement bulkhead. No side-casting (double dipping) of dredged material is authorized.

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

**21. Dragline Prohibited** The use of a dragline for gravel is strictly prohibited.

**22. 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.

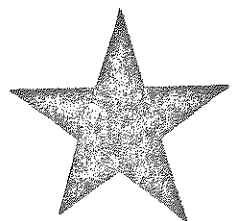
**23. No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.

**24. Seeding Disturbed Areas** All areas of soil disturbance resulting from the approved project shall be stabilized with appropriate vegetation (grasses, etc.) immediately following project completion or prior to permit expiration, whichever comes first. If the project site remains inactive for more than 48 hours or planting is impractical due to the season, then the area shall be stabilized with straw or hay mulch or jute matting until weather conditions favor germination.

**25. Temporary Mulch, Final Seeding** If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

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

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







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

**29. 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.

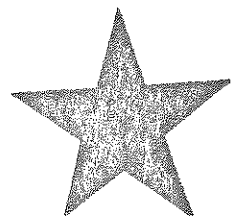
**30. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes,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

**31. 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.

**32. 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.

#### WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

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





**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

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

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

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

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

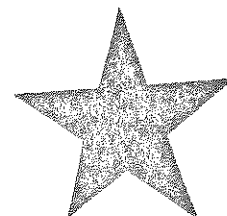
**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any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

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

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

**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**

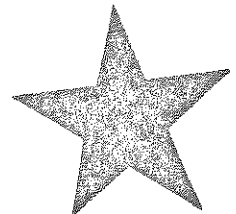
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

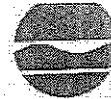


RETURN THIS FORM TO: COMPLIANCE

Marine Habitat Protection  
NYSDEC  
50 Circle Road SUNY@ Stony Brook  
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 Sir:

Pursuant to 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, permit sign, and approved plans will be available at the site for inspection in accordance with general Condition No. 1. (Both signatures required)

PERMITEE: \_\_\_\_\_ DATE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ DATE: \_\_\_\_\_

THIS NOTICE MUST BE SENT TO THE ABOVE ADDRESS AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE PROJECT AND FOR ANY ASSOCIATED REGULATED 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

NOTICE OF COMPLETION OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE

Marine Habitat Protection  
NYSDEC  
50 Circle Road SUNY@ Stony Brook  
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: \_\_\_\_\_

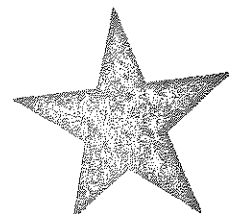
TELEPHONE: \_\_\_\_\_

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)

PERMITEE: \_\_\_\_\_ DATE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ DATE: \_\_\_\_\_

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





NEW YORK  
STATE OF  
OPPORTUNITY.

Department of  
Environmental  
Conservation

# NOTICE

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

Regional Permit Administrator

SUSAN ACKERMAN

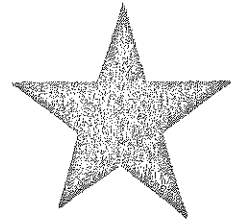
Permit Number

1-2824-0341060001

Expiration Date

7/13/2026

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



RECEIVED  
JUL 14 2026

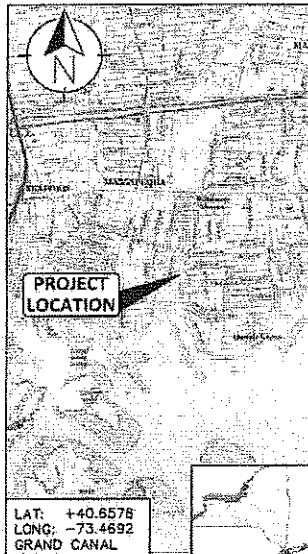
# WATERFRONT DEVELOPMENT

## 171 BILTMORE BOULEVARD

### MASSAPEQUA, NY 11758

DRAWINGS ISSUED FOR:  
PERMIT A TADV DEBMITTING

#### LOCATION MAP



REF: AMITYVILLE QUADRANGLE NY 7.5-MIN SERIES

#### PROJECT INFORMATION

##### LOCATION

PRIVATE RESIDENCE OF MR. ANTHONY CORALLO, 171 BILTMORE BOULEVARD, IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK ALONG GRAND CANAL.

##### PROJECT NOTIFICATION

COMMENCEMENT NOTIFICATION TO REGULATORY AGENCY SHALL BE SUBMITTED, AS REQUIRED, BY SELECTED CONTRACTOR PRIOR TO THE START OF WORK.

##### GENERAL CONTACT INFORMATION

RIISING TIDE WATERFRONT SOLUTIONS, PLLC  
80 KILLIANS ROAD, #280  
MASSAPEQUA, NY 11758  
PHONE: 516-595-3483  
EMAIL: PERMITS@RT-WS.COM

#### DEFINITION(S)

AUTHORITY: MR. ANTHONY CORALLO  
ENGINEER: RIISING TIDE WATERFRONT SOLUTIONS, PLLC  
CONTRACTOR: TO BE DETERMINED

#### REVISION(S)

A: REGULATORY PERMIT APP. 04-09-202

#### SKETCH INDEX

SK-1.0 TITLE SHEET & LOCATION MAP  
SK-2.0 VICINITY MAP  
SK-3.0 EXISTING FACILITY PLAN  
SK-3.1 PROPOSED FACILITY PLAN  
SK-4.0 TYP. BULKHEAD SECTION  
SK-5.0 KNEE DOCK SECTION & DETAILS

#### TIDAL CHART ELEVATION(S)

POSITION	MLW	NAVD88	DESCRIPTION
SHW	+2.4	+1.2	SPRING HIGH WATER
MHHW	+2.2	+1.0	MEAN HIGHER HIGH WATER
MHW	+2.0	+0.8	MEAN HIGH WATER
MSL	+1.0	-0.2	MEAN SEA LEVEL
MLW	+0.0	-1.2	MEAN LOW WATER
MLLW	-0.1	-1.3	MEAN LOWER LOW WATER

SHW IS SYNONYMOUS WITH MEAN HIGH WATER SPRING (NOAA NOS CO-OPS1)

NYS DEC  
APPROVED AS PER TERMS  
AND CONDITIONS OF

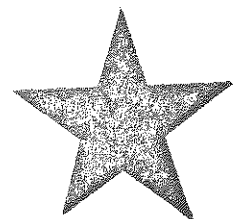
PERMIT NO. 1-2824-03410/1  
DATE 7/14/2021

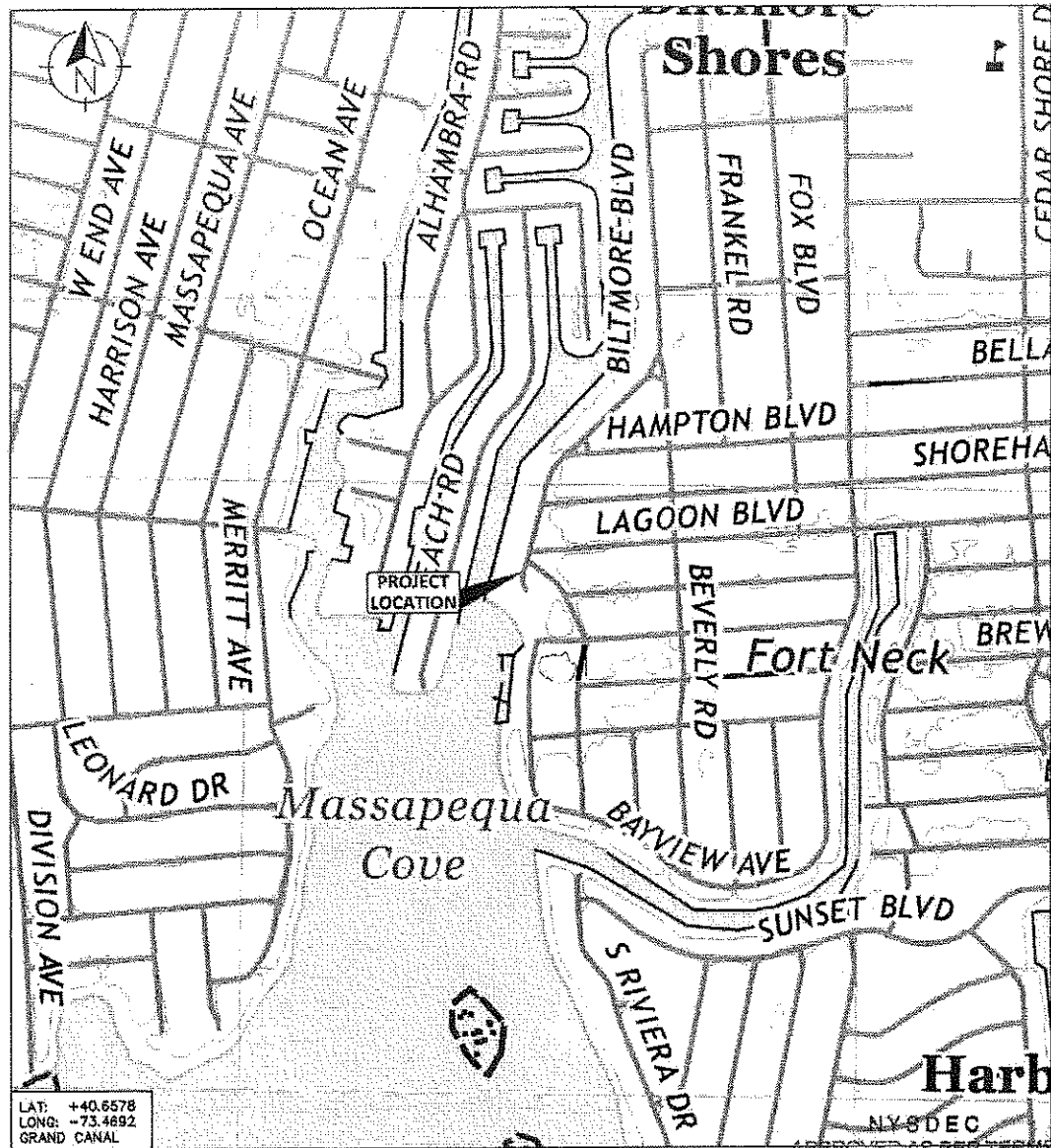
page 1 of 6

#### PROJECT DESCRIPTION

REMOVE 155 LF OF LAWFULLY EXISTING BULKHEAD AND RECONSTRUCT 94 LF OF BULKHEAD. REMOVE EXISTING 40X8 FLOATING DOCK. INSTALL NEW 24X6 (14 SF) FLOATING DOCK SEAWARD OF THE PROPOSED PROPERTY WITH ACCESS DOCK AND GANGWAY. PROPOSED PROJECT INCLUDES FILL OF 163 CY PLACE ABOVE LANDS UNDERWATER OWNED BY APPLICANT TO FILL EXISTING SLIP BELOW THE SHW ELEVATION. PROJECT INCLUDES MAINTENANCE DREDGING TEN (10) F SEAWARD OF THE BULKHEAD TO A DEPTH OF 4 FT BELOW THE MEAN LOW WATER ELEVATION.

SHEET NO.	PROJECT NO.	PROJECT	SCALE	DATE	REVISION NO.	SHEET
SK-1.0	P210303.00	WATERFRONT DEVELOPMENT	N/A	04-09-2021	A	TITLE SHEET & LOCATION MAP
	DRAWN BY JMK	PREPARED FOR MR. ANTHONY CORALLO				
	CHECKED BY AMA	LOCATED AT 171 BILTMORE BOULEVARD				
1 of 6 SHEETS		MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY				





LAT: +40.6578  
LONG: -73.4692  
GRAND CANAL

REF: AMITYVILLE QUADRANGLE NY 7.5-MIN SERIES

NYSD DEC  
APPROVED AS PER TERMS  
AND CONDITIONS OF

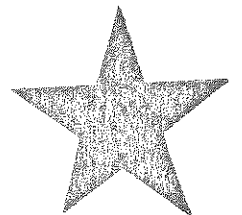
VICINITY MAP

SCALE: 1"=800'-0"

PERMIT NO. 206  
DATE 04-09-2021



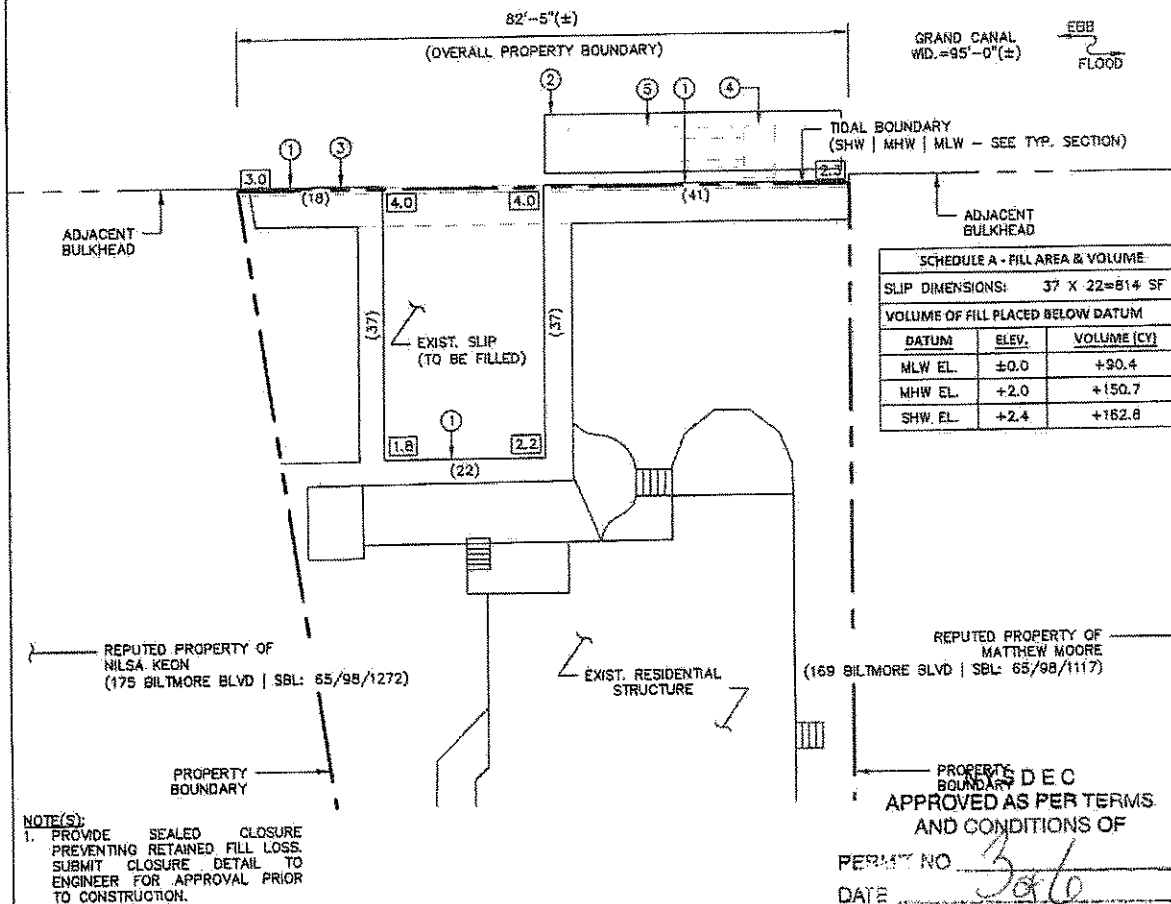
SHEET NO.  <b>SK-2.0</b>  2 of 6 sheets	PROJECT NO. P210303.00 DRAWN BY JHK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY    GRAND CANAL    NASSAU COUNTY	SCALE 1"=800'-0" DATE 04-09-2021 REVISION NO. A	Rising Tide   Waterfront Solutions 80 KILLIAMS ROAD, #280 MASSAPEQUA, NY 11758 SHEET VICINITY MAP
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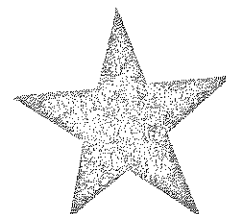
ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE	155 LF
2. FLOATING DOCK	EXISTING	REMOVE	40X8-FT=320 SF
3. BULKHEAD	PROPOSED	CONSTRUCT/INSTALL	94 LF
4. ACCESS DOCK W/ GANGWAY	PROPOSED	CONSTRUCT/INSTALL	7X4-FT=28 SF
5. FLOATING DOCK	PROPOSED	CONSTRUCT/INSTALL	24X6-FT=144 SF

DRAWINGS ISSUED FOR:  
RETAIL AND/OR RECREATION



LEGEND:  
(XX) BULKHEAD SEGMENT LENGTH IN FEET  
(XX) WATER DEPTH AT/NEAR LOW TIDE

SHEET NO. <b>SK-3.0</b> 3 of 6 SHEETS	PROJECT NO. P210303.00 DRAWN BY JMK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=20'-0" DATE 04-09-2021 REVISION NO. A	Rising Tide   Water.com Solution 80 KILLIANS ROAD, #250 MASSAPEQUA, NY 11758 SHEET EXISTING FACILITY PLAN
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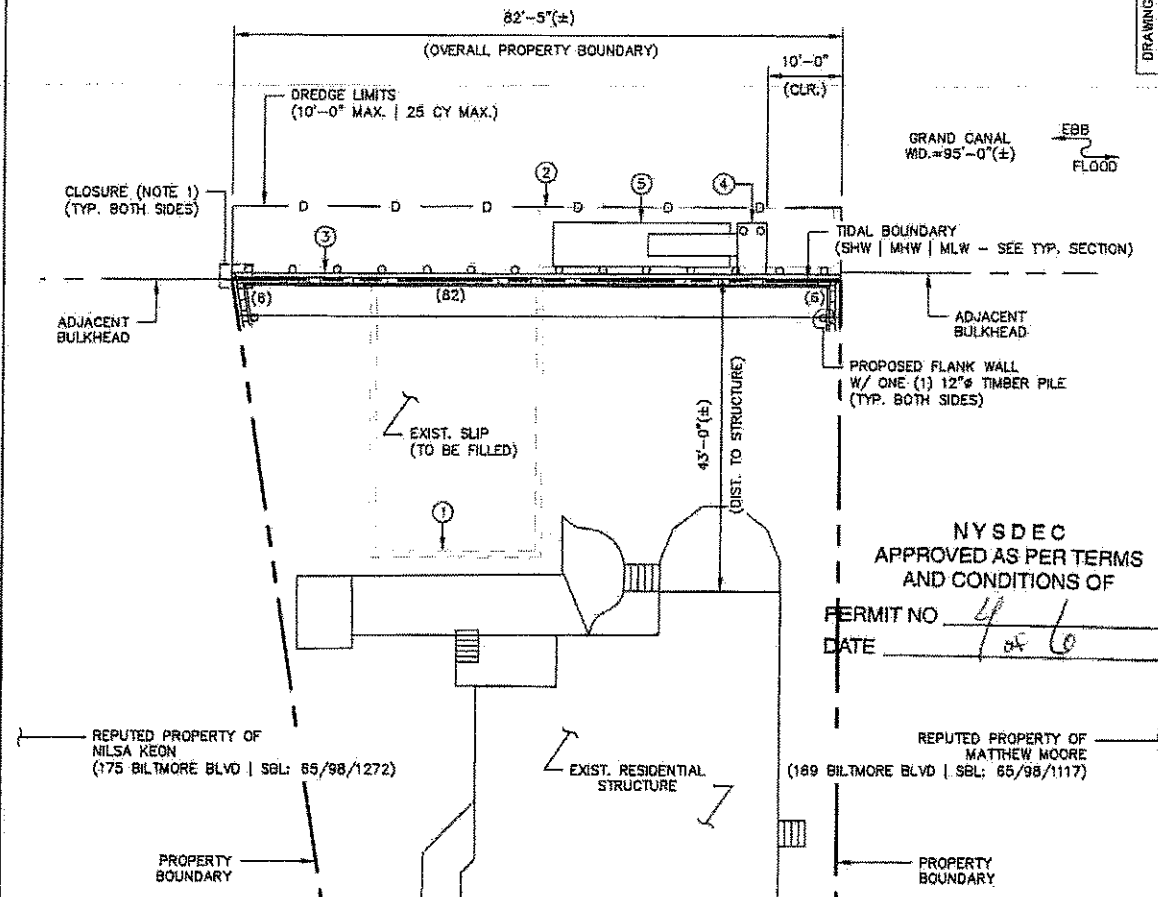




ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE	155 LF
2. FLOATING DOCK	EXISTING	REMOVE	40X8-FT=320 SF
3. BULKHEAD	PROPOSED	CONSTRUCT/INSTALL	94 LF
4. ACCESS DOCK W/ GANGWAY	PROPOSED	CONSTRUCT/INSTALL	7X4-FT=28 SF
5. FLOATING DOCK	PROPOSED	CONSTRUCT/INSTALL	24X6-FT=144 SF

TOTAL NUMBER OF PROPOSED (NEW) TIMBER PILES=18 (12"Ø)

DRAWINGS ISSUED FOR:

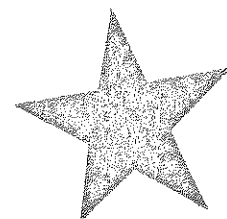


NOTE(S):  
1. PROVIDE SEALED CLOSURE  
PREVENTING RETAINED FILL LOSS.  
SUBMIT CLOSURE DETAIL TO  
ENGINEER FOR APPROVAL PRIOR  
TO CONSTRUCTION.

PLAN  
PROPOSED FACILITY SCALE: 1"=20'-0"

LEGEND:  
(XX) BULKHEAD SEGMENT LENGTH IN FEET

SHEET NO. <b>SK-3.1</b> 4 of 6 SHEET(S)	PROJECT NO. P210303.00 DRAWN BY JMK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=20'-0" DATE 04-09-2021 REVISION NO. A	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758 SHEET PROPOSED FACILITY PLAN
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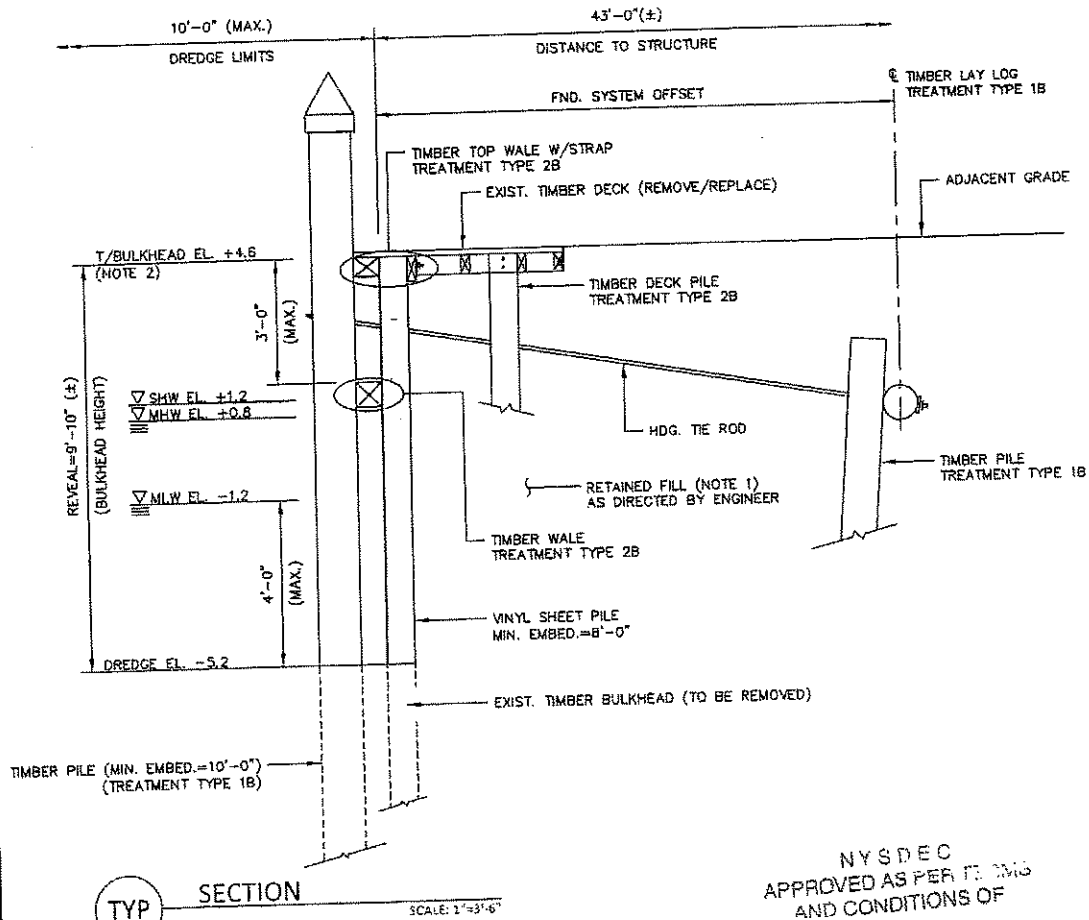


**NOTE(S):**

1. FILL: ALL ADDITIONAL FILL WILL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18 INCHES HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

**TIMBER TREATMENT**

TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWPB STANDARD COMMODITY SPECIFICATION A.P. 3.0
2B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWPB STANDARD COMMODITY SPECIFICATION A.P. 3.0
2B		2.5	
3A		1.5	ACQ TREATED PER AWPB ACQ-0
2B		2.5	

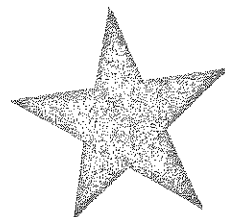


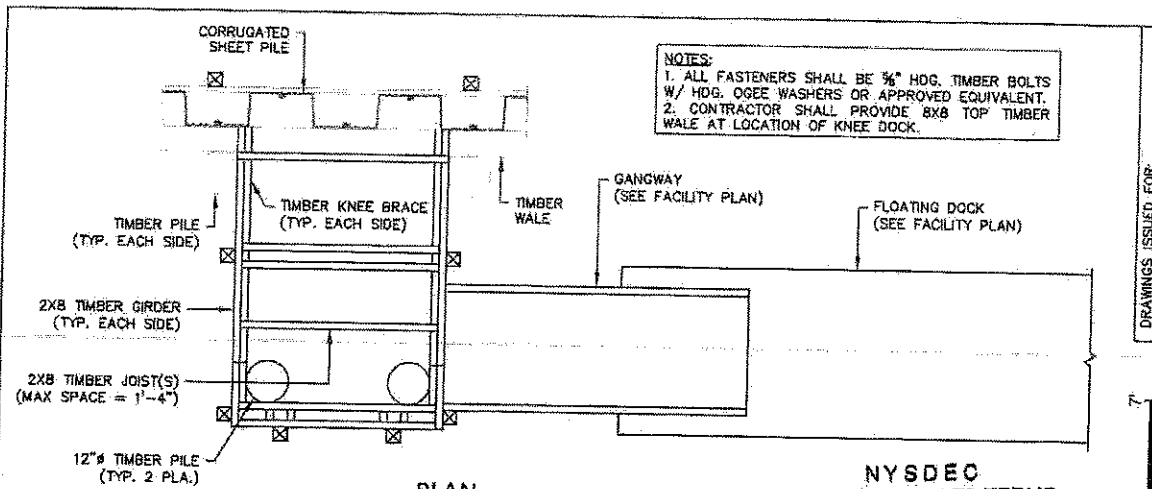
DRAWINGS ISSUED FOR: PERMITTING

NYS DEC  
APPROVED AS PER PERMITS  
AND CONDITIONS OF  
PERMIT NO. 5-26  
DATE 5-26



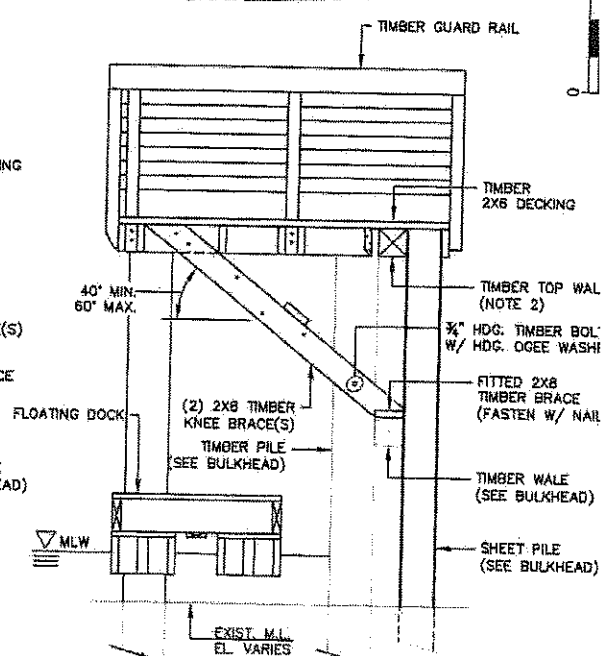
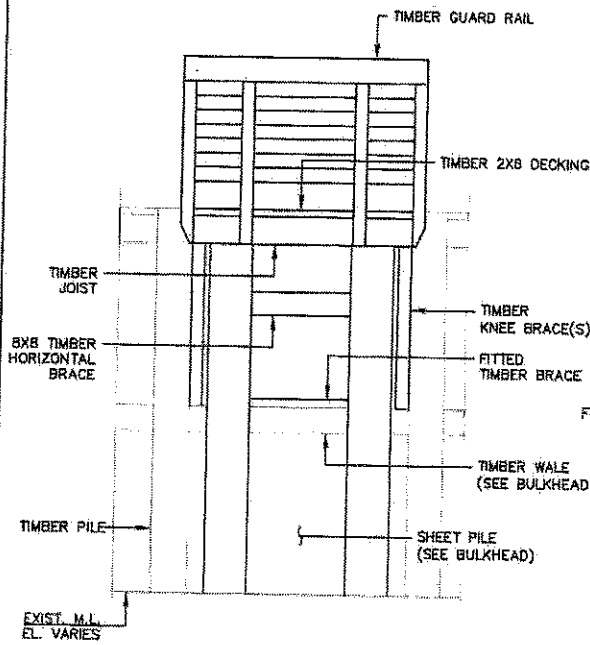
SHEET NO. <b>SK-4.0</b> 5 of 6 sheets		PROJECT NO. P210303.00	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=3'-6"	DATE 04-09-2021	REVISION NO. A	ALL ELEVATIONS IN NAVD 83 Rising Tide Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758
DRAWN BY JMK		CHECKED BY AMA	SHEET TYP. BULKHEAD SECTION				



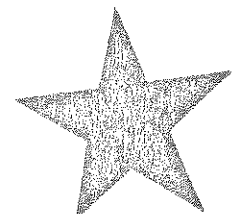


**NYS DEC**  
 APPROVED AS PER TERMS  
 AND CONDITIONS OF

PERMIT NO. 6-6  
 DATE 6-6



SHEET NO. <b>SK-5.0</b> 6 of 6 SHEETS	PROJECT NO. P210303.00 DRAWN BY JHK CHECKED BY AMA	PROJECT <b>WATERFRONT DEVELOPMENT</b> PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY. GRAND CANAL NASSAU COUNTY	SCALE 1"=3'-6" DATE 04-09-2021 REVISION NO. A	Rising Tide / Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758 SHEET <b>KNEE DOCK SECTION &amp; DETAILS</b>
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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

REGULATORY BRANCH

December 30, 2021

SUBJECT: Permit Application File Number NAN-2021-00283-EKO by Anthony Corallo for Shoreline Stabilization, Minor Dredging, and Structures in an Artificial Canal

1. PERMITTEE:

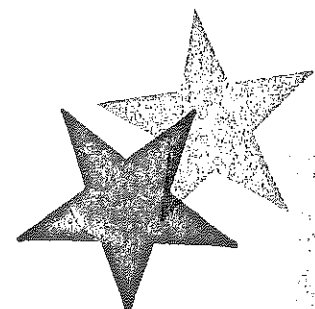
Anthony Corallo  
171 Biltmore Boulevard  
Massapequa, NY 11758  
[REDACTED]

2. On April 27, 2021, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization by Anthony Corallo for the excavation of 91.7 cubic-yards (CY) of material landward of the existing bulkhead is to reshape the current boat slip into a nine-foot-long by 43-foot-wide slip and will result in the creation of new Water of the United States (WOTUS). The work includes the installation of a new total 61-linear-foot section of bulkhead, comprising of two (2) 9-linear-foot sections and a 43-foot-section with the discharge of approximately 162.8 CY of fill to close off an existing 22-foot-wide by 37-foot-long boat slip (814 square feet). Approximately 162.8 CY of the total volume of fill material will be discharged below Spring High Water (SHW) behind the new section of bulkhead where the existing boat slip currently resides. Also proposed is the replacement, in-place, of an approximately seven-linear-foot section of bulkhead located south of the newly reshaped boat slip, a 31-linear-foot section of existing bulkhead located north of the newly reshaped boat slip. Install a new approximately seven-foot-wide by four-foot-long fixed pier with a new approximately three-foot-wide by 12-foot-long ramp leading to a new approximately six-foot-wide by 24-foot-long float. The existing eight-foot-wide by 40-foot-long float will be relocated into the newly reshaped boat slip. One-time maintenance dredging of approximately 25 cubic yards of material to a depth of four (4) feet below the plane of Mean Low Water immediately seaward of the bulkhead over an area of 810 square feet with placement of the dredged material behind the bulkhead. Approximately 25 CY of the dredged material will be placed upland behind the newly replaced sections of existing bulkhead.

The project is located in Grand Canal at 171 Biltmore Boulevard, Hamlet of Massapequa, Town of Oyster Bay, Nassau County, New York.

3. The specific applicant-provided details are as shown on the attached permit drawings, titled "Waterfront development prepared for Mr. Anthony Corallo", dated March 19, 2021, prepared by Rising Tide Waterfront Solutions.

4. This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District of the U.S. Army Corps of Engineers.



SUBJECT: Permit Application File Number NAN-2021-00283-EKO by Anthony Corallo for Shoreline Stabilization, Minor Dredging, and Structures in an Artificial Canal

- 2 -

5. Based on the information submitted to this office and accomplishment of any required notification in accordance with the applicable federal requirements, our review of the subject work 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 Number 13 BANK STABILIZATION, Department of the Army Nationwide General Permit Number 2 STRUCTURES IN ARTIFICIAL CANAL, and Department of the Army Nationwide General Permit Number 19 MINOR DREDGING, in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344). The nationwide permits are prescribed at Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The subject work may be performed without further authorization from this office provided it complies with Department of Army Nationwide General Permit Number 13 BANK STABILIZATION, Number 2 STRUCTURES IN ARTIFICIAL CANAL, and Number 19 MINOR DREDGING, 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.

6. Other than the work-specific Special Conditions listed below, the 2017 nationwide general permits in the State of New York, including their final regional conditions, water quality certifications, and coastal zone concurrence statements are available at:

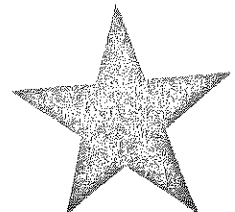
<https://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

The NWP 13, BANK STABILIZATION criteria that **"the activity will not exceed an average of one cubic yard per running foot, as measured along the length of the treated bank, below the plane of the ordinary high water mark or the high tide line"** is waived.

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.

7. Work-specific 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



SUBJECT: Permit Application File Number NAN-2021-00283-EKO by Anthony Corallo for Shoreline Stabilization, Minor Dredging, and Structures in an Artificial Canal

- 3 -

the United States on account of any such removal or alteration.

(B) The permittee shall sign and submit the attached compliance certification form to this office **within 30 days of COMPLETION** of the regulated activity authorized by this permit and any mitigation work required by Special Condition.

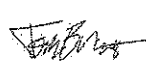
(C) The permittee shall take actions to prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

8. This verification is valid until March 18, 2022, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2022, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have twelve (12) months from the date of such action to complete the activity.

9. In order for us to better serve you and others, please complete our Customer Service Survey located at:

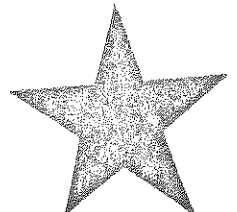
<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

10. Any inquiries should be directed to our Regulator-of-the-Day at 917-790-8511. Please be sure to have the above eighteen-character file number readily available when you call.

 Date:  
2021.12.30  
14:28:23 -05'00'

**For and In Behalf of**  
Ronald R. Pinzon  
Chief, Eastern Section

Encls



**NATIONWIDE GENERAL PERMIT**  
**COMPLIANCE CERTIFICATION**  
**AND REPORT FORM**

Permit File Number: NAN-2021-00283-EKO

Permittee: Anthony Corallo

Location: 171 Biltmore Boulevard, Hamlet of Massapequa, Town of Oyster Bay,  
Nassau County, New York

Date Permit Letter Issued: December 30, 2021

Within 30 days of the completion of the activity authorized by this nationwide general permit and any mitigation required in the verification letter, please sign this certification and return it to the address at the bottom of this form.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the permit's terms and conditions you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced nationwide general permit has been completed in accordance with the terms and conditions of said permit, and required mitigation was completed in accordance with the permit conditions.

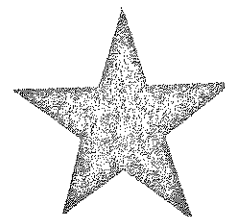
\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

FOLD THIS FORM INTO THIRDS, WITH THE BOTTOM THIRD FACING OUTWARD.  
TAPE IT TOGETHER AND MAIL TO THE ADDRESS BELOW OR FAX (212) 264-4260.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
PLACE  
STAMP  
HERE

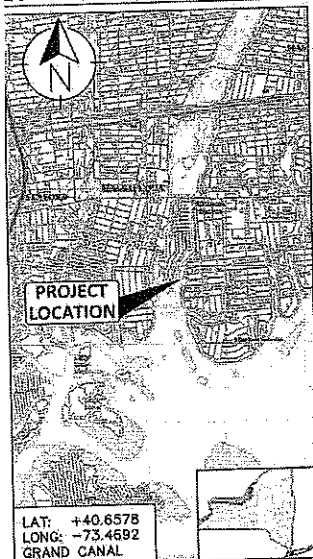
DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
ATTN: CENAN-OP-RE  
NEW YORK, NEW YORK 10278-0090



# WATERFRONT DEVELOPMENT

## 171 BILTMORE BOULEVARD

### MASSAPEQUA, NY 11758

DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING**LOCATION MAP**

REF: AMITYVILLE QUADRANGLE NY 7.5-MIN SERIES

**PROJECT INFORMATION****LOCATION**PRIVATE RESIDENCE OF MR. ANTHONY CORALLO, 171  
BILTMORE BOULEVARD, IN THE TOWN OF OYSTER BAY,  
NASSAU COUNTY, NEW YORK ALONG GRAND CANAL.**PROJECT NOTIFICATION**COMMENCEMENT NOTIFICATION TO REGULATORY AGENCY  
SHALL BE SUBMITTED, AS REQUIRED, BY SELECTED  
CONTRACTOR PRIOR TO THE START OF WORK.**GENERAL CONTACT INFORMATION**RISING TIDE WATERFRONT SOLUTIONS, PLLC  
80 KILLIANS ROAD, #280  
MASSAPEQUA, NY 11758  
PHONE: 516-595-3483  
EMAIL: PERMITS@RT-WS.COM**DEFINITION(S)**AUTHORITY: MR. ANTHONY CORALLO  
ENGINEER: RISING TIDE WATERFRONT SOLUTIONS, PLLC  
CONTRACTOR: TO BE DETERMINED**REVISION(S)**

A: REGULATORY PERMIT APP. 03-19-2021

**SKETCH INDEX**

- SK-1.0 TITLE SHEET & LOCATION MAP
- SK-2.0 VICINITY MAP
- SK-3.0 EXISTING FACILITY PLAN
- SK-3.1 PROPOSED FACILITY PLAN
- SK-3.2 PROPOSED FACILITY ELEVATION
- SK-3.3 BULKHEAD SECTION A
- SK-3.4 BULKHEAD SECTION B
- SK-4.0 TYP. BULKHEAD SECTION
- SK-5.0 KNEE DOCK SECTION & DETAILS

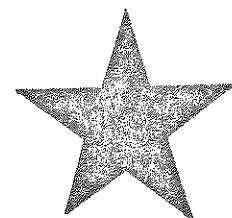
TIDAL CHART ELEVATION(S)			
POSITION	MLW	NAVD88	DESCRIPTION
SHW	+2.4	+1.2	SPRING HIGH WATER
MHHW	+2.2	+1.0	MEAN HIGHER HIGH WATER
MHW	+2.0	+0.8	MEAN HIGH WATER
MSL	+1.0	-0.2	MEAN SEA LEVEL
MLW	±0.0	-1.2	MEAN LOW WATER
MLLW	-0.1	-1.3	MEAN LOWER LOW WATER

SHW IS SYNONYMOUS WITH MEAN HIGH WATER SPRING  
(NOAA NOS CO-OPS1)**PROJECT DESCRIPTION**

REMOVE 156.5 LF OF LAWFULLY EXISTING BULKHEAD AND RECONSTRUCT 112.5 LF OF BULKHEAD IN ALTERNATE CONFIGURATION FORMING A CUT OUT IN LIEU OF THE EXISTING SLIP. RELOCATE EXISTING 40X8 FLOATING DOCK LANDWARD OF BULKHEAD LINE INTO PROPOSED PROPERTY CUT OUT. INSTALL NEW 24X6 (144 SF) FLOATING DOCK SEAWARD OF THE PROPOSED PROPERTY WITH ACCESS DOCK AND GANGWAY. PROPOSED PROJECT INCLUDES NET FILL OF 71.1 CY PLACED ABOVE LANDS UNDERWATER OWNED BY APPLICANT TO FILL EXISTING SLIP BELOW THE SHW ELEVATION AND CREATE CUT-OUT. PROJECT INCLUDES MAINTENANCE DREDGING TEN (10) FT SEAWARD OF THE BULKHEAD TO A DEPTH OF 4 FT BELOW THE MEAN LOW WATER ELEVATION.

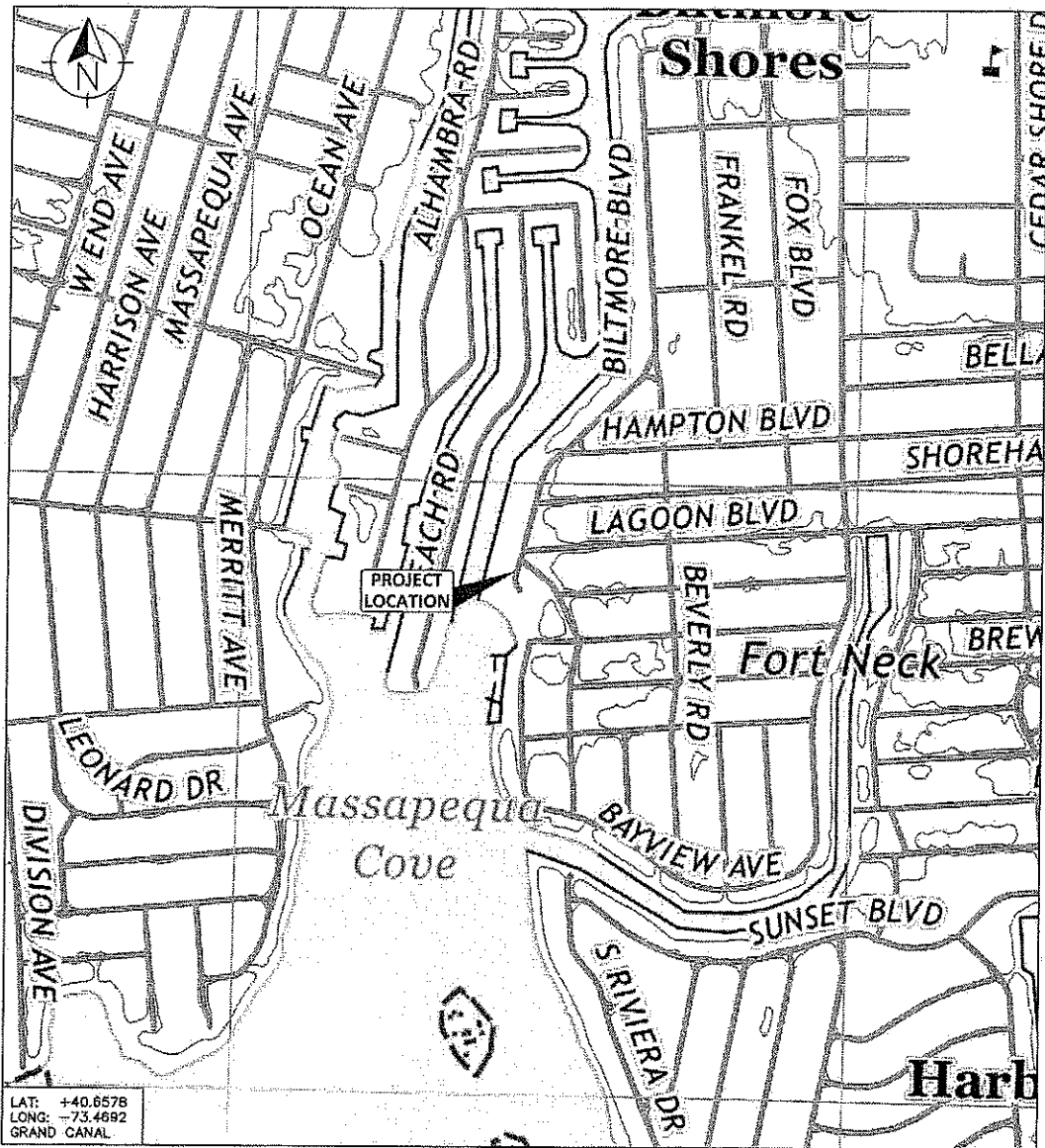
SHEET NO.	PROJECT NO.	PROJECT	SCALE	Rising Tide   Waterfront Solutions
			N/A	
SK-1.0	P210303.00	WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	DATE	80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758
	DRAWN BY JWK		03-19-2021	
	CHECKED BY AMA		REVISION NO. A	SHEET TITLE SHEET & LOCATION MAP

1 of 9





USACE FILE: NAN-2021-00283-EKO

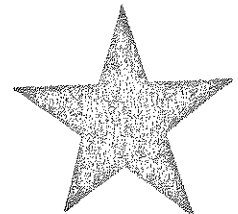
DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING

VICINITY MAP

SCALE: 1"=800'-0"

0 800' 1600'

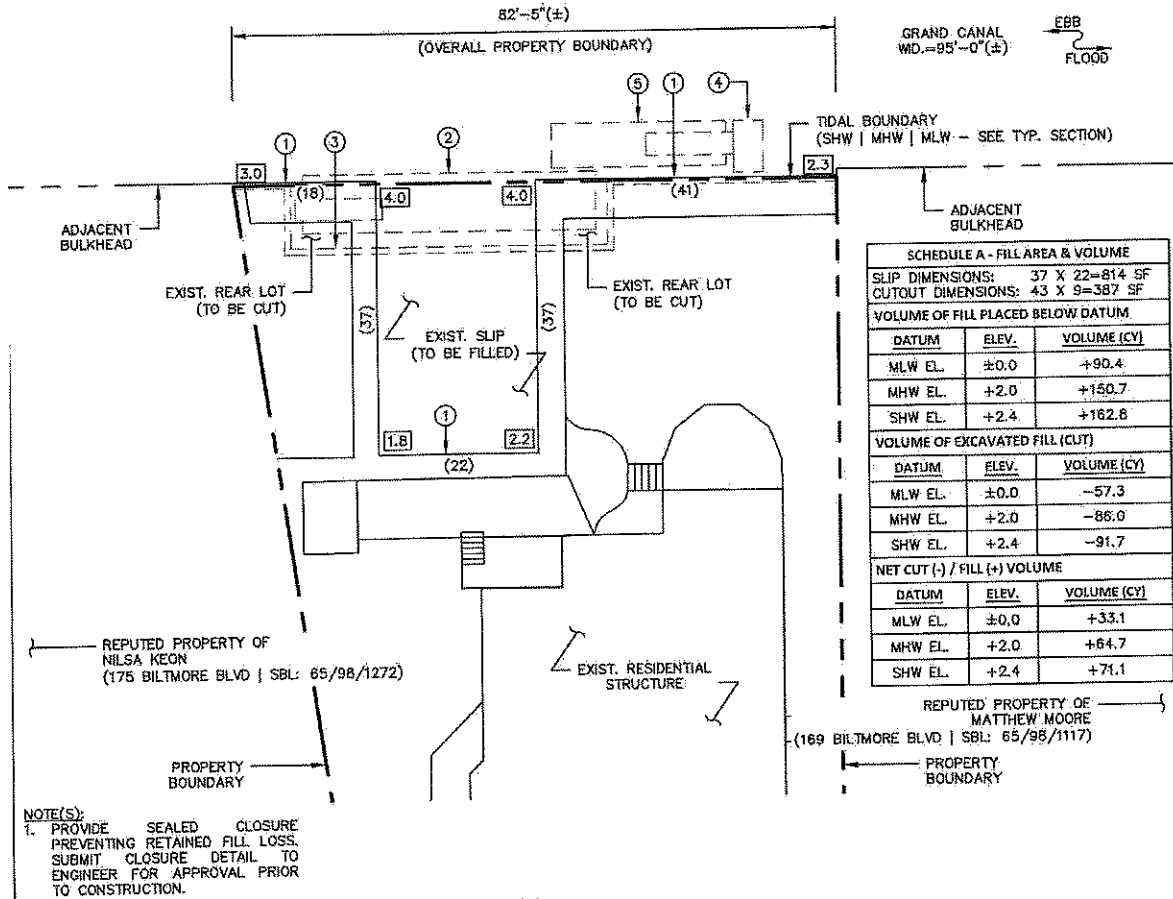
SHEET NO. <b>SK-2.0</b> 2 of 9 SHEET(S)	PROJECT NO. P210303.00 DRAWN BY JMK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=800'-0" DATE 03-19-2021 REVISION NO. A	<div data-bbox="1096 1413 1421 1470"> <b>Rising Tide   Waterfront Solutions</b>  80 KILLIAN'S ROAD, #280  MASSAPEQUA, NY 11758 </div> <div data-bbox="1096 1470 1421 1564"> SHEET VICINITY MAP </div>
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USACE FILE: NAN-2021-00283-EKO



ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE	156.5 LF
2. FLOATING DOCK	EXISTING	RELOCATE	40X8-FT=320 SF
3. BULKHEAD	PROPOSED	CONSTRUCT/INSTALL	112.5 LF
4. ACCESS DOCK W/ GANGWAY	PROPOSED	CONSTRUCT/INSTALL	7X4-FT=28 SF
5. FLOATING DOCK	PROPOSED	CONSTRUCT/INSTALL	24X6-FT=144 SF

 DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING


SCHEDULE A - FILL AREA & VOLUME		
SLIP DIMENSIONS: 37 X 22=814 SF		
CUTOUT DIMENSIONS: 43 X 9=387 SF		
VOLUME OF FILL PLACED BELOW DATUM		
DATUM	ELEV.	VOLUME (CY)
MLW EL.	±0.0	+90.4
MHW EL.	+2.0	+150.7
SHW EL.	+2.4	+162.8
VOLUME OF EXCAVATED FILL (CUT)		
DATUM	ELEV.	VOLUME (CY)
MLW EL.	±0.0	-57.3
MHW EL.	+2.0	-86.0
SHW EL.	+2.4	-91.7
NET CUT (-) / FILL (+) VOLUME		
DATUM	ELEV.	VOLUME (CY)
MLW EL.	±0.0	+33.1
MHW EL.	+2.0	+64.7
SHW EL.	+2.4	+71.1

PLAN

EXISTING FACILITY

SCALE: 1"=20'-0"



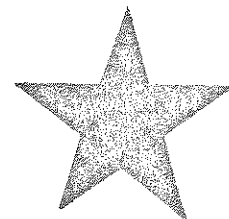
LEGEND:  
(XX) BULKHEAD SEGMENT LENGTH IN FEET  
(X.X) WATER DEPTH AT/NEAR LOW TIDE

SHEET NO.	PROJECT NO.	PROJECT	SCALE	DATE	REVISION NO.	SHEET
SK-3.0	P210303.00	WATERFRONT DEVELOPMENT	1"=20'-0"	03-19-2021	A	EXISTING FACILITY PLAN
3 of 9	DRAWN BY: JWK	PREPARED FOR: MR. ANTHONY CORALLO				
	CHECKED BY: AMA	LOCATED AT: 171 BILTMORE BOULEVARD				
		MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY				

Rising Tide | Waterfront Solutions

80 KILLIANS ROAD, #280

MASSAPEQUA, NY 11758

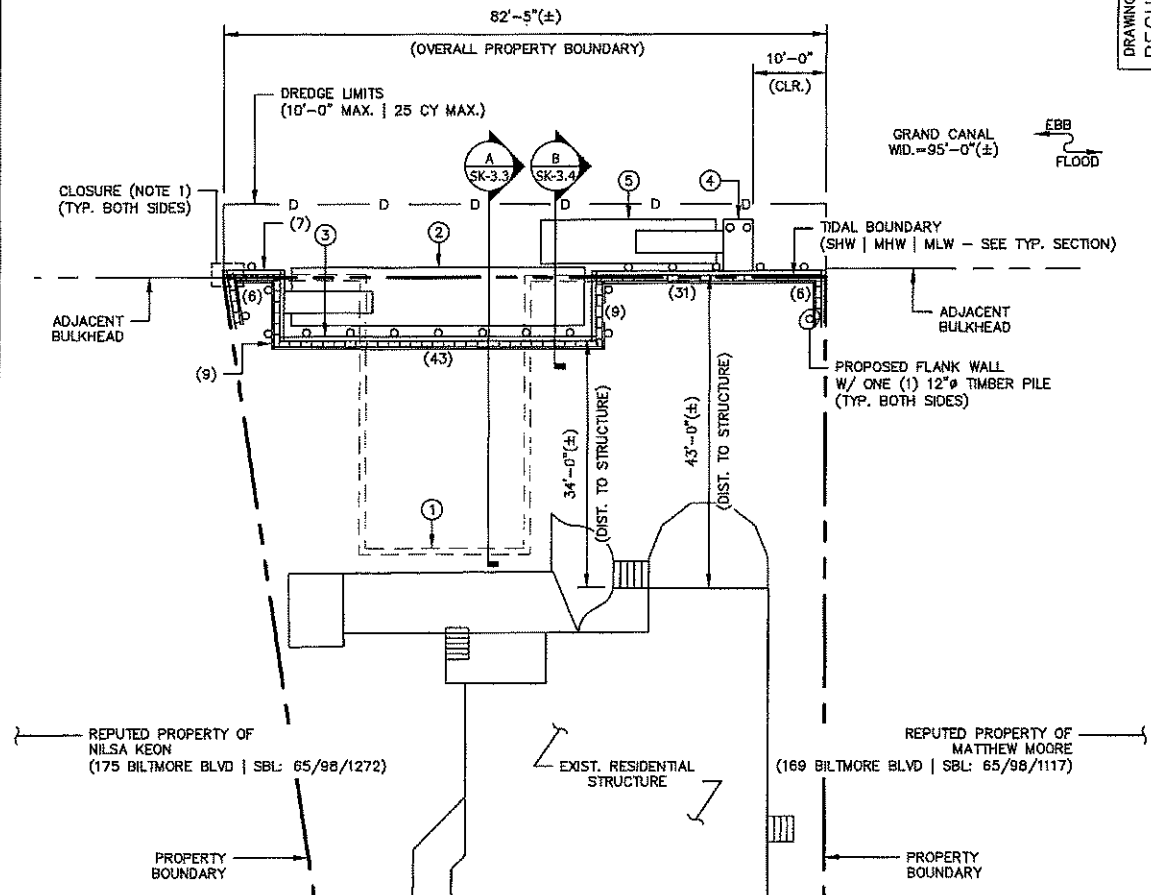


USACE FILE: NAN-2021-00283-EKO



ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE	158.5 LF
2. FLOATING DOCK	EXISTING	RELOCATE	40X8-FT=320 SF
3. BULKHEAD	PROPOSED	CONSTRUCT/INSTALL	112.5 LF
4. ACCESS DOCK W/ GANGWAY	PROPOSED	CONSTRUCT/INSTALL	7X4-FT=28 SF
5. FLOATING DOCK	PROPOSED	CONSTRUCT/INSTALL	24X6-FT=144 SF

TOTAL NUMBER OF PROPOSED (NEW) TIMBER PILES=21 (12"Ø)

DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING

NOTE(S):  
1. PROVIDE SEALED CLOSURE PREVENTING RETAINED FILL LOSS. SUBMIT CLOSURE DETAIL TO ENGINEER FOR APPROVAL PRIOR TO CONSTRUCTION.

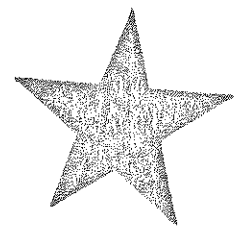
PLAN  
PROPOSED FACILITY

SCALE: 1"=20'-0"



LEGEND:  
(XX) BULKHEAD SEGMENT LENGTH IN FEET

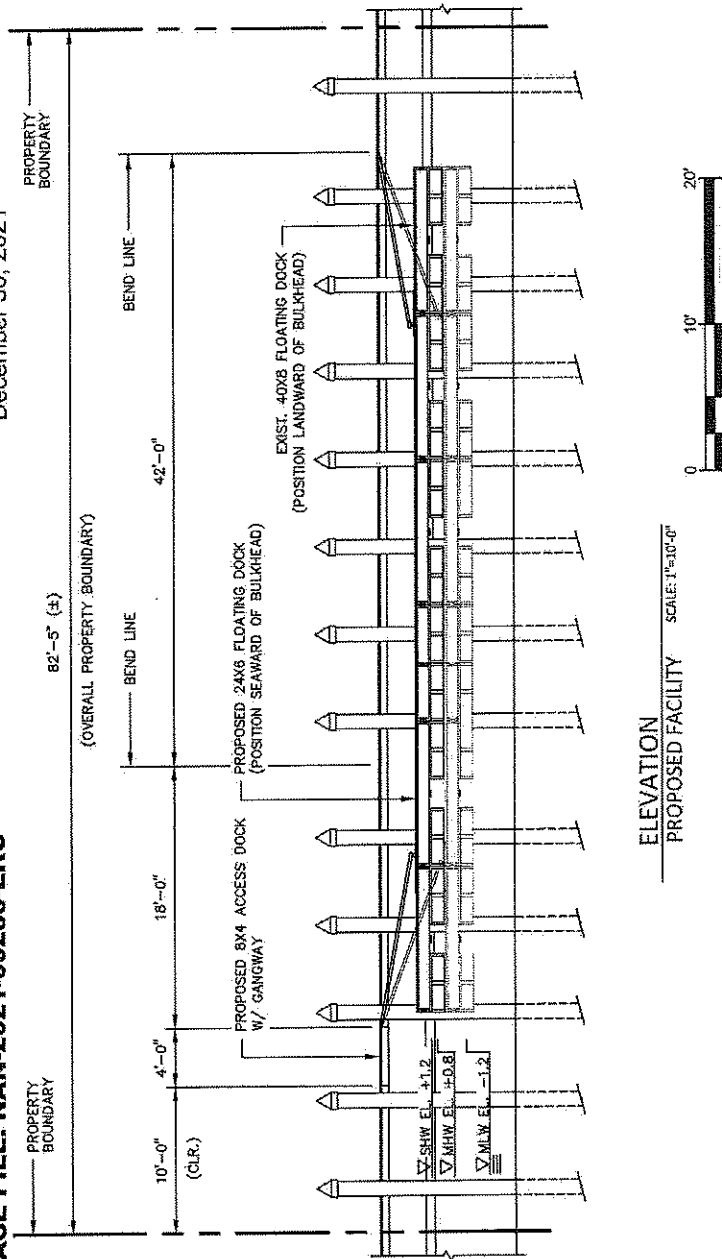
SHEET NO. <b>SK-3.1</b> 4 of 9 sheets	PROJECT NO. P210303.00	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=20'-0"	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758
	DRAWN BY JMK		DATE 03-19-2021	
	CHECKED BY AMA		REVISION NO. A	SHEET PROPOSED FACILITY PLAN



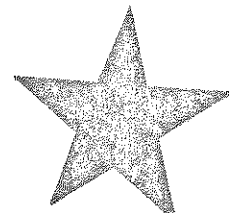
USACE FILE: NAN-2021-00283-EKO

December 30, 2021

SHEET NO.  <b>SK-3.2</b>  5 of 9 SHEET(S)	PROJECT NO. P210303.00	PROJECT  <b>WATERFRONT DEVELOPMENT</b>  PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD  MASSAPEQUA, NY      GRAND CANAL      NASSAU COUNTY	SCALE 1"=10'-0"	<b>Rising Tide   Waterfront Solutions</b>  80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758  SHEET <b>PROPOSED FACILITY ELEVATION</b>
	DRAWN BY JWK		DATE 03-19-2021	
	CHECKED BY AMA		REVISION NO. A	



DRAWINGS ISSUED FOR:  
**REGULATORY PERMITTING**  
**5 of 9**



USACE FILE: NAN-2021-00283-EKO

December 30, 2021

SHEET NO.  
**SK-3.3**  
6 of 9 SHEET(S)

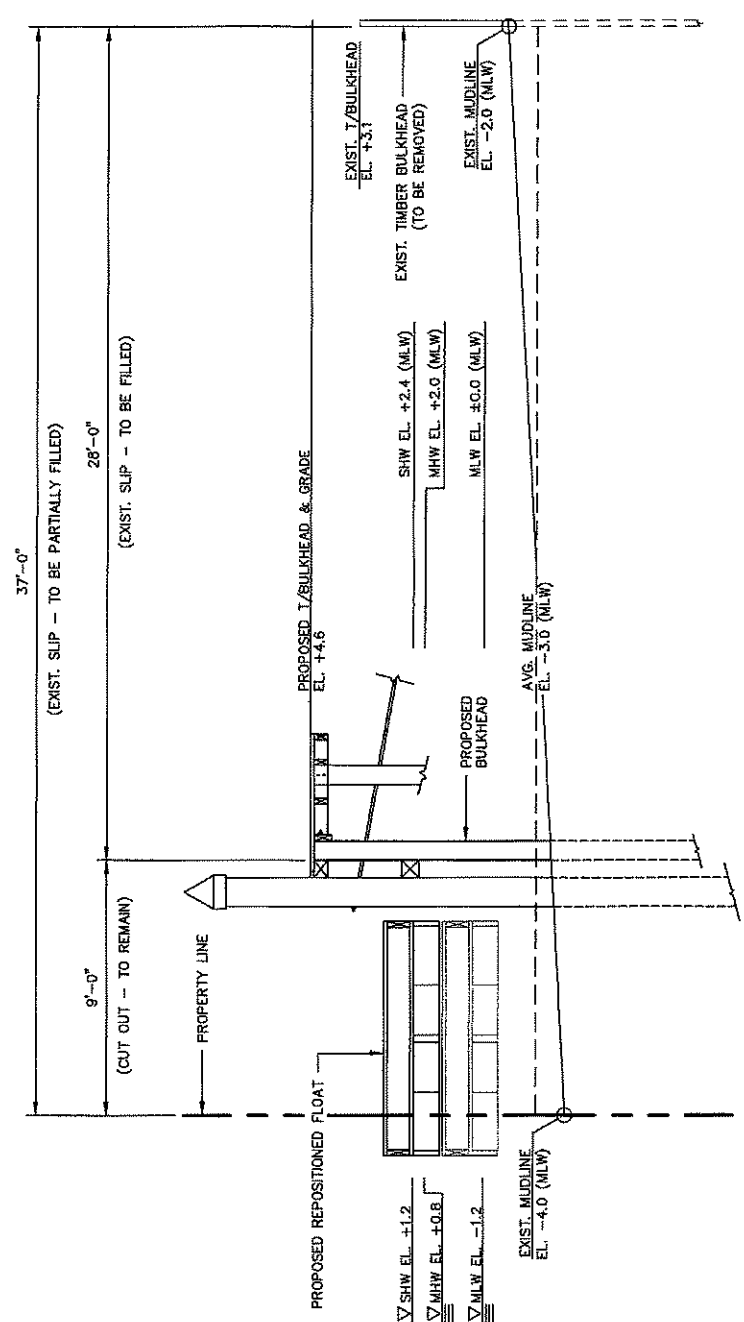
PROJECT NO.  
P210303.00  
DRAWN BY  
JWK  
CHECKED BY  
AMA

PROJECT  
**WATERFRONT DEVELOPMENT**  
PREPARED FOR  
MR. ANTHONY CORALLO  
LOCATED AT  
171 BILTMORE BOULEVARD  
MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY

SCALE  
1"=3'-6"  
DATE  
03-19-2021  
REVISION NO.  
A

**Rising Tide | Waterfront Solutions**  
80 KILLIANS ROAD, #280  
MASSAPEQUA, NY 11758  
SHEET  
**BULKHEAD SECTION A**

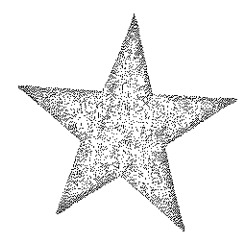
DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING



**A SECTION**  
SK-3.1  
SCALE: 1"=5'-0"



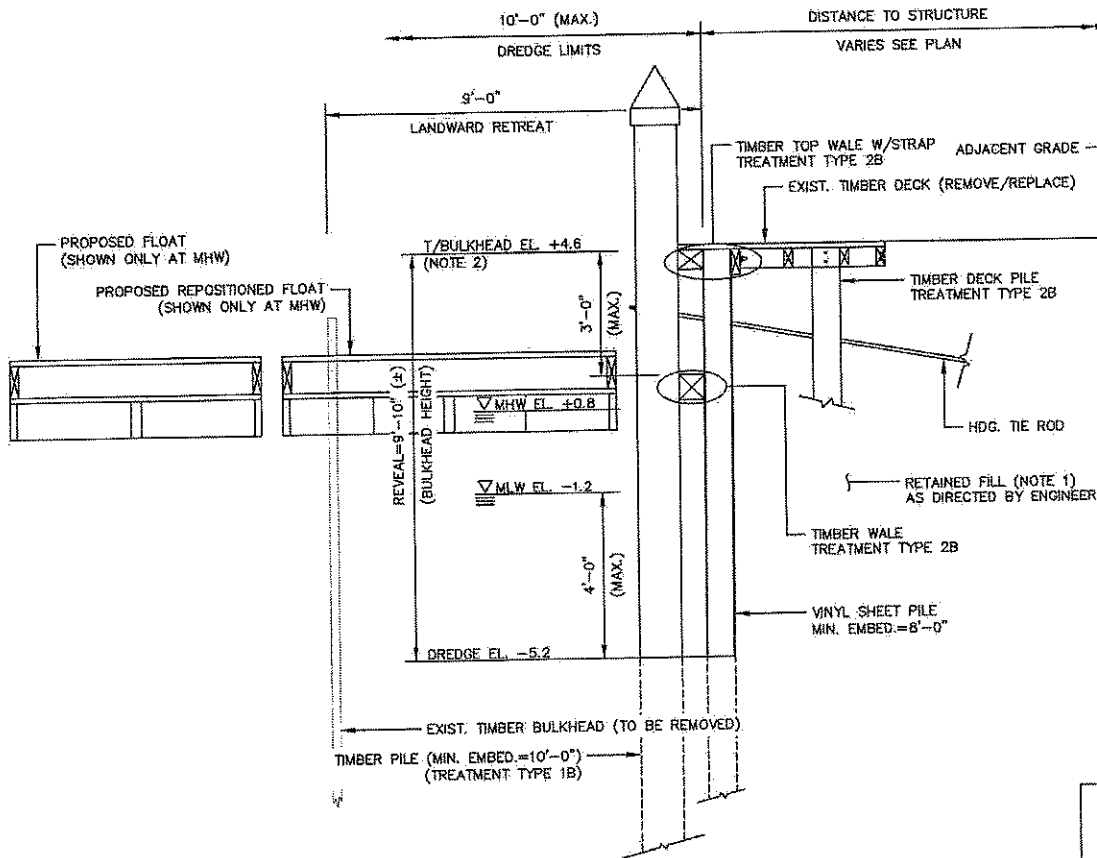
ALL ELEVATIONS NAVD 88



**USACE FILE: NAN-2021-00283-EKO****NOTE(S):**

1. FILL: ALL ADDITIONAL FILL WILL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18" HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWP/ STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
1B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWP/ STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
2B		2.5	
3A		1.5	ACQ TREATED PER AWP/ ACQ-5
3B		2.5	

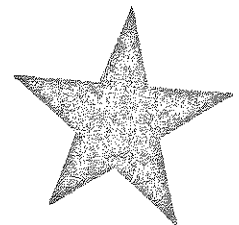


**B** SECTION  
 SK-3.1 SCALE: 1"=3'-6"



ALL ELEVATIONS IN NAVD 88

HEET NO.	PROJECT NO.	PROJECT	SCALE	Rising Tide   Waterfront Solutions	
SK-3.4	P210303.00	WATERFRONT DEVELOPMENT	1"=3'-6"	80 KILLIANS ROAD, #280	
	DRAWN BY	PREPARED FOR	DATE	MASSAPEQUA, NY 11758	
	JWK	MR. ANTHONY CORALLO	03-19-2021		
	CHECKED BY	LOCATED AT	REVISION NO.	SHEET	
	AMA	171 BILTMORE BOULEVARD	A	BULKHEAD SECTION B	
7 OF 9 SHEET(S)	MASSAPEQUA, NY	GRAND CANAL	NASSAU COUNTY		

DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING

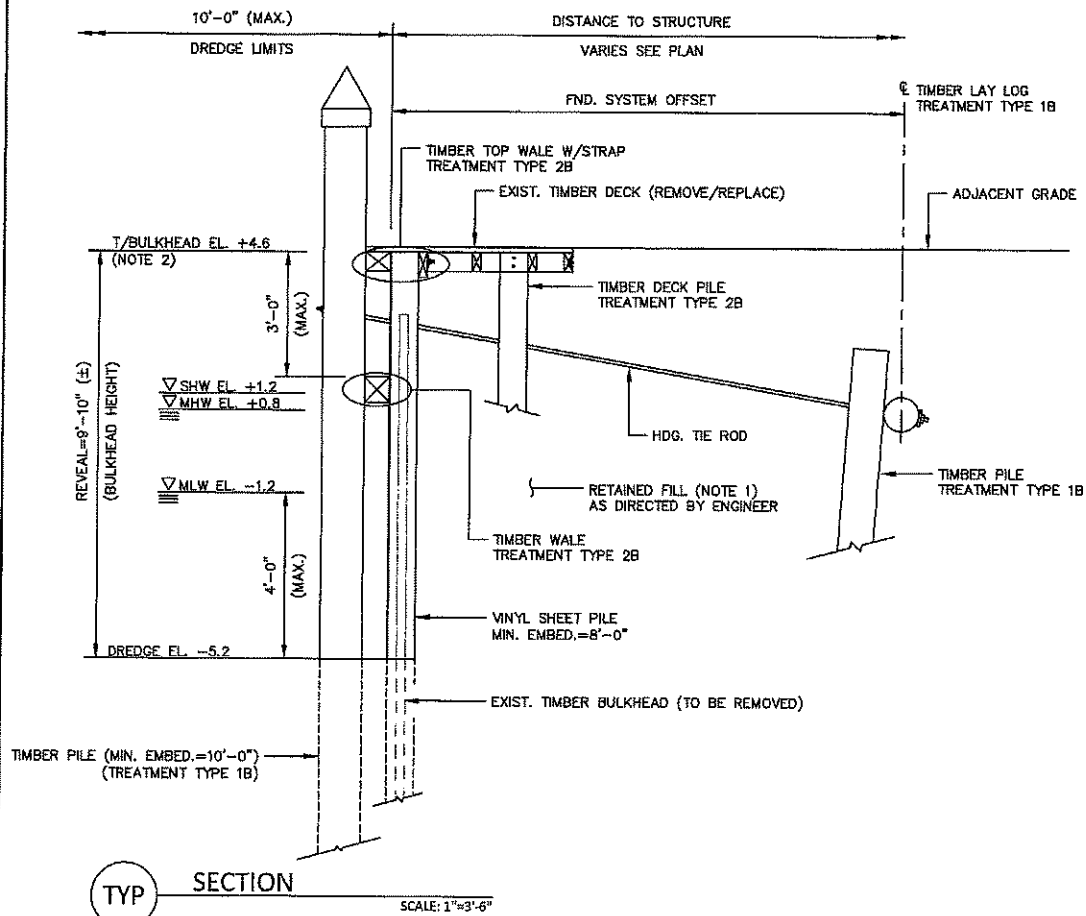
USACE FILE: NAN-2021-00283-EKO

## NOTE(S):

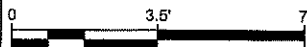
1. FILL: ALL ADDITIONAL FILL WILL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18 INCHES HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

## TIMBER TREATMENT

TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWPA STANDARDS COMMODITY SPECIFICATION A.P 3.0
1B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWPA STANDARDS COMMODITY SPECIFICATION A.P 3.0
2B		2.5	
3A		1.5	ACQ TREATED PER AWPA ACQ-D
3B		2.5	

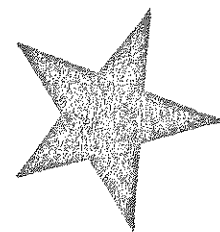


DRAWINGS ISSUED FOR: REGULATORY PERMITTING

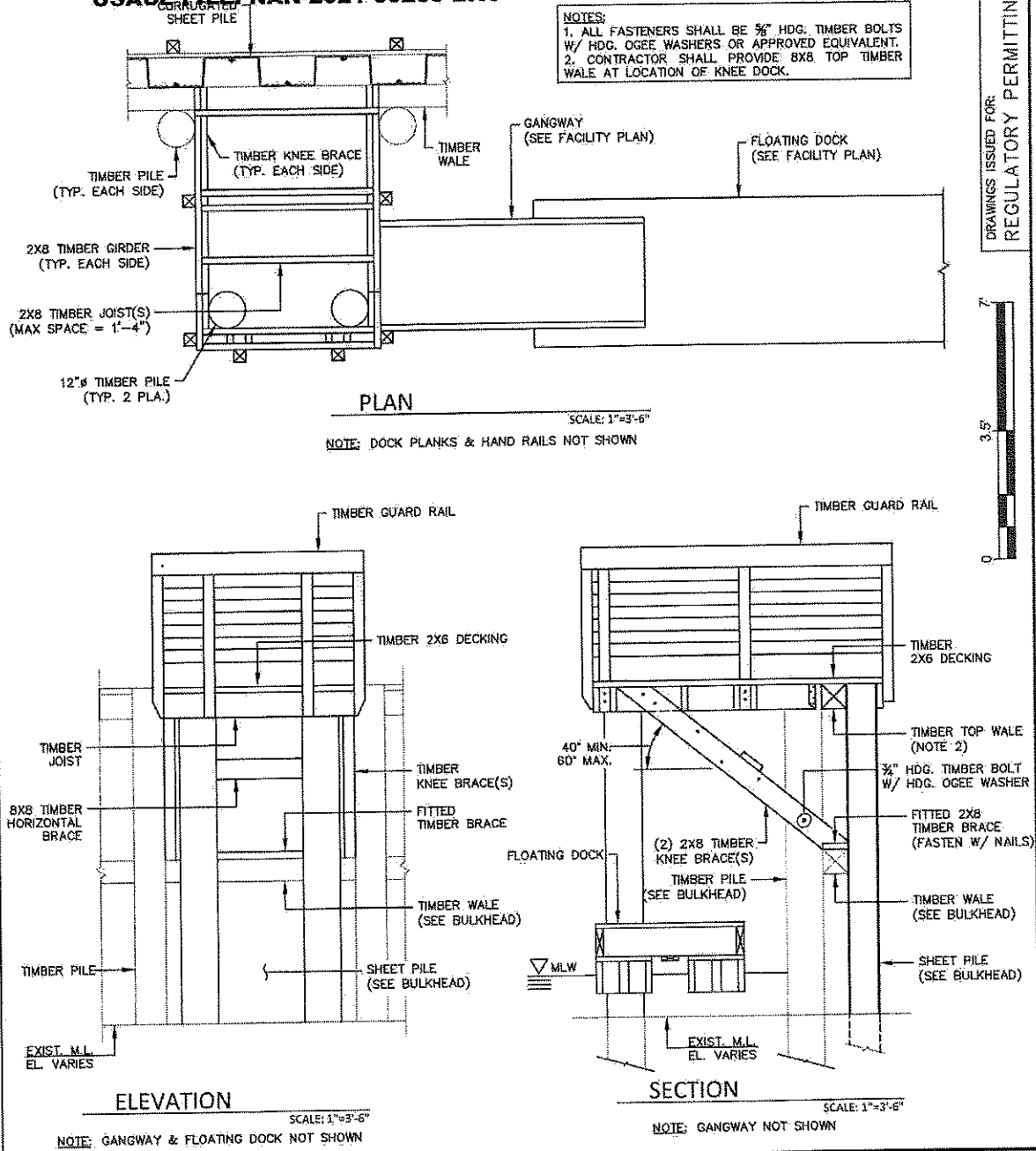


ALL ELEVATIONS IN NAVD 88

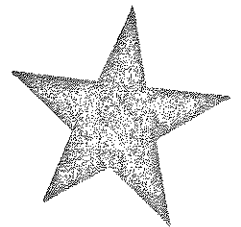
SHEET NO. <b>SK-4.0</b> 8 of 9 SHEET(S)	PROJECT NO. P210303.00 DRAWN BY JMK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=3'-6" DATE 03-19-2021 REVISION NO. A	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758 SHEET TYP. BULKHEAD SECTION
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USACE FILE: NAN-2021-00283-EKO



SHEET NO.  <b>SK-5.0</b> 9 of 9 SHEET(S)	PROJECT NO. P210303.00 DRAWN BY JWK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=3'-6" DATE 03-19-2021 REVISION NO. A	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758 SHEET KNEE DOCK SECTION & DETAILS
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May 25, 2021

Via email: [permits@rt-ws.com](mailto:permits@rt-ws.com)  
Adon Austin  
Rising Tide Waterfront Solutions  
486 Sunrise Highway, Suite 102  
Rockville Centre, New York 11570

Re: **F-2021-0375**  
U.S. Army Corps of Engineers/New York District  
Permit Application – Anthony Corallo  
Remove 155 lf of existing bulkhead and reconstruct  
94 lf of bulkhead. Remove existing 40 x 8 floating dock.  
Install new 24 x 6 (144 sf) floating dock seaward of the  
proposed property with access dock and gangway.  
Proposed project includes net fill of 163 cy to fill  
existing slip below the SHW elevation. Project includes  
maintenance dredging 10' seaward of the bulkhead to a  
depth of 4' below the mean low water elevation.  
Grand Canal, Town of Oyster Bay, Nassau County  
**General Concurrence**

Dear Adon Austin:

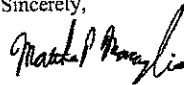
The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on 4/16/2021.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

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

When communicating with us regarding this matter, please contact us at [dosCstlCR@dos.ny.gov](mailto:dosCstlCR@dos.ny.gov) and refer to our file #F-2021-0375.

Sincerely,



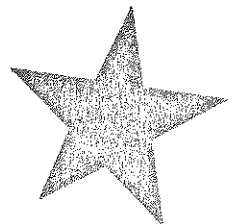
Matthew P. Maraglio  
Supervisor, Consistency Review Unit  
Office of Planning, Development and  
Community Infrastructure

MM/dc

c: COE/New York District – Steve Ryba ([Arlene.Tirado@usace.army.mil](mailto:Arlene.Tirado@usace.army.mil))  
DEC Region 1 – Susan Ackerman ([dep.dr@dec.ny.gov](mailto:dep.dr@dec.ny.gov))



Department  
of State



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

April 25, 2022

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

**FROM:** GEORGE BAPTISTA, JR., DEPUTY COMMISSIONER,  
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 22020220;  
ANTHONY CORALLO

**LOCATION:** 171 BILTMORE BLVD, MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 98, LOT(S) 1271

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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.

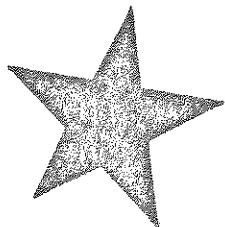
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, 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.

  
GEORGE BAPTISTA, JR.  
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/171 Biltmore Blvd, Massapequa\_4.25.22

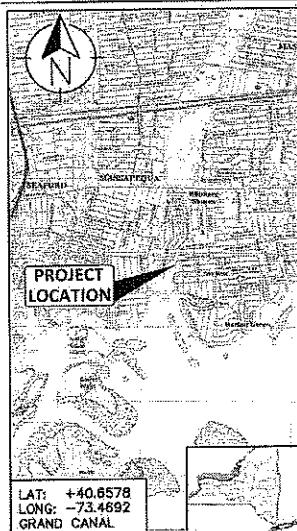


# WATERFRONT DEVELOPMENT

## 171 BILTMORE BOULEVARD

### MASSAPEQUA, NY 11758

#### LOCATION MAP



REF: AMITYVILLE QUADRANGLE NY 7.5-MIN SERIES

TIDAL CHART ELEVATION(S)			
POSITION	MLW	NAVD88	DESCRIPTION
SHW	+2.4	+1.2	SPRING HIGH WATER
MHHW	+2.2	+1.0	MEAN HIGHER HIGH WATER
MHW	+2.0	+0.8	MEAN HIGH WATER
MSL	+1.0	-0.2	MEAN SEA LEVEL
MLW	±0.0	-1.2	MEAN LOW WATER
MLLW	-0.1	-1.3	MEAN LOWER LOW WATER

SHW IS SYNONYMOUS WITH MEAN HIGH WATER SPRING (NOAA NOS CO-OPS1)

#### PROJECT INFORMATION

##### LOCATION

PRIVATE RESIDENCE OF MR. ANTHONY CORALLO, 171 BILTMORE BOULEVARD, IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK ALONG GRAND CANAL.

##### PROJECT NOTIFICATION

COMMENCEMENT NOTIFICATION TO REGULATORY AGENCY SHALL BE SUBMITTED, AS REQUIRED, BY SELECTED CONTRACTOR PRIOR TO THE START OF WORK.

##### GENERAL CONTACT INFORMATION

RISEING TIDE WATERFRONT SOLUTIONS, PLLC  
80 KILLIANS ROAD, #280  
MASSAPEQUA, NY 11758  
PHONE: 516-595-3453  
EMAIL: PERMITS@RT-WS.COM

#### DEFINITION(S)

AUTHORITY: MR. ANTHONY CORALLO  
ENGINEER: RISEING TIDE WATERFRONT SOLUTIONS, PLLC

#### REVISION(S)

0: BUILDING PERMIT APP. 01-07-2022  
1: REGULATORY RESPONSE 03-11-2022

#### SKETCH INDEX

##### GENERAL ARRANGEMENT PLANS:

S-1.0 TITLE SHEET & LOCATION MAP  
S-1.1 GENERAL NOTES  
S-2.0 VICINITY MAP  
S-3.0 EXISTING FACILITY PLAN  
S-3.1 PROPOSED FACILITY PLAN  
S-3.2 FOUNDATION LAYOUT PLAN  
S-4.0 TYP. BULKHEAD SECTION

##### CONSTRUCTION DETAILS:

S-4.1 BULKHEAD CONNECTION DETAILS  
S-4.2 BULKHEAD CORNER DETAILS  
S-4.3 TIMBER WALKWAY DETAILS

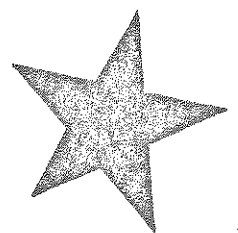
NOTE: CONSTRUCTION DETAILS PROVIDED FOR TOWN/VILLAGE REVIEW. DOCUMENTS EXCLUDED FOR GENERAL ARRANGEMENT PLANS SUBMITTED TO FEDERAL/STATE REGULATORY AGENCIES (DEC REGION 1 ONLY).



#### PROJECT DESCRIPTION

REMOVE 155 LF OF LAWFULLY EXISTING BULKHEAD AND RECONSTRUCT 94 LF OF BULKHEAD. REMOVE EXISTING 40X8 FLOATING DOCK. INSTALL NEW 24X8 (144 SF) FLOATING DOCK SEAWARD OF THE PROPOSED PROPERTY WITH ACCESS DOCK AND GANGWAY. PROPOSED PROJECT INCLUDES FILL OF 163 CY PLACED ABOVE LANDS UNDERWATER OWNED BY APPLICANT TO FILL EXISTING SLIP BELOW THE SHW ELEVATION. PROJECT INCLUDES MAINTENANCE DREDGING TEN (10) FT SEAWARD OF THE BULKHEAD TO A DEPTH OF 4 FT BELOW THE MEAN LOW WATER ELEVATION.

SHEET NO.	PROJECT NO.	PROJECT	SCALE	Rising Tide   Waterfront Solutions	
				DATE	SHEET
S-1.0	P210303.00	WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	N/A	03-11-22	80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758
	DRAWN BY JNK				TITLE SHEET & LOCATION MAP
	CHECKED BY AMA				



**GENERAL NOTE(S):**

1. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR MEANS, METHODS, AND SAFETY OF WORK.
2. ALL WORK SHALL CONFORM TO ALL FEDERAL, STATE, COUNTY, OR LOCAL CODES HAVING JURISDICTION OVER THE PROJECT LOCATION.
3. ALL PROJECT WORK SHALL BE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS OR AS DIRECTED BY THE AUTHORITY OR THE ENGINEER. CONTRACTOR SHALL BECOME FAMILIAR WITH THE ACTUAL SITE CONDITIONS AND SHALL BE RESPONSIBLE FOR FURNISHING A COMPLETED PROJECT AS REPRESENTED IN THE CONTRACT DOCUMENTS.
4. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF EXISTING CONDITIONS. THE CONTRACTOR SHALL PERFORM FIELD MEASUREMENTS PRIOR TO CONSTRUCTION, FABRICATION, AND/OR PURCHASE OF ANY MATERIAL. DISCOVERY OF INCONSISTENT SITE INFORMATION OR CONDITIONS SHALL BE IMMEDIATELY CONVEYED TO THE AUTHORITY AND THE ENGINEER PRIOR TO COMMENCING OR CONTINUING CONSTRUCTION. CONFLICTS ARISING DUE TO THE LACK OF COORDINATION SHALL BE THE RESPONSIBILITY AND AT THE SOLE EXPENSE OF THE CONTRACTOR.
5. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SUPERSEDE SCALED DIMENSIONS AND ARE SUBJECT TO REVISIONS AS PER ACTUAL FIELD CONDITIONS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS HEREIN SHOWN, AND ALL DISCREPANCIES ARE TO BE BROUGHT TO THE ENGINEER'S/AUTHORITY'S ATTENTION BEFORE COMMENCING WITH THE WORK.

**PERMIT(S):**

1. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL REQUIRED REGULATORY, CONSTRUCTION AND/OR BUILDING PERMITS AND/OR ALL CLEARANCES ARE SECURED PRIOR TO COMMENCING CONSTRUCTION.

**SITE ACCESS AND STAGING AREA(S):**

1. THE CONTRACTOR IS RESPONSIBLE FOR ALL SITE SECURITY AND JOB SAFETY. ALL CONSTRUCTION ACTIVITY SHALL BE IN ACCORDANCE WITH OSHA STANDARDS AND LOCAL & STATE REGULATIONS.
2. THE PROJECT AREA SHALL BE KEPT, AT ALL TIMES, FREE OF DEBRIS AND EXCESS MATERIAL TO THE SATISFACTION OF THE AUTHORITY AND THE ENGINEER.

**ENVIRONMENTAL CONTROLS:**

1. CONTRACTOR SHALL PERFORM ALL WORK IN CONFORMANCE WITH THE CONDITIONS DEFINED WITHIN LISTED REGULATORY PERMITS.
2. CLEAN FILL ONLY - ALL FILL SHALL CONSIST OF CLEAN SAND, GRAVEL OR SOIL, ASPHALT, SLAG, FLY ASH, BROKEN CONCRETE OR DEMOLITION DEBRIS IS PROHIBITED.
3. CONTRACTOR SHALL NOT DISTURB PROTECTED BUFFER AREA OR AREAS PREVIOUSLY DESIGNATED TO REMAIN IN A NATURAL AND/OR UNDISTURBED STATE BY ANY ENVIRONMENTAL AGENCY.
4. BULKHEAD / STRUCTURE EXCAVATION - ALL BACKFILL SHALL BE EXCAVATED LANDWARD OF THE STRUCTURE AND RETAINED PRIOR TO ANY CONSTRUCTION OR REMOVAL OF THE BULKHEAD. CONTRACTOR SHALL PREVENT ALL EXCAVATED SOIL FROM ENTERING THE WATERBODY. ALL EXCAVATED MATERIAL SHALL BE RETAINED AT THE PROJECT SITE ABOVE THE REACH OF HIGH WATER OR BEHIND THE COMPLETED WALL.
5. BULKHEAD / STRUCTURE BACKFILL - BULKHEAD CONSTRUCTION SHALL BE COMPLETED PRIOR TO PLACEMENT OF FILL MATERIAL BEHIND SUCH STRUCTURE.
6. DREDGING - DREDGING ASSOCIATED WITH THE BULKHEAD REPLACEMENT SHALL NOT EXCEED 25-CUBIC YARDS AND BE LIMITED TO THE AREA 10-FEET SEAWARD OF THE BULKHEAD AND TO A DEPTH OF 4-FEET BELOW THE MEAN LOW WATER ELEVATION. ALL DREDGING SHALL BE CONDUCTED TO LEAVE A UNIFORM BOTTOM ELEVATION FREE OF MOUNDS OR HOLES.
  - A. ALL DREDGING OPERATIONS SHALL BE PERFORMED WITH A CLAM SHELL OR OTHER CLOSED BUCKET EQUIPMENT. HYDRAULIC DREDGING AND THE USE OF A DRAGLINE IS PROHIBITED. SIDE CASTING (DOUBLE DIPPING) OR TEMPORARY STORAGE OF DREDGED MATERIAL IS PROHIBITED.
  - B. ALL DREDGED MATERIAL SHALL BE RETAINED ON THE PROJECT SITE ABOVE THE REACH OF HIGH WATER OR BEHIND THE COMPLETED WALL TO PREVENT RE-ENTRY INTO THE WATERBODY. OFF-SITE, UPLAND DISPOSAL OF DREDGED MATERIAL IS PROHIBITED.

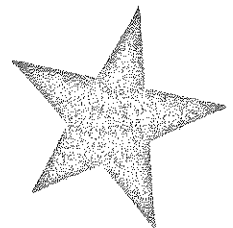
**MATERIAL(S):**

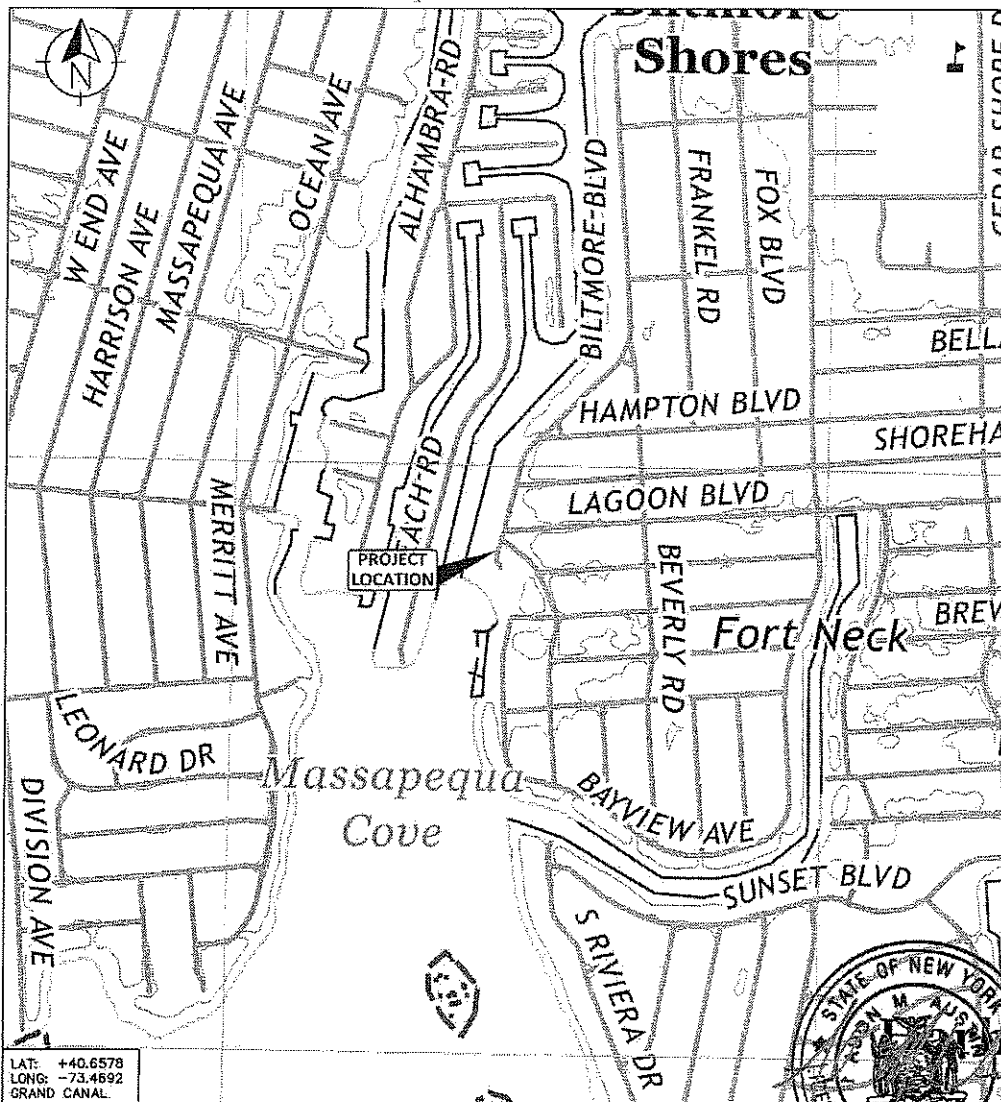
1. MATERIALS THAT ARE STORED ON SITE SHALL BE STORED IN ACCORDANCE WITH MANUFACTURER RECOMMENDATIONS AND LOCATED IN AN AREA THAT IS PROTECTED TO PREVENT ACCIDENTS, DAMAGE, AND ANY ADVERSE ENVIRONMENTAL EFFECTS. DAMAGED MATERIALS SHALL BE PROMPTLY REPORTED TO THE AUTHORITY AND THE ENGINEER. DAMAGED MATERIALS SHALL BE REMEDIED BY THE CONTRACTOR AT THE CONTRACTORS SOLE EXPENSE AND IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
2. TIMBER: TIMBER EXPOSED TO SEAWATER, SALTWATER SPRAY OR IN CONTACT WITH THE GROUND SHALL RECEIVE CCA TREATMENT IN ACCORDANCE WITH THE LATEST AWWA STANDARDS, COMMODITY SPECIFICATION A.P. 3.0.
  - A. PILES - PILES SHALL BE CLASS B SOUTHERN YELLOW PINE SUITABLE FOR A DESIGN STRESS OF 1200-PSI IN ACCORDANCE WITH ASTM D2699-70 T. PILES SHALL BE CCA TREATED PER AWWA-P6 AT A RETENTION RATE OF 2.5-PCF. MAXIMUM ALLOWABLE HORIZONTAL INSTALLATION DEVIATIONS SHALL BE 3-INCH AND VERTICAL INSTALLATION DEVIATION SHALL BE 1-INCH IN 10-FEET.
  - B. FRAMING AND POSTS - FRAMING AND POSTS SHALL BE CLASSIFIED AS USE CATEGORY UC4B AND RECEIVE A MINIMUM TREATMENT CONSISTING OF 0.6-PCF OF CCA.
  - C. DECKING AND RAILS - TIMBER FOR DECKING OR RAILS SHALL BE CLASSIFIED AS USE CATEGORY UC4B AND RECEIVE TREATMENT CONSISTING OF 0.6-PCF OF ACQ-B.
3. VINYL SHEET PILES - SHEET PILES SHALL BE FABRICATED BY A MANUFACTURER APPROVED, IN WRITING, BY THE AUTHORITY OR ENGINEER, AND PROVIDE A MINIMUM MODULUS OF ELASTICITY OF 380-KSI.
  - A. SHEET PILING SHALL BE DRIVEN TO DEPTH AS SHOWN IN THE CONTRACT DOCUMENTS. SHEETS DRIVEN TO A DEPTH, LESS THAN SPECIFIED MUST BE REPORTED TO THE ENGINEER, IN WRITING.
  - B. SHEET PILING SHALL BE DRIVEN WITHIN 1-INCH PER 5-FEET IN THE PLANE OF THE SHEET AND 3/8-INCH PER 1-FOOT PERPENDICULAR TO THE PLANE OF THE SHEET.
4. FASTENING HARDWARE - STEEL FOR TIMBER CONNECTIONS SHALL BE HOT DIPPED GALVANIZED (HDG.), WITH COATING WEIGHT NOT LESS THAN 2-OUNCES PER 1-SQUARE FOOT, AFTER FABRICATION.
5. FILL MATERIALS - MATERIAL CONSISTING OF ROCK, STONE, SLAG, COBBLES, OR GRAVEL FREE OF SHALE OR OTHER SOFT, POOR DURABILITY PARTICLES AND UNSUITABLE MATERIALS. UNSUITABLE FILL SHALL COMPRISE ANY MATERIAL SO DESIGNATED BY THE ENGINEER BECAUSE OF ITS TYPE, INABILITY TO BE PROPERLY COMPACTED, OR LEVEL OF CONTAMINATION.



ABBREVIATIONS	
CL	CENTER LINE
Ø	DIAMETER
EL.	ELEVATION
EMBED.	EMBEDMENT
EXIST.	EXISTING
FND	FOUNDATION
HDG.	HOT DIPPED GALVANIZED
MHHW	MEAN HIGHER HIGH WATER
MIN.	MINIMUM
MLLW	MEAN LOWER LOW WATER
MLW	MEAN LOW WATER
MSL	MEAN SEA LEVEL
N/A	NOT APPLICABLE
N.T.S.	NOT TO SCALE
PL	PLATE
PLA.	PLACE(S)
SHW	SPRING HIGH WATER
T/	TOP OF
TREAT.	TREATMENT
TYP.	TYPICAL

SHEET NO.  <b>S-1.0</b>	PROJECT NO. P210303.00	PROJECT WATERFRONT DEVELOPMENT  PREPARED FOR MR. ANTHONY CORALLO  LOCATED AT 171 BILTMORE BOULEVARD  MASSAPEQUA, NY      GRAND CANAL      NASSAU COUNTY	SCALE N/A	Rising Tide   Waterfront Solutions  80 KILLIAMS ROAD, #280 MASSAPEQUA, NY 11758  SHEET GENERAL NOTES
	DRAWN BY JMK		DATE 03-11-22	
	CHECKED BY AMA		REVISION NO. 1	





LAT: +40.6578  
LONG: -73.4592  
GRAND CANAL

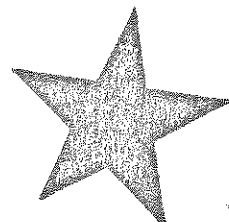
REF: AMITYVILLE QUADRANGLE NY 7.5-MIN SERIES

# VICINITY MAP

SCALE: 1"=800'-0"

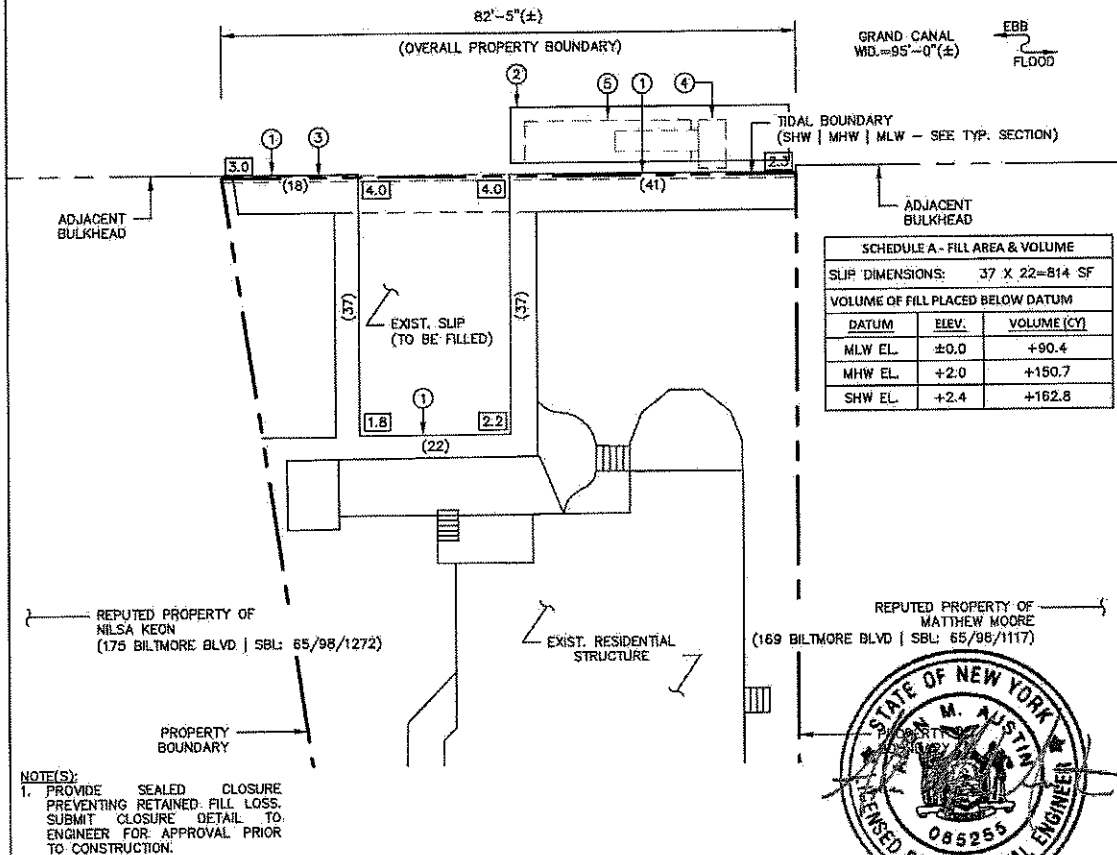


<p>SHEET NO.</p> <p><b>S-2.0</b></p>	<p>PROJECT NO.</p> <p>P210303.00</p> <p>DRAWN BY</p> <p>JHK</p> <p>CHECKED BY</p> <p>AMA</p>	<p>PROJECT</p> <p>WATERFRONT DEVELOPMENT</p> <p>PREPARED FOR</p> <p>MR. ANTHONY CORALLO</p> <p>LOCATED AT</p> <p>171 BILTMORE BOULEVARD</p> <p>MASSAPEQUA, NY      GRAND CANAL      NASSAU COUNTY</p>	<p>SCALE</p> <p>1"=800'-0"</p> <p>DATE</p> <p>03-11-22</p> <p>REVISION NO.</p> <p>1</p>	<p>Rising Tide   Waterfront Solutions</p> <p>80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758</p> <p>SHEET</p> <p>VICINITY MAP</p>
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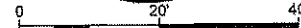
ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE	155 LF
2. FLOATING DOCK	EXISTING	REMOVE	40X8-FT=320 SF
3. BULKHEAD	PROPOSED	CONSTRUCT/INSTALL	94 LF
4. ACCESS DOCK W/ GANGWAY	PROPOSED	CONSTRUCT/INSTALL	7X4-FT=28 SF
5. FLOATING DOCK	PROPOSED	CONSTRUCT/INSTALL	24X6-FT=144 SF



SCHEDULE A - FILL AREA & VOLUME		
SLIP DIMENSIONS: 37 X 22=814 SF		
VOLUME OF FILL PLACED BELOW DATUM		
DATUM	ELEV.	VOLUME (CY)
MLW EL.	±0.0	+90.4
MHW EL.	+2.0	+150.7
SHW EL.	+2.4	+162.8

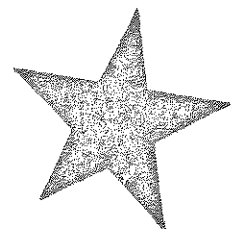
PLAN  
EXISTING FACILITY

SCALE: 1"=20'-0"



LEGEND:  
(XX) BULKHEAD SEGMENT LENGTH IN FEET  
(X.X) WATER DEPTH AT/NEAR LOW TIDE

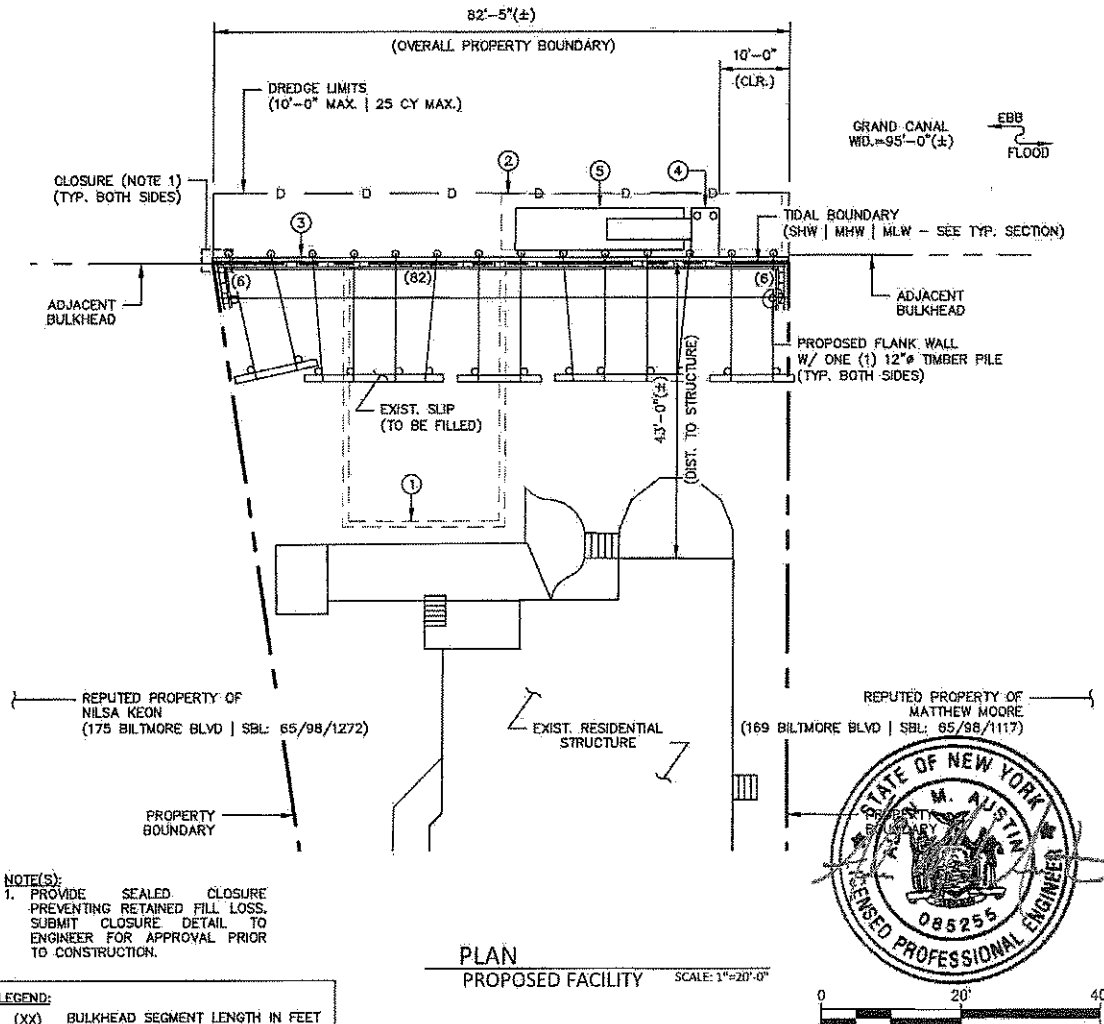
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	DRAWN BY JMK CHECKED BY AMA		DATE 03-11-22 REVISION NO. 1	



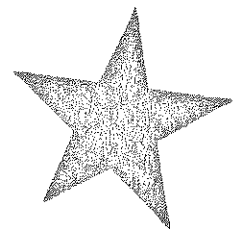


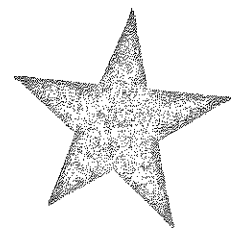
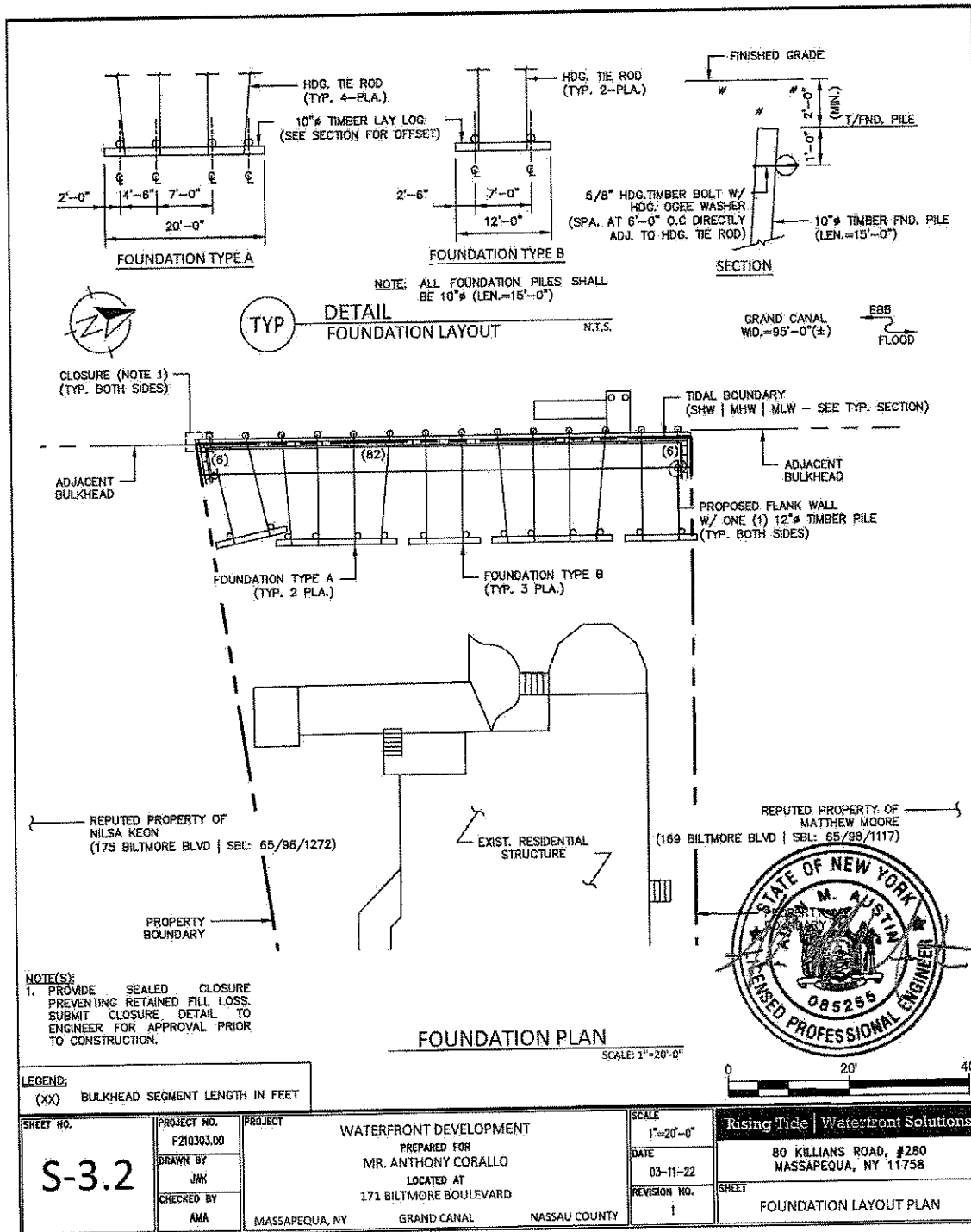
ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE	155 LF
2. FLOATING DOCK	EXISTING	REMOVE	40X8-FT=320 SF
3. BULKHEAD	PROPOSED	CONSTRUCT/INSTALL	94 LF
4. ACCESS DOCK W/ GANGWAY	PROPOSED	CONSTRUCT/INSTALL	7X4-FT=28 SF
5. FLOATING DOCK	PROPOSED	CONSTRUCT/INSTALL	24X6-FT=144 SF

TOTAL NUMBER OF PROPOSED (NEW) TIMBER PILES=18 (12"Ø)



SHEET NO. <b>S-3.1</b>	PROJECT NO. P210303.00	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=20'-0"	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758
	DRAWN BY JMK		DATE 03-11-22	
	CHECKED BY AMA		REVISION NO. 1	SHEET PROPOSED FACILITY PLAN





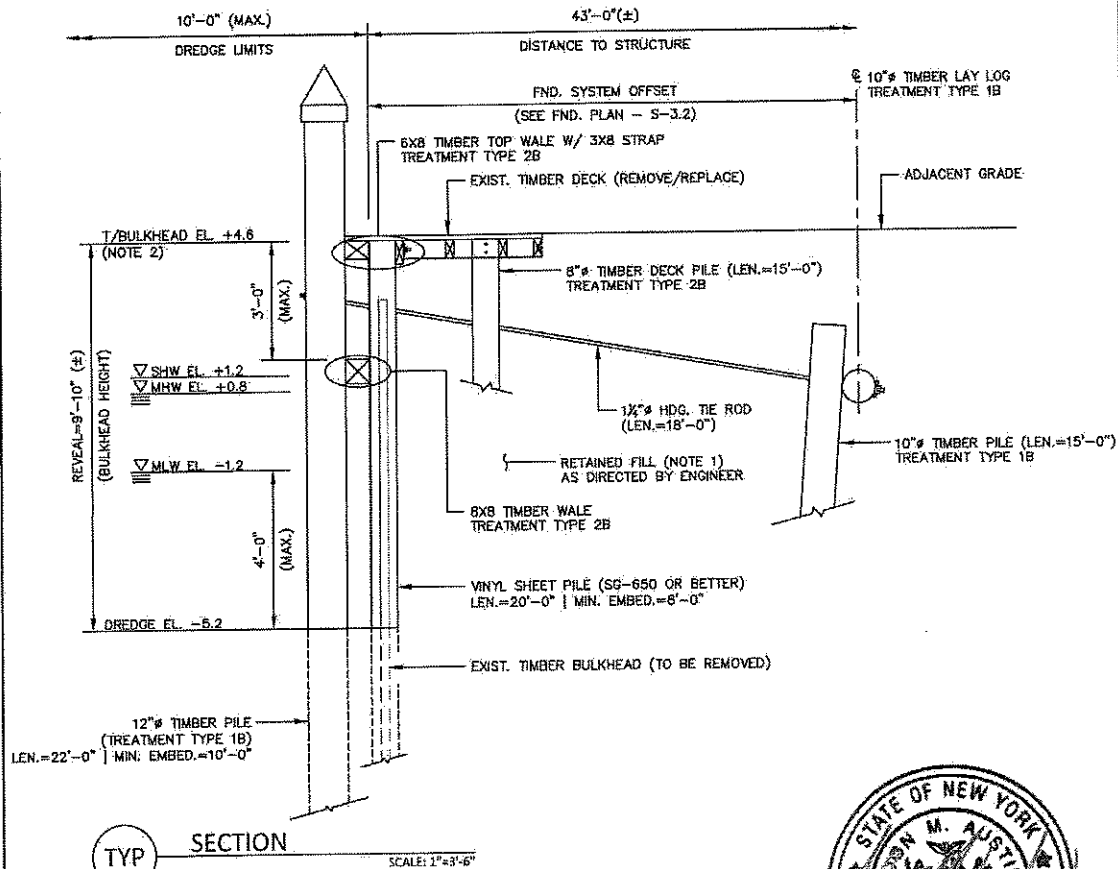


**NOTES:**

1. FILL: ALL ADDITIONAL FILL WILL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18 INCHES HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

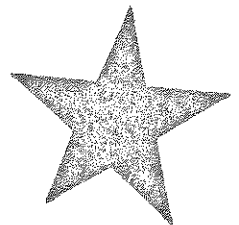
**TIMBER TREATMENT**

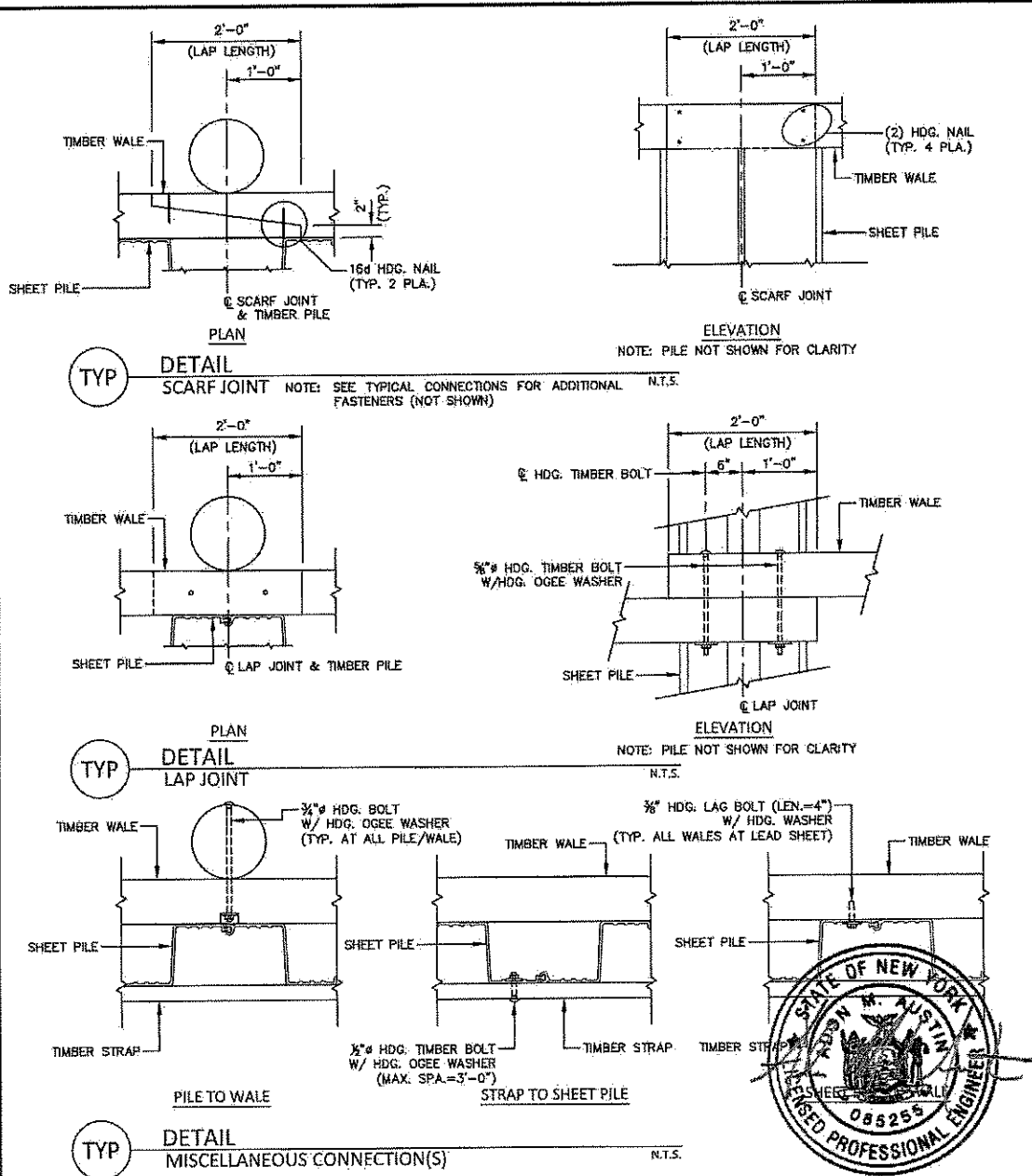
TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWPA STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
1B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWPA STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
2B		2.5	
3A		1.5	
3B		2.5	
			ACQ TREATED PER AWPA ACQ-D



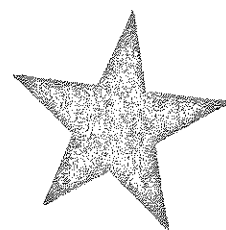
ALL ELEVATIONS IN NAVD 88

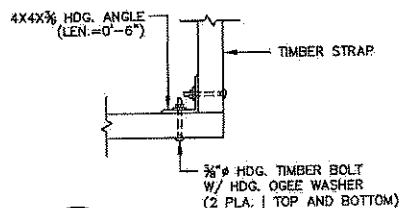
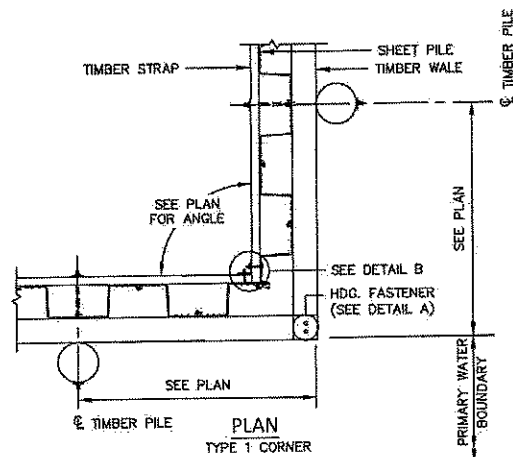
SHEET NO.  S-4.0	PROJECT NO. P210303.00	PROJECT  WATERFRONT DEVELOPMENT  PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD  MASSAPEQUA, NY      GRAND CANAL      NASSAU COUNTY	SCALE 1"=3'-6"	Rising Tide   Waterfront Solutions	
	DRAWN BY JWJ		DATE 03-11-22	80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758	
	CHECKED BY AMA		REVISION NO. 1	SHEET TYP. BULKHEAD SECTION	





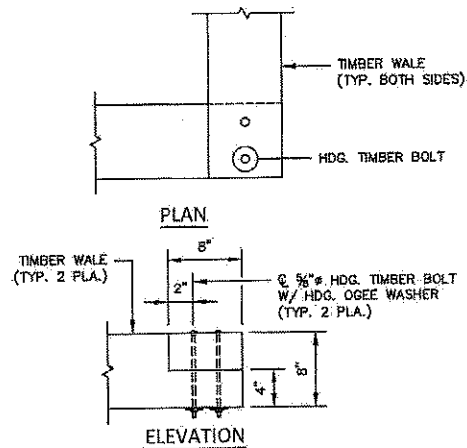
SHEET NO.  <b>S-4.1</b>	PROJECT NO. P210303.00  DRAWN BY JWK  CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY      GRAND CANAL      NASSAU COUNTY	SCALE N.T.S.  DATE 03-11-22  REVISION NO. 1	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758 SHEET BULKHEAD CONNECTION DETAILS
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**B** DETAIL N.T.S.

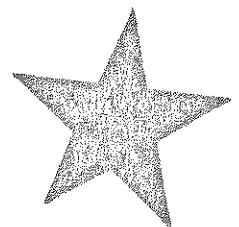
**TYP** DETAIL BULKHEAD CORNER - STD. NAVY N.T.S.

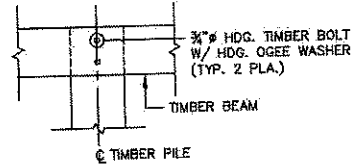
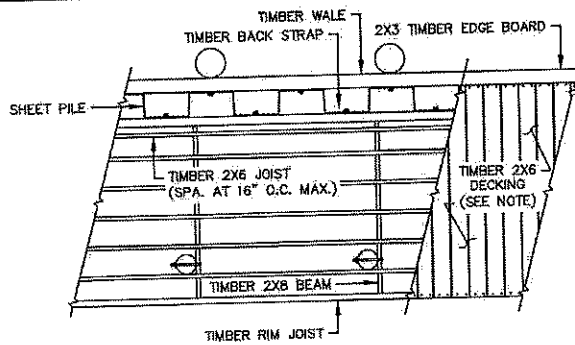


**A** DETAIL N.T.S.



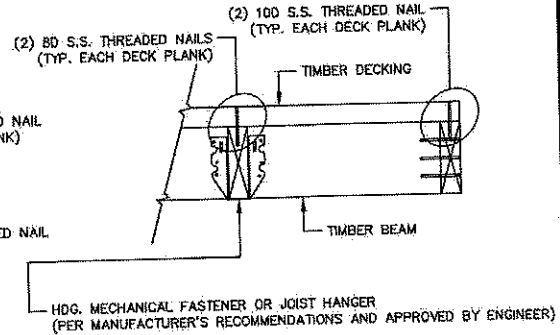
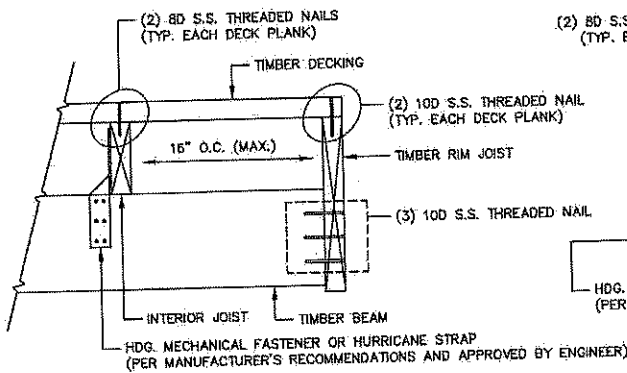
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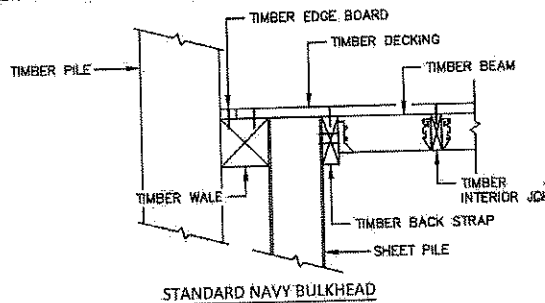
TYP DETAIL PILE CONNECTION SCALE: 1"=3'-6"

TYP DETAIL TIMBER WALKWAY FRAMING SCALE: 1"=3'-6"



NOTE: 3-IN EQUIVALENT 10D S.S. SCREWS CAN BE USED IN LIEU OF THREADED NAILS FOR ALL CONNECTIONS.

TYP DETAIL TIMBER WALKWAY CONNECTION(S) SCALE: 1"=3'-6"

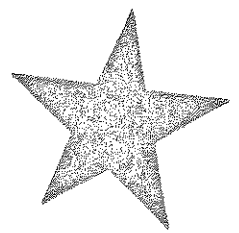


STANDARD NAVY BULKHEAD

TYP DETAIL TIMBER WALKWAY CONNECTION(S) SCALE: 1"=3'-6"



SHEET NO.  <b>S-4.3</b>	PROJECT NO. P210303.00 DRAWN BY JMK CHECKED BY AMA	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE 1"=3'-6" DATE 03-11-22 REVISION NO. 1	Rising Tide   Waterfront Solutions 80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758 SHEET TIMBER WALKWAY DETAILS
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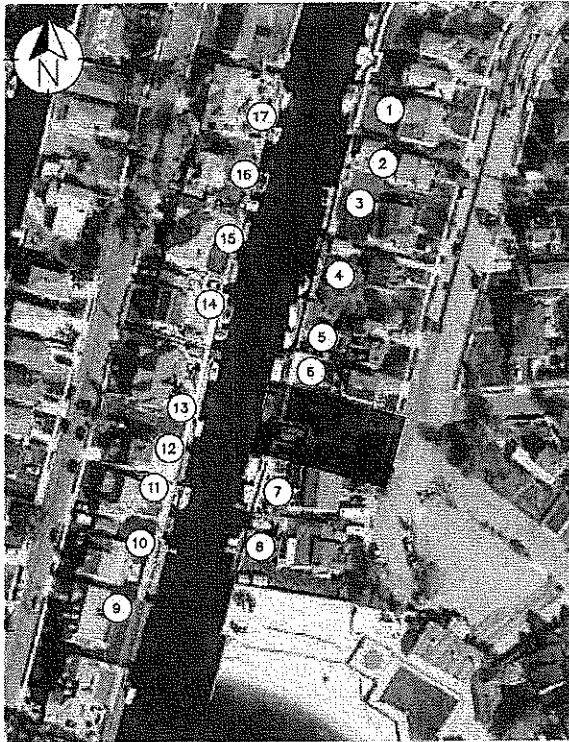



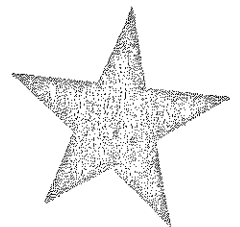
TABLE OF PROPERTIES		
ID	OWNER	ADDRESS
1	KENNETH W GEIN	153 BILTMORE BLVD.
2	OLLON DOWNING	155 BILTMORE BLVD.
3	ROBERT HUMANN	157 BILTMORE BLVD.
4	RICHMOND SPATOLA	161 BILTMORE BLVD.
5	JAMES KIRGAN	167 BILTMORE BLVD.
6	KERI YUENGLING	169 BILTMORE BLVD.
7	NILSA KEON	175 BILTMORE BLVD.
8	JOSEPH LONGO	177 BILTMORE BLVD.
9	JEFFREY CLOUGHER	29 BEACH RD.
10	DONNA FEIOLA	33 BEACH RD.
11	JOHN B. CLOUGHER	37 BEACH RD.
12	DANIEL J WALSH	39 BEACH RD.
13	KAREN DESOUSA	43 BEACH RD.
14	CAROLE OLSEN	45 BEACH RD.
15	JOSEPH A LAGANO	53 BEACH RD.
16	DENISE L. VARIELLO	57 BEACH RD.
17	MICHAEL R SCOTT	61 BEACH RD.

 LOCATION OF WORK  
 ANTHONY CORALLO 171 BILTMORE BLVD

RADIUS MAP

SCALE: 1"=80'-0"

SHEET NO.  <b>IL-1</b>	PROJECT NO. P210303.00	PROJECT WATERFRONT DEVELOPMENT PREPARED FOR MR. ANTHONY CORALLO LOCATED AT 171 BILTMORE BOULEVARD MASSAPEQUA, NY GRAND CANAL NASSAU COUNTY	SCALE N.T.S.	Rising Tide   Waterfront Solutions	
	DRAWN BY DAC		DATE 3/11/22	80 KILLIANS ROAD, #280 MASSAPEQUA, NY 11758	
	CHECKED BY AMA		REVISION NO. 1	SHEET	
				RADIUS MAP	



VINGENT TEUTONICO, L.S.  
NEW YORK LICENSE 050307

Meeting of May 24, 2022

Resolution No 364-2022

Reviewed By  
Office of Town Attorney

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 27, 2022, directed LAWRENCE GARAFOLA, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 296 East Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 64, Lot(s) 57-60, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of May 24, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated April 18, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has 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, 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 does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock 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 LAWRENCE GARAFOLA, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 296 East Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 64, Lot(s) 57-60 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

364

TO: MEMORANDUM DOCKET

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

DATE: APRIL 27, 2022

SUBJECT: WATERWAYS REVIEW  
LAWRENCE GARAFOLA  
296 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
SECTION 66, BLOCK 64, LOT(S) 57-60  
DOCK BUILDING PERMIT APPLICATION # 22030192

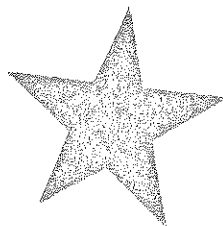
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We have received a request from Lawrence Garafola to "maintain as completed a 6-foot-wide by 94.5-foot-long fixed pier with a 9-inch-wide by 7-foot-long access platform at its waterward most upstream side; a 2.5-foot-wide by 10-foot-long ramp to a 4-foot-wide by 16-foot-long perpendicular float; and a 4-foot-wide by 20-foot-long with an attached 4-foot-wide by 10-foot-long parallel float in an L-shaped configuration forming a U-shaped slip for a 12-foot-wide by 14-foot-long boatlift with two (2) 18-inch-wide by 20-foot-long and 18-inch-wide by 12-foot-long catwalks for a step over to the boatlift and kayaks." All work is to be done in accordance with the NYSDEC Warning Letter dated March 22, 2019 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2019-00657 dated January 6, 2022. 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. 22030192; New York State Department of Environmental Conservation (NYSDEC) Warning Letter dated March 22, 2019; Department of the Army, New York District Corps of Engineers Permit No. NAN-2019-00657 dated January 6, 2022, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated October 11, 2019. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated April 18, 2022, 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 Department of the Army Corps of Engineers Permit approvals.

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



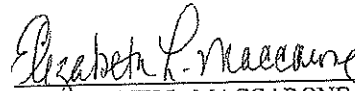


HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
LAWRENCE GARAFOLA  
296 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
SECTION 66, BLOCK 64, LOT(S) 57-60  
DOCK BUILDING PERMIT APPLICATION # 22030192

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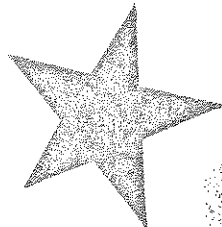
Page 2

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 cost of same. Therefore, I respectfully request that this application be put on the agenda for the May 24, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

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



22030192

SECTION 66 BLOCK 64 LOT(S) 57-60

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

**APPLICATION FOR PERMIT TO BUILD OR INSTALL**

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Lawrence Garafola Street Address 296 East Shore Drive Post Office Massapequa, NY Zip 11758 Phone # [REDACTED]

PROPERTY OWNER: \_\_\_\_\_

LESSEE: \_\_\_\_\_

TENANT: \_\_\_\_\_

APPLICANT: Shore Solutions Inc. - Donna Myers 32 Lincoln Ave Massapequa NY 11758 516-816-4163

ARCHITECT: Michael Angelone, PE, LLC Engineering Services 4 Pond Place Oyster Bay, NY 11771 516-922-2024

CONTRACTOR: \_\_\_\_\_

PLUMBER: NA

ELECTRICIAN: NA

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

LOCATION OF PROPERTY: N.E.S.W. SIDE OF East Shore Drive 1,000 FEET  
(N.E.S.W. OF Community Beach Massapequa  
OR (STREET) (POST OFFICE)  
N.E.S.W. OF corner of (STREET) and (STREET) (POST OFFICE)

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

**A. TYPE OF IMPROVEMENT**

EXISTING ☒ PROPOSED \_\_\_\_\_

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

**B. PROPOSED USE**

EXISTING ☒ PROPOSED \_\_\_\_\_

1. ONE FAMILY \_\_\_\_\_
2. TWO FAMILY \_\_\_\_\_
3. PARENT CHILD \_\_\_\_\_
4. GARAGE \_\_\_\_\_
5. BUSINESS \_\_\_\_\_
6. INDUSTRIAL \_\_\_\_\_
7. RESTAURANT \_\_\_\_\_
8. PUBLIC ASSEMBLY \_\_\_\_\_
9. OTHER \_\_\_\_\_

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s)) Maintain as completed 6' wide x 94.5' long fixed pier, 2.5' wide x 10' long ramp, 4' wide x 16' long float, 4' wide x 20' long float with an attached 4' wide x 10' long float end in an L-shaped configuration forming a U-shaped slip for a 12' wide x 14' long boat lift with two 18" wide x 20' long & 18" wide x 12' long eatwalks.

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 hamlet of Massapequa in the State of NY and that he/she is authorized by the Owner Lawrence Garafola 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 deponents own knowledge.  
Address: 32 Lincoln Ave. Massapequa NY 11758  
Phone: 516-816-4163

(Sign here) \_\_\_\_\_

Sworn to before me this 01 day of February 2022

NOTARY PUBLIC

SARAH NASSAU  
Notary Public - Nassau County  
My Commission Expires 09/05/2022

STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

Lawrence Garafola being duly sworn, deposes and says: That he/she resides at 296 East 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) \_\_\_\_\_

(owner)

Sworn to before me this 02 day of February 2022

NOTARY PUBLIC

WENDY E GAYSON FALEY  
Notary Public, State of New York  
No. 01GA6047507  
Qualified in Nassau County  
Commission Expires September 05, 2022

(Rev. 03/13/2012)

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish, Wildlife & Marine Resources, Bureau of Marine Habitat Protection, Region 1  
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790  
P: (631) 444-0295 | F: (631) 444-0297  
www.dec.ny.gov

## WARNING LETTER

March 22, 2019

Lawrence Garafola  
296 East Shore Drive  
Massapequa, NY 11758

Re: 296 East Shore Drive, Massapequa (Nassau)  
Nassau Tax Map ID: 23 - 66 - 64 - 57

Dear Sir/Madam;

During a recent inspection, Department staff noted a potential violation at 296 East Shore Drive, Massapequa (Nassau County). Specifically, 1) Construction of a boat lift without a NYSDEC permit. The three floats present at this site are totaling less than 200 square feet and attached to pre-existing pilings so by our definition would not require a permit (NPN). These are regulated activities within the Department's Tidal Wetland jurisdiction and therefore, require a permit from the Department.

Conducting regulated activities without the required NYSDEC permits is a violation of Article 25 of the State's Environmental Conservation Law. Such violations may be subject to a maximum penalty of \$10,000 per day per violation.

At this time, the Department is issuing this warning letter in lieu of further enforcement action against you. We now consider this violation resolved. You are reminded, however, that any future regulated activity will require the appropriate permits.

Thank you for your cooperation in this matter.

Sincerely,

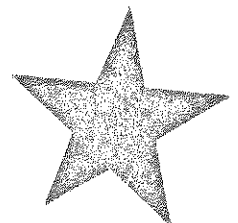


Andrew Walker  
Regional Manager  
Bureau of Marine Habitat Protection  
Region One- Stony Brook

cc: W19KD03



Department of  
Environmental  
Conservation





**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

Regulatory Branch - Eastern Section

January 6, 2022

SUBJECT: Department of the Army Permit Number NAN-2019-00657  
Issued to Lawrence Garafola

Lawrence Garafola  
296 East Shore Drive  
Massapequa, New York 11758

Dear Mr. Garafola:

We have completed our review of Department of the Army Permit Application Number NAN-2019-00657-EDE.

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: Maintain as completed a 6-foot-wide by 94.5-foot-long fixed pier with a 9-inch-wide by 7-foot-long access platform at its waterward most upstream side; a 2.5-foot-wide by 10-foot-long ramp to a 4-foot-wide by 16-foot-long perpendicular float; and a 4-foot-wide by 20-foot-long float with an attached 4-foot-wide by 10-foot-long parallel float in an L-shaped configuration forming a U-shaped slip for a 12-foot-wide by 14-foot-long boatlift with two (2) 18-inch-wide by 20-foot-long and 18-inch-wide by 12-foot-long catwalks for a step over to the boatlift and kayaks

PURPOSE: Recreational Mooring and Dockage.

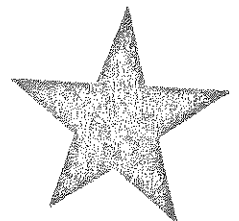
WATERWAY: Great South Bay

LOCATION: 296 East Shore Drive, Massapequa, Town of Oyster Bay, Nassau County, New York

The completed work shall be maintained in accordance with the attached drawings and conditions, which are hereby made part of this authorization.

Please note that this determination does not eliminate the need to obtain any other Federal, State, or local authorizations required by law for the work described above, including any required permit from the NYSDEC.

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:



REGULATORY BRANCH

January 6, 2022

SUBJECT: Department of the Army Permit Number NAN-2019-00657  
Issued to Lawrence Garafola

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

In order for an 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 an RFA form, it must be received at the above address by **March 7, 2022**. It is not necessary to submit an RFA form to the District Office if you do not object to the permit decision in this letter.

The authorized activity must have been 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 (see special condition 1).

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey>.

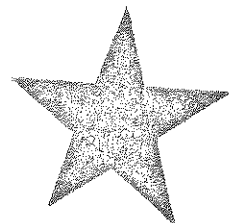
Any questions concerning this matter, please contact Bart De Martino, of my staff, at (917) 790 8423 or [bartolomeo.demartino@usace.army.mil](mailto:bartolomeo.demartino@usace.army.mil).

Sincerely,

*Christopher Munk* 2022.01.06 16:06:54 -05'00'

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

Enclosures  
c: Shore Solutions, Inc.



SUBJECT: Department of the Army Permit Number NAN-2019-00657  
Issued to Lawrence Garafola

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:

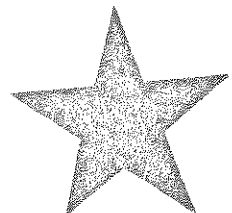
1. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification 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.
2. If you have discovered 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.
3. 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:

1. **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.
2. **If water depth is less than 2 feet at mean low water (MLW)**, stoppers must be installed under any floating pier. Stoppers do not have to be 2 feet high; they just have to be high enough to keep the floating pier off the bottom of the waterway.

Further Information:

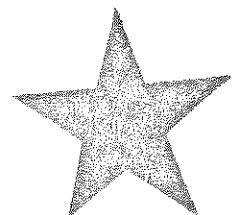
1. Limits of authorization.



SUBJECT: Department of the Army Permit Number NAN-2019-00657  
Issued to Lawrence Garafola

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

Such a re-evaluation 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

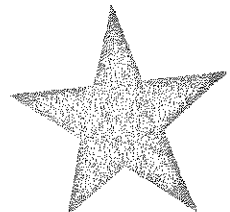


REGULATORY BRANCH

January 6, 2022

SUBJECT: Department of the Army Permit Number NAN-2019-00657  
Issued to Lawrence Garafola

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.





October 11, 2019

Donna Myers  
Shore Solutions  
32 Lincoln Avenue  
Massapequa, New York 11758

Re: F-2019-0498  
U.S. Army Corps of Engineers/New York District  
Permit Application – Lawrence Garafola  
Maintain as completed 6' x 94.5' open pile pier with  
9" x 7' access platform, 2.5' x 10.1' ramp, on two  
high tide brackets, 4' x 16' float, on one 2.5" galv.  
float pipe & one float anchor pile, 4' x 20' float on  
one float anchor pile with safety ladder, 4' x 10'  
float on one float anchor pile & one 12' x 14' boat  
lift with one 18" x 12' & two 18" x 20' catwalks.  
Great South Bay, Town of Oyster Bay, Nassau Co.  
**General Concurrence**

Dear Ms. Myers:

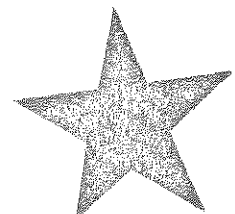
The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on 5/24/2019.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

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

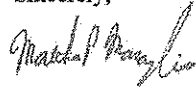


Department  
of State



When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file #F-2019-0498.

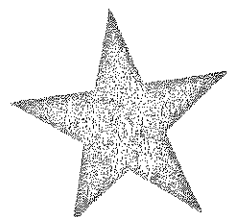
Sincerely,



Matthew P. Maraglio  
Supervisor, Consistency Review Unit  
Office of Planning, Development and  
Community Infrastructure

MM/dc

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



Planning

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

April 18, 2022

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

**FROM:** GEORGE BAPTISTA, JR., DEPUTY COMMISSIONER,  
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 22030192;  
LAWRENCE GARAFOLA

**LOCATION:** 296 EAST SHORE DRIVE, MASSAPEQUA, NY 11758  
SECTION 66, BLOCK 64, LOT(S) 57-60

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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.

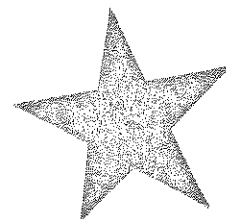
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, 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.

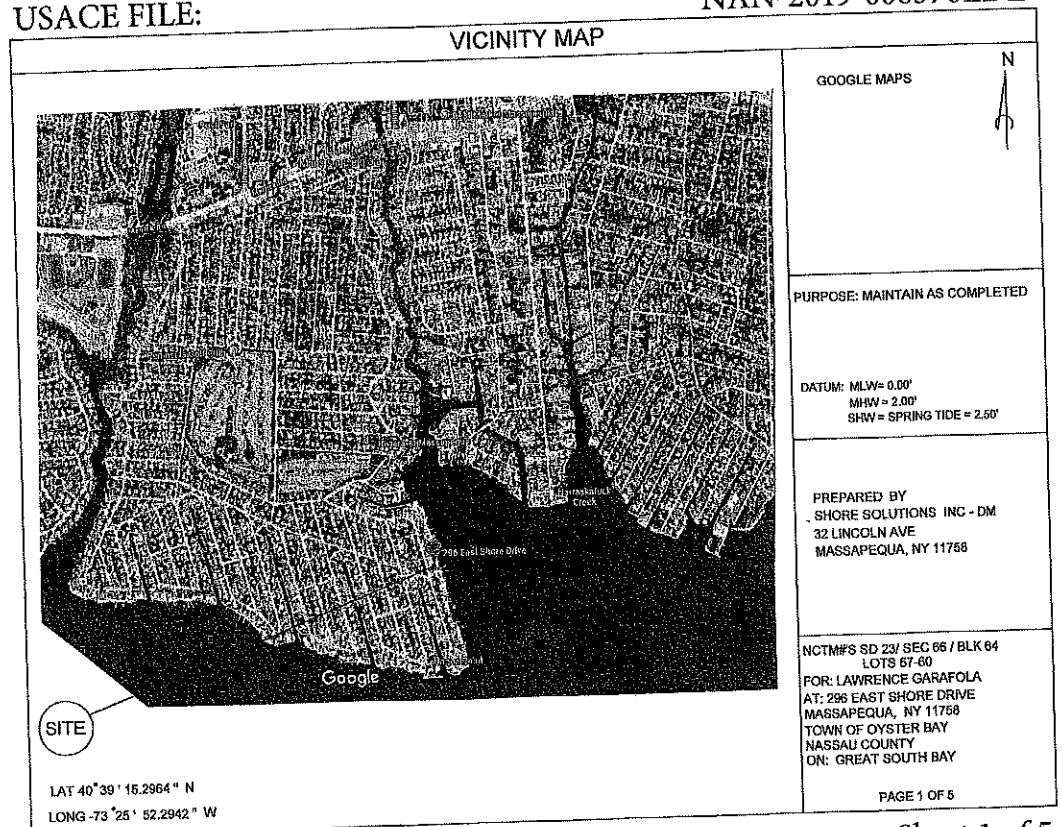
  
GEORGE BAPTISTA, JR.  
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/296 East Shore Dr, Massapequa\_4.18.22



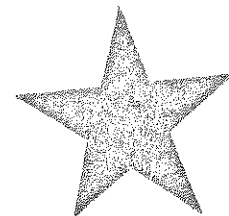
USACE FILE:

NAN-2019-006570EDE

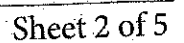


January 6, 2022

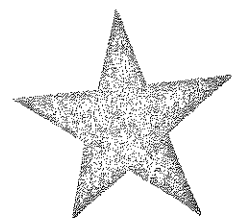
Sheet 1 of 5



NAN-2019-00657-EDE

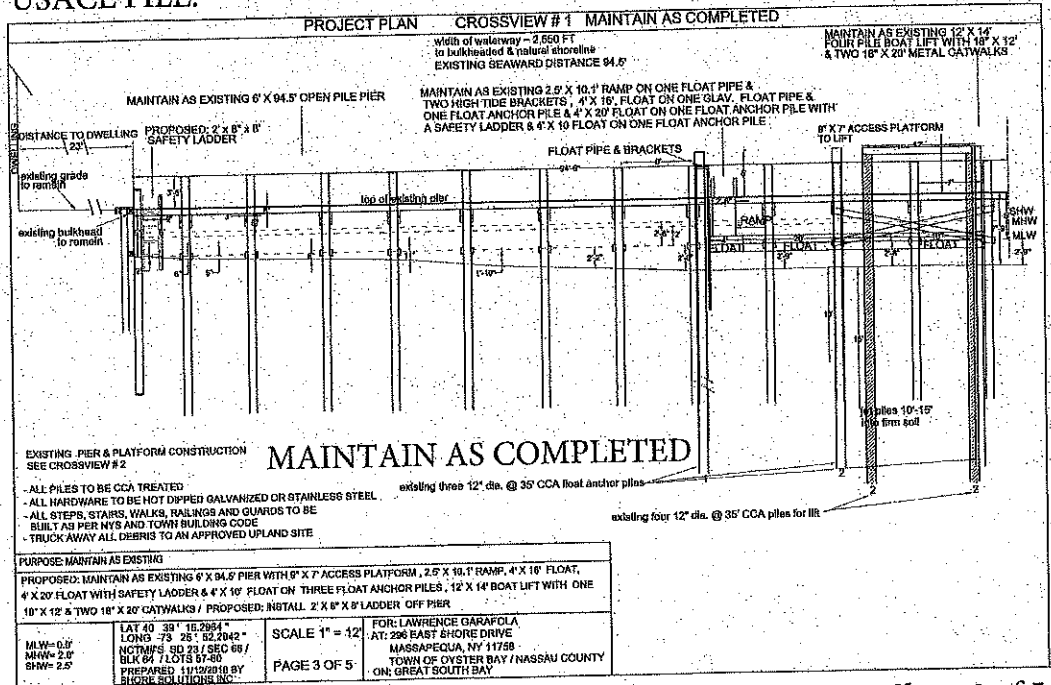


January 6, 2022



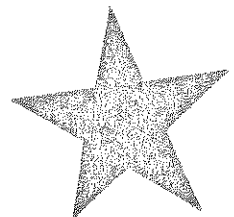
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January 6, 2022

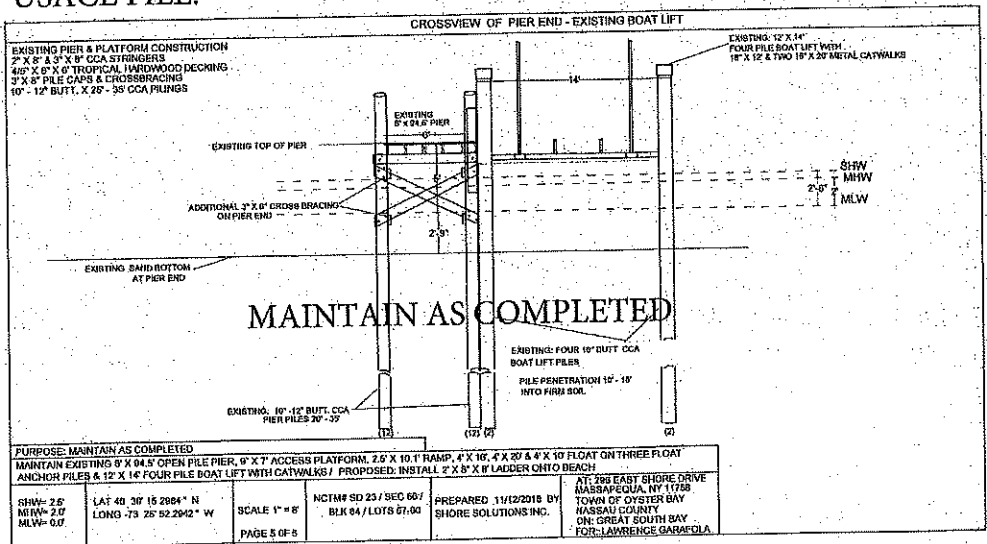
Sheet 3 of 5





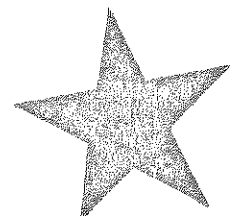
USACE FILE:

NAN-2019-00657-EDE



January 6, 2022

Sheet 5 of 5





300 FOOT RADIUS MAP  
SHOWING MLW AND ADJACENT MARINE STRUCTURES



AERIAL IMAGING FROM  
NASSAU COUNTY  
ASSESSORS WEBSITE



PURPOSE: MARINE VICINITY MAP

DATUM: MLW = 0.00'  
MHW = 2.90'  
SPW = SPRING TIDE = 2.50'

MLW

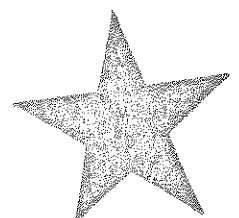
PREPARED BY  
SHORE SOLUTIONS INC - DM  
32 LINCOLN AVE  
MASSAPEQUA, NY 11758

NCTM#S SD 23/ SEC 66 / BLK 84  
LOTS 57-60

AT: 266 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY  
NASSAU COUNTY  
ON: GREAT SOUTH BAY  
FOR: LAWRENCE GARAFOLA

LAT 40°39'15.2964" N  
LONG -73°25'52.2942" W

PAGE 1 OF 2

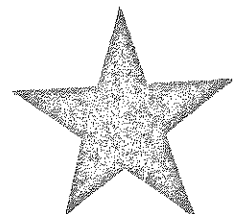


300' Radius map for: NCTM# section 66 / block 64 / lot 57-60  
Prepared By: Donna Myers / Shore Solutions 32 Lincoln Ave Massapequa, NY 11758

For: Lawrence Garafola  
296 East Shore Drive  
Massapequa, NY 11758

Section 66 / Block 64

	<u>lot</u>	
1	67	Kristina & George Golden 290 East Shore Drive Massapequa, NY 11758
2	61	Frank & Susan Marino 294 East Shore Drive Massapequa, NY 11758
3	55	Corrine Renne 300 East Shore Drive Massapequa, NY 11758
4	51	William DeCosta 304 East Shore Drive Massapequa, NY 11758



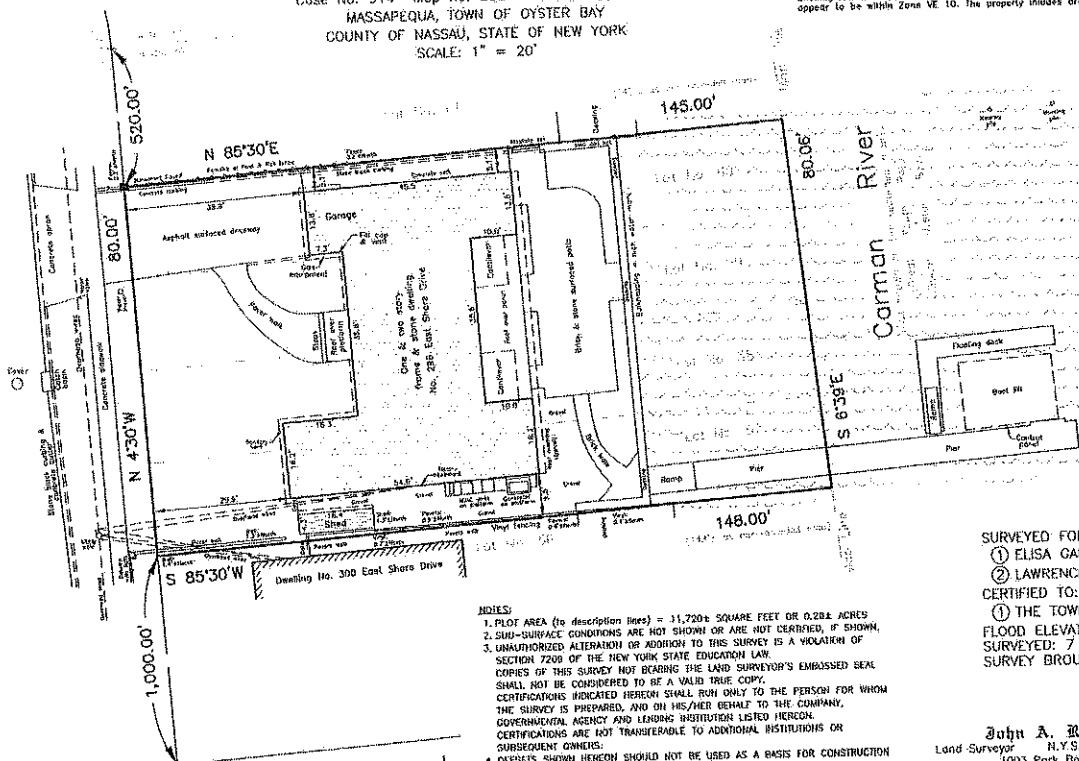
LOTS No. 57,58,59 & 60. BLOCK No. 264  
 MAP OF "NASSAU SHORES" SECTION No. One  
 Case No. 914 Map No. 603 Filed: 8 May 1926  
 MASSAPEQUA, TOWN OF OYSTER BAY  
 COUNTY OF NASSAU, STATE OF NEW YORK  
 SCALE: 1" = 20'

COUNTY OF NASSAU SECTION 66 BLOCK 64 LOTS No. 57,58,59 & 60

**Flood elevation notes:**

1. On the Flood Insurance Rate Map No. 38550-0268-0 dated: 11 September 2009 dwelling No. 290 appears to be within Zone AE 7. The rear areas of the property appear to be within Zone VE 10. The property includes areas of moderate wave action.

East Shore Drive



Community Beach  
 (as shown on the standard map)

**NOTES:**

1. PLOT AREA (to description lines) = 11,720± SQUARE FEET OR 0.26± ACRES
2. SURF-SURFACE CONDITIONS ARE NOT SHOWN OR ARE NOT CERTIFIED, IF SHOWN.
3. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 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 GUARANTEE 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.

SURVEYED FOR & CERTIFIED TO:

- ① ELISA GARAFOLA
- ② LAWRENCE GARAFOLA

CERTIFIED TO:

- ① THE TOWN OF OYSTER BAY

FLOOD ELEVATION CERTIFICATE: 6 JANUARY 2014

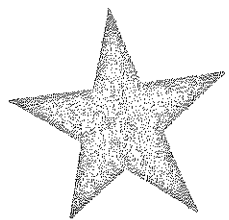
SURVEYED: 7 MAY 2014

SURVEY BROUGHT TO DATE: 19 JANUARY 2021

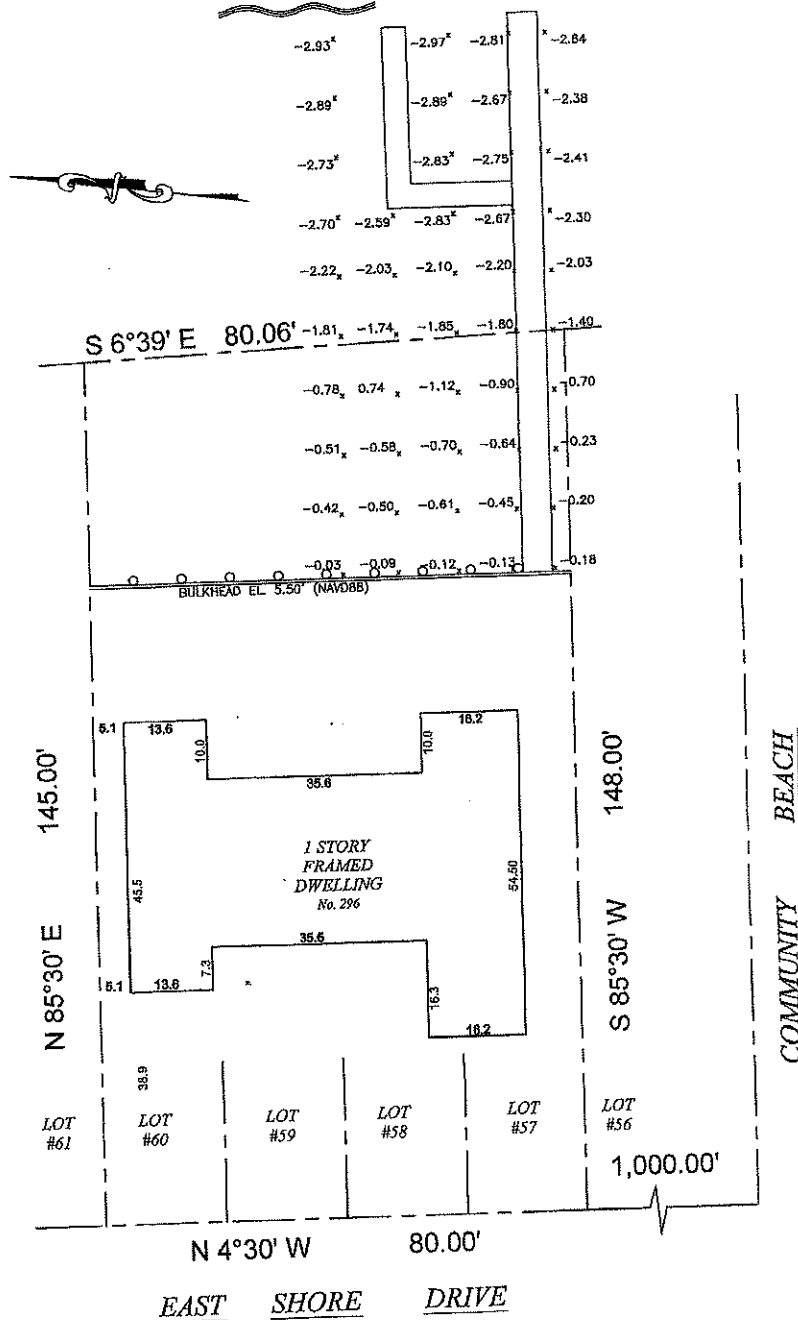
**John A. Robinson**  
 Land Surveyor N.Y.S. License No. 49059  
 1003 Park Boulevard  
 Massapequa Park, New York 11762  
 (516) 798-1290 (Fax) 516-1117  
 © - COPYRIGHT - ALL RIGHTS RESERVED

*[Handwritten signature]*

EMBOSSED SEAL AND SIGNATURE



# GREAT SOUTH BAY



## NOTES:

VERTICAL ELEVATIONS SHOWN HEREON REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) WHICH IS BASED ON THE UNITED STATES COAST & GEODETIC SURVEY MEAN SEA LEVEL AT SANDY HOOK, NEW JERSEY EXCEPT THE SOUNDING ELEVATIONS WHICH SHOW WATER DEPTH FROM EITHER BELOW OR ABOVE, M.L.L.W. ELEVATION.

THE MEAN LOW LOW WATER (M.L.L.W.) ELEVATION = -1.00, THE MEAN LOW WATER (M.L.W.) ELEVATION = -0.92 AND MEAN HIGH WATER (M.H.W.) ELEVATION = 1.05, SHOWN HEREON WERE OBTAINED THROUGH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) V-DATUM TOOL VER. 3.4 AND REFER TO REFERENCE STATION 8516102 LOCATED IN BAY SHORE, NEW YORK.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE SURVEYOR'S INKED OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

PROPERTY SITUATED AT: MASSAPEQUA  
NASSAU COUNTY NEW YORK  
SECTION: 66 BLOCK: 64 LOTS: 57-60  
MAP OF: "NASSAU SHORES" SECTION No. ONE  
CERTIFIED TO:

A. SPLESCIA, P.L.S., P.C.  
SURVEYING CONSULTANT  
3229 POPLAR PLACE  
WANTAGH, NEW YORK  
TEL: (516) 826-1066

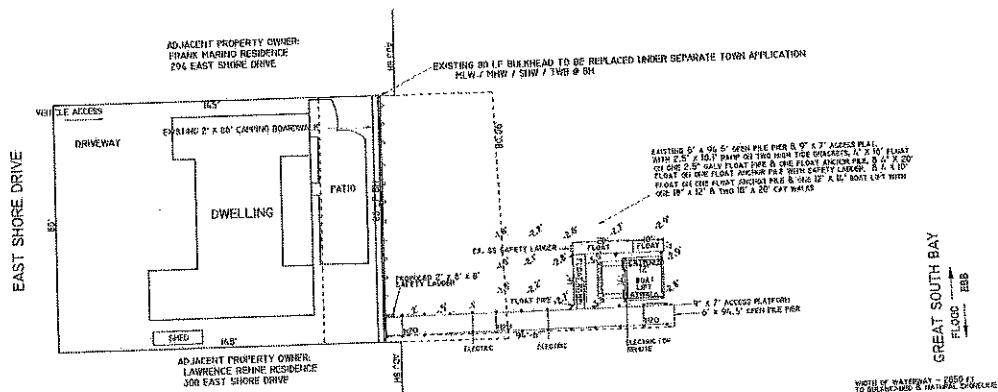
SCALE: 1"=20'  
DRAWN: SV  
SURVEYED: AUG. 10, 2018

WATER DEPTH SURVEY



# PROJECT PLAN SITE PLAN VIEW

- ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY BY JOHN A. ROBINSON LAND SURVEYOR DATED 5/17/2014
- ALL WATER DEPTHS TAKEN FROM SURVEY BY A. GILBERT, P.L.S., P.C. DATED 8/10/2018
- VEHICLE ACCESS ROUTE VIA MARINE CONTRACTORS BARGE & EAST SHORE DRIVE



- TIDAL LINES DOCUMENTED & TIDAL WETLAND BOUNDARY DELINEATED @ ALW - 5:00 PM 7/12/2018 BY DONNA HYERS / SHORE SOLUTIONS INC.
- #1'S REPRESENT EXISTING DEPTHS BELOW ALW
- 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 IRS AND TOWNVILLAGE BUILDING CODE
- TRUCK AWAY ALL DEBRIS TO AN APPROVED UPLAND SITE

PURPOSE: MAINTAIN AS COMPLETED

MAINTAIN EXISTING 6' X 94.5' OPEN PILE PIER, 9' X 7' ACCESS PLATFORM, 2.5' X 10.1' RAMP, 4' X 16', 4' X 20' & 4' X 10' FLOAT ON THREE FLOAT ANCHOR PILES & 12' X 14' FOUR PILE BOAT LIFT WITH CATWALKS  
PROPOSED: INSTALL 2' X 8' X 8' LADDER OFF PIER

MLW = 0.00'  
MHW = 2.00'  
SHW = 2.50'

PREPARED 11/12/2018 BY  
SHORE SOLUTIONS INC.  
NCTH# 50 23 / SEC 66 /  
BLK 64 / LOTS 57-60

LAT 40° 39' 15.2964" N  
LONG -75° 25' 52.2962" W

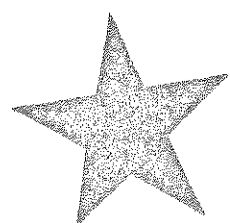
SCALE 1" = 50'  
PAGE 1 OF 4

AT: 296 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY  
NASSAU COUNTY  
ON: GREAT SOUTH BAY  
FOR: LAWRENCE CARAFOLA

PLANS REVIEWED BY

MICHAEL ANGELONE, P.E.  
N.Y. LIC. NO. 053676

MICHAEL ANGELONE, PE, LLC  
ENGINEERING SERVICES  
4 POND PLACE OYSTER BAY, N.Y. 11771  
TELE. 516 - 922 - 2024



**PROJECT PLAN**

**CROSSVIEW #1 MAINTAIN AS COMPLETED**

width of waterway ~ 2,550 FT  
to bulkheaded & natural shoreline  
EXISTING SEAWARD DISTANCE 94.5'

MAINTAIN AS EXISTING 6' X 94.5' OPEN PIER PILE

PROPOSED: 2' X 8' SAFETY LADDER

MAINTAIN AS EXISTING 2.5' X 10.1' RAMP ON ONE FLOAT PIPE & TWO HIGH TIDE BRACKETS, 4' X 18' FLOAT ON ONE GLAV. FLOAT PIPE & ONE FLOAT ANCHOR PILE & 4' X 20' FLOAT ON ONE FLOAT ANCHOR PILE WITH A SAFETY LADDER & 4' X 10' FLOAT ON ONE FLOAT ANCHOR PILE

MAINTAIN AS EXISTING 12' X 14' FOUR PILE BOAT LIFT WITH 18' X 12' & TWO 18' X 20' METAL CATWALKS

9' X 7' ACCESS PLATFORM TO LIFT

FLOAT PIPE & BRACKETS

RAMP

SHW MHW MLW

1' plus 10'-15' fill firm soil

EXISTING PIER & PLATFORM CONSTRUCTION  
SEE CROSSVIEW # 2

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

TRUCK AWAY ALL DEBRIS TO AN APPROVED UPLAND SITE

PURPOSE: MAINTAIN AS EXISTING

PROPOSED: MAINTAIN AS EXISTING 6' X 94.5' PIER WITH 9' X 7' ACCESS PLATFORM, 2.5' X 10.1' RAMP, 4' X 10' FLOAT, 4' X 20' FLOAT WITH SAFETY LADDER & 4' X 10' FLOAT ON THREE FLOAT ANCHOR PILES, 12' X 14' BOAT LIFT WITH ONE 18' X 12' & TWO 18' X 20' CATWALKS / PROPOSED: INSTALL 2' X 8' X 8' LADDER OFF PIER

SCALE 1" = 6'

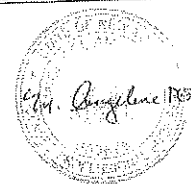
FOR: LAWRENCE GARAFOLA  
AT: 298 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY / NASSAU COUNTY  
ON: GREAT SOUTH BAY

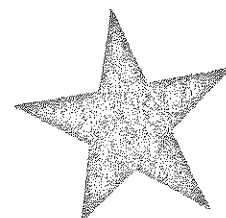
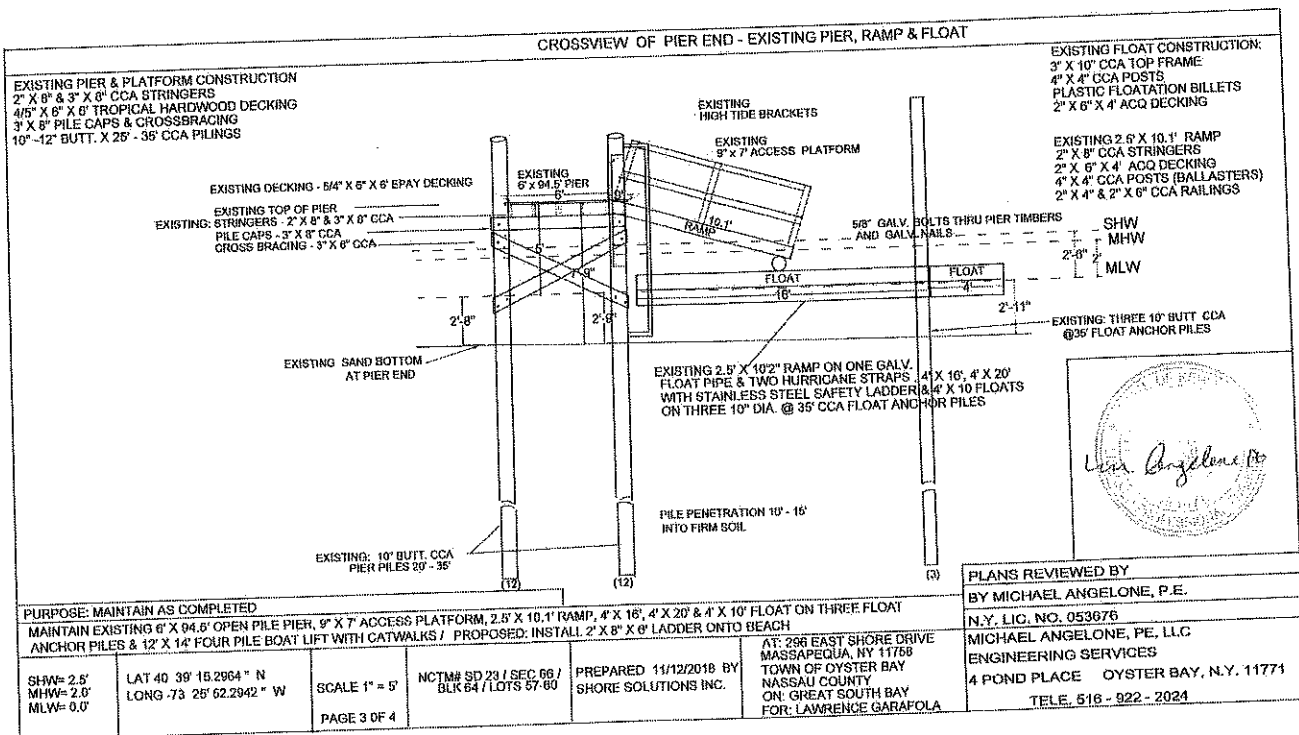
PLANS REVIEWED BY  
BY MICHAEL ANGELONE, P.E.  
N.Y. LIC. NO. 063676  
MICHAEL ANGELONE, PE, LLC  
ENGINEERING SERVICES  
4 POND PLACE OYSTER BAY, N.Y. 11771  
TELE. 516 - 922 - 2024

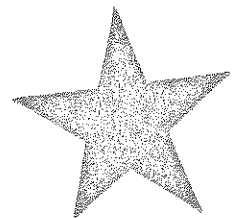
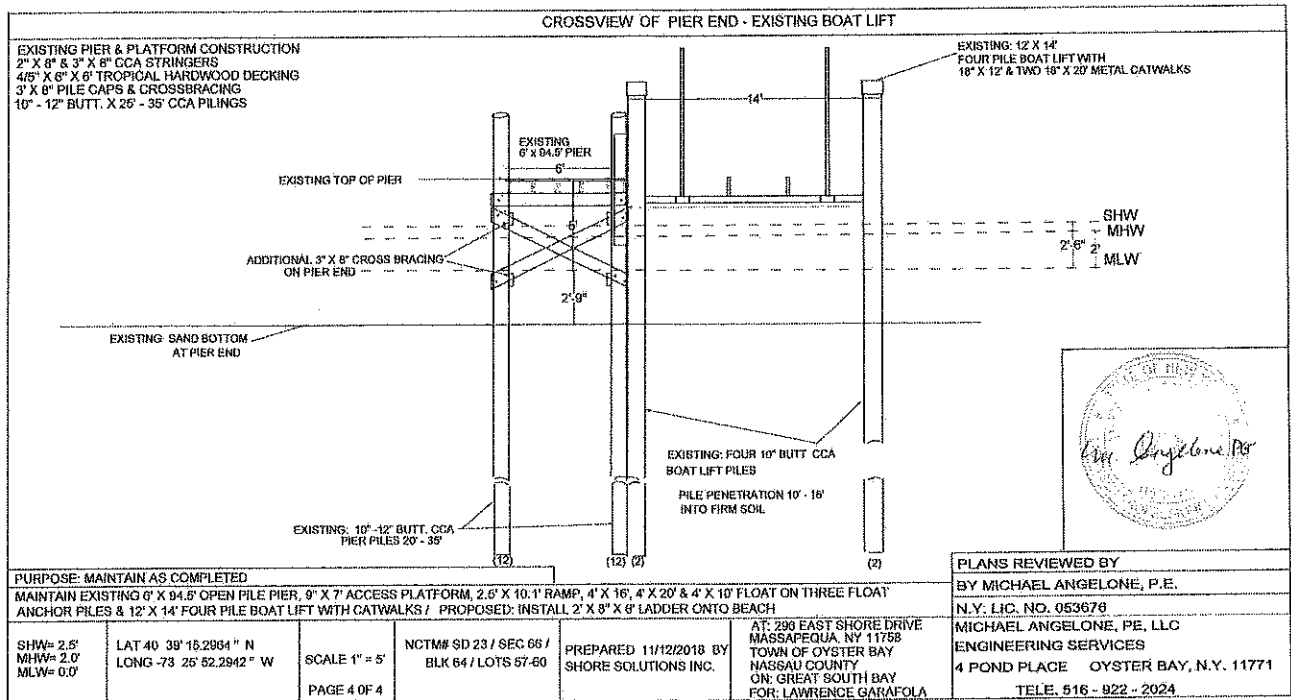
M.L.W. = 0.0'  
M.H.W. = 2.0'  
S.H.W. = 2.5'

LAT 40 39' 15.2904"  
LONG -73 25' 52.2942"  
NCTMP'S SD 23 / SEC 06 /  
BLK 64 / LOTS 37-60  
PREPARED 11/12/2018 BY  
SHORE SOLUTIONS INC

PAGE 2 OF 4









Meeting of May 24, 2022

Resolution No 365-2022

Reviewed By  
Office of Town Attorney

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 27, 2022, directed MICHAEL SIGNORELLI, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 150 Forest Avenue, Massapequa, New York 11758, known and designated as Section 65, Block 133, Lot 72, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of May 24, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated April 15, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has 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, 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 does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock 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 MICHAEL SIGNORELLI, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 150 Forest Avenue, Massapequa, New York 11758, known and designated as Section 65, Block 133, Lot 72 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

15

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

365

TO: MEMORANDUM DOCKET

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

DATE: APRIL 27, 2022

SUBJECT: WATERWAYS REVIEW  
MICHAEL SIGNORELLI  
150 FOREST AVENUE  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 133, LOT(S) 72  
DOCK BUILDING PERMIT APPLICATION # 21110253

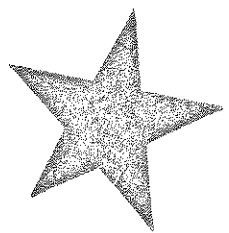
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We have received a request from Michael Signorelli to "remove and replace, in-place, 84 linear feet of existing functional bulkheading, returns, stairs, and deck. Increase bulkhead elevation up to 18 inches. Remove and replace, in-place, an existing 30 foot by 6 foot floating dock and 12 foot by 3 foot access gangway. Remove and relocate an existing 6 foot by 4 foot knee dock." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03006/00004 dated October 7, 2020 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2020-00390-EDE dated August 21, 2020. 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. 21110253; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03006/00004 dated October 7, 2020; Department of the Army, New York District Corps of Engineers Permit No. NAN-2020-00390-EDE dated August 21, 2020, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated April 28, 2020. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated April 15, 2022, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

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

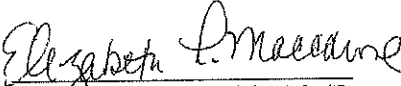


HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
MICHAEL SIGNORELLI  
150 FOREST AVENUE  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 133, LOT(S) 72  
DOCK BUILDING PERMIT APPLICATION # 21110253

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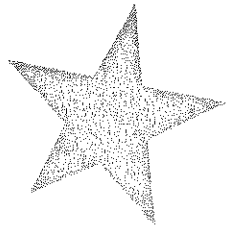
Page 2

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 cost of same. Therefore, I respectfully request that this application be put on the agenda for the May 24, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

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



SECTION 65 BLOCK 133 LOT(S) 72

2110253



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

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

PROPERTY OWNER: MR. MICHAEL SIGNORELLI 150 FOREST AVENUE MASSAPEQUA, NY 11758  
LESSEE  
TENANT:

APPLICANT: MR. ADON AUSTIN, PE 59 STILLWATER AVE MASSAPEQUA, NY 11758 (516) 595-3483

ARCHITECT: RISING TIDE WATERFRONT SOLUTIONS PO BOX 280 MASSAPEQUA, NY 11758 (516) 595-3483

CONTRACTOR: KEVEL MARINE CONTRACTORS 100 CEDAR SHORE DRIVE MASSAPEQUA 11758 (516) 639-0875

PLUMBER:

ELECTRICIAN:

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

LOCATION OF PROPERTY: N.E.S.W. SIDE OF FEET  
N.E.S.W. OF  
OR  
N.E.S.W. OF corner of (STREET) FOREST AVENUE and JACKSON PLACE MASSAPEQUA  
(STREET) (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 X PROPOSED X

EXISTING X 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 X

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER X

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s) REMOVE AND REPLACE 84 LINEAR FEET OF EXISTING BULKHEAD, INCLUDING RETURNS AND PARALLEL CAPPING BOARDWALKS, IN-PLACE WITH AN 18-INCH INCREASE IN ELEVATION. REMOVE, REPLACE AND RELOCATE EXISTING 30X6-FT FLOATING DOCK, 6X4-FT KNEE DOCK AND 12X3-FT ACCESS GANWAY.

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

OWNER

STATE OF NEW YORK  
COUNTY OF NASSAU

STATE OF NEW YORK  
COUNTY OF NASSAU

MR. ADON AUSTIN being duly sworn, deposes and says: That he/she resides at 59 STILLWATER AVE in the hamlet of MASSAPEQUA in the State of NEW YORK and that he/she is authorized by the Owner MR. MICHAEL SIGNORELLI 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: 150 FOREST AVENUE  
Phone: (516) 595-3483

MR. MICHAEL SIGNORELLI being duly sworn, deposes and says: That he/she resides at 150 FOREST AVENUE in the hamlet of MASSAPEQUA in the State of NEW YORK and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes MR. ADON M. AUSTIN, PE (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]*  
Sworn to before me this 10th day of March 2022

(Sign here) *[Signature]* (owner)  
Sworn to before me this 10th day of March 2022

*[Signature]*  
NOTARY PUBLIC  
DARREN T. BRENNAN  
Notary Public, State of New York  
Reg. No. 01BR6348934  
Qualified in Nassau County  
Commission Expires October 11, 2024

*[Signature]*  
NOTARY PUBLIC  
DARREN T. BRENNAN  
Notary Public, State of New York  
Reg. No. 01BR6348934  
Qualified in Nassau County  
Commission Expires October 11, 2024  
(Rev. 03/20/19)

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

October 7<sup>th</sup>, 2020

Michael Signorelli  
Signorelli Property  
150 Forest Avenue  
Massapequa, NY 11758

Re: NYSDEC # 1-2824-03006/00004  
Signorelli Property: 150 Forest Avenue, Massapequa, NY 11758  
Remove and replace existing bulkhead, returns, deck, floating dock, access gangway.  
Remove and relocate existing knee dock.

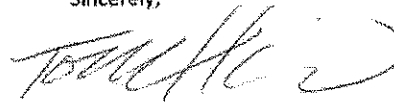
Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit.

Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions, please contact us at the above address. This permit must always be kept available on the premises of the facility.

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

Sincerely,

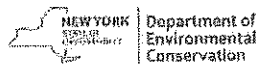


Torey K. Kouril  
Environmental Analyst

Enclosures

TKK/file

cc: NYSDEC: MHP  
Rising Tide Waterfront Solutions





**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
MICHAEL SIGNORELLI  
150 FOREST AVE  
MASSAPEQUA, NY 11758  
[REDACTED]

**Facility:**  
SIGNORELLI PROPERTY  
150 FOREST AVE NCTM 65-133-72  
MASSAPEQUA, NY 11758

**Facility Location:** in OYSTER BAY in NASSAU COUNTY Village: Massapequa  
**Facility Principal Reference Point:** NYTM-E: 628.428 NYTM-N: 4501.996  
Latitude: 40°39'31.8" Longitude: 73°28'50.8"

**Project Location:** 150 Forest Avenue, Massapequa, NY 11758

**Authorized Activity:** Remove and replace, in-place, 84 linear feet of existing functional bulkheading, returns, stairs, and deck. Increase bulkhead elevation up to 18 inches.

Remove and replace, in-place, an existing 30 foot by 6 foot floating dock and 12 foot by 3 foot access gangway.

Remove and relocate an existing 6 foot by 4 foot knee dock.

All authorized activities shall be in strict conformance with the attached plans prepared by Rising Tide Waterfront Solutions, last revised 09-14-2020, and stamped "NYSDEC Approved" on 10/07/2020.

**Permit Authorizations**

**Tidal Wetlands - Under Article 25**

Permit ID 1-2824-03006-00004

New Permit

Effective Date: 10/7/2020

Expiration Date: 10/6/2025

**Water Quality Certification - Under Section 401 - Clean Water Act**

Permit ID 1-2824-03006-00005

New Permit

Effective Date: 10/7/2020

Expiration Date: 10/6/2025

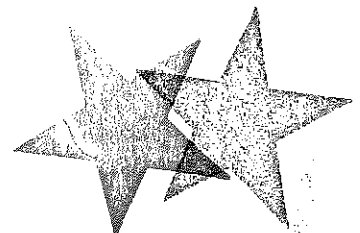
**Excavation & Fill in Navigable Waters - Under Article 15, Title 5**

Permit ID 1-2824-03006-00006

New Permit

Effective Date: 10/7/2020

Expiration Date: 10/6/2025





**NYSDEC Approval**

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

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

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

Date 10/7/2020

**Distribution List**

Marine Habitat Protection  
Torey K. Kouril

**Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

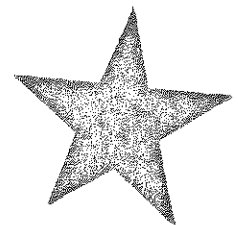
GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**Permit Attachments**

Site Plan

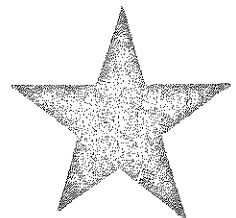
9/14/2020





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

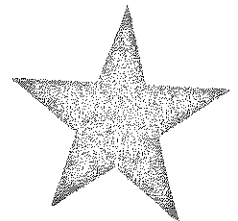
- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Rising Tide Waterfront Solutions, last revised 09-14-2020, and stamped "NYSDEC Approved" 10/07/2020.
- 2. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 3. Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
- 4. No Construction Debris in Wetland or Adjacent Area** Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.
- 5. 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. No Seaward Extension of Bulkhead** The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.







12. **Replacement Bulkhead Maximum Height** The top elevation of the replacement bulkhead shall be no more than 18 inches higher than the existing bulkhead.
13. **No Structures on Bulkhead** No permanent structures shall be installed on the authorized bulkhead without first obtaining written department approval (permit, modification, amendment).
14. **Excavation for Bulkhead/Structure** Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.
15. **No Runoff Over or Through Bulkhead or into Wetland** There shall be no discharge of runoff or other effluent over or through any bulkhead or shoreline stabilization structure or into any tidal wetland or protected buffer area.
16. **Bulkhead Decking** No portion of the decking or boardwalk shall extend seaward of the bulkhead sheathing.
17. **Use of Treated Wood** The use of wood treated with Pentachlorophenol or other wood treatment not specifically approved by the Department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.
18. **No Floats, Ramps in Vegetated Tidal Wetlands** Floats and ramps may not rest on or be stored in any vegetated tidal wetland.
19. **Float Installation** The float shall be installed only at the approved location with a minimum water depth of 2 1/2 feet, measured at apparent low tide.
20. **No Prop Dredging** Prop dredging, or the act of utilizing and/or directing the propeller or propulsion system of a motorized vessel and/or the water-borne forces created by said propeller or propulsion system, to excavate or displace existing bottom sediment and benthic habitat for the direct or indirect purpose of establishing or increasing water depth, is a regulated activity and is not authorized by this permit. Prop dredging is strictly prohibited without further written authorization (permit, modification or amendment) from the department.
21. **Repairs to Structures** All repairs to existing structures shall be confined to replacement of existing elements with no change in design, dimension or materials, unless specifically authorized by this permit.
22. **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.
23. **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).





**24. 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.

**25. 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.

**26. 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).

**27. 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).

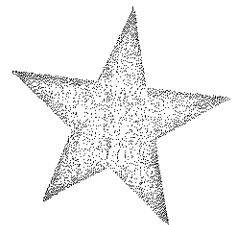
**28. Contain Exposed, Stockpiled Soils** All disturbed areas where soil will be temporarily exposed or stockpiled for longer than 48 hours shall be contained by a continuous line of staked haybales / silt curtains (or other NYSDEC approved devices) placed on the seaward side between the fill and the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

**29. 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.

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

**31. 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.

**32. 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.



44-2012-100

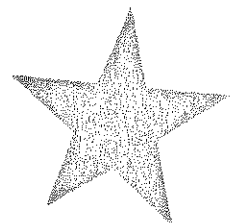


**33. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully 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.

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

#### WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

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





**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

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

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

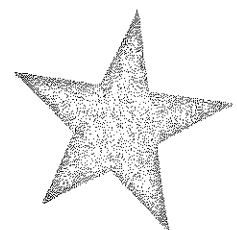
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

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

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

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

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

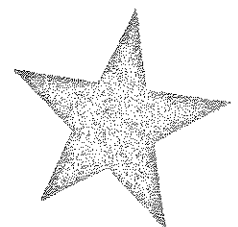




**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- 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**

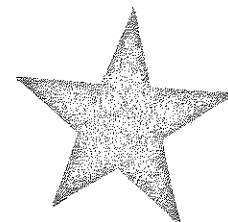
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

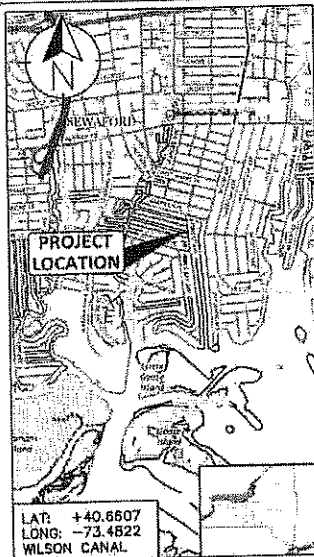
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a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



SIGNORELLI PROPERTY  
150 FOREST AVENUE  
MASSAPEQUA, NY 11758  
26 MAY 2020

DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING

LOCATION MAP



LAT: +40.6607  
LONG: -73.4622  
WILSON CANAL

REF: AMITYVILLE QUADRANGLE NY 7.5-MIN. SERIES

PROJECT INFORMATION

LOCATION

PRIVATE RESIDENCE OF MR. MICHAEL SIGNORELLI, 150 FOREST AVENUE, IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK ALONG WILSON CANAL

PROJECT NOTIFICATION

COMMENCEMENT NOTIFICATION TO REGULATORY AGENCY SHALL BE SUBMITTED, AS REQUIRED, BY SELECTED CONTRACTOR PRIOR TO THE START OF WORK.

GENERAL CONTACT INFORMATION

RIISING TIDE WATERFRONT SOLUTIONS, PLLC  
486 SUNRISE HIGHWAY, SUITE 102  
ROCKVILLE CENTRE, NY 11770  
PHONE: 516-595-3483  
EMAIL: PERMITS@RT-WS.COM

DEFINITION(S)

AUTHORITY: MR. MICHAEL SIGNORELLI  
ENGINEER: RIISING TIDE WATERFRONT SOLUTIONS, PLLC  
CONTRACTOR: TO BE DETERMINED

REVISION(S)

A: REGULATORY PERMIT APP. 05-26-2020  
B: NYSDEC RESPONSE 08-31-2020  
C: NYSDEC RESPONSE 09-14-2020

SKETCH INDEX

SK-1 TITLE SHEET & LOCATION MAP  
SK-2 VICINITY MAP  
SK-3 FACILITY PLAN  
SK-4 BULKHEAD SECTION & DETAILS  
SK-5 KNEE DOCK SECTION & DETAILS

TIDAL CHART ELEVATION(S)

POSITION	MLW	NAVD88	DESCRIPTION
MHW5	+2.7	+1.3	MEAN HIGH WATER SPRING
MHHW	+2.5	+1.1	MEAN HIGHER HIGH WATER
MHW	+2.3	+0.9	MEAN HIGH WATER
MSL	+1.2	-0.2	MEAN SEA LEVEL
MLW	+0.0	-1.4	MEAN LOW WATER
MLLW	-0.1	-1.5	MEAN LOWER LOW WATER

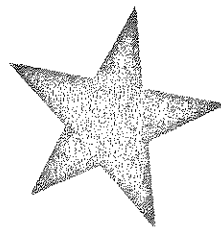
NOTE: MHW5 IS SYNONYMOUS WITH THE SPRING HIGH WATER (NOAA NOS CO-OPS1)

NYSDEC  
APPROVED AS PER TERMS  
AND CONDITIONS OF  
PERMIT NO. 1-2324-03006/0004  
DATE 10/07/2020

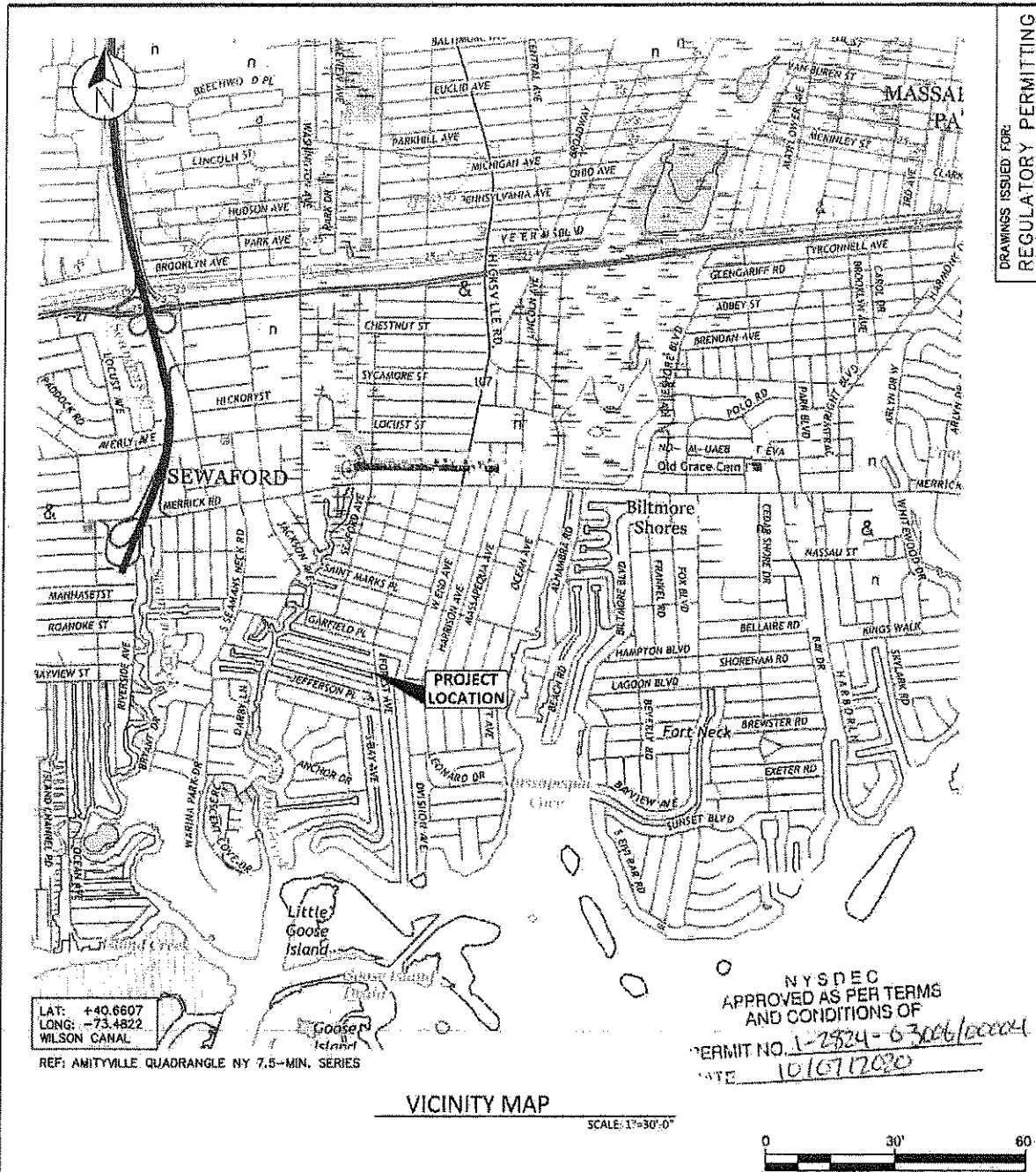
PROJECT DESCRIPTION

REMOVE AND REPLACE 84 LINEAR FEET OF FUNCTIONING AND LAWFULLY EXISTING BULKHEAD, INCLUDING RETURNS AND PARALLEL CAPPING BOARDWALKS, WITHIN THE LITTORAL ZONE (DEF: 6 NYCRR PART 661) IN-PLACE (WITHOUT SEAWARD EXPANSION). THE REPLACEMENT STRUCTURE SHALL BE 18-INCHES HIGHER THAN THE EXISTING BULKHEAD. REMOVE, REPLACE AND RELOCATE EXISTING 30X8-FT FLOATING DOCK, 6X4-FT KNEE DOCK AND 12X3-FT ACCESS GANGWAY. PROJECT DOES NOT INCLUDE MAINTENANCE DREDGING.

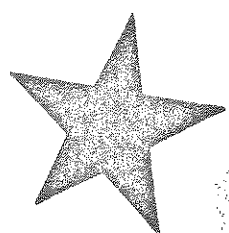
SHEET NO.  <b>SK-1</b>  1 of 5 SHEET(S)	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE N/A	Rising Tide Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11770
	DRAWN BY JMK		DATE 05-26-2020	
	CHECKED BY AMA		REVISION NO. A	
	SHEET TITLE SHEET & LOCATION MAP			



DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING



SHEET NO.  <b>SK-2</b>  2 of 5	PROJECT NO. P191028.00 DRAWN BY JMK CHECKED BY AMA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY    WILSON CANAL    MASSAU COUNTY	SCALE 1"=30'-0" DATE 05-26-2020 REVISION NO. A	Rising Tide   Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570 SHEET VICINITY MAP
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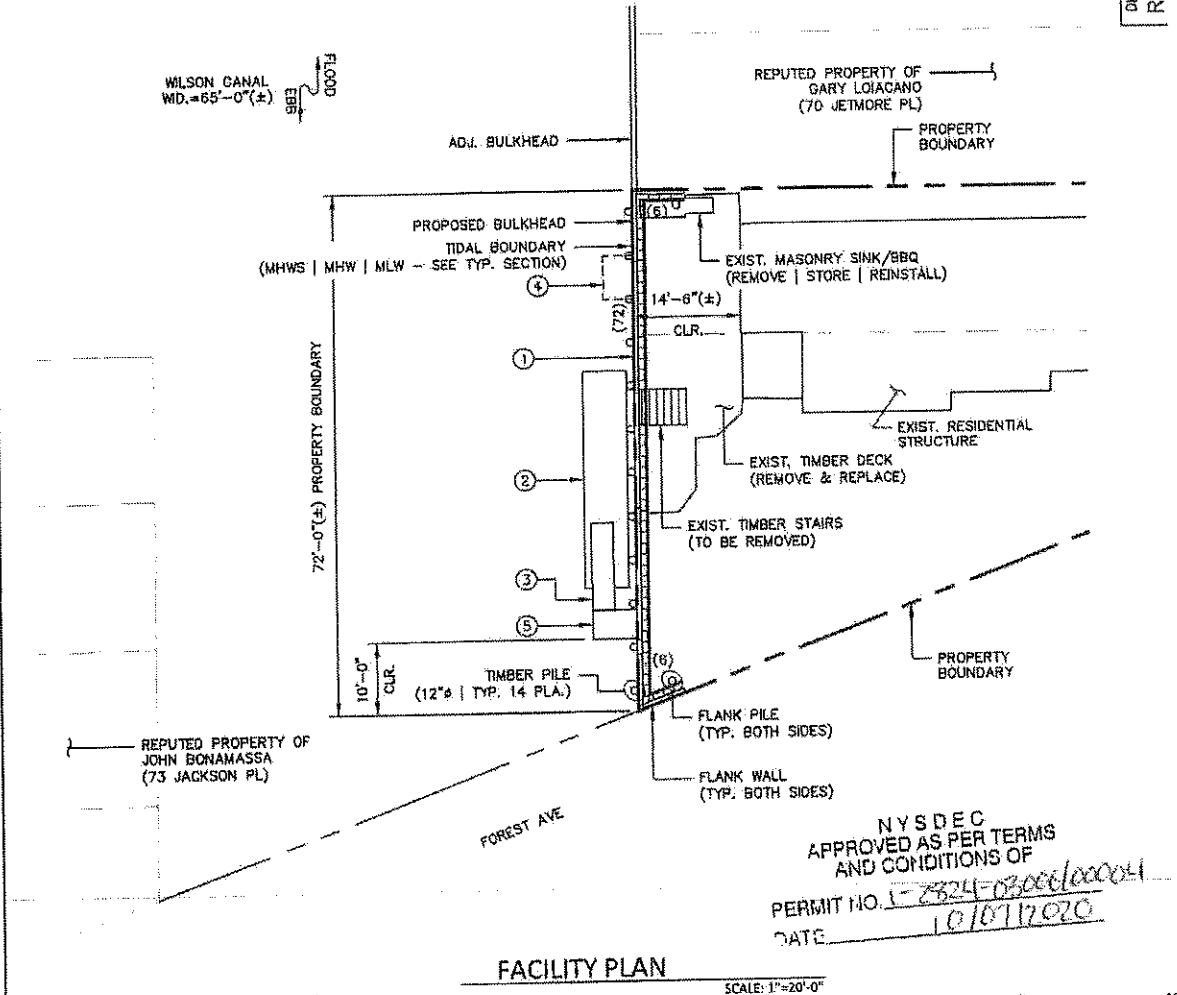




ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE & REPLACE	8' LF
2. FLOATING DOCK	EXISTING	REMOVE, REPLACE & RELOCATE	30X6-FT=180 SF
3. ACCESS GANGWAY	EXISTING	REMOVE, REPLACE & RELOCATE	12X3-FT=36 SF
4. KNEE DOCK	EXISTING	REMOVE & RELOCATE	6X4-FT=24 SF
5. KNEE DOCK	PROPOSED	CONSTRUCT	6X4-FT=24 SF

TOTAL NUMBER OF PILES=14

DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING



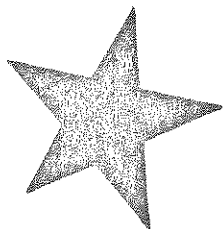
FACILITY PLAN

SCALE: 1"=20'-0"

LEGEND:

(XX) BULKHEAD SEGMENT LENGTH IN FEET

SHEET NO. <b>SK-3</b> 3 of 5	PROJECT NO. P191028.00 DRAWN BY JNR CHECKED BY AWA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=20'-0" DATE 09-14-2020 REVISION NO. C	Rising Tide   Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570 SHEET FACILITY PLAN
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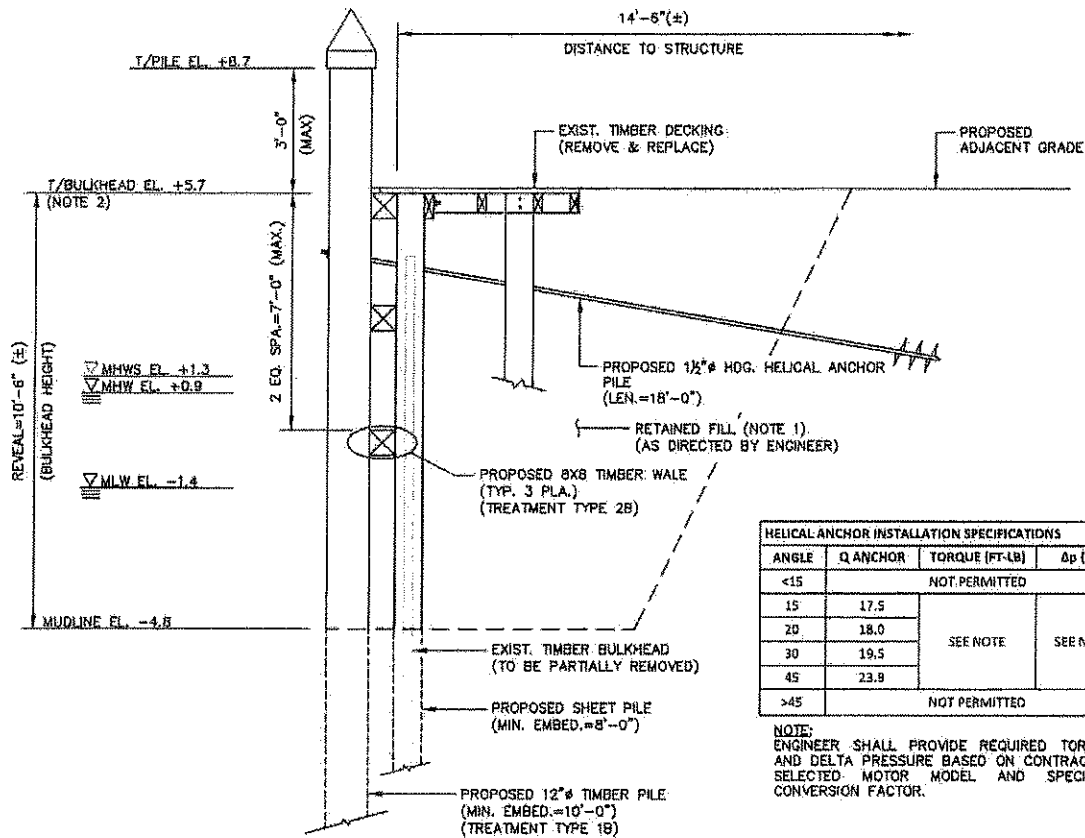


**NOTE(S):**

1. FILL: ALL ADD'L FILL BROUGHT TO SITE SHALL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18 INCHES HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

**TIMBER TREATMENT**

TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWPAS STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
1B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWPAS STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
2B		2.5	
3A		1.5	ACQ TREATED PER AWPAS ACQ-D
3B		2.5	



HELICAL ANCHOR INSTALLATION SPECIFICATIONS			
ANGLE	Q ANCHOR	TORQUE (FT-LB)	Δp (psf)
<15		NOT PERMITTED	
15	17.5	SEE NOTE	SEE NOTE
20	18.0		
30	19.5		
45	23.9	NOT PERMITTED	
>45			

**NOTE:**  
ENGINEER SHALL PROVIDE REQUIRED TORQUE AND DELTA PRESSURE BASED ON CONTRACTOR SELECTED MOTOR MODEL AND SPECIFIED CONVERSION FACTOR.

TYP

SECTION

SCALE 1"=3'-6"

NYS DEC  
APPROVED AS PER TERMS  
AND CONDITIONS OF

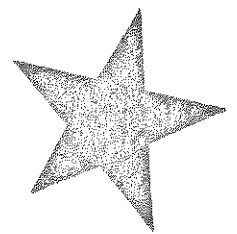
PERMIT NO. 17-2924-08206/00004  
DATE 10/07/2020



ALL ELEVATIONS IN NAVD 83

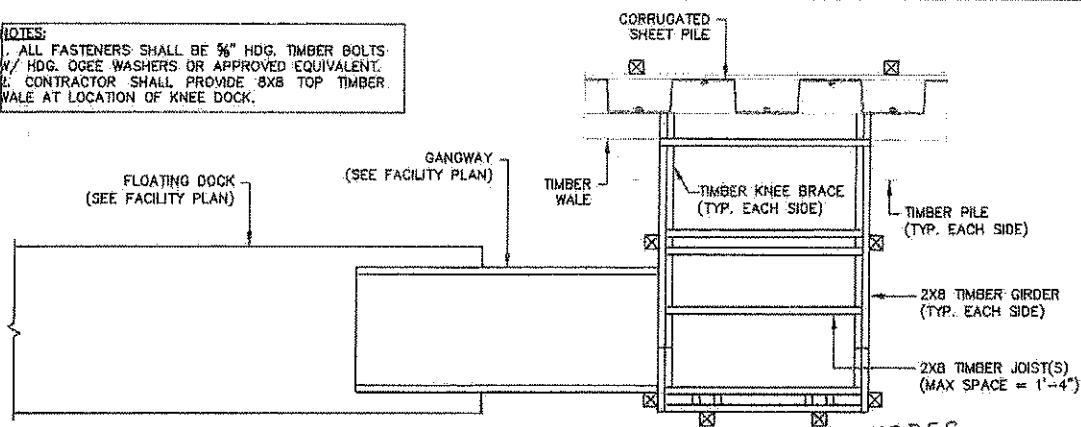
SHEET NO. <b>SK-4</b> 4 of 5 SHEETS	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=3'-6"	Rising Tide   Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570
	DRAWN BY JMK CHECKED BY ANA		DATE 05-26-2020 REVISION NO. A	

BULKHEAD SECTION & DETAILS



**NOTES:**

ALL FASTENERS SHALL BE 5/8" HDG. TIMBER BOLTS W/ HDG. OGEE WASHERS OR APPROVED EQUIVALENT.  
CONTRACTOR SHALL PROVIDE 8X8 TOP TIMBER WALE AT LOCATION OF KNEE DOCK.



**PLAN**

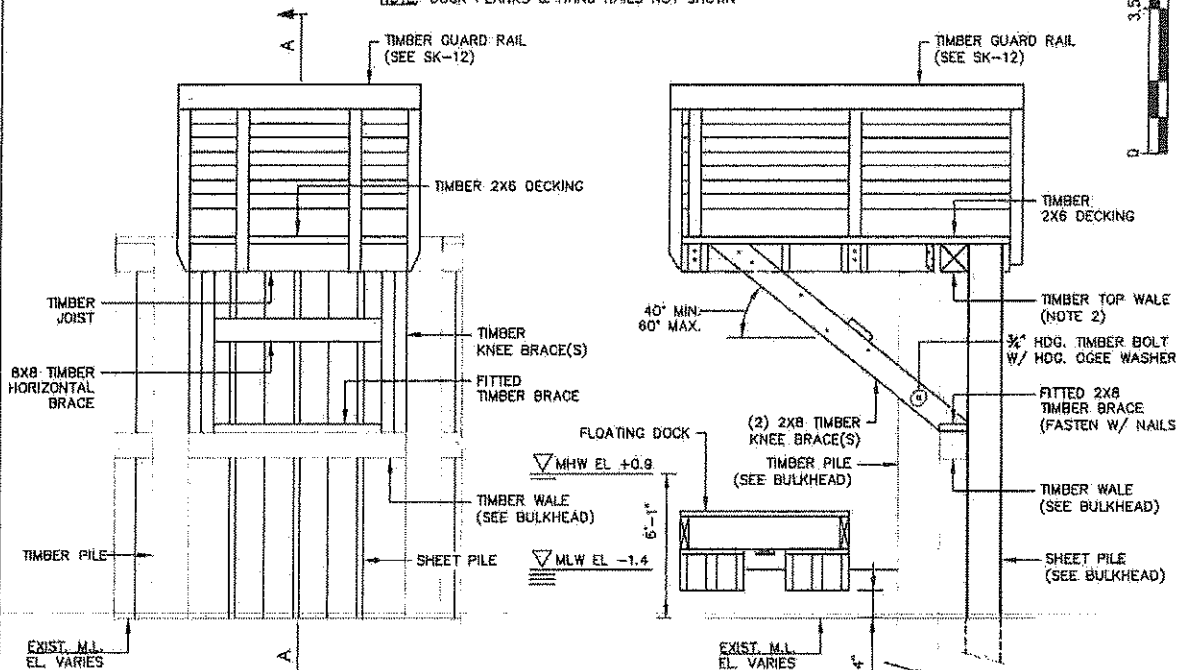
SCALE: 1"=3'-6"

NOTE: DOCK PLANKS & HAND RAILS NOT SHOWN

NYS DEC  
APPROVED AS PER TERMS  
AND CONDITIONS OF

PERMIT NO. 2324-03006/00004  
DATE 10/07/2020

DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING



**ELEVATION**

SCALE: 1"=3'-6"

NOTE: GANGWAY & FLOATING DOCK NOT SHOWN

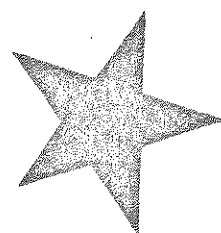
A

**SECTION**

NOTE: GANGWAY NOT SHOWN

SCALE: 1"=3'-6"

SHEET NO.  <b>SK-5</b>  5 of 5 sheets	PROJECT NO. P191028.00 DRAWN BY JMK CHECKED BY AMA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=3'-6" DATE 05-28-2020 REVISION NO. A	Rising Tide   Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570 SHEET TIMBER WALKWAY DETAILS
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**NOTICE OF COMMENCEMENT OF CONSTRUCTION**

**RETURN THIS FORM TO: COMPLIANCE**

Marine Habitat Protection  
NYSDEC  
50 Circle Road SUNY@ Stony Brook  
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 Sir:

Pursuant to **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, permit sign, and approved plans will be available at the site for inspection in accordance with general Condition No. 1. **(Both signatures required)**

PERMITEE: \_\_\_\_\_ DATE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ DATE: \_\_\_\_\_

**THIS NOTICE MUST BE SENT TO THE ABOVE ADDRESS AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE PROJECT AND/OR ANY ASSOCIATED REGULATED 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

**NOTICE OF COMPLETION OF CONSTRUCTION**

**RETURN THIS FORM TO: COMPLIANCE**

Marine Habitat Protection  
NYSDEC  
50 Circle Road SUNY@ Stony Brook  
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: \_\_\_\_\_

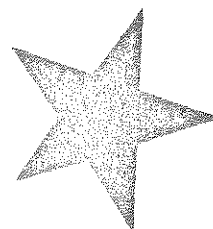
TELEPHONE: \_\_\_\_\_

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)**

PERMITEE: \_\_\_\_\_ DATE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ DATE: \_\_\_\_\_

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





NEW YORK  
STATE OF  
OPPORTUNITY.

Department of  
Environmental  
Conservation

# NOTICE

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

Regional Permit Administrator

SUSAN ACKERMAN

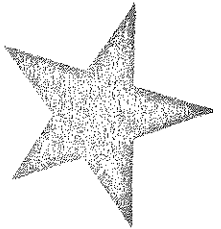
Permit Number

1-2824-03006/00004

Expiration Date

10/6/2025

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





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

AUGUST 21, 2020

REGULATORY BRANCH

SUBJECT: Department of the Army Permit Application File Number NAN-2020-00390-EDE by Michael Signorelli for Bulkhead Replacement and Dock Structures Installation in Wilson Canal, tributary of South Oyster Bay, at Massapequa, Town of Oyster Bay, Nassau County, New York

1. PERMITTEE:

Michael Signorelli  
150 Forest Avenue  
Massapequa, New York 11758  
[REDACTED]

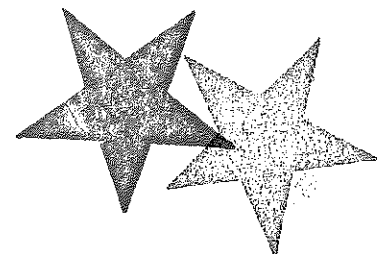
2. On April 8, 2020, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization to replace an 84-foot-long bulkhead with two (2) landward returns 18 inches higher in elevation, and a 6-foot-wide by 8-foot-long cantilevered deck, a 3-foot-wide by 12-foot-long ramp and a 6-foot-wide by 32-foot-long float. The project is located in Wilson Canal, a tributary of South Oyster Bay, at 150 Forest Avenue, Massapequa, Town of Oyster Bay, Nassau County, New York.

3. The specific applicant-provided details are as shown on the attached permit drawings titled "Signorelli Property" revision "A" dated, May 26, 2020, prepared by Rising Tide Waterfront Solutions, (sheets 1 through 5).

4. This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District of the U.S. Army Corps of Engineers.

5. Based on the information submitted to this office and accomplishment of any required notification in accordance with the applicable federal requirements, our review of the subject work 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 Number 2 STRUCTURES IN ARTIFICIAL CANALS in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S. Code 1344). The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 6, 2017 (82 FR 1860). The subject work may be performed without further authorization from this office provided it complies with Sections A through C, Number 2 STRUCTURES IN ARTIFICIAL CANALS; 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.

6. Other than the work-specific Special Conditions listed below, the 2017 nationwide general permits in the State of New York, including their final regional conditions, water



SUBJECT: Department of the Army Permit Application File Number NAN-2020-00390-EDE by Michael Signorelli for Bulkhead Replacement and Dock Structures Installation in Wilson Canal, tributary of South Oyster Bay, at Massapequa, Town of Oyster Bay, Nassau County, New York

-2-

quality certifications, and coastal zone concurrence statements are available at:

[www.nan.usace.army.mil/Portals/37/docs/regulatory/publicnotices/Regional%20Gen%20Permit/PN-LRB%20NAN%20FinalRegionalConditionsWOC%20CZMforNYdated%2021-MAR-2017.pdf](http://www.nan.usace.army.mil/Portals/37/docs/regulatory/publicnotices/Regional%20Gen%20Permit/PN-LRB%20NAN%20FinalRegionalConditionsWOC%20CZMforNYdated%2021-MAR-2017.pdf)

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.

7. Work-specific 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.

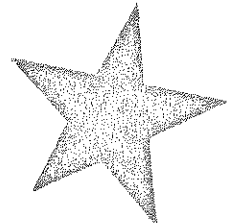
(B) The permittee shall sign and submit the attached compliance certification form to this office **within 30 days of COMPLETION** of the regulated activity authorized by this permit and any mitigation work required by Special Condition.

(C) The permittee, and their agents, shall take actions to prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

8. Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at:

[http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rql\\_6-01\\_app1-2.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rql_6-01_app1-2.pdf)

9. This verification is valid until March 18, 2022, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2022, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide



AUGUST 21, 2020

REGULATORY BRANCH

SUBJECT: Department of the Army Permit Application File Number NAN-2020-00390-EDE  
by Michael Signorelli for Bulkhead Replacement and Dock Structures Installation in Wilson  
Canal, tributary of South Oyster Bay, at Massapequa, Town of Oyster Bay, Nassau County,  
New York

-3-

permit, and the proposed activity has commenced, or is under contract to commence, the  
permittee shall have 12 months from the date of such action to complete the activity.

10. In order for us to better serve you and others, please complete our Customer Service  
Survey located at:

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

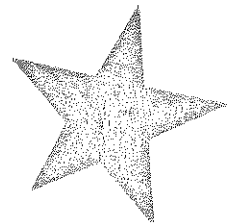
11. Any inquiries should be directed to our Regulator-of-the-Day at 917-790-8511. Please  
be sure to have the above eighteen-character file number readily available when you call.

GRUDZINSKI.LISA Digitally signed by  
GRUDZINSKI.LISA ANN.126314  
ANN.1263143465 2485  
Date: 2020.08.21 18:45:32 -04'00'

FOR AND IN BEHALF OF  
Ronald R. Pinzon  
Chief Eastern Section

Enclosures (2)

1. Dated Permit Drawings
2. Completion Form





**NATIONWIDE GENERAL PERMIT**  
**COMPLIANCE CERTIFICATION**  
**AND REPORT FORM**

Permit File Number: NAN-2020-00390-EDE

Permittee: Michael Signorelli

Location: 150 Forest Avenue, Massapequa, Town of Oyster Bay, Nassau County,  
New York

Date Permit Letter Issued: AUGUST 21, 2020

Within 30 days of the completion of the activity authorized by this nationwide general permit and any mitigation required in the verification letter, please sign this certification and return it to the address at the bottom of this form.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the permit's terms and conditions you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced nationwide general permit has been completed in accordance with the terms and conditions of said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

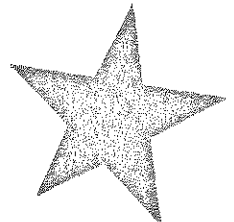
\_\_\_\_\_  
Date

FOLD THIS FORM INTO THIRDS, WITH THE BOTTOM THIRD FACING OUTWARD.  
TAPE IT TOGETHER AND MAIL TO THE ADDRESS BELOW OR FAX (212) 264-4260.

---

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
PLACE  
STAMP  
HERE

DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
ATTN: CENAN-OP-RE  
NEW YORK, NEW YORK 10278-0090

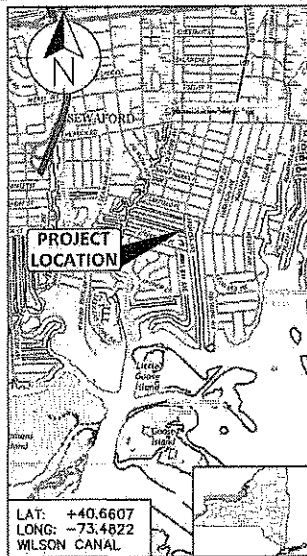


# SIGNORELLI PROPERTY

## 150 FOREST AVENUE

### MASSAPEQUA, NY 11758

### 26 MAY 2020

 DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING
**LOCATION MAP**

REF: AMITYVILLE QUADRANGLE NY 7.5-MIN. SERIES

**PROJECT INFORMATION****LOCATION**

PRIVATE RESIDENCE OF MR. MICHAEL SIGNORELLI, 150 FOREST AVENUE, IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK ALONG WILSON CANAL.

**PROJECT NOTIFICATION**

COMMENCEMENT NOTIFICATION TO REGULATORY AGENCY SHALL BE SUBMITTED, AS REQUIRED, BY SELECTED CONTRACTOR PRIOR TO THE START OF WORK.

**GENERAL CONTACT INFORMATION**
 RISING TIDE WATERFRONT SOLUTIONS, PLLC.  
486 SUNRISE HIGHWAY, SUITE 102  
ROCKVILLE CENTRE, NY 11570  
PHONE: 516-595-3483  
EMAIL: PERMITS@RT-WS.COM
**DEFINITION(S)**
 AUTHORITY: MR. MICHAEL SIGNORELLI  
ENGINEER: RISING TIDE WATERFRONT SOLUTIONS, PLLC  
CONTRACTOR: TO BE DETERMINED
**REVISION(S)**

A: REGULATORY PERMIT APP. 05-26-2020

**SKETCH INDEX**
 SK-1 TITLE SHEET & LOCATION MAP  
SK-2 VICINITY MAP  
SK-3 FACILITY PLAN  
SK-4 BULKHEAD SECTION & DETAILS  
SK-5 KNEE DOCK SECTION & DETAILS
**TIDAL CHART ELEVATION(S)**

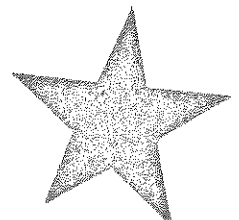
POSITION	MLW	NAVD88	DESCRIPTION
MHWS	+2.7	+1.3	MEAN HIGH WATER SPRING
MHHW	+2.5	+1.1	MEAN HIGHER HIGH WATER
MHW	+2.3	+0.9	MEAN HIGH WATER
MSL	+1.2	-0.2	MEAN SEA LEVEL
MLW	±0.0	-1.4	MEAN LOW WATER
MLLW	-0.1	-1.5	MEAN LOWER LOW WATER

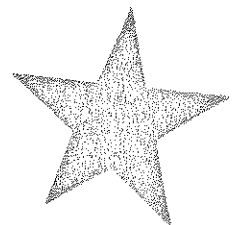
NOTE: MHWS IS SYNONYMOUS WITH THE SPRING HIGH WATER (NOAA NOS CO-OPS1)

**PROJECT DESCRIPTION**

REMOVE AND REPLACE 84 LINEAR FEET OF FUNCTIONING AND LAWFULLY EXISTING BULKHEAD, INCLUDING RETURNS AND PARALLEL CAPPING BOARDWALKS, WITHIN THE LITTORAL ZONE (DEF: 6 NYCRR PART 661) IN-PLACE (WITHOUT SEAWARD EXPANSION). THE REPLACEMENT STRUCTURE SHALL BE 18-INCHES HIGHER THAN THE EXISTING BULKHEAD. REMOVE, REPLACE AND RELOCATE EXISTING 30X6-FT FLOATING DOCK, 6X4-FT KNEE DOCK AND 12X3-FT ACCESS GANGWAY, PROJECT DOES NOT INCLUDE MAINTENANCE DREDGING.

SHEET NO.  <b>SK-1</b>  1 of 5 SHEET(S)	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE N/A	Rising Tide   Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570
	DRAWN BY JWK		DATE 05-26-2020	
	CHECKED BY ANA		REVISION NO. A	SHEET TITLE SHEET & LOCATION MAP

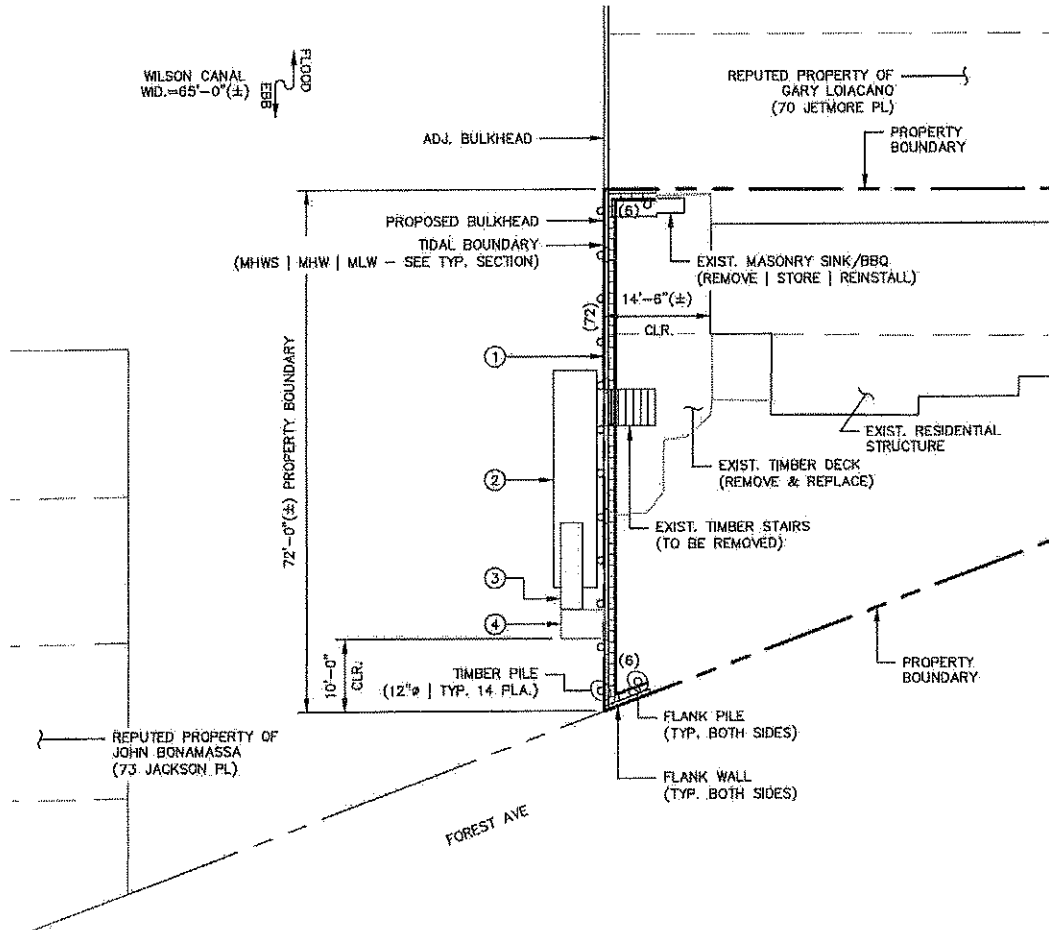






ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE & REPLACE	84' LF
2. FLOATING DOCK	EXISTING	REMOVE, REPLACE & RELOCATE	30X6-FT=180 SF
3. ACCESS GANGWAY	EXISTING	REMOVE, REPLACE & RELOCATE	12X3-FT=36 SF
4. KNEE DOCK	EXISTING	REMOVE, REPLACE & RELOCATE	6X4-FT=24 SF

TOTAL NUMBER OF PILES=14

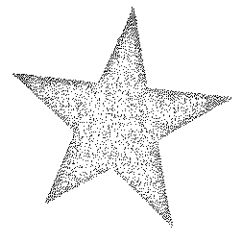
DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING

## LEGEND:

(XX) BULKHEAD SEGMENT LENGTH IN FEET

SHEET NO. <b>SK-3</b> 3 of 5 SHEET(S)	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=20'-0"	Rising Tide   Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570
	DRAWN BY JWK		DATE 05-26-2020	
	CHECKED BY AMA		REVISION NO. A	SHEET FACILITY PLAN

PAGE 2 of 5

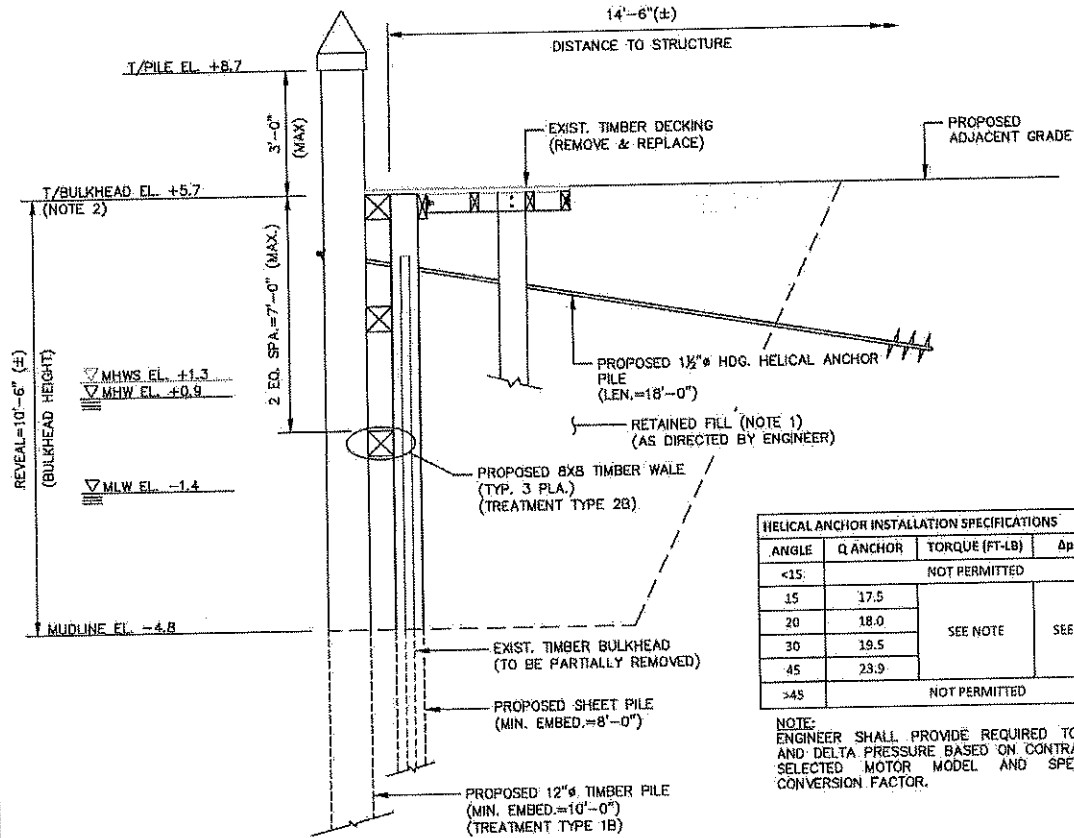


## NOTE(S):

1. FILL: ALL ADD'L FILL BROUGHT TO SITE SHALL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18 INCHES HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

## TIMBER TREATMENT

TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWP/PA STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
1B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWP/PA STANDARDS, COMMODITY SPECIFICATION A.P. 3.0
2B		2.5	
3A		1.5	ACQ. TREATED PER AWP/PA ACQ-D
3B		2.5	

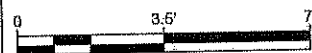


TYP SECTION

SCALE: 1"=3'-6"

HELICAL ANCHOR INSTALLATION SPECIFICATIONS			
ANGLE	Q ANCHOR	TORQUE (FT-LB)	Δp (psi)
<15	NOT PERMITTED		
15	17.5	SEE NOTE	SEE NOTE
20	18.0		
30	19.5		
45	23.9	NOT PERMITTED	
>45			

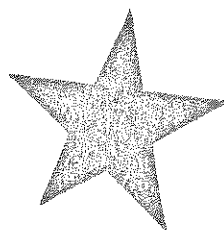
NOTE:  
ENGINEER SHALL PROVIDE REQUIRED TORQUE AND DELTA PRESSURE BASED ON CONTRACTOR SELECTED MOTOR MODEL AND SPECIFIED CONVERSION FACTOR.

 DRAWINGS ISSUED FOR:  
REGULATORY PERMITTING


ALL ELEVATIONS IN NAVD 88

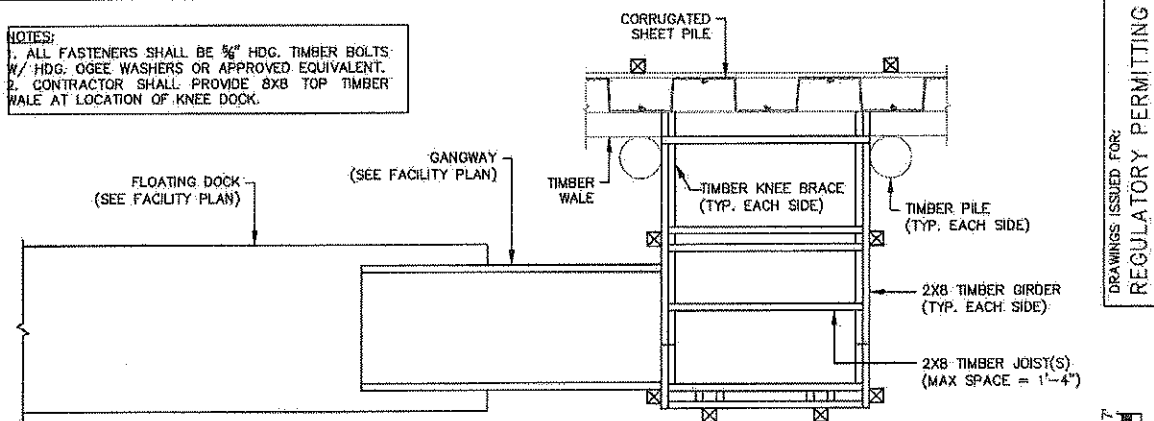
SHEET NO.  <b>SK-4</b>  <u>4</u> of <u>5</u> SHEET(S)	PROJECT NO. P191028.00	PROJECT  SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE  MASSAPEQUA, NY      WILSON CANAL      NASSAU COUNTY	SCALE 1"=3'-6"	Rising Tide   Waterfront Solutions  486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570	
	DRAWN BY JWK		DATE 05-26-2020		SHEET BULKHEAD SECTION & DETAILS
	CHECKED BY AMA		REVISION NO. A		

PAGE 4 of 5



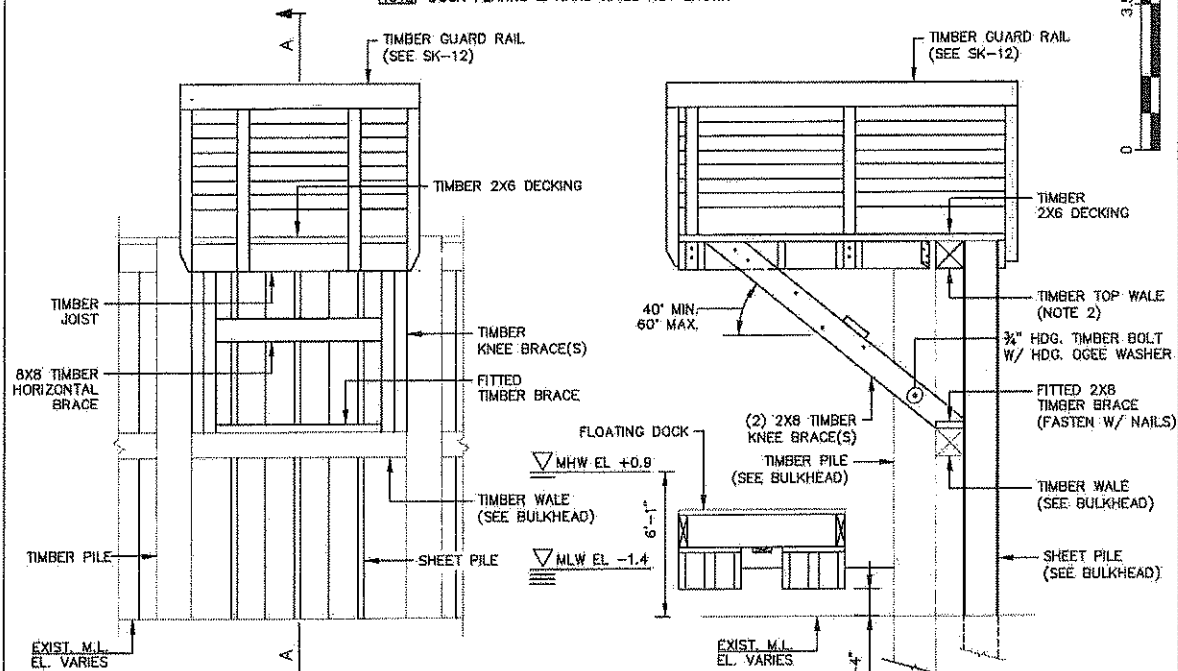
**NOTES:**

1. ALL FASTENERS SHALL BE  $\frac{3}{4}$ " HDG. TIMBER BOLTS W/ HDG. OGEE WASHERS OR APPROVED EQUIVALENT.
2. CONTRACTOR SHALL PROVIDE 8X8 TOP TIMBER WALE AT LOCATION OF KNEE DOCK.

**PLAN**

SCALE: 1"=3'-6"

NOTE: DOCK PLANKS &amp; HAND RAILS NOT SHOWN

**ELEVATION**

SCALE: 1"=3'-6"

NOTE: GANGWAY &amp; FLOATING DOCK NOT SHOWN

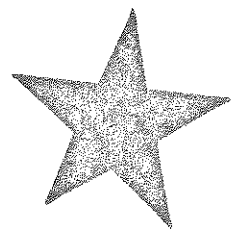
**SECTION**

SCALE: 1"=3'-6"

NOTE: GANGWAY NOT SHOWN

SHEET NO.  <b>SK-5</b>  5 of 5 sheets	PROJECT NO. P191028.00 DRAWN BY JWK CHECKED BY ANA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY    WILSON CANAL    NASSAU COUNTY	SCALE 1"=3'-6" DATE 05-26-2020 REVISION NO. A	Rising Tide Waterfront Solutions 486 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570 SHEET TIMBER WALKWAY DETAILS
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PAGE 5 OF 5



April 28, 2020

Adon Austin  
Rising Tide Waterfront Solutions  
486 Sunrise Highway, Suite 102  
Rockville Centre, New York 11570

Re: F-2020-0271  
U.S. Army Corps of Engineers/New York District Permit  
Application – Michael Signorelli  
Remove and replace in place 84LF of bulkhead with an 18"  
increase in elevation, including the returns and parallel  
capping boardwalks, remove, replace and relocate existing 30'  
x 6' floating dock, the 6' x 4' knee dock and the 12' x 3' access  
gangway.  
Wilson Canal, Town of Oyster Bay, Nassau County  
**General Concurrence**

Dear Mr. Austin:

The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on 4/3/2020.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

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

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file #F-2020-0271.

Sincerely,



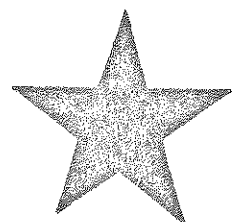
Jennifer L. Street  
Supervisor, Consistency Review Unit  
Office of Planning, Development and  
Community Infrastructure

JLS/dc

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



Department  
of State



*Planning*

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

April 15, 2022

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

**FROM:** GEORGE BAPTISTA, JR., DEPUTY COMMISSIONER,  
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 21110253;  
MICHAEL SIGNORELLI

**LOCATION:** 150 FOREST AVE, MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 133, LOT(S) 72

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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.

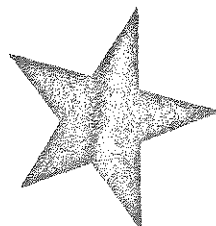
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, 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.

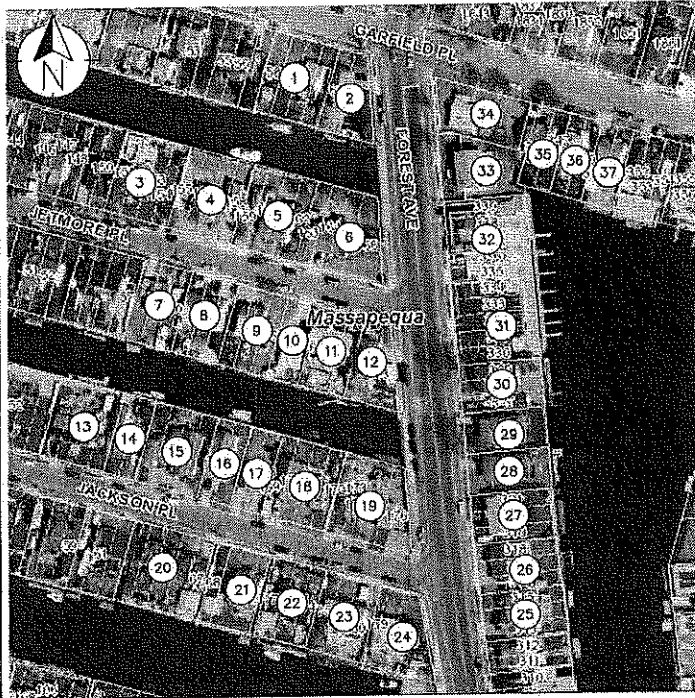
Inasmuch as the proposed action is on SEQR's pre-determined Type II Actions list and the TEQR Law Type II Actions List, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.

  
GEORGE BAPTISTA, JR.  
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/150 Forest Ave, Massapequa\_4.15.22



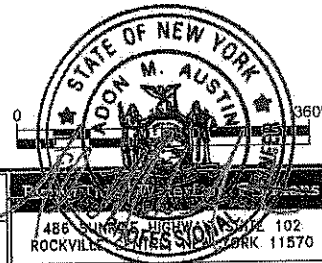





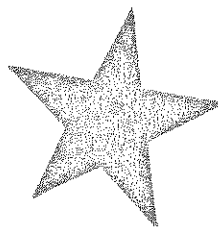
RADIUS MAP

SCALE: 1"=180'-0"

TABLE OF PROPERTIES		
ID	OWNER	ADDRESS
1	KRISTIN REGRUTO	60 GARFIELD PL
2	CRAIG SKOLER	180 FOREST AVE
3	DOREEN DUNNE	49 JETMORE PL
4	PAUL FUINA	51 JETMORE PL
5	CAMILLE LUSTIG	53 JETMORE PL
6	CARLOS SILVA	101 JETMORE PL
7	ANGELINA MACALUSO	54 JETMORE PL
8	KEVIN LILES	58 JETMORE PL
9	JACQUELINE COLAVITO	62 JETMORE PL
10	ED HOWARTH	66 JETMORE PL
11	CHRISTINE BOCCO	70 JETMORE PL
12	MICHAEL SIGNORELLI	LOCATION OF WORK
13	PATRICIA LYNOTT	49 JACKSON PL
14	ROSEANNE DISIMONE	57 JACKSON PL
15	JOHN DEBELLA	51 JACKSON PL
16	MARGARET CANNER	65 JACKSON PL
17	BRIAN SHEA	67 JACKSON PL
18	CHRISTINA WALSH	69 JACKSON PL
19	JOHN BONAMASSA	73 JACKSON PL
20	IRENE GRUNERT	80 JACKSON PL
21	JOSEPH PAOLONI	62 JACKSON PL
22	REGINA BLASI	64 JACKSON PL
23	SAUL BRODSKY	70 JACKSON PL
24	PETER HEEBER	136 FOREST AVE
25	SANDRA BURNS	137 FOREST AVE
26	GLEN ADKINS	139 FOREST AVE
27	TRACY GINTY	141 FOREST AVE
28	ROBERT JERVAS	145 FOREST AVE
29	MAUREEN SAUTER	147 FOREST AVE
30	SABRINA RUGOLSKY	153 FOREST AVE
31	THOMAS FRIGENTI	155 FOREST AVE
32	NOEL CANNON	157 FOREST AVE
33	MICHAEL CAMA	159 FOREST AVE
34	ROSEMARY NENNESSY	102 GARFIELD PL
35	BRIAN SPIESS	106 GARFIELD PL
36	VITO COSTANZA	108 GARFIELD PL
37	JOSEPH SPRATT	110 GARFIELD PL



SHEET NO.  <b>IL-1</b>	PROJECT NO. P191028.00	PROJECT  <b>SIGNORELLI PROPERTY</b> PREPARED FOR <b>MR. MICHAEL SIGNORELLI</b> LOCATED AT <b>150 FOREST AVENUE</b>  MASSAPEQUA, NY      WILSON CANAL      NASSAU COUNTY	SCALE 1"=180'-0"	 486 S. HIGHTS HIGHWAY, 102 ROCKVILLE, MARYLAND 20850 SHEET <b>300-FT RADIUS MAP</b>
	DRAWN BY JWK		DATE 11-08-2020	
	CHECKED BY AMA		REVISION NO. A	
	OF SHEET(S)			



DRAWINGS ISSUED FOR:  
BUILDING PERMITTING

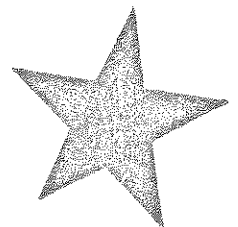
Map of the project location in New Bedford, Massachusetts. The map shows the city grid, the harbor, and the location of the project area near the harbor. A north arrow is in the top left. A box labeled 'PROJECT LOCATION' with an arrow points to a specific area on the map. Coordinates are provided at the bottom left.

**PROJECT LOCATION**

LAT: +40.6607  
LONG: -73.4822  
WILSON CANAL

STATE OF NEW YORK  
ADON M. AUSTIN  
094255  
LICENSED PROFESSIONAL ENGINEER

SHEET NO.  <div style="font-size: 2em; font-weight: bold;">SK-1.0</div> <div> <u>1</u> of <u>10</u> sheets         </div>	PROJECT NO. P191028.00	PROJECT  :SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE  MASSAPEQUA, NY      WILSON CANAL      NASSAU COUNTY			SCALE N/A	Rising Tide   Waterfront Solutions  485 SUNRISE HIGHWAY, SUITE 102 ROCKVILLE CENTRE, NEW YORK 11570  TITLE SHEET & LOCATION MAP		
	DRAWN BY JMK				DATE 11-06-2020		REVISION NO. 0	SHEET
	CHECKED BY AMA							



**GENERAL NOTE(S):**

1. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR MEANS, METHODS, AND SAFETY OF WORK.
2. ALL WORK SHALL CONFORM TO ALL FEDERAL, STATE, COUNTY, OR LOCAL CODES HAVING JURISDICTION OVER THE PROJECT LOCATION.
3. ALL PROJECT WORK SHALL BE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS OR AS DIRECTED BY THE AUTHORITY OR THE ENGINEER. CONTRACTOR SHALL BECOME FAMILIAR WITH THE ACTUAL SITE CONDITIONS AND SHALL BE RESPONSIBLE FOR FURNISHING A COMPLETED PROJECT AS REPRESENTED IN THE CONTRACT DOCUMENTS.
4. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF EXISTING CONDITIONS. THE CONTRACTOR SHALL PERFORM FIELD MEASUREMENTS PRIOR TO CONSTRUCTION, FABRICATION, AND/OR PURCHASE OF ANY MATERIAL. DISCOVERY OF INCONSISTENT SITE INFORMATION OR CONDITIONS SHALL BE IMMEDIATELY CONVEYED TO THE AUTHORITY AND THE ENGINEER PRIOR TO COMMENCING OR CONTINUING CONSTRUCTION. CONFLICTS ARISING DUE TO THE LACK OF COORDINATION SHALL BE THE RESPONSIBILITY AND AT THE SOLE EXPENSE OF THE CONTRACTOR.

**PERMIT(S):**

1. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL REQUIRED REGULATORY, CONSTRUCTION AND/OR BUILDING PERMITS AND/OR CLEARANCES ARE SECURED PRIOR TO COMMENCING CONSTRUCTION.

**SITE ACCESS AND STAGING AREA(S):**

1. THE CONTRACTOR IS RESPONSIBLE FOR ALL SITE SECURITY AND JOB SAFETY. ALL CONSTRUCTION ACTIVITY SHALL BE IN ACCORDANCE WITH OSHA STANDARDS AND LOCAL & STATE REGULATIONS.
2. THE PROJECT AREA SHALL BE KEPT, AT ALL TIMES, FREE OF DEBRIS AND EXCESS MATERIAL TO THE SATISFACTION OF THE AUTHORITY AND THE ENGINEER.

**ENVIRONMENTAL CONTROLS:**

1. CONTRACTOR SHALL PERFORM ALL WORK IN CONFORMANCE WITH THE CONDITIONS DEFINED WITHIN LISTED REGULATORY PERMITS.
2. CLEAN FILL ONLY - ALL FILL SHALL CONSIST OF CLEAN SAND, GRAVEL OR SOIL. ASPHALT, SLAG, FLY ASH, BROKEN CONCRETE OR DEMOLITION DEBRIS IS PROHIBITED.
3. CONTRACTOR SHALL NOT DISTURB PROTECTED BUFFER AREA OR AREAS PREVIOUSLY DESIGNATED TO REMAIN IN A NATURAL AND/OR UNDISTURBED STATE BY ANY ENVIRONMENTAL AGENCY.
4. BULKHEAD / STRUCTURE EXCAVATION - ALL BACKFILL SHALL BE EXCAVATED LANDWARD OF THE STRUCTURE AND RETAINED PRIOR TO ANY CONSTRUCTION OR REMOVAL OF THE BULKHEAD. CONTRACTOR SHALL PREVENT ALL EXCAVATED SOIL FROM ENTERING THE WATERBODY. ALL EXCAVATED MATERIAL SHALL BE RETAINED AT THE PROJECT SITE ABOVE THE REACH OF HIGH WATER OR BEHIND THE COMPLETED WALL.
5. BULKHEAD / STRUCTURE BACKFILL - BULKHEAD CONSTRUCTION SHALL BE COMPLETED PRIOR TO PLACEMENT OF FILL MATERIAL BEHIND SUCH STRUCTURE.
6. NOT USED

**MATERIAL(S):**

1. MATERIALS THAT ARE STORED ON SITE SHALL BE STORED IN ACCORDANCE WITH MANUFACTURER RECOMMENDATIONS AND LOCATED IN AN AREA THAT IS PROTECTED TO PREVENT ACCIDENTS, DAMAGE, AND ANY ADVERSE ENVIRONMENTAL EFFECTS. DAMAGED MATERIALS SHALL BE PROMPTLY REPORTED TO THE AUTHORITY AND THE ENGINEER. DAMAGED MATERIALS SHALL BE REMEDIATED BY THE CONTRACTOR AT THE CONTRACTOR'S SOLE EXPENSE AND IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. TIMBER - TIMBER EXPOSED TO SEAWATER, SALTWATER SPRAY OR IN CONTACT WITH THE GROUND SHALL RECEIVE CCA TREATMENT IN ACCORDANCE WITH THE LATEST AWPAC STANDARDS, COMMODITY SPECIFICATION A.P. 3.0.
  - A. PILES - PILES SHALL BE CLASS B SOUTHERN YELLOW PINE SUITABLE FOR A DESIGN STRESS OF 1200-PSI IN ACCORDANCE WITH ASTM D2899-70 T. PILES SHALL BE CCA TREATED PER AWPAC-P5 AT A RETENTION RATE OF 2.5-PCF. MAXIMUM ALLOWABLE HORIZONTAL INSTALLATION DEVIATIONS SHALL BE 3-INCH AND VERTICAL INSTALLATION DEVIATION SHALL BE 1-INCH IN 10-FEET.
  - B. FRAMING AND POSTS - FRAMING AND POSTS SHALL BE CLASSIFIED AS USE CATEGORY UC4B AND RECEIVE A MINIMUM TREATMENT CONSISTING OF 0.6-PCF OF CCA.
  - C. DECKING AND RAILS - TIMBER FOR DECKING OR RAILS SHALL BE CLASSIFIED AS USE CATEGORY UC4B AND RECEIVE TREATMENT CONSISTING OF 0.6-PCF OF ACQ-B.

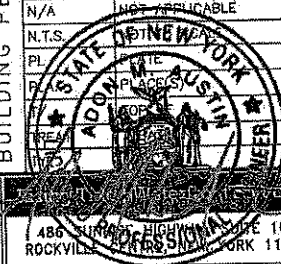
3. VINYL SHEET PILES - SHEET PILES SHALL BE FABRICATED BY A MANUFACTURER APPROVED, IN WRITING, BY THE AUTHORITY OR ENGINEER, AND PROVIDE A MINIMUM MODULUS OF ELASTICITY OF 380-KSI.

- A. SHEET PILING SHALL BE DRIVEN TO DEPTH AS SHOWN IN THE CONTRACT DOCUMENTS. SHEETS DRIVEN TO A DEPTH, LESS THAN SPECIFIED MUST BE REPORTED TO THE ENGINEER, IN WRITING.
  - B. SHEET PILING SHALL BE DRIVEN WITHIN 1-INCH PER 5-FOOT IN THE PLANE OF THE SHEET AND 3/8-INCH PER 1-FOOT PERPENDICULAR TO THE PLANE OF THE SHEET.
4. FASTENING HARDWARE - STEEL FOR TIMBER CONNECTIONS SHALL BE HOT DIPPED GALVANIZED (HDG), WITH COATING WEIGHT NOT LESS THAN 2-OUNCES PER 1-SQUARE FOOT, AFTER FABRICATION.
  5. FILL MATERIALS - MATERIAL CONSISTING OF ROCK, STONE, SLAG, COBBLES, OR GRAVEL FREE OF SHALE OR OTHER SOFT, POOR DURABILITY PARTICLES AND UNSUITABLE MATERIALS. UNSUITABLE FILL SHALL COMPRISE ANY MATERIAL SO DESIGNATED BY THE ENGINEER BECAUSE OF ITS TYPE, INABILITY TO BE PROPERLY COMPACTED, OR LEVEL OF CONTAMINATION.

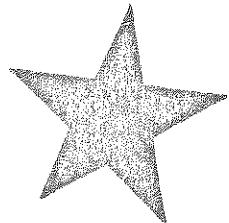
**ANCHOR INSTALLATION NOTE(S):**

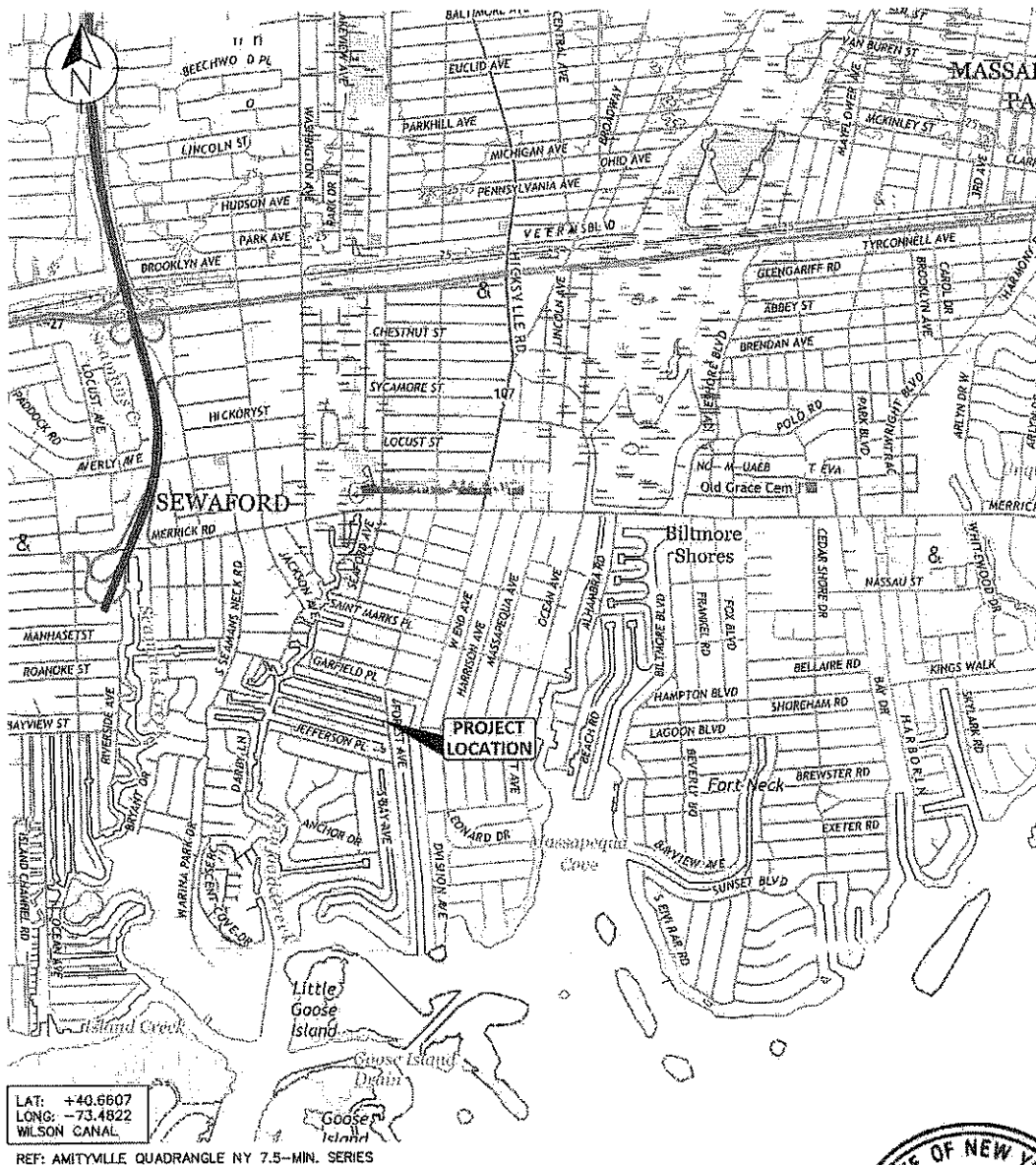
1. HELICAL ANCHORS, EXTENSIONS, AND APPURTENANCES SHALL BE HDG STEEL IN ACCORDANCE W/ ASTM A153 AND ESR-5052, LATEST REVISIONS.
2. HELICAL ANCHORS SHALL BE INSTALLED BY A FACTORY CERTIFIED TECHNICIAN. CONTRACTOR SHALL PROVIDE TRAINING/CERTIFICATION DOCUMENTATION TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO START OF WORK. ALL HELICAL ANCHORS MUST BE ICC APPROVED AND BE IN ACCORDANCE W/ NYC DOB BULLETIN 2011-011.
3. HELICAL ANCHOR LEAD SECTIONS SHALL BE 7 FT LONG W/ 1.5 INCH ROUND CORNER SQUARE SHAFTS. LEADS SHALL BE SCH40 W/ MIN. 7500 FT LB TORQUE RATING.
4. HELICAL ANCHORS SHALL INCLUDE LEAD SECTION AND TWO EXTENSIONS (MIN.) FOR A MIN. TOTAL LENGTH OF 21 FT.
5. CONTRACTOR SHALL SUBMIT MOTOR AND ANCHOR SPECIFICATIONS TO ENGINEER FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. ALL ANCHOR INSTALLATION OPERATIONS SHALL BE WITNESSED BY A LICENSED ENGINEER. CONTRACTOR SHALL MAINTAIN RECORDS OF ANCHOR INSTALLATIONS AND SUBMIT HELICAL INSTALLATION LOGS TO THE ENGINEER FOR REVIEW AND APPROVAL WITHIN 48 HOURS OF ANCHOR INSTALLATION.

ABBREVIATIONS	
CL	CENTER LINE
Ø	DIAMETER
EL	ELEVATION
EMBED.	EMBEDMENT
EXIST.	EXISTING
FND	FOUNDATION
HDG.	HOT DIPPED GALVANIZED
MHHW	MEAN HIGHER HIGH WATER
MHWS	MEAN HIGH WATER SPRING
MIN.	MINIMUM
MLLW	MEAN LOWER LOW WATER
MLW	MEAN LOW WATER
MSL	MEAN SEA LEVEL
N/A	NOT APPLICABLE
N.T.S.	NOT TO SCALE
PL	PLACE

DRAWINGS ISSUED FOR:  
BUILDING PERMITTING

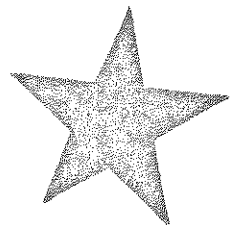
SHEET NO. <b>SK-1.1</b> 2 of 10 SHEET(S)	PROJECT NO. P191028.00 DRAWN BY JMK CHECKED BY AWA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE N/A DATE 11-06-2020 REVISION NO. 0	1480 SURFACED HIGHWAY SIDE 102 ROCKVILLE, MARYLAND 20850 GENERAL NOTES
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DRAWINGS ISSUED FOR:  
BUILDING PERMITTING

SHEET NO.	PROJECT NO.	PROJECT	SCALE	DATE	REVISION NO.	SHEET
SK-2.0	P191028.00	SIGNORELLI PROPERTY	1"=30'-0"	11-06-2020	0	VICINITY MAP
3 of 10 SHEET(S)	DRAWN BY JWK	PREPARED FOR MR. MICHAEL SIGNORELLI				
	CHECKED BY AMA	LOCATED AT 150 FOREST AVENUE				
		MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY				

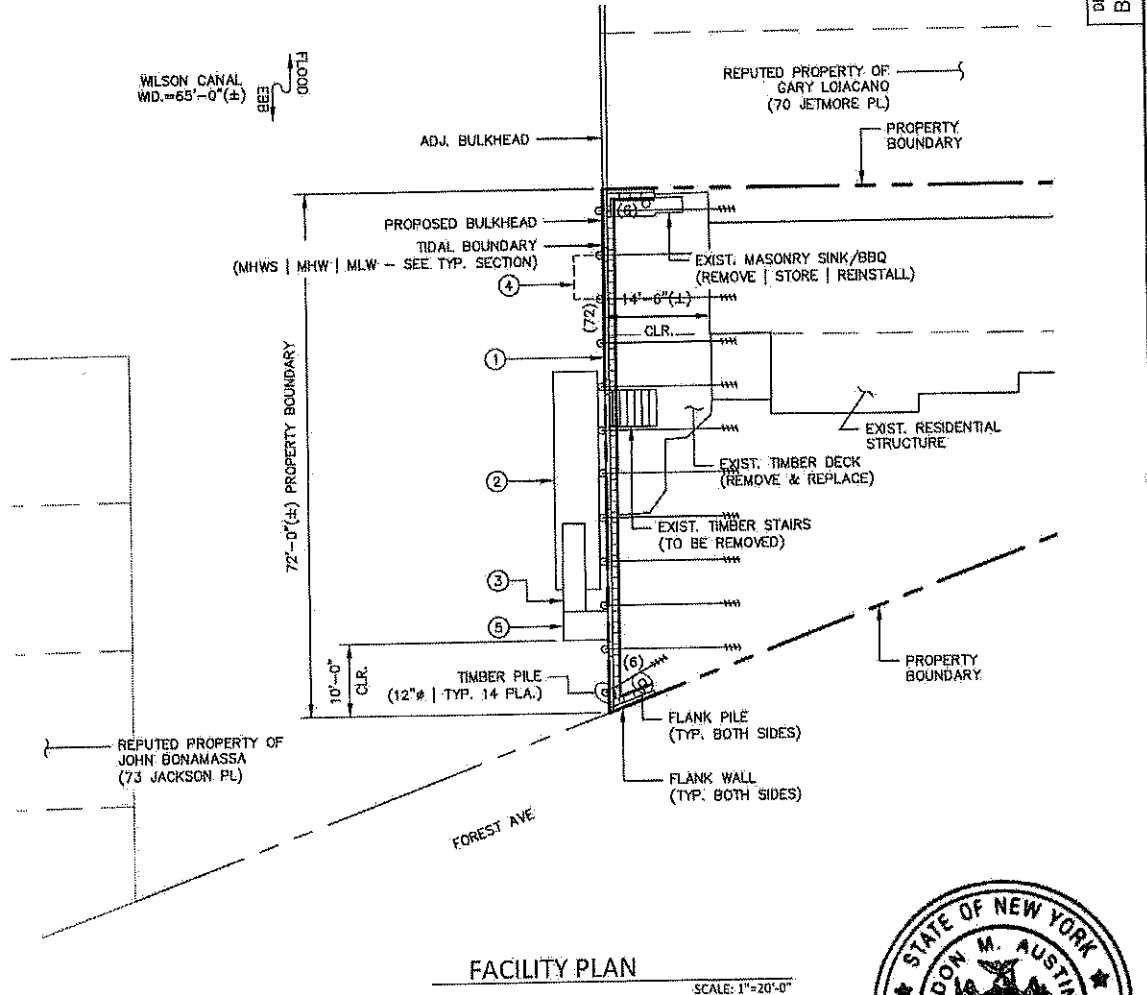




ITEM	STATE	ACTION	SIZE
1. BULKHEAD	EXISTING	REMOVE & REPLACE	84 LF
2. FLOATING DOCK	EXISTING	REMOVE, REPLACE & RELOCATE	30X8-FT=180 SF
3. ACCESS GANGWAY	EXISTING	REMOVE, REPLACE & RELOCATE	12X3-FT=36 SF
4. KNEE DOCK	EXISTING	REMOVE, REPLACE & RELOCATE	6X4-FT=24 SF
5. KNEE DOCK	PROPOSED	REPLACE & RECONSTRUCT	6X4-FT=24 SF

TOTAL NUMBER OF PILES=14

DRAWINGS ISSUED FOR:  
BUILDING PERMITTING

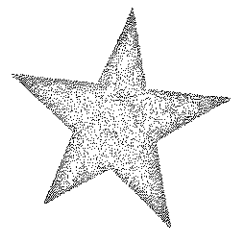


FACILITY PLAN

SCALE: 1"=20'-0"

LEGEND:  
(XX) BULKHEAD SEGMENT LENGTH IN FEET

SHEET NO. <b>SK-3.0</b> 4 of 10 SHEET(S)	PROJECT NO. P191028.00 DRAWN BY JWK CHECKED BY ANA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=20'-0" DATE 11-08-2020 REVISION NO. 0	486 SUBSISTENCE ROAD, 102 ROCKVILLE, MARYLAND 20850 SHEET FACILITY PLAN
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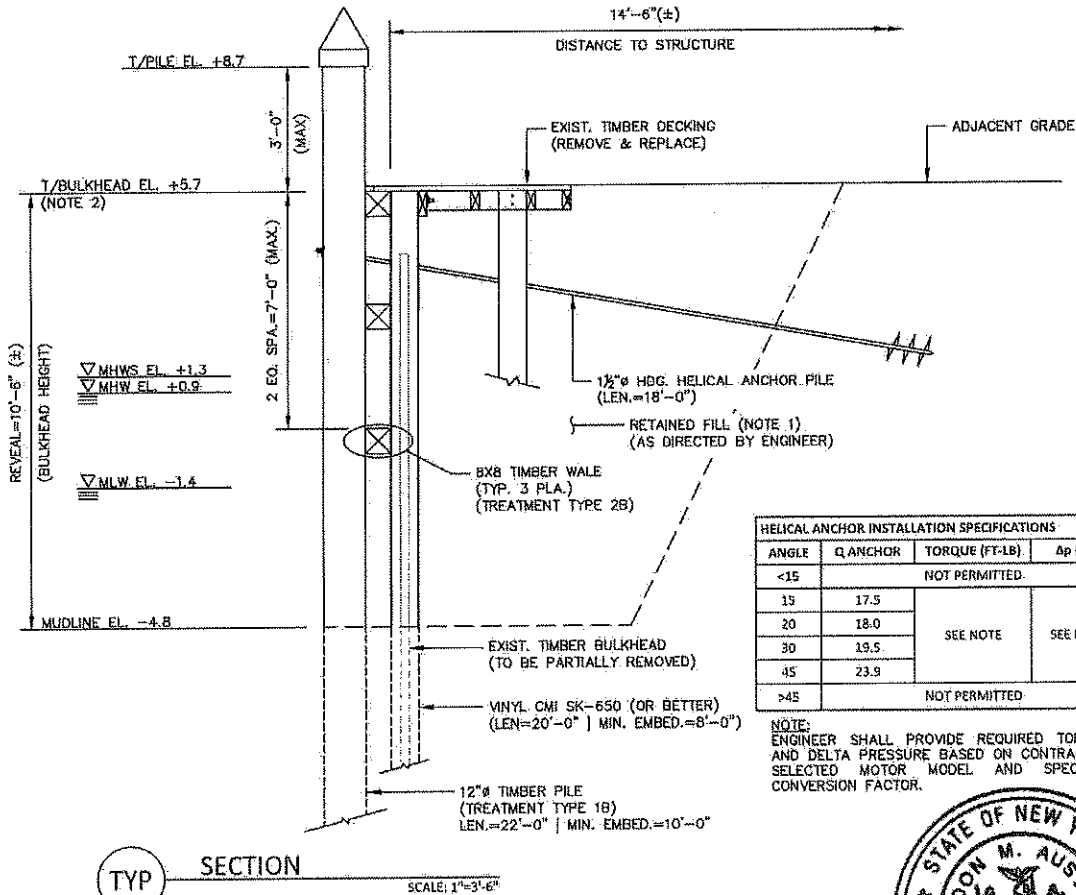


NOTE(S):

1. FILL: ALL ADD'L FILL BROUGHT TO SITE SHALL BE CLEAN FREE DRAINING FREE OF CONTAMINANTS AND REGULATED WASTES INCLUDING CONSTRUCTION DEBRIS THAT IS SOURCED FROM NYS DEC APPROVED SITE.
2. BULKHEAD ELEVATION: T/PROPOSED BULKHEAD TO BE RAISED 18 INCHES HIGHER THAN EXISTING T/BULKHEAD ELEVATION.

TIMBER TREATMENT

TREATMENT TYPE	ELEMENT	RETENTION	DESCRIPTION
1A	PILES	1.5	CCA TREATED PER LATEST AWWA STANDARDS, COMMODITY SPECIFICATION A.P.3.0
1B		2.5	
2A	FRAMING	1.5	CCA TREATED PER LATEST AWWA STANDARDS, COMMODITY SPECIFICATION A.P.3.0
2B		2.5	
3A		1.5	ACQ TREATED PER AWWA ACQ-0
3B		2.5	



HELICAL ANCHOR INSTALLATION SPECIFICATIONS

ANGLE	CL ANCHOR	TORQUE (FT-LB)	Δp (psi)
<15	NOT PERMITTED.		
15	17.5	SEE NOTE	SEE NOTE
20	18.0		
30	19.5		
45	23.9	NOT PERMITTED	
>45			

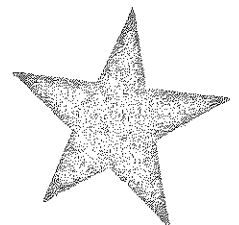
NOTE: ENGINEER SHALL PROVIDE REQUIRED TORQUE AND DELTA PRESSURE BASED ON CONTRACTOR SELECTED MOTOR MODEL AND SPECIFIED CONVERSION FACTOR.



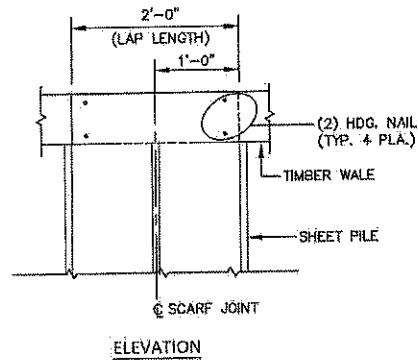
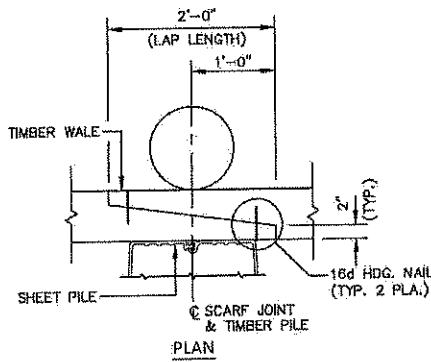
ALL ELEVATIONS IN NAVD 88



SHEET NO. <b>SK-4.0</b>	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=3'-0"	SHEET BULKHEAD SECTION & DETAILS
	DRAWN BY JWK CHECKED BY AMA		DATE 11-06-2020 REVISION NO. 0	



DRAWINGS ISSUED FOR:  
BUILDING PERMITTING



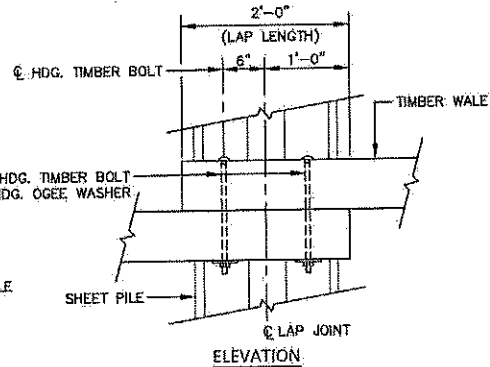
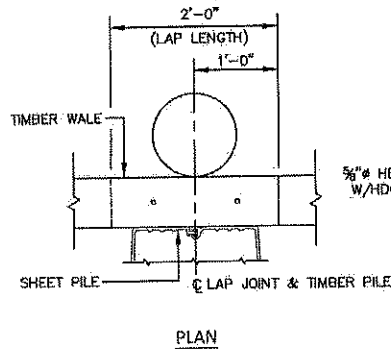
NOTE: PILE NOT SHOWN FOR CLARITY

TYP

DETAIL  
SCARF JOINT

NOTE: TOP WALE AS SHOWN / LOWER WALE(S) SIM.

NOTE: SEE TYPICAL CONNECTIONS FOR ADDITIONAL FASTENERS (NOT SHOWN) N.T.S.

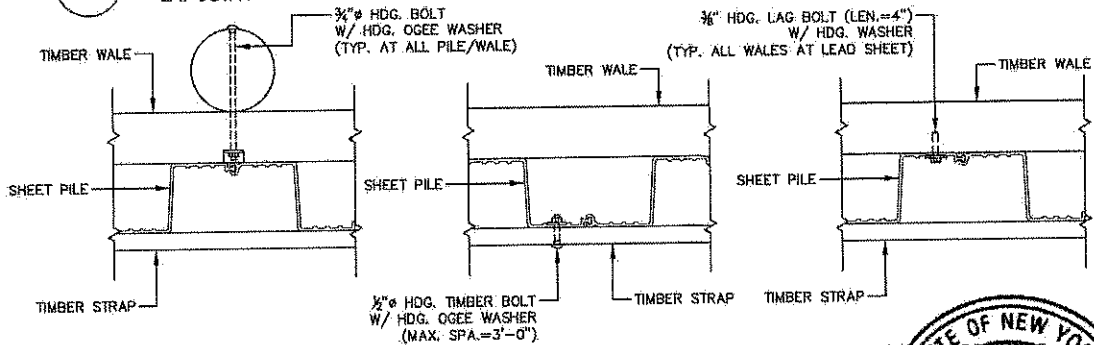


NOTE: PILE NOT SHOWN FOR CLARITY

TYP

DETAIL  
LAP JOINT

N.T.S.



PILE TO WALE

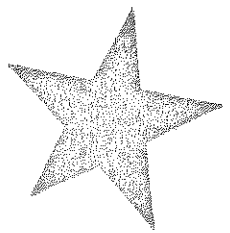
STRAP TO SHEET PILE

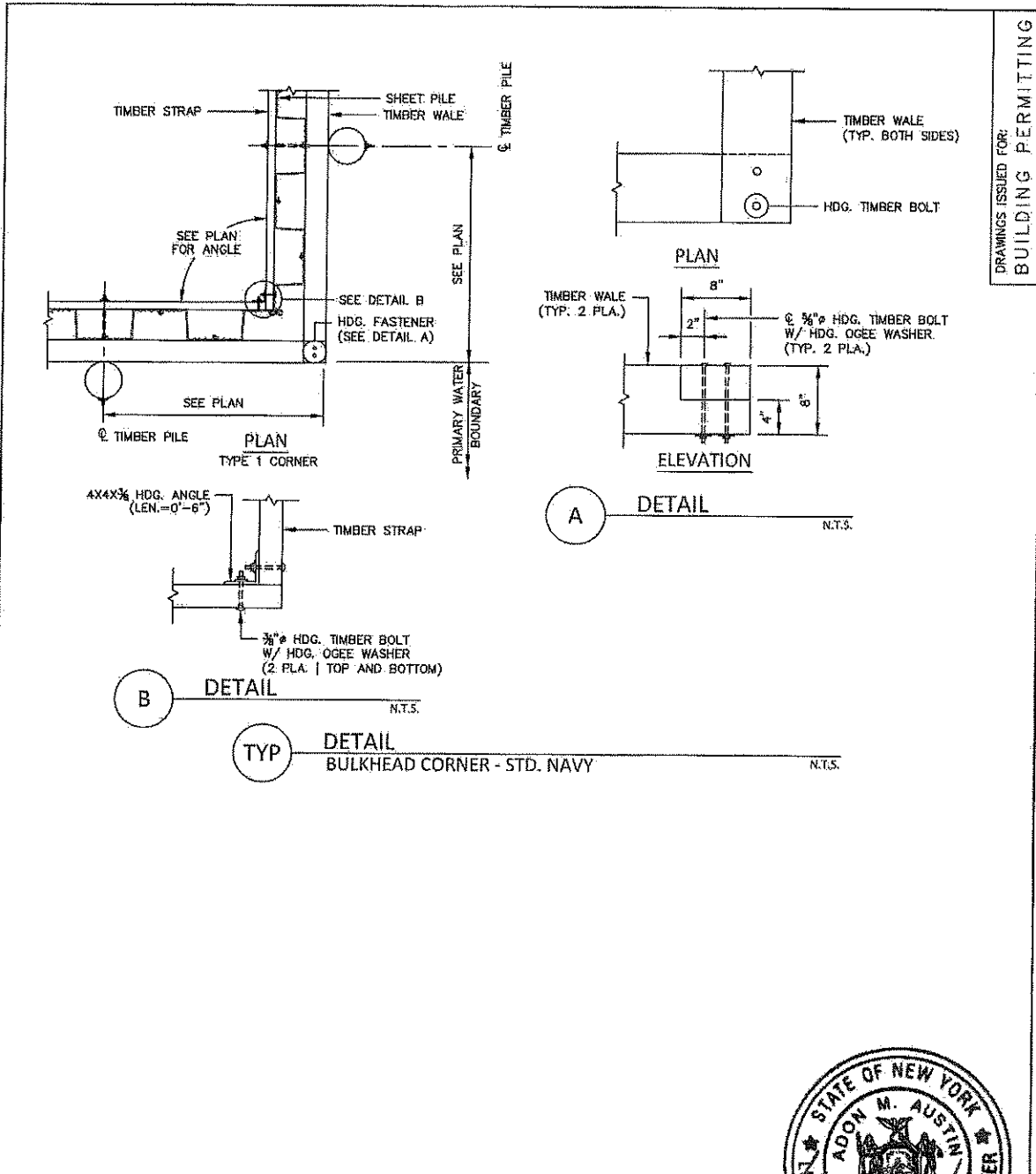
TYP

DETAIL  
MISCELLANEOUS CONNECTION(S)

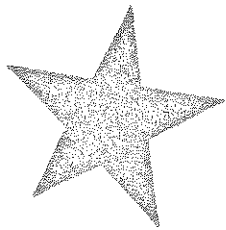
N.T.S.

SHEET NO. <b>SK-4.1</b> 6 of 10 SHEETS	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE N.T.S.	
	DRAWN BY JWK		DATE 11-06-2020	
CHECKED BY AMA	REVISION NO. 0			



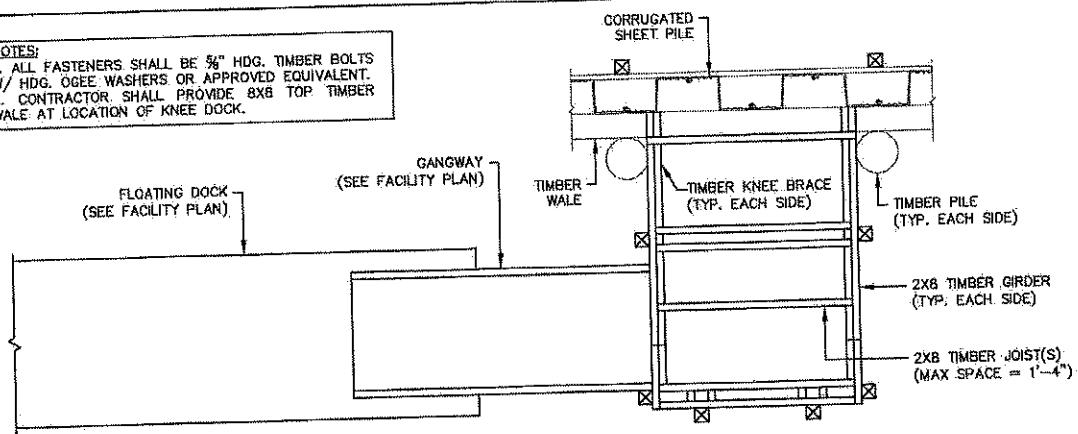


SHEET NO.  <b>SK-4.2</b>  7 of 10 SHEET(S)	PROJECT NO. P191028.00 DRAWN BY JHK CHECKED BY ANA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR: MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY      WILSON CANAL      NASSAU COUNTY	SCALE N.T.S. DATE 11-06-2020 REVISION NO. 0	<div data-bbox="1101 1255 1360 1507"> </div> BULKHEAD CORNER DETAILS
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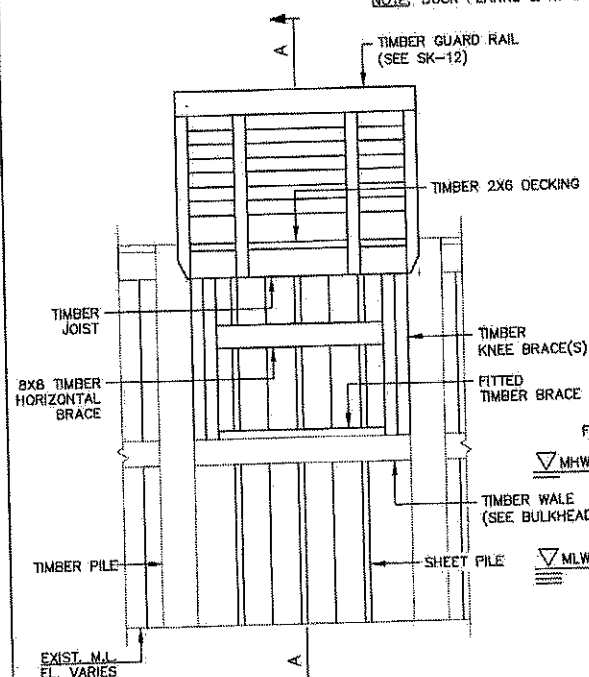
NOTES:  
 1. ALL FASTENERS SHALL BE 5/8" HDG. TIMBER BOLTS W/ HDG. OGEE WASHERS OR APPROVED EQUIVALENT.  
 2. CONTRACTOR SHALL PROVIDE 8X8 TOP TIMBER WALE AT LOCATION OF KNEE DOCK.



PLAN

SCALE: 1"=3'-6"

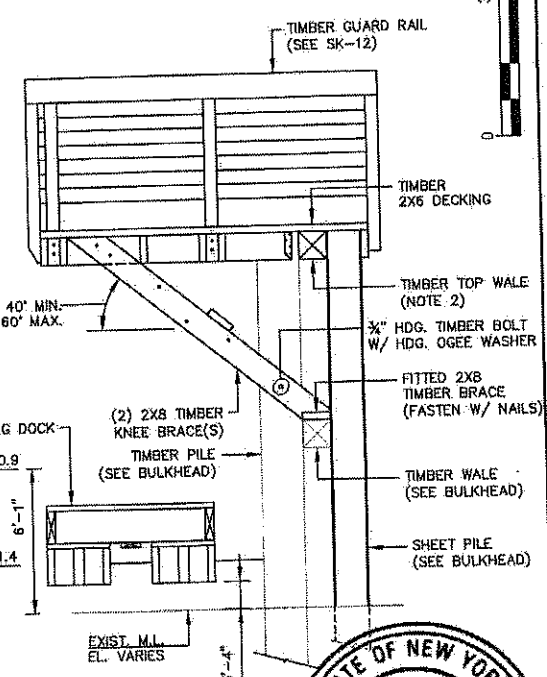
NOTE: DOCK PLANKS & HAND RAILS NOT SHOWN



ELEVATION

SCALE: 1"=3'-6"

NOTE: GANGWAY & FLOATING DOCK NOT SHOWN

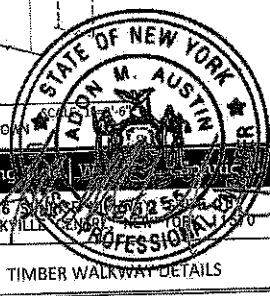


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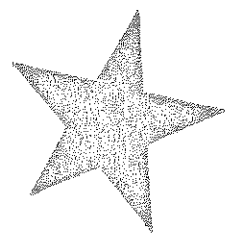
SECTION

NOTE: GANGWAY NOT SHOWN

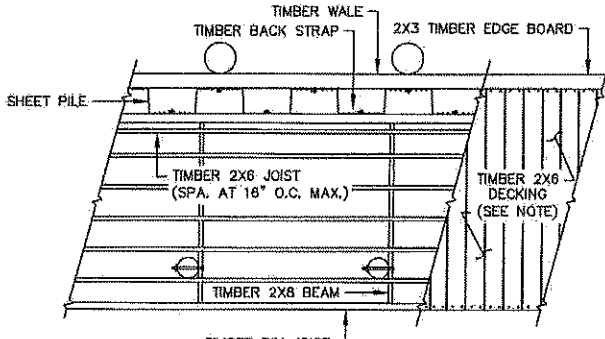
DRAWINGS ISSUED FOR:  
BUILDING PERMITTING



SHEET NO.  <b>SK-5.0</b>  8 of 10 SHEETS	PROJECT NO. P191028.00 DRAWN BY JMK CHECKED BY AMA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE 1"=3'-6" DATE 11-06-2020 REVISION NO. 0	Rising 206 S. 5th St. #202 ROCKVILLE, MD 20850 PROFESSIONAL TIMBER WALKWAY DETAILS
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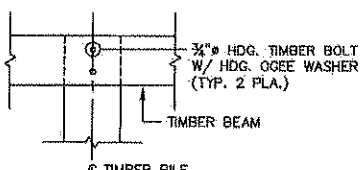


DRAWINGS ISSUED FOR:  
**BUILDING PERMITTING**



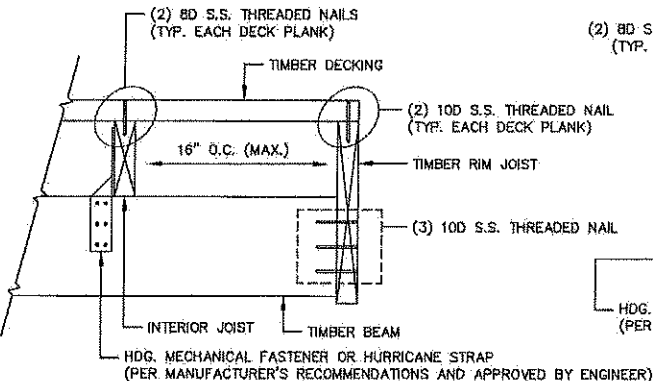
**TYP** **DETAIL**  
**TIMBER WALKWAY FRAMING**

SCALE: 1"=3'-6"



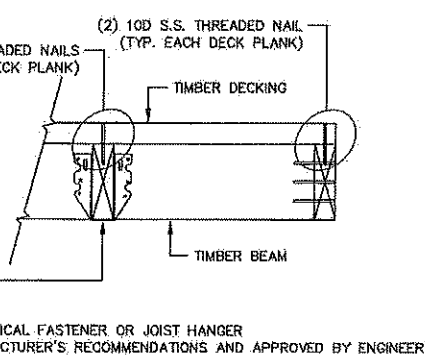
**TYP** **DETAIL**  
**PILE CONNECTION**

SCALE: 1"=3'-6"



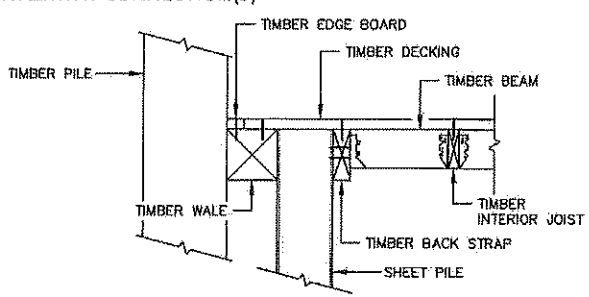
**TYP** **DETAIL**  
**TIMBER WALKWAY CONNECTION(S)**

SCALE: 1"=3'-6"



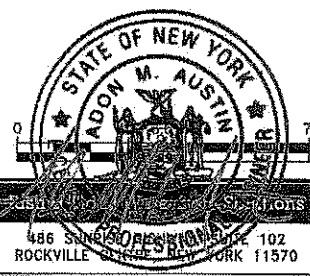
**TYP** **DETAIL**  
**TIMBER WALKWAY CONNECTION(S)**

SCALE: 1"=3'-6"

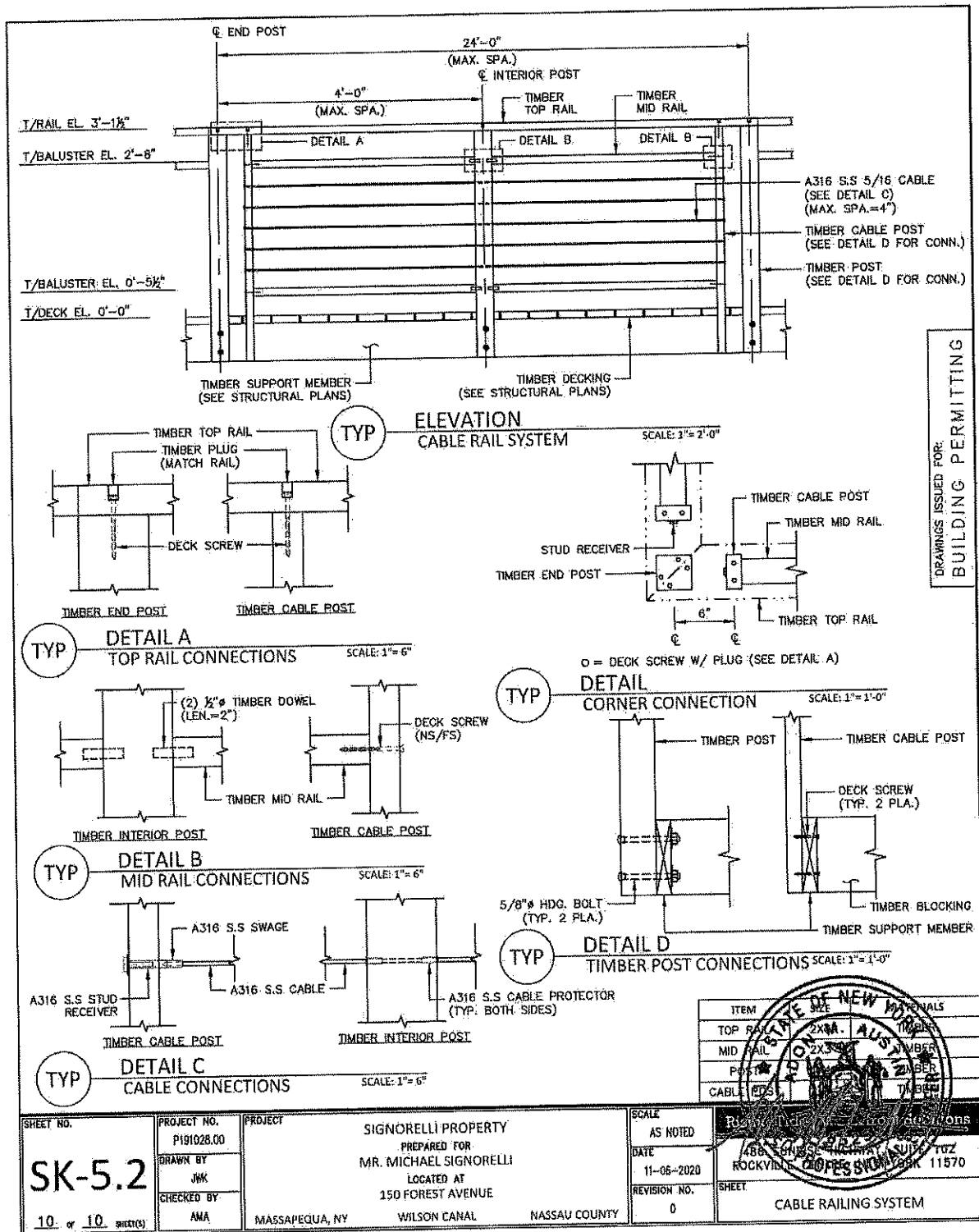


**TYP** **DETAIL**  
**TIMBER WALKWAY CONNECTION(S)**

SCALE: 1"=3'-6"

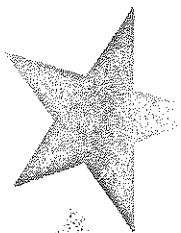


SHEET NO.  <b>SK-5.1</b>  9 of 10 SHEET(S)	PROJECT NO. P191028.00	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAQUEUA, NY    WILSON CANAL    NASSAU COUNTY	SCALE 1"=3'-6"	486 SINGAPORE DRIVE, SUITE 102 ROCKVILLE, NEW YORK 11570 TEL: 516-764-1100 FAX: 516-764-1101 WWW.AUSTINENGINEERING.COM		
	DRAWN BY JWK		DATE 11-06-2020		REVISION NO. 0	
	CHECKED BY AMA					
	SHEET <b>TIMBER WALKWAY DETAILS</b>					



DRAWINGS ISSUED FOR: BUILDING PERMITTING

SHEET NO. <b>SK-5.2</b> 10 of 10 SHEETS	PROJECT NO. P191028.00 DRAWN BY JMK CHECKED BY AMA	PROJECT SIGNORELLI PROPERTY PREPARED FOR MR. MICHAEL SIGNORELLI LOCATED AT 150 FOREST AVENUE MASSAPEQUA, NY WILSON CANAL NASSAU COUNTY	SCALE AS NOTED DATE 11-06-2020 REVISION NO. 0	PROJECT Rockville Professional Services 488 LONGSTREET SUITE 102 ROCKVILLE, MD 20850 SHEET CABLE RAILING SYSTEM
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Meeting of May 24, 2022

Resolution No 366-2022

WHEREAS, New York State Finance Law §162 and New York State Procurement Guidelines require state political subdivisions such as the Town of Oyster Bay to purchase approved products and services from preferred sources in accordance with state guidelines, and further require that purchases from preferred sources take precedence over all other sources of supply and procurement methods; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated April 29, 2022, requested Town Board authorization to authorize payment to New York State Industries for the Disabled, Inc., a preferred source provider for New York State, in an amount not to exceed \$98,500.50, as payment for the scanning of residential documents and condo files for the Department of Planning and Development; and

WHEREAS, Commissioner Maccarone, by said memorandum, further advised that funds for the aforesaid services are available in Account No. PAD H 8997 26000 000 1508 002, Project ID Number 1508TWNTWN-09;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Planning and Development is authorized to pay New York State Industries for the Disabled, Inc., an amount not to exceed \$98,500.50, as payment for the scanning of residential documents and condo files for the Department of Planning and Development; and it is further

RESOLVED, That the Comptroller is hereby authorized to make payment to New York State Industries for the Disabled, Inc. in an amount not to exceed \$98,500.50, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. PAD H 8997 26000 000 1508 002, Project ID Number 1508TWNTWN-09.

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

**TO: MEMORANDUM DOCKET**

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

**DATE: APRIL 29, 2022**

**SUBJECT: REQUEST FOR AUTHORIZATION OF EXPENDITURES**  
**FOR RESIDENTIAL DOCUMENT SCANNING FOR THE**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**PROJECT ID NUMBER 1508TWNTWN-09**  
**ACCOUNT NUMBER PAD-H-8997-26000-000-1508-002**

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As per the New York State Finance Law STF Section 162 and the New York State Procurement Bulletin, Preferred Source Guidelines (dated October, 2014):

*"All State agencies, political subdivisions and public benefit corporations are required to purchase approved products and services from preferred sources in accordance with the procedures and requirements described herein. Purchased from preferred sources take precedence over all other sources of supply and competitive procurement methods."*

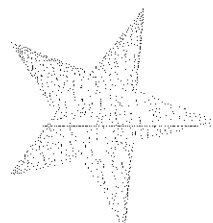
In view of the above, it is respectfully requested that the firm New York State Industries for the Disabled, Inc., a preferred source for New York State, be authorized for payment for residential document scanning and condo files for the Department of Planning and Development from May 25, 2022 through the project's completion, in an amount of \$98,500.50.

Funds for this request are available in Account No. PAD-H-8997-26000-000-1508-002, Project ID Number 1508TWNTWN-09, and will be procured through the General Services-Purchasing Division.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:dm

cc: Legislative Affairs  
General Services





**CORPORATE OFFICE**  
11 Columbia Circle Drive, Albany, NY 12203  
Phone: (518) 463-9706 Fax: (518) 463-9708

March 16, 2022

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

**Data Imaging Services for the Planning & Development Department**

Dear Ms. Maccarone,

Thank you for allowing NYSID via Seery Systems Group, Inc. (Seery Systems) / Abilities, Partnership the opportunity to provide the Town of Oyster Bay with the following proposal.

I appreciate the time that you spent with Rich Seery to discuss the Planning and Development Department's Residential Plan Files and Condo Files Scanning project.

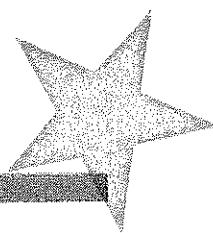
If you are ready to move forward with this project, you simply need to issue a Purchase Order to NYSID. Please sign and return the enclosed Price Concurrence.

If you should have any questions or concerns, please feel free to contact Seery Systems Group, Inc. or myself.

Thank You,  
Angelo Cervone  
Account Representative

**NYSID/ New York State Industries for the Disabled, Inc**  
11 Columbia Circle Drive  
Albany, NY 12203  
Mobile: (631) 655-4416 | Fax: (518) 694-0573  
E-mail [acervone@nysid.org](mailto:acervone@nysid.org)  
Internet: [www.nysid.org](http://www.nysid.org)

**Our Mission is to provide employment for New Yorkers with Disabilities**



## Section I – Document Conversion Services

### Project Overview and Scope

Town of Oyster Bay said they have the following Planning and Development Department (P & D) Files, which they would like to have scanned and indexed. These records are stored in the attic and second floor vault of Town Hall. We surveyed the records and estimate the following volumes of work:

- I. **P & D Residential Large Format Folded Plans which include:**
  - Forty (40) banker boxes which contain folded sets of Residential Plans.
  - Index approximately 3,200 sets of Plans by the Section/Block/Lot number found on each set of Plans, for ex: 49-293-20
  - 22,750 Plans to be scanned
- II. **P & D Condo Files include:**
  - Forty (45) banker boxes that have files which have documents and large format plans folded up in the file.
  - Index approx. 600 files by the Section/Block/Lot, Building & Units numbers found on each set of Plans.
  - 90,000 Documents of various sizes to be scanned
  - 5,000 Plans to be scanned
  - 4,000 Photos to be scanned

**Note: The Condo files contain many documents and plans that are old and in poor condition.**

To provide for secure backup and to facilitate authorized access to these records without degrading the originals due to handling the Town recognizes the need for a digital conversion.

### Conversion Procedures for Scanning Residential Plans & Condo Building Permit Files

- Seery Systems will transport the boxes to our facility in Garden City Park.
- Seery Systems will create an inventory list of all files in each box and provide that list to the Town of Oyster Bay Planning & Development Department.
- Seery Systems will index the Residential Plans and Condo Permit Files as described above.
- Seery Systems will create a Barcode Separator Cover Sheet for each set of Residential Plans and Condo Files.
- Seery Systems will prepare the documents for scanning which includes pulling all staples, paperclips, taping torn documents and unfolding documents so they are flat and ready to be scanned. These files will require quite a bit of preparation, especially the old and very poor condition Condo Files. They will all need to be unfolded, repaired, and laid flat for a while before scanning.
- Seery Systems will scan the Large Format Plans (B thru E size) up to 34" x44" on a Large Format Engineering Scanner.
- Seery Systems will scan all documents at 300 DPI and will provide the best possible image for each page.
- Upon completion of the scanning process, a final quality control check will be performed. All images will be reviewed for image quality. Any problems discovered with image quality will be corrected other than those affected by the quality of the original document.
- Seery Systems will deliver back TIFF files.
- Seery Systems will create a format for Images and Indexes to meet the specifications of the Town of Oyster Bay's Document Management System.
- Seery Systems will output the images onto a hard drive for the Town of Oyster Bay.
- Seery Systems will then deliver all boxes back as well as the images, indexes, hard drive to the Town of Oyster Bay for uploading into their Document Management System.

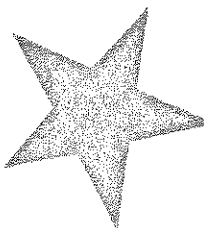


## Section II - Document Conversion Costs

Services	Quantity	Cost Unit	Total
<b>P &amp; D Residential Large Format Folded Plans</b>			
Large Format Scanning & Indexing	22,750	\$ 2.95	\$67,112.50
Pickup and Delivery	2	\$285.00	\$ 570.00
Load Images on Hard Drive	1	\$189.00	<u>\$ 189.00</u>
		<b>Sub-Total</b>	<b>\$67,871.50</b>
<b>P &amp; D Condo Permit Files</b>			
Document Scanning & Indexing	90,000	\$ .145	\$13,050.00
Large Format Scanning & Indexing	5,000	\$ 2.95	\$14,750.00
Color Photos Scanning & Indexing	4,000	\$ .5175	\$ 2,070.00
Pickup and Delivery	2	\$285.00	\$ 570.00
Load Images on Hard Drive	1	\$189.00	<u>\$ 189.00</u>
		<b>Sub-Total</b>	<b>\$30,629.00</b>
	<b>Project Total</b>		<b>\$98,500.50</b>

**Important Note:** The above volume of work is very difficult to estimate because they are Large Format Plans that both vary in size as. Depending on the size of a plan they can be folded up multiple times and could take up the space of 8, 16 or 32 regular size documents based on how many times they are folded.

The above volumes of work to be scanned are only an **ESTIMATE**. Actual number of images scanned will be billed.





## Partnership Request for Price Concurrence

Date Sent: March 16, 2021

Contracting Agency: Town of Oyster Bay

Customer Contact: Leslie Maccarone

Job Title: Commissioner, Planning and Development Department

Street Address: Town Hall West  
74 Audrey Avenue

City, State Zip: Oyster Bay NY 11771

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: lmaccarone@oysterbay-ny.gov

PLEASE UPDATE  
INFORMATION IF  
NEEDED

Member Agency: Abilities

Associate Member: Seery Systems Group, Inc. (SSG)

Description: Data Imaging Services  
195 Armstrong Road

Location: Garden City Park, NY 11040

Proposed Price: \_\_\_\_\_

### Section II - Document Conversion Costs

Services	Quantity	Cost Unit	Total
P & D Residential Large Format Folded Plans	22,750	\$ 2.95	\$67,112.50
Large Format Scanning & Indexing	2	\$285.00	\$ 570.00
Pickup and Delivery	1	\$189.00	\$ 189.00
Load Images on Hard Drive			
		Sub-Total	\$67,871.50
P & D Condo Permit Files			
Document Scanning & Indexing	90,000	\$ 1.45	\$13,050.00
Large Format Scanning & Indexing	3,000	\$ 2.95	\$14,750.00
Color Photos Scanning & Indexing	4,000	\$ 5.175	\$ 20,700.00
Pickup and Delivery	2	\$285.00	\$ 570.00
Load Images on Hard Drive	1	\$189.00	\$ 189.00
		Sub-Total	\$30,629.00
		Project Total	\$98,500.50

\*Price subject to change due to changes issued by the DOL minimum  
wage\*

If a Renewal, Current Contract # \_\_\_\_\_

Proposed Renewal Term: 2 years from date of executed contract

**This form is not a contract; it is only an acknowledgment of your concurrence to the above proposed price.  
If requested a cost analysis can be provided for your review documenting the proposed cost of service.**

**Please Note: All contracts with Prevailing Wage Schedules issued on or after 8/1/2010 must contain escalation clauses for wages and supplemental benefits and other related costs dependent upon the annual NYS Department of Labor Published Prevailing Wage Schedules.  
All contracts with NYC Prevailing Wage Schedules must contain escalation clauses for wages and supplemental benefits and other related costs dependent upon the NYC Comptrollers Published Prevailing Wage Schedule**

If you are in agreement with the proposed price, please sign this form as soon as possible and return by mail or fax. Upon receipt, NYSID will apply to the NYS Office of General Services for price approval if necessary. If you have any questions, please call NYSID Contract Administration at the number below. Please fax or mail to:

New York State Industries for the Disabled, Inc.  
ATTN: Angelo Cervone  
11 Columbia Circle Drive  
Albany, NY 12203-5156

E-mail: acervone@nysid.org  
Phone: (631) 655-4416  
Ext.: \_\_\_\_\_  
Fax: (518) 694-0573

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



## Partnership Request for Price Concurrence

NYSID Account Representative  
Angelo Cervone

Printed Name: \_\_\_\_\_

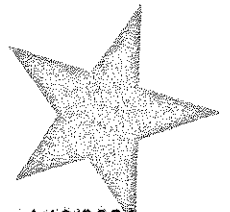
Job Title: \_\_\_\_\_

Date: \_\_\_\_\_



See attached documents in lieu of signed form.

The information contained herein is proprietary and confidential



Meeting of May 24, 2022

Resolution No 367-2022

WHEREAS, by Resolution No. 665-2021, adopted on November 16, 2021, the Town Board authorized the Comptroller to utilize the services of USI Consulting Group to provide a full valuation report for the 2021 reporting year; and

WHEREAS, Steven C. Ballas, Comptroller, by said memorandum dated April 27, 2022, requested Town Board authorization to amend Resolution No. 665-2021, to authorize the Office of the Comptroller to utilize the services of USI Consulting Group to provide an additional update report for the 2021 reporting period in order to complete the Town's financial statements, at a cost of \$750.00; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that funds for payment of said services are available in Account No. CMP A 1315 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, Resolution No. 665-2021, is hereby amended and the Comptroller is hereby authorized to utilize the services of USI Consulting Group to provide an additional update report for the 2021 reporting period in order to complete the Town's financial statements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$750.00 to USI Consulting Group, upon presentation of a duly certified claim, after audit, to be drawn from account No. CMP A 1315 44800 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY  
Inter-Departmental Memo

April 27, 2022

To: MEMORANDUM DOCKET  
From: STEVEN C. BALLAS, COMPTROLLER  
Subject: AMENDMENT OF TOWN BOARD RESOLUTION 665-2021  
RE-APPOINTMENT OF ACTUARIAL CONSULTING SERVICES  
OTHER POST-EMPLOYMENT BENEFITS – 2021 FINANCIAL REPORTING YEAR

---

Town Board Resolution No. 665-2021, attached, authorized Actuarial Consulting Services for Other Post-Employment Benefits for said services to the firm of USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, CT 06033, for the full valuation report for the 2021 financial year.

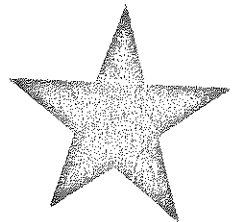
At this time, Town Board authorization is requested to amend Resolution No. 665-2021 to include a \$750.00 fee for services rendered in connection with the December 31, 2021 GASB 75 Disclosure of Retiree Welfare Plans, including determination of Annual Expense for the Town of Oyster Bay.

Funds are available in account CMP A 1315 44800 000 0000.

  
STEVEN C. BALLAS  
COMPTROLLER

Attachment:

SCB/cmw



Meeting of November 16, 2021

Resolution No.665-2021

WHEREAS, by Resolution No. 712-2019, adopted on November 19, 2019, the Town Board authorized the Comptroller to utilize USI Consulting Group, to provide Other Post Employment Benefit Actuarial Services to the Town, for the 2019 financial period; and

WHEREAS, by Resolution No. 209-2021, adopted on April 20, 2021, the Town Board amended resolution No. 712-2019 to authorize the Office of the Comptroller to utilize the services of USI Consulting Group to provide an additional update report for the 2020 reporting period in order to complete the Town's financial statements; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 27, 2021, requested that the Town Board authorize the Town to utilize the services of USI Consulting Group for the 2021 financial reporting year for the purpose of providing a full valuation report to the Town, in an amount not to exceed \$7,900.00, with funds available for payment in Account No. CMP A 1315 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town Board authorizes the Comptroller to utilize the services of USI Consulting Group, for the purpose of providing a full valuation report to the Town, for the 2021 financial reporting year, in an amount not to exceed \$7,900.00; and be it further

RESOLVED, That payment is hereby authorized and directed to be made upon submission of a duly certified claim, after audit by the Comptroller, from Account No. CMP A 1315 44800 000 0000

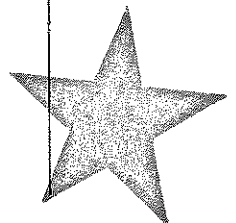
-#-

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

Reviewed By  
Office of Town Attorney

Elizabeth A. Taughn



Meeting of May 24, 2022

Resolution No 368-2022

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 February 16, 2022, authorized the Highway Department to clean up the premises located at 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated May 3, 2022, 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 March 1, 2022, in the total amount of \$2,036.25, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated May 3, 2022, 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 \$2,036.25 may be assessed by the Legislature of the County of Nassau against the parcel known as 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

1/1/22  
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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: May 3, 2022

SUBJECT: Property Cleanup Assessment  
35 Buckram Road, Locust Valley, New York 11560  
Section 30, Block 24, Lot 118

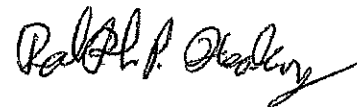
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The Department of Planning and Development, by memorandum dated February 16, 2022, directed the Highway Department to clean the premises located at 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated March 7, 2022, advised that the property was cleaned by a crew from the Highway Department on March 1, 2022. The cost incurred by the Town of Oyster Bay was \$2,036.25.

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

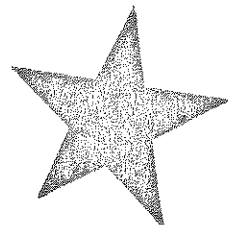
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments





10/10/21

Reviewed By  
Office of Town Attorney

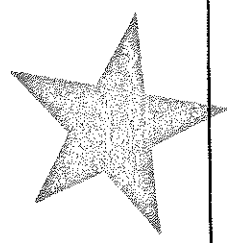
*Ralph P. Healey*

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 February 16, 2022, authorized the Highway Department to clean up the premises located at 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated May 3, 2022, 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 March 1, 2022, in the total amount of \$2,036.25, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated May 3, 2022, 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 \$2,036.25 may be assessed by the Legislature of the County of Nassau against the parcel known as 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2022-8512

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

February 16, 2022

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 35 Buckram Road, Locust Valley, New York 11560  
SBL: 30-24-118

---

Notice of Violation number 07015 was issued to the owner of the above-referenced premises on 02/07/2022 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:

- Clean sidewalk.
- Remove all acorns, branches and leaves from 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 us by fax, the date and time cleanup is completed. Please proceed accordingly.

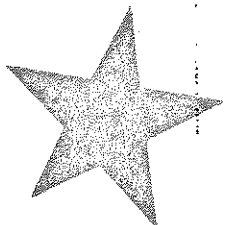
ELIZABETH L. MACCARONE  
COMMISSIONER



MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME:ml

cc: Frank Scalera, Town Attorney.





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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

JAMES McCaffrey  
DEPUTY COMMISSIONER

February 16, 2022

Eva Brant  
35 Buckram Rd.  
Locust Valley, New York 11560

RE: PREMISES: 35 Buckram Road, Locust Valley, NY 11560  
SECTION 30 BLOCK 24 LOT 118

Dear Property Owner:

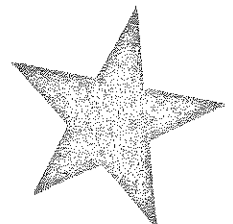
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation Number 07015 (copy attached) has been served on 02/07/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,  
ELIZABETH L. MACCARONE  
COMMISSIONER

Michael Esposito  
Code Enforcement Bureau

ELM:ME:ml  
Enclosure



BARGAIN AND SALE DEED

THIS INDENTURE, made as of February 9, 2008, between EVA BRANT surviving tenant by the entirety of EVA BRANT and CURTIS B. BRANT, having an address at 35 Buckram Road, Locust Valley, NY 11560 ("Grantor") and EVA BRANT, having an address at 35 Buckram Road, Locust Valley, NY 11560 ("Grantee").

WITNESSETH that Grantor in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which hereby are acknowledged, does hereby grant and release unto Grantee and the heirs, executors, administrators, legal representatives, successors and assigns of Grantee forever

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

BEING AND INTENDED TO BE the same premises as the premises described in the deed to the Grantor herein dated March 23, 1966 and recorded March 23, 1966 in the Office of the Clerk of the County of Nassau in Liber 7497 page 71.

SAID premises being known as Sec. 30, Blk. 24, Lot 118 on the Nassau County Land and Tax Map.

SAID premises being also known as and by the street address 35 Buckram Road, Locust Valley, NY 11560.

THE Grantor herein is the same person named as the Grantee in deed dated March 23, 1966 and recorded March 23, 1966 in the Office of the Clerk of the County of Nassau in Liber 7497 page 71.

TOGETHER with all right, title and interest, if any, of Grantor 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 Grantor in and to said premises.

SUBJECT TO all laws, ordinances and regulations of governmental authorities affecting said premises, the state of facts in current survey of said premises would show, and all matters of record.

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

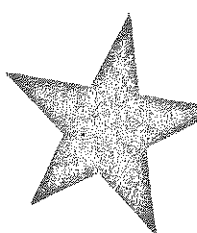
Grantor is the owner of said premises. Said premises is not located in an agricultural district.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor 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 before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF Grantor has duly executed this deed as of the date first above written:

*Eva Brant*  
EVA BRANT



**BARGAIN AND SALE DEED**

dated February 4, 2005

from

EVA BRANT surviving tenant by the entireties of EVA BRANT  
and CURTIS B. BRANT

Grantor

to

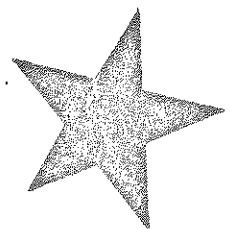
EVA BRANT

Grantee

Section: 50  
Block: 24  
Lot: 118  
County: Nassau

Please record and return to:

Robert A. Melillo, Esq.  
108 Forest Avenue - P.O. Box 447  
Locust Valley, NY 11560



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

March 7, 2022

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

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

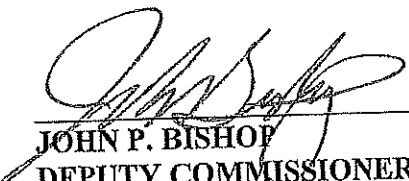
**SUBJECT:** 35 BUCKRAM ROAD, LOCUST VALLEY  
CLEAN-UP

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

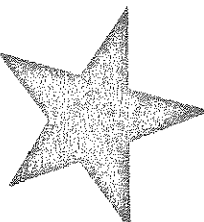
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,036.25.

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

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

JPB/kjb

Enc. T & M sheet





# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (30-24-118) 35 BUCKRAM RD LOCUST VALLEY 11560

Date Mar 1, 2022

Work Order # 91434


Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
SCOTT DADE	General Maintenance	02:00	\$50.85	00:00	0	\$101.70
ANDREW HOUGHTON	General Maintenance	05:00	\$29.84	00:00	0	\$149.20
PAUL LIZARDOS	General Maintenance	05:00	\$25.03	00:00	0	\$125.15
JOSEPH LOIODICE	General Maintenance	05:00	\$29.84	00:00	0	\$149.20
Total Labor						\$525.25

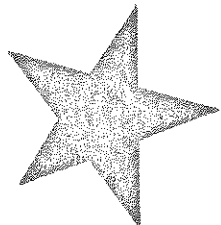
Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
PU455		2019 FORD F350 YW	\$79.00	02:00	\$158.00
SKD10		SKID LOADER 2012 TAKEU TL240 GR/WH	\$26.00	03:00	\$78.00
TD764		2021 FORD F 450 POWER WAGON YW	\$105.00	05:00	\$525.00
Total Equipment					\$761.00

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

**Grand Total \$2036.25**

Description of Work:  
clean up 35 Buckram Road Locust Valley

Signature:   
Name: PETER BROWN  
Title: DIRECTOR OF HIGHWAY OPERATIONS  
Date: Mar 3, 2022



Meeting of May 24, 2022

Resolution No 369-2022

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 February 8, 2022, authorized the Highway Department to clean up the premises located at 62 Stone Boulevard, Massapequa, New York 11758, also known as Section 66, Block 120, Lots 14 to 16 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated May 3, 2022, 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 March 2, 2022, in the total amount of \$1,784.54, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated May 3, 2022, 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 \$1,784.54 may be assessed by the Legislature of the County of Nassau against the parcel known as 62 Stone Boulevard, Massapequa, New York 11758, also known as Section 66, Block 120, Lots 14 to 16 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

116-1  
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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: May 3, 2022

SUBJECT: Property Cleanup Assessment  
62 Stone Boulevard, Massapequa, New York 11758  
Section 66, Block 120, Lots 14 to 16


---

The Department of Planning and Development, by memorandum dated February 8, 2022, directed the Highway Department to clean the premises located at 62 Stone Boulevard, Massapequa, New York 11758, also known as Section 66, Block 120, Lots 14 to 16 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated March 7, 2022, advised that the property was cleaned by a crew from the Highway Department on March 2, 2022. The cost incurred by the Town of Oyster Bay was \$1,784.54.

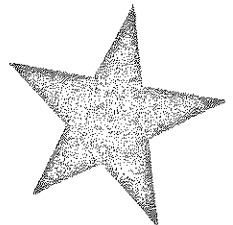
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments

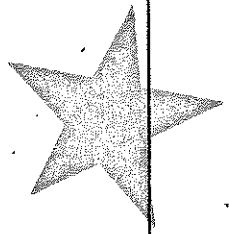


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- # -



1/24  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

2022-8511

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

**February 8, 2022**

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 62 Stone Boulevard, Massapequa, New York 11758  
SBL: 66-120-14

---

Notice of Violation number 07108 was issued to the owner of the above-referenced premises on 01/27/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

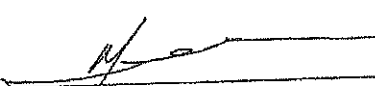
In accordance with the provisions of Chapter 135, Section 54, I am directing that:

- Remove all litter and debris from premises.

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

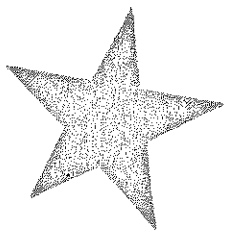
ELIZABETH L. MACCARONE

COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME:ml

cc: Frank Scalera, Town Attorney





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

**ELIZABETH L. MACCARONE**  
**COMMISSIONER**

**TIMOTHY R. ZIKE**  
**DEPUTY COMMISSIONER**

**JAMES McCAFFREY**  
**DEPUTY COMMISSIONER**

February 8, 2022

Jemmyl Alvarez  
62 Stone Boulevard  
Massapequa, New York 11758

RE: PREMISES: 62 Stone Boulevard, Massapequa, New York 11758  
SECTION 66 BLOCK 120 LOT 14

Dear Property Owner:


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

Please be advised that Notice of Violation 07108 (copy attached) has been served on 01/27/2022 continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs thereof.

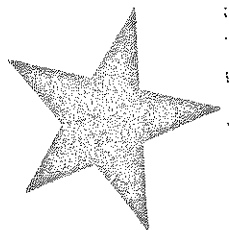
Further, the premises will be inspected every ten (10) days thereafter. If the premises continues not to be maintained and the conditions are found to violate the provisions of the code, the Highway Department will be directed to perform subsequent maintenance with no further notice to you concerning the violations, nor additional time to correct such violations.

Very truly yours,

**ELIZABETH L. MACCARONE**  
**COMMISSIONER**

  
Michael Esposito, Bureau Chief  
Code Compliance Division

  
ELM:MB:ml  
Enclosure



341  
31012  
ADA-M 64093-A  
THIS INDENTURE, made the 5 day of December, in the year 2016  
BETWEEN

[REDACTED]  
party of the first part; and

JEMMYL ALVAREZ residing at 62 Stone Boulevard, Massapequa, NY 11758  
party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other good and 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.

AS more fully set forth on the attached Schedule A  
annexed hereto and made a part hereof

Said premises being known as 62 Stone Boulevard, Massapequa, NY 11758

Said premises being and intended to be the same as conveyed to party of the first part by deed dated August 12, 2010 recorded September 5, 2010 in Liber 12650 page 127 in the Office of the Clerk of Nassau County.

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.

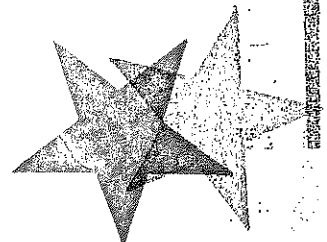
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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:

*Mary [Signature]*



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

March 7, 2022

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

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

**SUBJECT:** 62 STONE BLVD., MASSAPEQUA  
CLEAN-UP

---

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

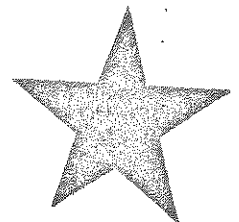
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,784.54.

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

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

JPB/kjb

Enc. T & M sheet





# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (66-120-14) 62 STONE BLVD MASSAPEQUA 11758

Date Mar 2, 2022

Work Order # 91248

## Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK ORLANDO	General Maintenance	01:30	\$45.82	00:00	0	\$68.73
DONALD CHANDLER	General Maintenance	01:30	\$48.26	00:00	0	\$72.39
ANTHONY ORLOWSKI	General Maintenance	01:30	\$23.78	00:00	0	\$35.67
SCOTT KELLY	General Maintenance	01:30	\$15.00	00:00	0	\$22.50
CHRISTOPHER CASTILLO	General Maintenance	01:30	\$22.83	00:00	0	\$34.25
PHILIP J MARCHESE	General Maintenance	01:30	\$15.00	00:00	0	\$22.50
Total Labor						\$256.04

## Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK370	SANI PACKER 2007 INTER 7400 YW	\$105.00	01:30	\$157.50
PU471	2020 FORD F 250 PICK UP YW	\$79.00	01:30	\$118.50
TD689	TRUCK DUMP 2010 INTER 7300 YW (T-201 / T-202)- 6 Wheeler	\$131.00	01:30	\$196.50
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:30	\$157.50
Total Equipment				\$630.00

## Materials

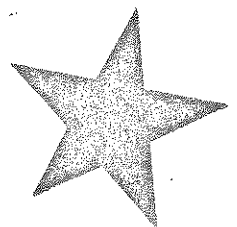
Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tippling Fee (per ton)	\$88.92	1.67	\$148.50
Total Materials			\$898.50

**Grand Total \$1784.54**

## Description of Work:

CLEAN UP 62 STONE BLVD MASSAPEQUA

Signature: Peter Brown  
Name: PETER BROWN  
Title: DIRECTOR OF HIGHWAY OPERATIONS  
Date: Mar 7, 2022



Meeting of May 24, 2022

Resolution No 370-2022

WHEREAS, pursuant to public notice, bids were duly solicited, and a single bid was regularly received on April 13, 2022, for Contract No. DP22-228, Town of Oyster Bay Honorable Joseph Colby Golf Course, Woodbury, New York, and said bid was publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 29, 2022, advised that in compliance with the Town's Procurement Policy, the bid proposal received for Contract No. DP22-228 was reviewed by LiRo Engineers, Inc.; and

WHEREAS, by letter dated April 28, 2022, Thomas DiBenedetto, P.E., Project Manager, LiRo Engineers, Inc. (LiRo), recommended the award of Contract No. DP22-228 to Watercraft Irrigation, Inc., 173 North Main Street, Sayville, NY 11782, the sole responsive and responsible bidder, in the amount of \$3,540,200.00; and

WHEREAS, as per Town policy, \$177,010.00 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$3,717,210.00; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the recommendation of LiRo Engineers, Inc., and recommended the award of Contract No. DP22-228, to Watercraft Irrigation, Inc., the sole responsive and responsible bidder, in the amount of \$3,540,200.00, and \$177,010.00 for potential quantity increases, for a total bid encumbrance of \$3,717,210.00; and

WHEREAS, the estimated construction time for completion of the contract is three hundred and sixty-five (365) calendar days, with funds to be drawn from Account Nos. PKS H 7197 20000 000 2202 001 and PKS H 7197 2000 000 2102 001; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and Contract No. DP22-228 is awarded to Watercraft Irrigation, Inc., in an amount not to exceed \$3,717,210.00, in accordance with the provisions herein, and the Supervisor, or his designee, is hereby authorized and directed to execute documents accordingly; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account Nos. PKS H 7197 20000 000 2202 001 and PKS H 7197 2000 000 2102 001; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$3,717,210.00, 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney



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

April 29, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
TOWN OF OYSTER BAY HONORABLE JOSEPH COLBY GOLF COURSE  
WOODBURY, NEW YORK  
CONTRACT NO: DP22-228  
ACCOUNT NO: PKS H 7197 20000 000 2202 001, PROJECT ID: 2202PKSA-12  
ACCOUNT NO: PKS H 7197 20000 000 2102 001, PROJECT ID: 2102PKSA-12

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On April 13, 2022, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Watercraft Irrigation, Inc., 173 North Main Street, Sayville, NY 11782, Federal ID # 264163898 submitted the lowest responsive bid in the amount of \$3,540,200.00.

Attached is a letter dated April 28, 2022 from the office of LiRo Engineers, Inc., recommending the award of this contract to Watercraft Irrigation, Inc. in the amount of \$3,540,200.00. In accordance with Town policy \$177,010.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$3,717,210.00.

The construction time for completion of the subject contract is 365 calendar days. Funds are available for the subject contract work through Account No. PKS H 7197 20000 000 2202 001 Project ID 2202PKSA-12 for \$2,000,000.00 and Account No. PKS H 7197 20000 000 2102 001 Project ID 2102PKSA-12 for \$1,717,210.00.

The Office of The Inspector General has reviewed the Contract and proposed vendors' disclosure questionnaire and is satisfied that the procurement Policy has been fulfilled.

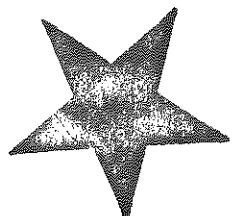
We concur with the recommendation of LiRo Engineers, Inc., and request that Contract No. DP22-228 be awarded to Watercraft Irrigation, Inc., in the total bid amount of \$3,540,200.00 and that \$177,010.00 be applied to the low bid amount for a total bid encumbrance of \$3,717,210.00.

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

  
RWL/JCT/MR/TLS/nm  
Attachments

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

DP22-228 award docket watercraft golf irrigation





**LiRo Engineers, Inc.**

A LiRo Group Company

Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421 www.liro.com

April 28, 2022

Richard Lenz, P.E.  
Commissioner  
Department of Public Works  
Town of Oyster Bay

Re: Letter of Recommendation to Award  
Town of Oyster Bay Honorable Joseph Colby Golf Course  
Irrigation Upgrades

Dear Mr. Lenz:

On April 13<sup>th</sup>, 2022, the Town of Oyster Bay received one bid for the referenced project from WaterCraft Irrigation Inc. LiRo has conducted an evaluation of WaterCraft Irrigation's bid. The bid was properly submitted and encompassed the items outlined in the bidding documents.

Together with Thomas Scalfano and John Tassone of the Town of Oyster Bay, LiRo interviewed Chris Preuss of WaterCraft Irrigation on April 27<sup>th</sup>, 2022. Based on Mr. Preuss's responses throughout the interview, LiRo confirms that WaterCraft has a complete understanding of the project scope of work and of the schedule and coordination constraints. During the interview, Mr. Preuss commented on the numerous irrigation projects that WaterCraft has completed throughout Nassau and Suffolk counties, including both new installations and system repairs. WaterCraft has also performed system repairs and maintenance at the Honorable Joseph Colby Golf Course for many years, and they are familiar with property.

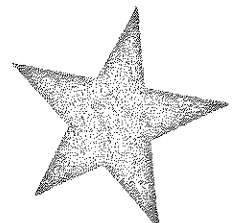
LiRo contacted a reference at Stony Brook University provided by WaterCraft as part of their bid package. Thomas St James of Stony Brook University spoke highly of WaterCraft. He described them as responsive, professional, and quality installers. He noted that WaterCraft completed a complex controls project for the University that gave the maintenance staff control of irrigation pumps via an app on their phones. WaterCraft also installed new irrigation systems and performed repairs on existing irrigation systems at the University.

WaterCraft's bid very closely matches the Engineer's Estimate of \$3,503,000.

In consideration of all information available, LiRo recommends award to WaterCraft Irrigation Inc. of 173 North Main Street, Sayville, NY 11782 for the bid amount of \$3,540,200.00.

Sincerely,

Thomas DiBenedetto P.E.  
Project Manager  
The LiRo Group



Meeting of May 24, 2022

Resolution No 372-2022

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated May 5, 2022, requested that the Town Board authorize the Department of Community and Youth Services to co-sponsor the Fall 2022 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 \$350.00 toward the noted performance.
2. The Town's responsibility shall not exceed \$4,500.00 for the Fall 2022 portion of the Concert series; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board authorize the Supervisor, and/or his duly appointed designee, and/or the Commissioner of the Department of Community and Youth Services, 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 Inspector General reviewed the listed performers' vendor disclosure questionnaires and is satisfied that the requirements of the Town of Oyster Bay Procurement Policy have been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and that the Department of Community and Youth Services is hereby authorized to co-sponsor the Fall 2022 Distinguish 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 Supervisor, and/or his duly appointed designee, and/or the Commissioner of the Department of Community and Youth Services, 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 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney  
*Robert D. Deady*

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

May 5, 2022

TO: Memorandum Docket  
FROM: Maureen A. Fitzgerald, Commissioner  
Department of Community and Youth Services  
SUBJECT: Fall 2022 Distinguished Artist's Concert Series

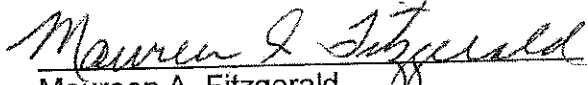
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The Department of Community & Youth Services is requesting Town Board authorization to co-sponsor a Distinguished Artist's Concert Series with various libraries throughout the Town of Oyster Bay. The Department is requesting approval to enter into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

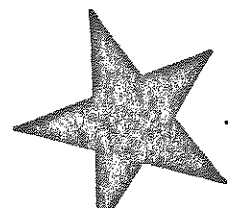
The Town and the individual library will each pay \$350.00 toward the noted performance. The Town's responsibility will not exceed \$4,550.00 for the fall 2022 portion of the Concert Series. Funds for the concert fees are available in Account CYS A 7020 47660 000 0000, Special Events.

These performers have all been vetted through the Exiger System and the Inspector General is satisfied that the requirements of the Town's Procurement Policy have been fulfilled.

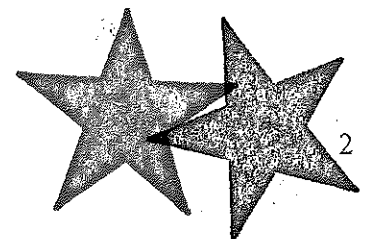
Therefore, it is respectfully requested that the Town Board authorize the Distinguished Artist's Concert Series, and allow the Department to enter into Agreements and further authorize the Supervisor and/or his designee and/or the Commissioner of the Department to execute said Agreements.

  
Maureen A. Fitzgerald  
Commissioner

MAF:dj  
Attachment



PERFORMER NAME	CHECK PAYABLE TO:	DATE/TIME OF PERFORMANCE	LOCATION OF PERFORMANCE
New Vintage Orchestra	Lewis Music [REDACTED]	Sunday, October 2, 2022 2:00 PM	Hicksville Public Library
Gathering Time	Gathering Time [REDACTED]	Saturday, October 8, 2022 4:00 PM	Plainview-Old Bethpage Public Library
The Golden Chords	David Alterman [REDACTED]	Sunday, October 9, 2022 2:00 PM	Jericho Public Library
The Evolution of Salsa	Jose Obando [REDACTED]	Sunday, October 16, 2022 2:00 PM	Locust Valley Library
The Paul Effman Band	Paul Effman [REDACTED]	Sunday, October 23, 2022 2:00 PM	Bethpage Public Library
Lee Glantz	Lee Glantz [REDACTED]	Sunday, October 30, 2022	Syosset Public Library
The Guthrie Brothers	Joseph B. Guthrie [REDACTED]	Sunday, November 6, 2022 2:00 PM	Bethpage Public Library
Sasha Papernik & Her Band	Anna Papernik [REDACTED]	Sunday, November 13, 2022 2:00 PM	Jericho Public Library
Nina Et Cetera	Nina Romano [REDACTED]	Sunday, November 20, 2022 2:00 PM	Locust Valley Library
Gemini Journey	Diane Block [REDACTED]	Sunday, November 27, 2022 2:00 PM	Locust Valley Library
Rhonda Denet & The Silver Fox Songs Trio	Rhonda D. Lipscomb [REDACTED]	Sunday, December 4, 2022 2:00 PM	Hicksville Public Library
Vintage Bliss	The Chiclettes [REDACTED]	Sunday, December 11, 2022	Syosset Public Library
Emily & Vincent	E & V Entertainment [REDACTED]	Saturday, December 17, 2022 4:00 PM	Plainview-Old Bethpage Public Library



Meeting of May 24, 2022

Resolution No 373-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 6, 2022, requested Town Board authorization to issue a refund in the amount of \$450.00 to Nicole Koslow, to reimburse her for the registration fee paid for her child to participate in the upcoming Town of Oyster Bay Bay Summer Recreation Program at Ellsworth Allen Park, as her child can no longer attend; and

WHEREAS, based on the Town of Oyster Bay refund policy, Nicole Koslow is entitled to receive a refund of the \$500.00 registration fee less the 10 percent administrative fee of \$50.00, thereby making her total refund \$450.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$450.00, to Nicole Koslow; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02001 510 0000; 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.

-#-

Reviewed By  
Office of Town Attorney

*Domenica Wolfe*

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: May 6, 2022

SUBJECT: Nicole Koslow Refund – 2022 Town of Oyster Bay Summer Recreation Program

The Department of Parks respectfully requests Town Board approval for a refund to Nicole Koslow towards the payment made to register her child, [REDACTED], for the upcoming Summer Recreation Program at Ellsworth Allen Town Park. [REDACTED] will not be able to attend the Summer Recreation Program due to a change in their plans.

Based on the 2022 Town of Oyster Bay Summer Recreation refund policy, Mrs. Koslow is eligible to receive the refund, minus a 10% administrative fee, as follows:

2022 Summer Recreation Fee	\$500.00
Less 10% Administrative Fee	\$ 50.00
<b>TOTAL REFUND</b>	<b>\$450.00 (Four Hundred Fifty Dollars and 00/100)</b>

Please make the check payable to "Nicole Koslow" and mail to the following:

Nicole Koslow  
[REDACTED]  
[REDACTED]

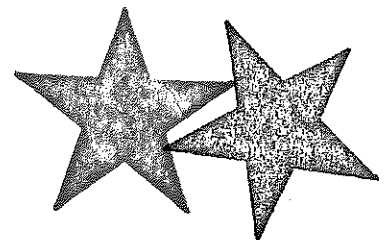
Kindly debit the following account: **PKS A 0001 02001 510 0000.**

Attached you will find pertinent information related to this refund request. It is the recommendation of the undersigned that this refund be approved.

Thank you,

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/sc



## Sarah Cimino

---

**From:** Joseph Pinto  
**Sent:** Friday, May 6, 2022 2:18 PM  
**To:** Sarah Cimino  
**Cc:** Gino Lunghi; Jackie Devlin; Greg Skupinsky  
**Subject:** RE: Pending Approval: (KOSLOW) Summer Recreation Refund

Approved in accordance to the policy on refunds for the Summer Rec program.  
Joe

**From:** Sarah Cimino <[scimino@oysterbay-ny.gov](mailto:scimino@oysterbay-ny.gov)>  
**Sent:** Friday, May 6, 2022 1:21 PM  
**To:** Joseph Pinto <[jpinto@oysterbay-ny.gov](mailto:jpinto@oysterbay-ny.gov)>  
**Cc:** Gino Lunghi <[glunghi@oysterbay-ny.gov](mailto:glunghi@oysterbay-ny.gov)>; Jackie Devlin <[jdevlin@oysterbay-ny.gov](mailto:jdevlin@oysterbay-ny.gov)>  
**Subject:** Pending Approval: (KOSLOW) Summer Recreation Refund

Hi, Commissioner –

Please let me know if this is approved so I can hopefully submit the Docket Memo by Monday's deadline to be included on the May 24<sup>th</sup> Town Board meeting.

Thank you,  
Sarah

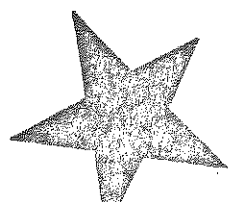
**From:** Jackie Devlin <[jdevlin@oysterbay-ny.gov](mailto:jdevlin@oysterbay-ny.gov)>  
**Sent:** Monday, May 2, 2022 8:47 AM  
**To:** Joseph Pinto <[jpinto@oysterbay-ny.gov](mailto:jpinto@oysterbay-ny.gov)>  
**Cc:** Gino Lunghi <[glunghi@oysterbay-ny.gov](mailto:glunghi@oysterbay-ny.gov)>; Sarah Cimino <[scimino@oysterbay-ny.gov](mailto:scimino@oysterbay-ny.gov)>  
**Subject:** FW: TOB SUMMER RECREATION PROGRAM

Hello,

Please review the request for a refund for the 2022 Summer Camp below. They paid by credit card.

Thanks  
Jackie

*Jacqueline Devlin - Recreation Director*  
**Department of Parks**  
**977 Hicksville Road**  
**Massapequa, NY 11758**  
**Office (516) 797-7945**  
**Fax (516) 797-7959**  
**[jdevlin@oysterbay-ny.gov](mailto:jdevlin@oysterbay-ny.gov)**





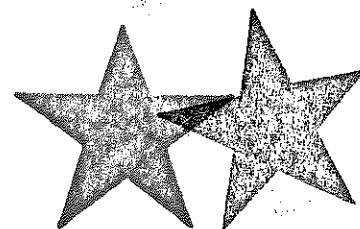
From: nicole Koslow [REDACTED]  
Sent: Wednesday, April 27, 2022 2:14 PM  
To: Jackie Devlin <jdevlin@oysterbay-ny.gov>  
Subject: Re: TOB SUMMER RECREATION PROGRAM

Good afternoon,  
I am requesting a refund for my son [REDACTED] as he will not be attending the summer program at Allen park anymore.  
[REDACTED]

I paid the \$500 with my master card at time of sign up.  
Please let me know if there is anymore information you need in order to process the refund.  
Thank you for your time  
Nicole Koslow  
516 [REDACTED]

On Apr 27, 2022, at 1:52 PM, Jackie Devlin <jdevlin@oysterbay-ny.gov> wrote:

Hello Nicole,  
I am sorry to hear about that. Please write a brief letter to Commissioner Joseph Pinto requesting a refund. You can send the letter to this email and I will have it passed along for approval. If you paid by check, please also send a copy of the cashed check ( front and back) from your bank account as our Accounting department will need that.  
Thanks  
Jackie



**Sarah Cimino**

---

**From:** Joseph Pinto  
**Sent:** Monday, April 25, 2022 10:29 AM  
**To:** Jackie Devlin  
**Cc:** Sarah Cimino; Gino Lunghi  
**Subject:** RE: Summer recreation

approved

**From:** Jackie Devlin <jdevlin@oysterbay-ny.gov>  
**Sent:** Monday, April 25, 2022 10:06 AM  
**To:** Joseph Pinto <jpinto@oysterbay-ny.gov>  
**Cc:** Sarah Cimino <scimino@oysterbay-ny.gov>; Gino Lunghi <glunghi@oysterbay-ny.gov>  
**Subject:** FW: Summer recreation

Hello,

Please review the below request for a refund. I am not sure if I sent this one yet, but they paid by credit card.

Thanks

Jackie

*Jacqueline Devlin - Recreation Director*

**Department of Parks**

**977 Hicksville Road**

**Massapequa, NY 11758**

**Office (516) 797-7945**

**Fax (516) 797-7959**

**jdevlin@oysterbay-ny.gov**



**From:** Kara Sabatini [REDACTED]  
**Sent:** Tuesday, April 19, 2022 6:50 PM  
**To:** Jackie Devlin <jdevlin@oysterbay-ny.gov>  
**Subject:** Re: Summer recreation

Hi Jackie. Just checking that you got my last email. I paid credit card. When can I expect a refund to be processed?

Thanks,

Kara

On Apr 14, 2022, at 10:41 AM, Kara Sabatini [REDACTED] wrote:

Thanks Jackie. I paid credit card.

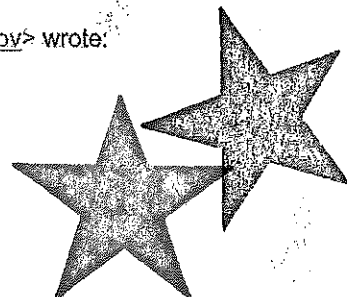
Kara

On Thursday, April 14, 2022, 08:24:40 AM EDT, Jackie Devlin <jdevlin@oysterbay-ny.gov> wrote:

Hi Kara,

It was received! Did you pay by credit card or check?

Thanks



Jackie

Jacqueline Devlin — Recreation Director  
Department of Parks  
977 Hicksville Road  
Massapequa, NY 11758  
Office (516) 797-7945  
Fax (516) 797-7959  
[jdevlin@oysterbay-ny.gov](mailto:jdevlin@oysterbay-ny.gov)

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

From: Kara Sabatini [REDACTED]  
Sent: Wednesday, April 13, 2022 3:37 PM  
To: Jackie Devlin <[jdevlin@oysterbay-ny.gov](mailto:jdevlin@oysterbay-ny.gov)>  
Subject: Summer recreation

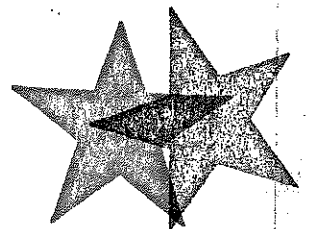
Hi Jacqueline. Below is the letter we had discussed on the phone. Can you please just confirm you received it because I'm not sure I have your email correct.

Thank you,  
Kara Mueller

Dear Mr. Joseph Pinto,

I had registered my son, [REDACTED], for the summer recreation program at Allen Park. Due to an unexpected change to our work schedules, [REDACTED]. Therefore, he will be unable to attend the program. I apologize for any inconvenience and hope his spot will be able to go to another child. Thank you for your understanding on this matter.

Sincerely,  
Kara Mueller



**ACTIVITY SALES RECEIPT**

Receipt # 236145  
Payment Date: 03/28/22  
Household: 21177

own of Oyster Bay Parks  
77 Hicksville Road  
Massapequa NY 11758  
Phone: (516)797-4128  
www.oysterbaytown.com

KARA MUELLER

**Activity Enrollment Details: SUMMERRECREATION-2022-ALLEN (Summer Recreation at Allen Park)**

	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Enrollee Name: [REDACTED] R	500.00	500.00	500.00	500.00	0.00
Enrollment Date: 03/28/2022					
Enrollment Status: Enrolled					

Meeting Details: This Class meets from 07/05/2022 to 08/12/2022 at 9:00am to 3:30pm on M,Tu,W,Th,F  
Class Location: Ellsworth W. Allen Community Park  
Special Comments: Camp runs 9:15AM-11:45 and 12:45PM-3:00PM. Child MUST be picked up for lunch hour by parent/guardian.

The Summer Recreation Program is permitted to operate by the Nassau County Department of Health, who is required to inspect our camp twice a year - the inspection reports are filed at 200 County Seat Drive, Mineola, NY 11501.

**RAIN POLICY:**

If raining prior to the start of camp day, camp will be cancelled for the AM session. Weather permitting, camp will resume for the afternoon pending notification by email, social media post, and text message if you've opted in via [www.oysterbaytown.com/parksportal](http://www.oysterbaytown.com/parksportal) with your email on file.

**REFUND POLICY:**

Refunds will be given at a 10% administrative fee up until Friday, July 15th, 2022.

**OPT-IN FOR TEXT ALERTS!**

Visit [oysterbaytown.com/parksportal](http://oysterbaytown.com/parksportal) and log in to your account to opt-in for text notifications.

Special Questions: Please place my child with:

Processed on 03/28/22 @ 8:43pm by preynolds

Total New Fees:	500.00
Discount Applied	0.00
<b>Total Due</b>	<b>500.00</b>

Total Fees Paid	500.00
<b>Total Paid</b>	<b>500.00</b>

Payment of: 500.00 Made By: [REDACTED] Auth: [REDACTED] Card#: [REDACTED] With Reference:

**ACTIVITY SALES RECEIPT**

Receipt # 236187  
Payment Date: 03/28/22  
Household: 21169

own of Oyster Bay Parks  
77 Hicksville Road  
Massapequa NY 11758  
Phone: (516)797-4128  
www.oysterbaytown.com

Nicole Koslow

**Activity Enrollment Details: SUMMERRECREATION-2022-ALLEN (Summer Recreation at Allen Park)**

	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Enrollee Name: [REDACTED]	500.00	500.00	500.00	500.00	0.00
Enrollment Date: 03/28/2022					
Enrollment Status: Enrolled					

Meeting Details: This Class meets from 07/05/2022 to 08/12/2022 at 9:00am to 3:30pm on M,Tu,W,Th,F  
Class Location: Ellsworth W. Allen Community Park  
Special Comments: Camp runs 9:15AM-11:45 and 12:45PM-3:00PM. Child MUST be picked up for lunch hour by parent/guardian.

The Summer Recreation Program is permitted to operate by the Nassau County Department of Health, who is required to inspect our camp twice a year - the inspection reports are filed at 200 County Seat Drive, Mineola, NY 11501.

**RAIN POLICY:**

If raining prior to the start of camp day, camp will be cancelled for the AM session. Weather permitting, camp will resume for the afternoon pending notification by email, social media post, and text message if you've opted in via [www.oysterbaytown.com/parksportal](http://www.oysterbaytown.com/parksportal) with your email on file.

**REFUND POLICY:**

Refunds will be given at a 10% administrative fee up until Friday, July 15th, 2022.

**OPT-IN FOR TEXT ALERTS!**

Visit [oysterbaytown.com/parksportal](http://oysterbaytown.com/parksportal) and log in to your account to opt-in for text notifications.

Special Questions: Please place my child with: THOMAS MUNCASTER

Processed on 03/28/22 @ 9:02pm by preynolds

Total New Fees  
Discount Applied

500.00

0.00

**Total Due 500.00**

Total Fees Paid

500.00

**Total Paid 500.00**

Payment of: 500.00 Made By: [REDACTED] Auth: [REDACTED] Card#: [REDACTED] With Reference:

5/3/22, 12:16 PM

Receipt R087385075720

## Recreation

977 HICKSVILLE ROAD  
MASSAPEQUA, NY 11758  
5166246447

3/28/22 9:02 PM

Ref #

Authorization Code:

Total: \$500.00 USD

Card Number:

Card Holder: KOSLOW/NICOLE

Card Brand:

AID:

IAD:

TVR:

Application Label:

Entry Method: Chip Read

Authorization Mode: Issuer

Question about this receipt? Call us at.

Meeting of May 24, 2022

Resolution No 374-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 5, 2022, requested Town Board authorization to issue a refund in the amount of \$450.00 to Deborah Brown, 17 Cinque Drive, Farmingdale, NY 11735, to reimburse her for the registration fee paid for her child to participate in the upcoming Town of Oyster Bay Summer Recreation Program at Ellsworth Allen Park, as her child can no longer attend; and

WHEREAS, based on the Town of Oyster Bay refund policy, Deborah Brown is entitled to receive a refund of the \$500.00 registration fee less the 10 percent administrative fee of \$50.00, thereby making her total refund \$450.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$450.00, to Deborah Brown; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02001 510 0000; 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.

-#-

Reviewed By  
Office of Town Attorney

*Danica Wall*

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: May 5, 2022

SUBJECT: DEBORAH BROWN Refund – 2022 Town of Oyster Bay Summer Recreation Program

The Department of Parks respectfully requests Town Board approval for a refund to Deborah Brown towards the payment made to register her child, [REDACTED], for the upcoming Summer Recreation Program at Ellsworth Allen Town Park. Unfortunately, [REDACTED] will not be able to attend the Summer Recreation Program as planned.

Based on the 2022 Town of Oyster Bay Summer Recreation refund policy, Mrs. Brown is eligible to receive the refund, minus a 10% administrative fee, as follows:

2022 Summer Recreation Fee	\$500.00
Less 10% Administrative Fee	\$ 50.00
<b>TOTAL REFUND</b>	<b>\$450.00 (Four Hundred Fifty Dollars and 00/100)</b>

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

Deborah Brown  
17 Cinque Drive  
Farmingdale, New York 11735

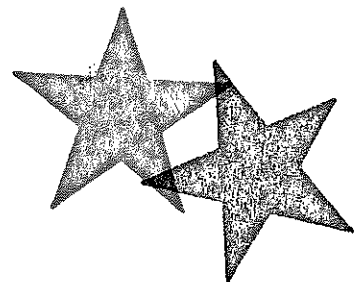
Kindly debit the following account: **PKS A 0001 02001 510 0000.**

Attached you will find pertinent information related to this refund request. It is the recommendation of the undersigned that this refund be approved.

Thank you,

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/sc





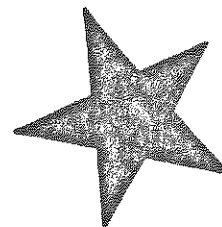
April 25,2022

To Commissioner Joseph Pinto,

I would like to request a refund for the Allen Park Summer Recreation, It will not work for us this coming season.

Thank you for your time,

Deborah Brown



## Sarah Cimino

---

**From:** Joseph Pinto  
**Sent:** Tuesday, April 26, 2022 8:44 AM  
**To:** Jackie Devlin  
**Cc:** Sarah Cimino; Gino Lunghi  
**Subject:** RE: Summer Recreation

approved

**From:** Jackie Devlin <jdevlin@oysterbay-ny.gov>  
**Sent:** Tuesday, April 26, 2022 8:17 AM  
**To:** Joseph Pinto <jpinto@oysterbay-ny.gov>  
**Cc:** Sarah Cimino <scimino@oysterbay-ny.gov>; Gino Lunghi <glunghi@oysterbay-ny.gov>  
**Subject:** FW: Summer Recreation

Hello,

Please review the attached request for a refund for Allen Park summer camp. Sarah, if approved I have sent you a separate email with the copy of the cashed check.

Thanks  
Jackie

*Jacqueline Devlin - Recreation Director*  
**Department of Parks**  
**977 Hicksville Road**  
**Massapequa, NY 11758**  
**Office (516) 797-7945**  
**Fax (516) 797-7959**  
**jdevlin@oysterbay-ny.gov**

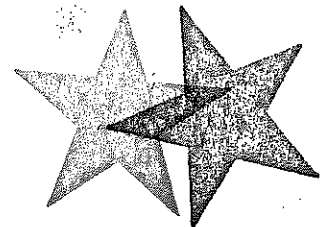


**From:** Deborah Brown - [REDACTED]  
**Sent:** Monday, April 25, 2022 3:37 PM  
**To:** Jackie Devlin <jdevlin@oysterbay-ny.gov>  
**Subject:** Summer Recreation

**CAUTION:** This email originated from outside of our organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

Attached is my request for a refund.

Thank you,  
Deborah



**ACTIVITY SALES RECEIPT**

Receipt # 239689  
Payment Date: 04/08/22  
Household: 21821

own of Oyster Bay Parks  
77 Hicksville Road  
Lassapequa NY 11758  
Phone: (516)797-4128  
www.oysterbaytown.com

Deborah Brown  
[REDACTED]

**Activity Enrollment Details: SUMMERRECREATION-2022-ALLEN (Summer Recreation at Allen Park)**

	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid -</u>	<u>Amount Due</u>
Enrollment Name: [REDACTED]	500.00	500.00	500.00	500.00	0.00
Enrollment Date: 04/08/2022					
Enrollment Status: Enrolled					

Meeting Details: This Class meets from 07/05/2022 to 08/12/2022 at 9:00am to 3:30pm on M,Tu,W,Th,F  
Class Location: Ellsworth W. Allen Community Park  
Special Comments: Camp runs 9:15AM-11:45 and 12:45PM-3:00PM. Child MUST be picked up for lunch hour by parent/guardian.

The Summer Recreation Program is permitted to operate by the Nassau County Department of Health, who is required to inspect our camp twice a year - the inspection reports are filed at 200 County Seat Drive, Mineola, NY 11501.

**RAIN POLICY:**

If raining prior to the start of camp day, camp will be cancelled for the AM session. Weather permitting, camp will resume for the afternoon pending notification by email, social media post, and text message if you've opted in via [www.oysterbaytown.com/parksportal](http://www.oysterbaytown.com/parksportal) with your email on file.

**REFUND POLICY:**

Refunds will be given at a 10% administrative fee up until Friday, July 15th, 2022.

**OPT-IN FOR TEXT ALERTS!**

Visit [oysterbaytown.com/parksportal](http://oysterbaytown.com/parksportal) and log in to your account to opt-in for text notifications.

Special Questions: Please place my child with:

Processed on 04/08/22 @ 3:07pm by JARDEN

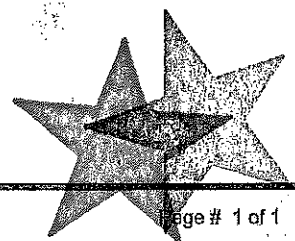
Total New Fees 500.00  
Discount Applied 0.00

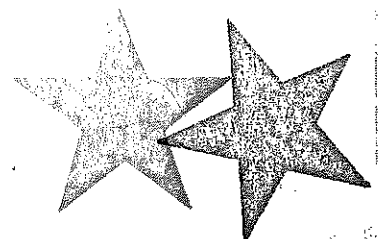
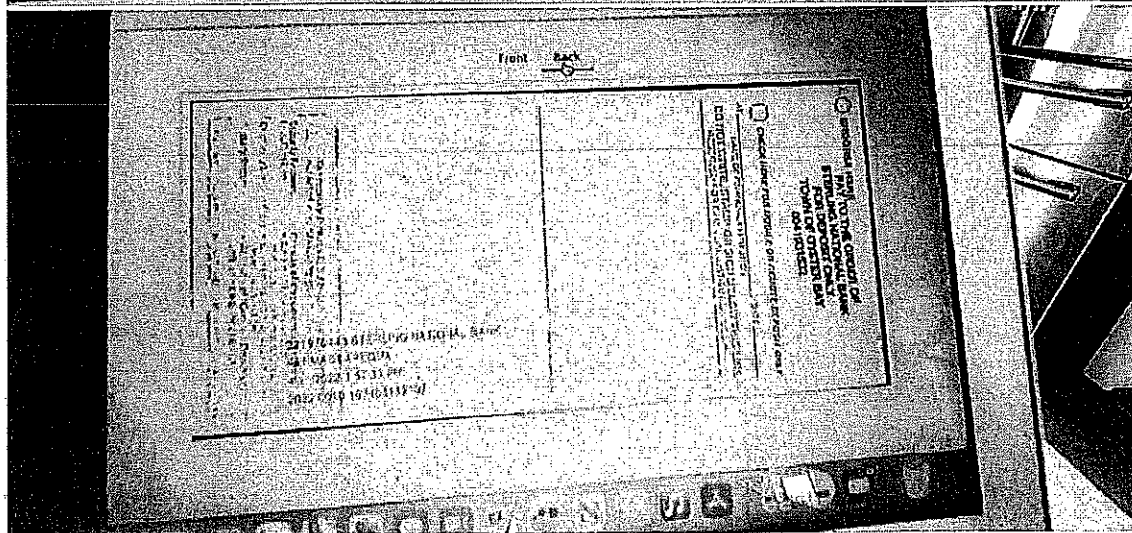
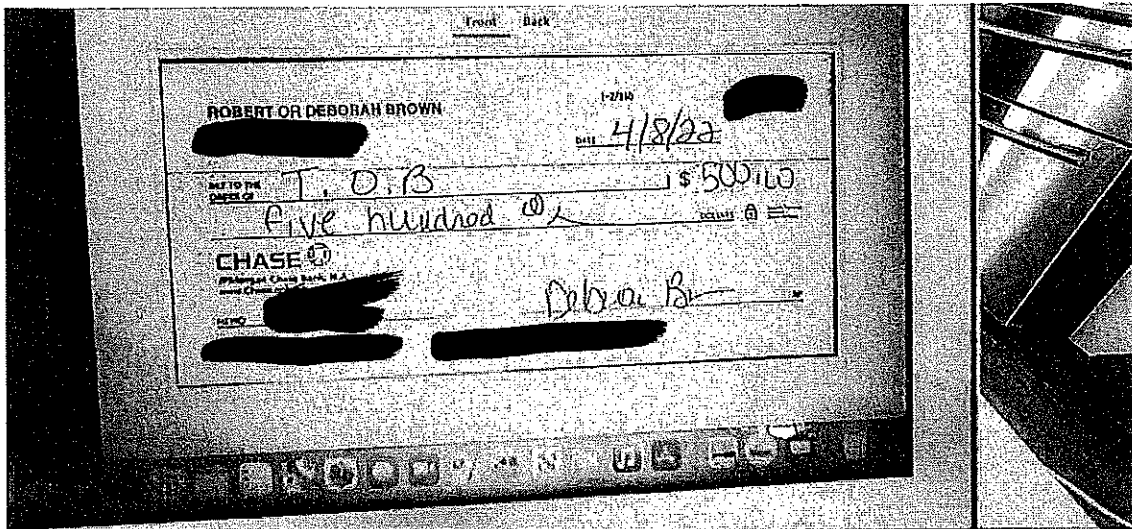
**Total Due 500.00**

Total Fees Paid 500.00

**Total Paid 500.00**

Payment of: 500.00 Made By: Check With Reference: [REDACTED]





Reviewed By  
Office of Town Attorney  
*Domenica Wolfe*

Meeting of May 24, 2022

Resolution No 375-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated May 5, 2022, requested Town Board authorization to issue a refund in the amount of \$450.00 to Kara Mueller to reimburse her for the registration fee paid for her child to participate in the upcoming Town of Oyster Bay Bay Summer Recreation Program at Ellsworth Allen Park, as her child can no longer attend; and

WHEREAS, based on the Town of Oyster Bay refund policy, Kara Mueller is entitled to receive a refund of the \$500.00 registration fee less the 10 percent administrative fee of \$50.00, thereby making her total refund \$450.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$450.00, to Kara Mueller; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02001 510 0000; 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

375

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: May 5, 2022

SUBJECT: KARA MUELLER Refund—2022 Town of Oyster Bay Summer Recreation Program

The Department of Parks respectfully requests Town Board approval for a refund to Kara Mueller towards the payment made to register her child, [REDACTED], for the upcoming Summer Recreation Program at Ellsworth Allen Town Park. Due to a change in work schedules that interferes with the drop-off and pick-up times, [REDACTED] will not be able to attend the Summer Recreation Program as planned.

Based on the 2022 Town of Oyster Bay Summer Recreation refund policy, Mrs. Mueller is eligible to receive the refund, minus a 10% administrative fee, as follows:

2022 Summer Recreation Fee	\$500.00
Less 10% Administrative Fee	\$ 50.00
<b>TOTAL REFUND</b>	<b>\$450.00 (Four Hundred Fifty Dollars and 00/100)</b>

Please make the check payable to "Kara Mueller" and mail to the following:

Kara Mueller  
[REDACTED]

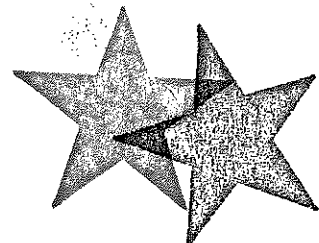
Kindly debit the following account: **PKS A 0001 02001 510 0000.**

Attached you will find pertinent information related to this refund request. It is the recommendation of the undersigned that this refund be approved.

Thank you,

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/sc



Meeting of May 24, 2022

Resolution No 376-2022

WHEREAS, by Resolution No. 221-2022, adopted March 29, 2022, the Town Board authorized Cashin Associates, P.C. to provide the Health and Safety Programs for OSHA/PESH Compliance for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with the option of two (2) one-year extensions, in a total amount not to exceed \$75,000.00 in the first year, \$80,000.00 in the second year (if extended) and \$84,000.00 in the third year (if extended); and

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated May 9, 2022, requested and recommended that Resolution No. 221-2022, adopted March 29, 2022, be amended, *nunc pro tunc*, to increase the amount of funding in the first year of the contract in an amount not to exceed \$100,000.00, in order to accomplish required OSHA/PESH Training of Town of Oyster Bay staff; and

WHEREAS, Commissioner Tuman, by said memorandum, advised that funds are available, for this purpose, in Account No. TWNA-1989-47900-000-0000,

NOW THEREFORE BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and Resolution No. 221-2022, adopted March 29, 2022, is hereby amended, *nunc pro tunc*, to increase the amount of funding in the first year of the contract in an amount not to exceed \$100,000.00, in order to accomplish required OSHA/PESH Training of Town of Oyster Bay staff; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds for said payment to be drawn from Account No. TWNA-1989-47900-000-0000.

-#-

Reviewed By  
Office of Town Attorney  
Elizabeth A. Taughman

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

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

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

To: MEMORANDUM DOCKET

From: ERIC TUMAN, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: MAY 9, 2022

Subject: AMEND TOWN OF OYSTER BAY, TOWN BOARD RESOLUTION  
No. 221-2022, HEALTH AND SAFETY PROGRAMS FOR OSHA/PESH  
COMPLIANCE CONTRACT

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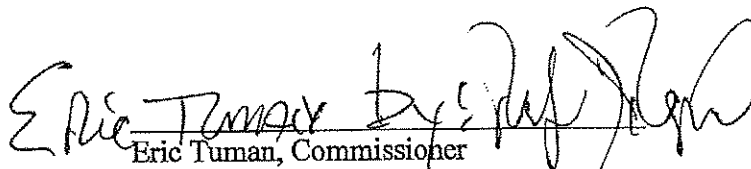
The General Services Department is requesting to correct and amend Resolution No. 221-2022 as follows:

Resolution No. 221-2022 authorized an original contract period of January 1, 2022 through December 31, 2022, nunc pro tunc in a total amount not to exceed \$75,000 per year. However, the original contract period set forth in the Request for Proposals ("RFP") was January 1, 2022 through December 31, 2024, nunc pro tunc, with two (2) additional one (1) year extensions (year 2025 and 2026) at the Town's option.

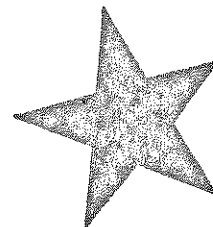
In order to accomplish required OSHA/PESH Training of Town of Oyster Bay staff, as outlined as an option in Cashin Associates, P.C.'s RFP response, we are requesting and recommending that the amount of the funding for the first year of the contract be increased and amended to an amount not to exceed \$100,000. Funds will be available in Account TWNA 1989 47900 000 0000.

Therefore, it is requested that the Town Board amend Resolution No. 221-2022 accordingly at the next Town Board.

Respectfully,

  
Eric Tuman, Commissioner  
General Services Department

ET/sc  
Attachment





Meeting of March 29, 2022

Resolution No. 221-2022

Reviewed By  
Office of Town Attorney

*Danica Walsh*

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated March 14, 2022, advised that a request for proposals (RFP) was issued by the Department of General Services to procure Health and Safety Programs for OSHA/PESH Compliance for a three (3) year period in accordance with the Town's procurement policy, was forwarded to four (4) firms, and was advertised on the Town website, and advertised in a newspaper of general circulation, resulting in the Town having received two (2) responses; and

WHEREAS, following a review and evaluation of said two (2) responses by a selection committee and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Tuman by said memorandum, requested and recommended that the Town Board authorize Cashin Associates, P.C., to provide Health and Safety Programs for OSHA/PESH Compliance for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with the option of two (2) one-year extensions in a total amount not to exceed \$75,000.00 in the first year, \$80,000.00 in the second year (if extended) and \$84,000.00 in the third year (if extended); and

WHEREAS; the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and it satisfied the Procurement Policy standards have been met,

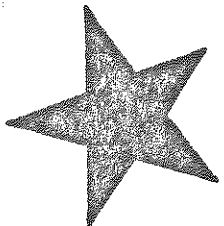
NOW THEREFORE BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and that Cashin Associates, P.C. is hereby authorized to provide the above-referenced Health and Safety Programs for OSHA/PESH Compliance for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with the option of two (2) one-year extensions, in a total amount not to exceed \$75,000.00 in the first year, \$80,000.00 in the second year (if extended) and \$84,000.00 in the third year (if extended); and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. TWNA-1989-47900-000-0000.

—#—

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

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



Meeting of May 24, 2022

Resolution No 377-2022

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated May 9, 2022, requested Town Board authorization to publish, in Newsday, a Public Notice for a Request for Proposals, with regard to youth employment and training services, pursuant to the Workforce Innovation and Opportunity Act, for eligible in-school youth, ages 14-21, residing in the Towns of Oyster Bay and North Hempstead, and in the City of Glen Cove, for the period October 1, 2022 through September 30, 2025; and

WHEREAS, Commissioner Sammartano, by said memorandum, advised that funds for the aforementioned purpose are available in Account No. IGA CD 6293 48240 000 CW21, and that since said publication is a Workforce Innovation and Opportunity Act eligible expense, said publication shall be made at no cost to the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Intergovernmental Affairs is hereby authorized to publish, in Newsday, a Public Notice for a Request for Proposals, with regard to youth employment and training services, pursuant to the Workforce Innovation and Opportunity Act, for eligible in-school youth, ages 14-21, residing in the Towns of Oyster Bay and North Hempstead, and in the City of Glen Cove, for the period October 1, 2022 through September 30, 2025; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. IGA CD 6293 48240 000 CW21, and, that since said publication is a Workforce Innovation and Opportunity Act eligible expense, said publication shall be made at no cost to the Town of Oyster Bay.

-#-

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

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

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

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

May 9, 2022

**TO:** MEMORANDUM DOCKET

**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS


**SUBJECT:** PUBLICATION OF YOUTH PROGRAM EXTENSION FOR IN-SCHOOL UNDER  
THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

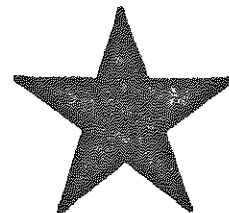
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The Department of Intergovernmental Affairs' Division of Employment and Training has prepared the attached Public Notice with regard to the delivery of youth employment and training services in-school youth aged 14-21 under the Workforce Innovation and Opportunity Act for the period October 1, 2022 through September 30, 2025. Requested services will include projects designed to assist eligible youth participants in high school dropout prevention; achievement of work readiness skills and recognized credentials; and placement in employment or post-secondary education. This is a Workforce Innovation and Opportunity Act eligible cost and therefore at no cost to the Town of Oyster Bay. Funding for this RFP comes from IGA CD 6293 48240 000 CW21.

We are looking for Town Board Authorization to publicize this RFP in Newsday.

Regards,

  
Frank V. Sammartano  
Commissioner



# OYSTER BAY-NORTH HEMPSTEAD-GLEN COVE WORKFORCE DEVELOPMENT AREA

## REQUEST FOR PROPOSALS YOUTH EMPLOYMENT AND TRAINING SERVICES UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

The Town of Oyster Bay Department of Intergovernmental Affairs' Division of Employment and Training (DET) is soliciting proposals for the provision of employment and training services for eligible in-school youth ages 14-21 residing in the Towns of Oyster Bay, North Hempstead and the City of Glen Cove. Notice of this solicitation was published in Newsday.

The procurement schedule is as follows (dates are subject to change upon notice.)

RFP Issue Date	June 17, 2022
*Bidders' Meeting (Attendance Recommended)	June 30, 2022 – 2:00 p.m.
Application Due Date	July 22, 2022 – 4:00 p.m.
Contract Award Date	September 14, 2022
Contract Period	October 1, 2022 through September 30, 2025

Questions concerning programmatic issues may be directed to John Sarcone, Director of the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board at (516) 797-7973, and fiscal questions may be directed to Dennis Palmieri, Fiscal Unit, at (516) 797-4576.

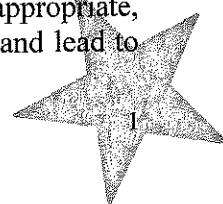
\*Bidders' Meeting will be done virtually through Zoom. Meeting ID and password will be available on June 30, 2022 by contacting John Sarcone, Director of the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board at (516) 797-7973.

### SCOPE OF WORK

#### Background and Program Goals

The Oyster Bay - North Hempstead - Glen Cove Workforce Development Area provides employment and training services for residents of the Towns of Oyster Bay and North Hempstead and the City of Glen Cove. Funding for these programs is provided by the Workforce Innovation and Opportunity Act of 2014 (WIOA.)

Services to at-risk in-school youth place a priority on high school dropout prevention, achievement of work readiness skills and recognized credentials; and placement in employment or post-secondary education. Career Pathways and work-based learning are to be promoted as leading approaches. Proposals should be based on youth development principles and best practices that support, motivate, and prepare youth for continuing educational achievements, transition into adulthood, and long-term success in employment. The proposed services design and implementation strategies must be age appropriate, provide a customized mix of services to address individual needs and goals, and lead to attainment of the performance measures.



### Targeted Youth/Program Eligibility

Eligible program participants must be low income\* Youth; not younger than 14 or older than age 21; attending school as defined by New York State Law, AND one of the following:

1. Basic Skills Deficient;
2. English Language Learner;
3. Offender
4. Homeless, runaway, in foster care or aged out of foster care system, Social Security Act eligible recipient, or out of home placement.
5. Pregnant/parenting individual;
6. A youth who has a disability;
7. An individual requiring additional assistance to enter or complete an educational program or to secure and hold employment.

All youth participants must be US Citizens or non-citizens authorized to work in the United States. Males ages 18 to 21 must be registered with Selective Service.

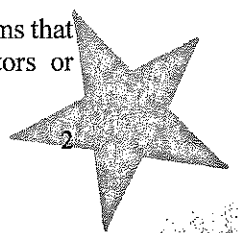
### WIOA Program Elements

Services solicited under this RFP consist of the outreach, recruitment, eligibility determination, assessment and development of individual service strategies in addition to the 14 program elements listed below. Proposers are encouraged to include as many of the elements as possible in their program design. These elements can be made available directly or through partnerships with other agencies, programs or funding sources. The contract period includes two summer work experience cycles. Limited work experience may also be provided during the school year. **All programs must include work experience components and follow-up for a period of at least 12 months.**

1. Tutoring, study skills training, and instruction, and evidence-based dropout prevention and recovery strategies leading to completion of the requirements for a secondary school or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities, or for a recognized postsecondary credential.
2. Alternative secondary school services, or dropout recovery services, as appropriate.
3. Work experience – **REQUIRED ELEMENT** (funded directly through the Division of Employment and Training, and not included in the grant request) that have as a component academic and occupational education, which may include –
  - Subsidized employment opportunities;
  - Pre-apprenticeship programs;
  - Internships and job shadowing; and
  - On-the-Job Training Opportunities

\* Low income is defined as a youth with an income at or below Poverty Level or 70% of the Lower Living Standard Income Level ; or a youth living in a high poverty area

4. Occupational skill training, which may include priority consideration for training programs that lead to recognized postsecondary credentials aligned with in-demand industry sectors or occupations in the local area.



5. Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, as appropriate.
6. Supportive services.
7. Adult mentoring.
8. Follow-up services for at least 12 months after program completion. **REQUIRED ELEMENT**
9. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate.
10. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or cluster.
11. Financial literacy education. **REQUIRED ELEMENT**
12. Entrepreneurial skills training.
13. Services that provide labor market information about in-demand industry sectors and occupations available in the local area, such as career awareness, career counseling, and career exploration services. **REQUIRED ELEMENT**
14. Activities that help youth prepare for and transition to postsecondary education and training. **REQUIRED ELEMENT**

**Note: Required Elements must be addressed in your proposal for consideration**

#### Program Design

Programs should be designed to prepare youth for a successful transition to employment and/or post-secondary education. It is anticipated that the majority of the below components will be included in program designs:

- Outreach, Recruitment and Eligibility Determination
- Assessment and Development of Individual Service Strategy (ISS)
- Work Readiness Skills/Resume/Interviewing Skills
- Work Experience
- Development of Career Zone Portfolio
- Basic Skills Training if appropriate
- Assistance in obtaining High School Equivalency Diplomas
- Referral to Training for Occupational Skill Development/Certifications
- Job Search Techniques
- Career Exploration and Counseling
- Job Placement/Referral to post-secondary training

Programs should include a planned schedule of activities, including where the service is to be provided, the staff member/agency providing the service, and other relevant information.

#### Outreach and Recruitment

Outreach and recruitment activities should be directed to youth who are most in need of services under the Workforce Innovation and Opportunity Act. These efforts may be coordinated with school districts, non-profit organizations, faith-based organizations, community-based organizations, juvenile justice agencies, and other organizations as appropriate. Emphasis should be placed on youth who require assistance in making a

successful transition to further education and employment in occupations that lead to self-sufficiency – to get hired, to advance on the job, and to succeed as independent adults.

#### Performance Measures/Outcomes

The federally funded Workforce Innovation and Opportunity Act (WIOA) youth program is an “outcome based” program. Contracts will be performance-based, and full payment will be contingent upon satisfactory performance as outlined under “Funding.”

Programs will be evaluated based on the following WIOA Performance Measures.

1. Percentage of program participants who are in education or training activities, or In unsubsidized employment during second quarter after exit
2. Percentage of participants who are in education or training activities or in unsubsidized employment during fourth quarter after exit
3. Median earnings of participants in unsubsidized employment during second quarter after exit
4. Percentage of participants who obtain a recognized postsecondary credential, secondary school diploma or equivalent during participation or within one year after program exit
5. Percentage of participants who, during a program year, are in education that leads to a recognized credential or employment and who are achieving measurable gains towards those goals

#### Provider Responsibilities

Providers are responsible for recruitment, intake and eligibility determination of appropriate youth. Eligibility determination information must be submitted to the Town of Oyster Bay Youth Unit for certification prior to enrollment in a WIOA-funded activity. Youth activities started or completed prior to the application date will not be counted as achieved during the program.

Providers will complete an objective assessment for each participant including academic and occupational skill levels, interests and aptitudes, prior work experience, and supportive service needs.

The assessment is to be utilized to develop an appropriate Individual Service Strategy (ISS) to meet his or her individual needs. The ISS identifies the participant’s academic and employment goals, and lists appropriate achievement objectives and services. It will include both long-term and short-term goals, and details the plan for the needed educational, employment related and personal support services.

The Youth Unit will provide the required forms to complete the documentation necessary for eligibility, including the Objective Assessment and the Individual Service Strategy. All forms must be submitted at the time of enrollment. Other required forms will include

timesheets, evaluations, progress reports and appropriate follow-up information. Duplicate copies of paperwork submitted to DET must be maintained at provider site.

During the program, case notes detailing individual participant activities are required on a monthly basis. Proof of attainment of diplomas or certificates, placement in unsubsidized employment, entrance into post-secondary education or the military must be provided to the Youth Unit in order to meet program responsibilities and pass quarterly performance reviews.

Following participant exit, provider will be required to follow-up on a quarterly basis, or more often if necessary, for a twelve-month period and provide relevant information with regard to the performance measures and goal attainment to the Youth Unit at the Town of Oyster Bay. Where there has been a change in the participant's situation, i.e., loss of a job or completion of a training program, appropriate assistance must be provided.

### Limitations

This Request for Proposals does not commit the Town of Oyster Bay Department of Intergovernmental Affairs' Division of Employment and Training to award a contract, pay costs incurred in the preparation of a response to this request, or to procure or contract for services or supplies. The Town reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified sources, if it is in the best interest of the program, or to cancel in part or in its entirety this Request for Proposals. The Town may require offerors selected to participate in negotiations and to submit such cost, technical or other revisions of their proposal, as a result of any such negotiations. Applicants' protest rights are limited to violations of federal, State or local laws and regulations.

### Affirmative Action and Equal Employment Opportunity

The Oyster Bay-North Hempstead-Glen Cove Workforce Development Board is committed to the principles of Affirmative Action and Equal Employment Opportunity and hereby reaffirms that commitment. The Board, its' Grant Recipient and sub-contractors will comply with all of the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act of 2014, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted permanent resident alien, refugee, asylee, parolee, or other immigrant authorized by the Attorney General to work in the United States or participation in any WIOA Title I financially assisted program or activity; the Non-traditional Employment for Women Act of 1991; Title II of the Genetic Information Nondiscrimination Act of 2008; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; the Americans with Disabilities Act, and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to, 29 CFR, Part 34. The United States DOL has the right to seek judicial enforcement of this assurance.



### Proof of Insurance

Approved service providers will be required to submit proof of Workers Compensation and General Liability Insurance in the amount of \$1,000,000 each. Liability Insurance must name the Town of Oyster Bay as an "Additional Insured" and must be accompanied by an *endorsement certificate*. Such insurance must be maintained for the duration of the program.

### Eligibility for Selection

Eligible applicants include public or private entities with experience in the delivery of employment and training services to youth as outlined in this RFP.

### Funding

A total of approximately \$150,000 is available for the period October 1, 2022 through September 30, 2025, based on anticipated funding under the Workforce Innovation and Opportunity Act. Additional funding may be available for follow up services. This funding will cover two years of program activities, and one year of follow-up (for those participants who "exit" WIOA services in the second year of the program.) DET pending funding availability and program performance may extend the contract for a maximum of additional 12 months. DET reserves the right to utilize this total approximate funding for multiple grants. The contract spans two summer work experience program cycles. Limited work experience may also be provided during the school year.

Work experience wages will be paid directly to the participants; therefore, work experience wages should **not** be included in the funding request.

Funding will be based on the number of youth to be served, the program design, and the number and quality of program elements provided within the design. Funds under this RFP cannot be used to pay for services that are currently funded through other sources. Rather, they are intended to fund additional services, so that the range of service options available to targeted youth to successfully transition into a self-sufficient adulthood is expanded and made more comprehensive.

The Town of Oyster Bay Youth Unit will negotiate performance benchmarks with the contractor prior to the beginning of the program. Benchmarks will be established based on planned outcome (goal) data submitted to the Town of Oyster Bay within your completed application. The programs will be evaluated quarterly to assess progress toward meeting benchmarks based on performance goals and will be subject to probation or cancellation for failure to perform.

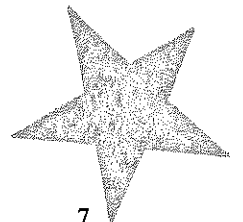
### Review and Evaluation

Proposals will be reviewed by the Oyster Bay-North Hempstead-Glen Cove Youth Committee. Recommendations of the Youth Committee will then be reviewed by the full Workforce Development Board, which will have responsibility for final approval.

Proposals must be responsive to this RFP in order to be rated. To be responsive, proposals must:

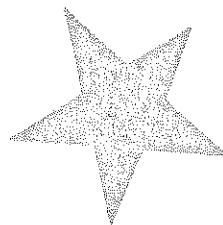
1. Be submitted by the application due date and time.
2. Be submitted with the original and two (2) copies (emailed proposals not accepted).
3. Include the completed Attachment I with original signature.
4. Address all of the information requested in the RFP.
5. Be presented in the format requested by the RFP.

All proposals will be reviewed and rated using the criteria listed on the following page.



CRITERIA	MAXIMUM SCORE
1. Experience in serving disadvantaged youth and evident capability to perform the work required.	10 points
2. Program design clearly describes the services offered, incorporates as many as possible of the WIOA program elements and meets the goals of the RFP, and includes coordination with other programs and agencies where applicable.  Program as described will result in positive outcomes and attainment of skills.  Program described meets the needs of the eligible youth to be served.	40 points
3. Plan ensures adequate supervision of program, and demonstrates a clear system to provide timely submission of required information to Town of Oyster Bay (TOB).  Staff responsibilities are clearly outlined.  Adequate system for provision of participant post-program follow-up information to TOB.	15 points
4. Proposal has an appropriate plan for recruitment, identification and enrollment of eligible youth.	15 points
5. Cost effectiveness of training program.  Completeness of budget.	20 points
TOTAL	100 Points

\*Passing score - 65



## INSTRUCTIONS FOR COMPLETION OF AN APPLICATION

*Three copies of your application, one with original signature must be submitted by 4:00 p.m. on July 22, 2022 to:*

Frank V. Sammartano, Commissioner  
Town of Oyster Bay Department of Intergovernmental Affairs  
977 Hicksville Road  
Massapequa, New York 11758

*A complete application consists of:*

1. *Application Summary Form (see Attachment I)*
2. *Application (follow order of instruction sheet and number each section from 1 to 6.)*

1. Applicant

Indicate whether your organization is a youth agency, or another kind of organization.

Please describe the background of your organization, licensing or certification, compliance with relevant federal and State regulations, your facility and equipment necessary for the program, and accessibility of public transportation to the program site. State whether your facilities are accessible to individuals with disabilities.

2. Experience of organization

Describe your experience in serving economically and educationally disadvantaged youth. Please provide three professional references.

3. Program Description

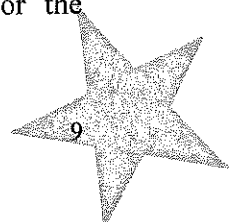
*Program Activities:*

Programs should be designed to prepare youth for a successful transition to competitive employment and/or post-secondary education. Proposals should include an appropriate combination of activities from the **WIOA Program Elements** and **Program Design** listed on pages 2-3. Please describe each activity that will be included in your program. Be specific, for example, how many sessions will there be, how many youth will be in each, what material will be covered, etc.

*Timeline:*

Provide a timeline detailing projected enrollments and the attainment of the specified goals for the program period.

The timeline should include the number of youth to be registered in the program, the number to be enrolled in each activity, and the anticipated number to attain each goal. For example, include the number of youth expected to receive a Secondary School Diploma, the number receiving other recognized Credentials, the number entering post-secondary education, the number entering employment or the military, etc.



### *Program Goals:*

How will you help youth participants to achieve the performance measures listed on page 4? For example, how will you assist youth in attaining recognized credentials, secondary school diplomas; as well as attaining pre-employment skills and placement and retention in employment, post-secondary education?

*Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences: subsidized employment opportunities; pre-apprenticeship programs; internships and job shadowing; and OJT.*

Describe the work experience components to be incorporated into the program. Specify some of the locations (worksites) to be used for work experience positions. List the types of job duties available. Describe the procedures to be used in your program to collect bi-weekly timesheets from each worksite, check them for accuracy and deliver them in a timely fashion to the Youth Unit.

#### 4. Program Supervision and Staffing

Explain how you will ensure adequate management and supervision specific to this program. Describe the system, and the staff responsible for recruitment of eligible youth, WIOA application procedures, work experience payroll procedures, work readiness/occupational/basic skills training, career counseling, etc. as well as the timely submission of required reports, case notes and post-program follow-up information to TOB (for example, "*the Coordinator will be responsible for timely submission of participant payroll timesheets to the Town of Oyster Bay.*")

Describe the proposed staff responsible for all program activities.

\*Note that the provision of post-program follow-up information for several quarters after exit is a requirement under this program. The proposal should describe how this will be accomplished.

#### 5. Target Population and Recruitment

Specify procedures for outreach and recruitment of the target population. Provide detailed information on your recruitment plan, including  
A description of the WIOA-eligible target population of your program. (Refer to the eligibility criteria on page 2)  
Methods of recruitment  
Estimated youth to be served

## 6. Budget Requirements

Proposals are required to include line item cost category budgets for the services described in their application narrative. Each proposal must include a budget for the period October 1, 2022 through September 30, 2025. All applications that are submitted will be reviewed as to whether or not the proposal included all of the information that was requested.

Any purchases for your program must be done through an established procurement system. You must specify in your budget, if the procurement system you will be using is one that has been established by your agency or if you will be using a procurement system established by another agency. The procurement system that you use must be available for audit and inspection by Town personnel.

All items listed on the budget must clearly specify how the item is related to the program. If necessary, write a narrative to explain. Equipment purchases may not be made with the funds from this grant, therefore, we advise that you rent or lease the equipment needed for your program.

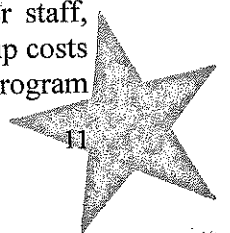
All financial records for this program must be maintained in accordance with Generally Accepted Accounting Principles (GAAP) and must be available for audit and inspection by Town of Oyster Bay personnel or a duly authorized representative. These records must be retained for a period of five (5) years after the expiration of the contract.

Organizations preparing a budget will be given a "cost-reimbursement" contract. This budget must provide detailed estimates of what you expect to spend, as you will only be reimbursed for costs that are necessary to run the program. All procurement and purchases under these contracts must comply with OMB Circulars A-87, A-21 or A-122. When formulating your budget, keep in mind that each item must have sufficient documentation, when expensed, to substantiate reimbursement from WIOA. If you plan on obtaining materials, supplies, and/or services from another source, (under your procurement guideline) research before preparing your budget what the cost will be. The budget will become a part of your contract and the mechanism for payment.

Each staff position on the budget must have a brief narrative describing the relationship of the position to the program. Staff salaries should include the percentage of time spent on the project, the types of fringe benefits, and the rate of each benefit. Fringe benefits are limited to Federal and State required benefits. Copies of certified payroll registers and/or cancelled checks must support these charges and be included with each invoice.

If your program performed an activity, which generated some sort of income, that income must be tracked with the program expenses and used to defray the program costs. The manner in which that will be accomplished must be stated in the budget and reported with the final program expenses. If your organization is a Community Based Organization with no formal procurement system in place, you may use the procurement list established by the local School District to purchase supplies and secure transportation.

Appropriate grant costs may include teachers, counselors, consultants and other staff, material and supplies, field trips, transportation, entrance fees, incentives, follow-up costs in connection with project design, and other costs directly related to the proposed program



design. If you require additional assistance concerning the budget portion of your proposal, contact Dennis Palmieri, Fiscal Unit, at (516) 797-4576.



**ATTACHMENT 1**

**OYSTER BAY/NORTH HEMPSTEAD/GLEN COVE WORKFORCE DEVELOPMENT AREA**

**YOUTH PROGRAM APPLICATION SUMMARY FORM**

Legal Name of Organization –

Address –

Chief Executive Officer –

Designated Contact Person –

Telephone Number –

Fax Number –

Email –

Total Grant Request –

Program Period –

Total Number of Youth –

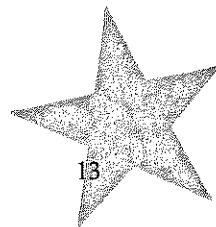
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Program Summary

The undersigned agrees to provide services and conduct the program in accordance with the description provided in this Application and to comply with the rules and regulations of the Workforce Innovation and Opportunity Act of 2014.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature – Chief Executive Officer or  
Authorized Representative





Reviewed By  
Office of Town Attorney

*America Walke*

Meeting of May 24, 2022

Resolution No 378-2022

WHEREAS, James McCaffrey, Deputy Commissioner, Department of Planning and Development, by memorandum dated May 6, 2022, requested Town Board authorization for the Department's membership in the following Chambers of Commerce and Business Associations for a period of (1) one year in an amount not to exceed \$2,500.00, and further requested authorization for the Comptroller to pay said amount from Account No. TWN A 1989 47900 000 0000:

Oyster Bay Main Street Association  
Gold Coast Business Association  
Farmingdale Chamber of Commerce  
Chamber of Commerce of the Massapequas, Inc.  
Oyster Bay-East Norwich Chamber of Commerce  
Hicksville Chamber of Commerce  
Bayville Chamber of Commerce  
Bethpage Chamber of Commerce  
Greenvale Chamber of Commerce  
Jericho Chamber of Commerce  
Locust Valley Chamber of Commerce  
Plainview-Old Bethpage Chamber of Commerce  
Syosset-Woodbury Chamber of Commerce

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and the Department of Planning and Development is hereby authorized to become a member in the above-listed Chambers of Commerce and Business Associations for a period of (1) one year in an amount not to exceed \$2,500.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. TWN A 1989 47900 000 0000.

-#-

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

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

## TOWN OF OYSTER BAY

## Inter-Departmental Memo

May 6, 2022

TO: MEMORANDUM DOCKET

FROM: JAMES MCCAFFREY, DEPUTY COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

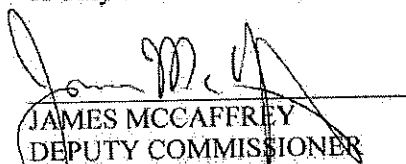
SUBJECT: MEMBERSHIP DUES  
MUNICIPAL GOVERNMENT

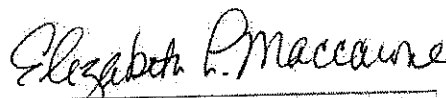
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The Department of Planning and Development requests that the Town Board authorize membership in the following Chambers of Commerce and Business Associations for a period of (1) year and to authorize payment of these fees for the Department's membership.

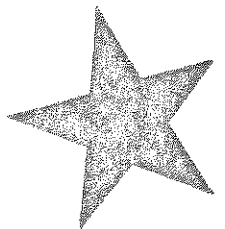
- Oyster Bay Main Street Association
- Gold Coast Business Association
- Farmingdale Chamber of Commerce
- Chamber of Commerce of the Massapequas, Inc.
- Oyster Bay-East Norwich Chamber of Commerce
- Hicksville Chamber of Commerce
- Bayville Chamber of Commerce
- Bethpage Chamber of Commerce
- Greenvale Chamber of Commerce
- Jericho Chamber of Commerce
- Locust Valley Chamber of Commerce
- Plainview-Old Bethpage Chamber of Commerce
- Syosset-Woodbury Chamber of Commerce

Funds for this request in an amount not to exceed \$2,500.00 are available in Account No. TWN A 1989 47900 000 0000. The Department requests that the Town Board authorize and direct the Comptroller to make payments of said fees, upon submission of duly certified claim, after audit.

  
JAMES MCCAFFREY  
DEPUTY COMMISSIONER

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/JM/dm  
cc: Legislative Affairs



Meeting of May 24, 2022

Resolution No 379-2022

WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated May 9, 2022, requested that the Town Board authorize the Comptroller to make the following payment for expenses incurred in connection with the issuance of Bond Anticipation Notes for various Water Districts:

S&P Global Ratings (Rating Fee)	\$12,000.00
2542 Collection Center Drive	
Chicago, IL 60693	

Moody's Investors Service - Rating Fee	\$12,500.00
P.O. Box 102597	
Atlanta, GA 30368-0597	

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

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

-#-

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

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

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

Town of Oyster Bay  
**Inter-Departmental Memo**  
May 9, 2022

**To:** Memorandum Docket  
**From:** Robert Darienzo, Director of Finance  
**Subject:** 2022 BAN Sale Expenses

---

The Town recently successfully awarded \$147,705,735 in Bond Anticipation Notes for Water Districts.

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

S&P Global Ratings – Rating Fee	\$ 12,000.00
2542 Collection Center Drive	
Chicago, IL 60693	

Moody's Investors Service – Rating Fee	\$ 12,500.00
P.O. Box 102597	
Atlanta, GA 30368-0597	

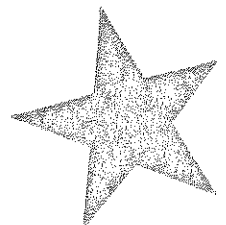
Funds are available in various capital accounts object .29999; Bonding & Finance.

Thank you.



Robert Darienzo  
Director of Finance

RD/rd  
Word/Documents/debt issuance expenses 2022



Meeting of May 24, 2022

Resolution No 380-2022

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 vacate and secure the dwelling located at, 112 Willard Avenue, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 21 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated May 5, 2022, 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 23, 2021, in the amount of \$1,073.28, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated May 5, 2022, 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 \$1,073.28 may be assessed by the Legislature of the County of Nassau against the parcel known as 112 Willard Avenue, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 2 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: May 5, 2022

SUBJECT: Property Cleanup Assessment  
112 Willard Avenue, Farmingdale, New York 11735  
Section 48, Block 503, Lot 21

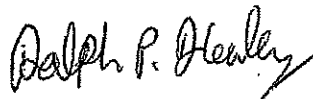
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By the emergency powers granted to the Department of Planning and Development, the Highway Department vacated and secured the premises located at 112 Willard Avenue, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 21 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated December 28, 2021, advised that the property was secured by a crew from the Highway Department on September 23, 2021. The cost incurred by the Town of Oyster Bay was \$1,073.28.

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.

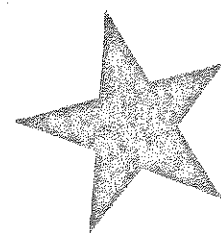
FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments

S:\Attys\aml\Cleanup MD&Reso\MD 112 Willard Ave Bdup 5.5.2022

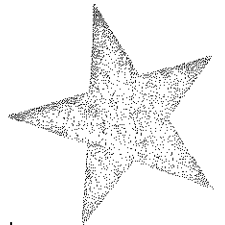


WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to vacate and secure the dwelling located at, 112 Willard Avenue, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 21 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated May 5, 2022, 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 23, 2021, in the amount of \$1,073.28, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated May 5, 2022, 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 \$1,073.28 may be assessed by the Legislature of the County of Nassau against the parcel known as 112 Willard Avenue, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 2 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*

2022-8455

**Michael Esposito**

---

**From:** Timothy R. Zike  
**Sent:** Thursday, September 23, 2021 2:28 PM  
**To:** Michael Esposito  
**Cc:** Leslie Maccarone  
**Subject:** 112 Willard Avenue, Farmingdale

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

*Unable to get  
Deed*

**This message has been archived. [View the original item](#)**

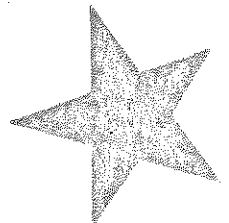
Mike,

Police Office Penn from the Nassau County Police Department's 8th Precinct (516-680-7116) called this Department requesting assistance for a dangerous condition at 112 Willard Avenue, Farmingdale.

Please have an Inspector follow-up on this situation immediately.

Thank you.

Timothy R. Zike  
Deputy Commissioner  
Town of Oyster Bay  
Department of Planning and Development  
(516) 624-6267





## Michael Esposito

---

**From:** Timothy R. Zike  
**Sent:** Thursday, September 23, 2021 3:01 PM  
**To:** John Bishop  
**Cc:** Leslie Maccarone; Gregory Carman; Frank Scalera; Michael Esposito; Matthew Fernando; Justin McCaffrey; John Bacigalupo  
**Subject:** 112 Willard Avenue, Farmingdale

**This message has been archived. [View the original item](#)**

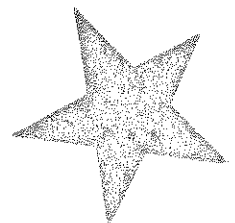
John,

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 112 Willard Avenue, Farmingdale, New York (Section 48, Block 503, Lot 21) is a "Dangerous Building" and therefore it is to be vacated and secured.

It is respectfully requested that the Town of Oyster Bay Highway Department have personnel immediately lock and secure all doors/windows on the dwelling located on the subject property.

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



AML

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

December 28, 2021

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

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

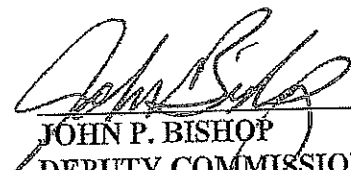
**SUBJECT:** 112 WILLARD AVENUE, FARMINGDALE  
BOARD-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,073.28.

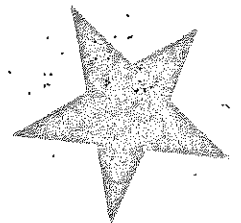
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

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

JPB/kjb

Enc. T & M sheet

BOARD - UP 112 WILLARD AVENUE, FARMINGDALE TO P & D 89793





# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-503-21) 112 WILLARD AVE FARMINGDALE 11735

Date Sep 23, 2021

Work Order # 89793

## Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL R GIORDANO	General Maintenance	02:00	\$32.05	00:00	0	\$64.10
JAMES KOZIKOWSKI	General Maintenance	02:00	\$30.96	00:00	0	\$61.92
Total Labor						\$126.02

## 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
Total Materials			\$789.26

**Grand Total \$1073.28**

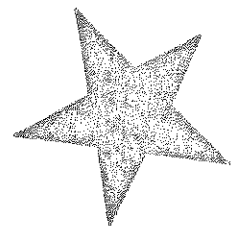
Description of Work:  
BOARD UP 112 WILLARD AVENUE FM

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Dec 23, 2021



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

May 9, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST  
CONTRACT NO. PWC 12-22  
ENVIRONMENTAL SCIENCES  
ACCOUNT NO.: HWY H 5197 20000 000 2103 008  
PROJECT ID: 2103 HWYDB-10

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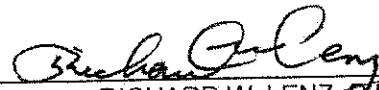
The consultant, D & B Engineers and Architects, DPC, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC 12-22 by Resolution No. 743-2021 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated March 29, 2022 from D & B Engineers and Architects, DPC regarding the scope of work to be performed in an amount not to exceed \$69,500.00. Services to be performed include for assisting the Town with SWMP Annual Report, GP-0-22-002 NOI, Stormwater Management documents, MS4 Map, SWPPP Annual Report, update SWPPP Documents, Municipal Facility Stormwater Self Assessments, Compliance Site Inspections and Miscellaneous Services.

Attached is an availability of funds in the amount of \$69,500.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 2103 008 Project ID: 2103 HWYDB-10

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

It is hereby requested that the Town Board authorize by Resolution D & B Engineers and Architects, DPC under Contract No. PWC 12-22, On-Call Engineering Services Relative to Environmental Sciences and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

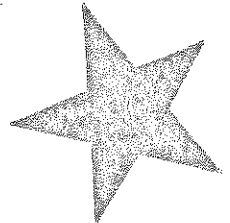
  
\_\_\_\_\_  
RICHARD W. LENZ P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

 RWL/JCT/MR/SC/nm

Attachment

cc: Steven C. Ballas, Comptroller  
John Bishop, Deputy Commissioner/DPW

PWC 12-22 - D&B - ON CALL SERVICE REQUEST\_69,500





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



Requesting Division/Department

HWY

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

Contract Number PWC 12-22

Contract Period 01/01/22 - 12/31/23

Consultant/Contractor D & B Engineers and Architects, DPC.

Discipline Environmental Sciences

Total Authorization \$ 69,500.00

Resolution No. 743-2021 Date 12/12/2019

Funded To Date \$0.00

Amount Requested \$69,500.00

Account To Be Used HWY H 5197 20000 000 2103 008 - 2103 HWY DB-10

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

Description Of Work

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

SWPPP, SWMP, Ms4 2022-2023 Reviews, Comments & Approvals

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

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

Requesting Division/Department

Signature

Deputy Commissioner / DPW  
HWY DIVISION

Date

4-8-22

DPW Approval

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date

4-8-22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 69,500.00

Unencumbered Balance 190,785.27

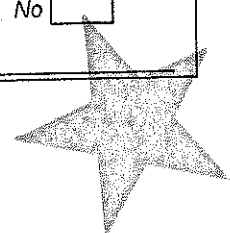
Is The Account To Be Used Consistent With The Nature Of Work Listed Above?

Yes ☒ No ☐

Signature

Date

4/11/22





# D&B ENGINEERS AND ARCHITECTS

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

## Board of Directors

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

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

William D. Merklin, P.E.  
*Senior Vice President*

March 29, 2022

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

Attn: Matthew Russo, P.E.  
Department of Engineering

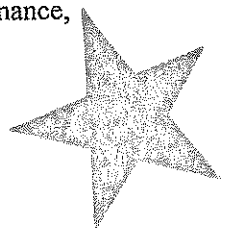
Re: Revised Proposal for Stormwater Management Program Services  
NYSDEC MS4 Permit Compliance Activities  
SWPPP Review and Inspections  
PWC-12-22

Dear Mr. Tassone:

D&B Engineers and Architects (D&B), as the Town of Oyster Bay's (Town's) Consultant for On-Call Engineering services related to Environmental Science, is pleased to provide this proposal to assist the Town in 1) maintaining its mandated compliance with the New York State Department of Environmental Conservation (DEC) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s); and 2) meeting its Stormwater Pollution Prevention Plan (SWPPP) review, approval and inspection obligations. As requested, D&B's scope of work combines: the required Annual Reports; SWPPP reviews and inspections; and other selected services aimed at supporting the Town's Stormwater Management Program (SWMP). The tasks described below are to be performed on an as-needed basis:

## STATUS OF REGULATIONS

As you are aware, the current MS4 General Permit has been continuously administratively extended with only minimal changes for the past 10+ years. In order to conform with the current Federal and State stormwater rule making, DEC recently made the Draft MS4 General Permit update (GP-0-22-002) available for public comment. GP-0-22-002 provides significant changes emphasizing documentation, information gathering, mapping and evaluating existing programs. GP-0-22-002 contains the SWMP terms and conditions, Minimum Control Measures, and related requirements, including specific tasks, performance requirements, schedules for implementation and maintenance, and frequency of actions.



## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

Page 2

D&B has been closely monitoring this MS4 General Permit renewal process. As always, part of D&B's annual municipal stormwater support for the Town includes monitoring of DEC's Permit renewal process with respect to permitting impacts to the Town, reviewing the revised Permits and/or policy statements issued by DEC, and advocating for the Town by submitting technical comments on the revised MS4 General Permit to DEC on behalf of the Town. When finalized, GP-0-22-002 will replace the current MS4 General Permit, which is expected to occur this calendar year.

In the interim, please be aware that DEC and the United States Environmental Protection Agency (EPA) are continuing to conduct MS4 Audits and enforce compliance activities with the mandated and implicit requirements of the current MS4 General Permit. Recent MS4 Audits have been conducted through remote interviews and thorough electronic Records Requests. While we cannot predict the severity, degree or scheduling of DEC and EPA future enforcement activities, please be aware that the Town is expected to continue implementing the SWMP to meet the specific conditions required for compliance with the MS4 General Permit.

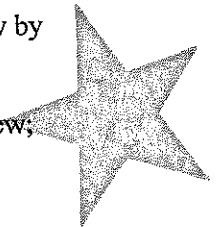
### **SCOPE OF WORK AND TECHNICAL APPROACH**

As in previous years, our proposal focuses first on the required Annual Report and then offers selected services aimed at supporting the Town's SWMP in accordance with other provisions of the current MS4 General Permit and proposed requirements of the GP-0-22-002. We offer the following services based on our review of the draft MS4 General Permit GP-0-22-002 renewal process and DEC/EPA enforcement activities, administrative orders, compliance schedules, fines and our understanding of the Permit provisions upon which they appear to be particularly focused:

#### **Task 1: Prepare SWMP Annual Reports for Submittal to DEC**

D&B will coordinate with the Town to prepare and file SWMP annual reports through 2022 in accordance with the annual reporting requirements of the MS4 General Permit. Specifically, our work will include:

- Review new or revised annual reporting requirements based on new policy statements, guidance memoranda, or forms from federal or state agencies;
- Consult with Town staff in person, over email and/or via teleconference to conduct a review of current and anticipated MS4 General Permit requirements; and the Town's comprehensive SWMP activities for the past three (3) reporting periods (March 10 thru March 9 of each year);
- Prepare Draft SWMP Annual Reports on the mandated DEC reporting form for review by the Town;
- Assist the Town in making the Draft SWMP Annual Reports available for public review;



## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

Page 3

- Prepare a summary of comments provided by the public on the SWMP and the Draft SWMP Annual Reports as applicable;
- Incorporate comments provided by the Town and/or the public on the Draft SWMP Annual Reports as applicable; and
- Prepare the Final SWMP Annual Reports for signature and submittal by the Town to DEC by June 1, 2022.

### **Task 2: Prepare GP-0-22-002 Notice of Intent to Continue Coverage for Submittal to DEC**

It is anticipated that the submittal of an electronic Notice of Intent (eNOI) thirty (30) days prior to the effective date of GP-0-22-002 will be a required condition to continue coverage under the MS4 General Permit. In the eNOI, the Town will be required to certify that they have read and understand the requirements of GP-0-22-002 and will update the SWMP to comply with the requirements in accordance with the timeframes established in GP-0-22-002. To assist the Town in complying with the NOI requirements to continue coverage under the reissued MS4 General Permit GP-0-22-002, D&B will:

- Review the reissued MS4 General Permit and incorporate the requirements for continuing coverage for existing MS4 Operators;
- Consult with Town via teleconferences and/or email to obtain the necessary information to complete the NOI to continue coverage;
- Prepare a Draft NOI to continue coverage on the mandated DEC form for review by the Town;
- Incorporate comments provided by the Town as applicable; and
- Prepare the Final NOI to continue coverage for signature and submittal by the Town to DEC.

### **Task 3: Update Stormwater Management Program Documents**

Based on the review of the draft GP-0-22-002 and comments made by DEC and EPA representatives during recent MS4 audits, the agencies expect the SWMP documents and written procedures to be updated to incorporate the new or modified MS4 General Permit requirements. The draft GP-0-22-002 provides a specific schedule for the development, documentation and implementation of the new or revised SWMP components. This schedule includes documentation within six (6) months and annually each year for five (5) years. To assist the Town in complying with the immediate documentation requirements, D&B will update the relevant Town SWMP documents to include the following SWMP





## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

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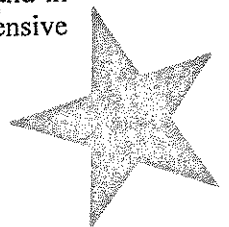
components that are anticipated to be required within six (6) months from the effective date of the Permit:

- Staffing Plan: D&B will assist the Town with preparing a written staffing plan that identifies the individuals (names and titles) and their responsibilities for the required elements of the MS4 General Permit. The staffing plan will include a description of how information will be communicated and coordinated among those identified. As part of this staffing plan, D&B will assist the Town with identifying "local point(s) of contact" to receive and respond to general public concerns/complaints relating to the SWMP; illicit discharges; and construction stormwater activity.
- Enforcement Response Plan: D&B will assist the Town with preparing a written Enforcement Response Plan (ERP), which will describe the action(s) to be taken for violations of the Town's Illicit Discharge and Stormwater Construction Local Laws. The ERP will present the protocol(s) to address repeat and continuing violations. Recommended method(s) to track instances of non-compliance will be provided in the ERP.
- Procedures for Sweeping: D&B will coordinate with the Town to review existing street sweeping procedures and recommend any appropriate changes to existing practices to meet minimum requirements of the MS4 General Permit.

As part of this task, D&B will advise the Town on procedures to make the SWMP Plan, and any documentation associated with the implementation of the SWMP Plan, available to the public, Town staff, DEC and EPA. The completion of this MS4 General Permit requirement will be documented in the SWMP Plan.

### **Task 4: Basemap for the Comprehensive MS4 Map**

To assist the Town with complying with the enhanced MS4 mapping requirements in the draft GP-0-22-002, D&B will coordinate with the Town to obtain existing outfall and storm sewershed boundary GIS data and present the data in a graphical basemap format in preparation for the Comprehensive MS4 Map. The Comprehensive MS4 Map will be required to be developed and updated over the five (5) year permit term. The basemap for the Comprehensive MS4 Map will be prepared with scale and detail appropriate to provide a clear understanding of the MS4, serve as a planning tool to allow for prioritization of efforts, and facilitate MS4 management decisions by the Town. The basemap will consolidate readily available, existing information on the Town MS4 outfall locations; storm-sewershed boundaries; surface waters; land use; roads and topography. The basemap for the Comprehensive MS4 Map will be prepared in digital format suitable for use in GIS software and in accordance with DEC guidance. D&B will provide the Town with the basemap for the Comprehensive MS4 Map as a hardcopy, PDF-format, and the supporting GIS-format data layers.



John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

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**Task 5: Construction Oversight Program Written Procedures**

To assist the Town with complying with the enhanced Stormwater Construction Site Program requirements in the draft GP-0-22-002, D&B will prepare written procedures for the Construction Oversight Program, which will include Town-specific procedures for Stormwater Pollution Prevention Plan (SWPPP) review; staff training; and construction site inventory, prioritizations, inspections, enforcement, and close-out. As part of this task, D&B will assist the Town with developing a recordkeeping tool to inventory and document the applicable construction sites in the SWMP Plan. The inventory recordkeeping tool will include procedures for prioritizing construction sites in accordance with the requirements of the MS4 General Permit.

**Task 6: Post-Construction Stormwater Management Practice Inspection and Maintenance Program Written Procedures**

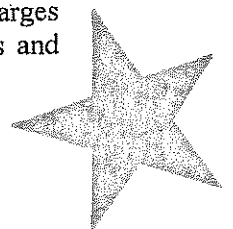
To assist the Town with complying with the enhanced Post-Construction Stormwater Management Practice (SMP) Program requirements in the draft GP-0-22-002, D&B will prepare written procedures for the Post-Construction SMP inspection and maintenance program. The written program procedures will include the Town-specific post-construction SMP inventory, inspection schedules, maintenance procedures, follow-up actions, enforcement, and training. As part of this task, D&B will assist the Town with developing a recordkeeping tool to document and track post-construction SMP inspections, maintenance, repair, and enforcement.

**Task 7: Public Education and Outreach Materials – Illicit Discharge Detection**

To assist the Town with complying with the enhanced Public Education Program requirements in the draft GP-0-22-002, D&B will provide content and format for a Town-specific handout/brochure on the prevention of illicit discharges. The handout/brochure will define illicit discharges and their environmental hazards; outline proper practices to prevent illicit discharges; and include information on how to report suspected illicit discharges to the Town. This handout/brochure will be in a format suitable for posting on the Town stormwater website; as updates to the Town stormwater repository/display at Town offices; as direct mailers to Town residents and businesses; and for distribution at Town events.

**Task 8: SWPPP Reviews and Site Inspections**

At the Town's request, D&B will review project-specific SWPPPs submitted to the Town by project applicants. The regulatory aspects of the applicant-prepared SWPPP will be reviewed, including the Notice of Intent (NOI), narrative, maps, drawings, specifications, details, calculations and other provided information. The SWPPP will be reviewed for completeness and consistency with the applicable regulatory provisions of the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, Town Code, and State technical standards: NYSDEC Standards and



John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

Page 6

Specifications for Erosion and Sediment Control (Blue Book) and NYSDEC Stormwater Management Design Manual.

D&B will then review the technical aspects of the SWPPP, including drawings, specifications, proposed best management practices (BMPs), and completeness of the hydrological calculations and/or modeling information submitted as part of the SWPPP. D&B will review the proposed engineering aspects of the SWPPP to evaluate their consistency/conformance with the Blue Book and Stormwater Management Design Manual, and their capability of achieving the pre- and post-construction stormwater management goals and objectives.

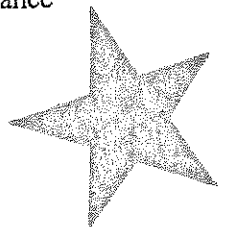
Based on the observations made during the regulatory and technical reviews, D&B will submit written comments to the Town for review and transmittal to the project applicant. The project applicant would be expected to respond by revising the SWPPP and providing any clarifications or missing elements. In order for the Town to officially track its compliance with the MS4 General Permit, we recommend that SWPPP comments, submittals and responses are processed through the Town's typical site plan submittal/review procedures. Once the project applicant resubmits the revised SWPPP to the Town, D&B will then review the revised SWPPP and compile another round of written comments as necessary.

When comments have been adequately addressed by the project applicant and the SWPPP is deemed acceptable, D&B will advise that the NYSDEC MS4 SWPPP Acceptance Form can be signed by the Town and submitted to the project applicant. The project applicant would then be responsible for submitting the NOI and MS4 SWPPP Acceptance Form to NYSDEC to obtain coverage under the Construction Activity General Permit.

#### Jurisdictional Waiver Recommendations

Occasionally, the Town receives requests for waivers from the Town and State SWPPP acceptance and permit requirements due to the claim, by the project applicant, of no discharge to surface waters. D&B will review the provided materials for completeness and consistency with the applicable regulatory provisions of the Construction Activity General Permit, Town Code and NYSDEC guidance including the Frequently Asked Questions Version 3.0. If necessary, D&B will compile written comments for the Town's review and submittal to the project applicant. The project applicant would be expected to respond by revising the provided materials.

It is incumbent on the applicant to prepare documentary evidence that demonstrates, conclusively, the assertion that there is no potential for stormwater discharges from the site to surface waters. If the project applicant has provided sufficient documentation, D&B will advise the Town that a waiver is applicable. If the project applicant cannot provide sufficient information, D&B will recommend that the Town request a SWPPP be prepared by the project applicant for review and approval/acceptance as outlined above.



John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

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SWPPP-Compliance Site Inspections

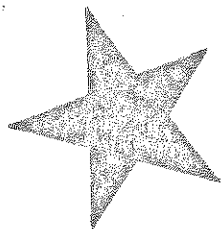
The MS4 General Permit requires the Town to inspect any active construction site with a Town-approved SWPPP to ascertain whether the project is generally implementing and monitoring the stormwater controls in accordance with the Construction Activity General Permit, Town Code and approved SWPPP. As part of this task, D&B will conduct SWPPP-compliance site inspections at subject sites at the Town's request/scheduling. At least three inspections are recommended for a typical SWPPP construction activity. Upon Town notifications, D&B would conduct the first inspection after the erosion and sediment controls have been put in place, but before the start of construction. The second inspection would take place around the mid-point of the construction schedule. The final inspection would take place after completion of construction and site stabilization for the Notice of Termination. Follow-up inspections can be scheduled as necessary to ensure observed deficiencies have been corrected by the project applicant.

Each site inspection will include review of the SWPPP documentation maintained on the site by the contractor (e.g., plans, inspection reports, maintenance records, etc.) to ascertain whether this documentation is generally up-to-date and consistent with the approved SWPPP. The documentation review will be followed by site inspection to visually inspect erosion and sediment controls, pollution prevention and good housekeeping practices, and post-construction stormwater controls under construction. Photographs will be taken to document observations.

D&B will provide an inspection report to the Town outlining the current status of construction, observed deficiencies, and inconsistencies with the Construction Activity General Permit, Town Code or approved SWPPP that need to be addressed by the project applicant. Upon Town approval, D&B will advise the Town to transmit the inspection report to the applicant for response.

**Task 9: Miscellaneous Town-Requested Stormwater Permit Compliance Services**

At the Town's request, D&B will undertake other stormwater permit compliance services beyond the scope of the above tasks. The purpose of this task is for the Town to be prepared to respond to relatively minor, unforeseen issues associated with the overall management and monitoring of the SWMP. Such unforeseen issues could include, but are not necessarily limited to, responding to DEC or EPA documentation requests; coordinating, scheduling and/or attending a meeting with DEC or EPA; supplementing other activities represented in this proposal; or assessment or inspection of a specific storm sewer system issue. These tasks will be addressed on a case by case basis in coordination with the Town. The advantage of this additional task is to be able to address relatively minor, unforeseen issues in a timely fashion without the need for additional funding request authorization.



## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

Page 8

### ESTIMATED COST

In order to accomplish this work, we propose to invoice for our work based upon a time and expenses actually incurred in accordance with our environmental science on-call engineering service contract referenced above, for a fee structure as summarized in the table below:

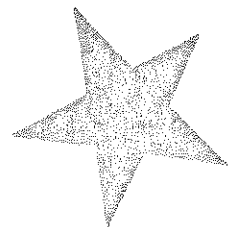
Deliverable		Fee
Task 1	SWMP Annual Reports	\$8,000
Task 2	Notice of Intent to Continue MS4 General Permit Coverage	\$2,200
Task 3	Update SWMP Documents	\$5,100
Task 4	Basemap for the Comprehensive MS4 Map	\$2,400
Task 5	Construction Oversight Program Written Procedures	\$3,500
Task 6	Post-Construction SMP Written Procedures	\$3,500
Task 7	Illicit Discharge Detection Education Brochure	\$1,800
Task 8	SWPPP Reviews and Inspections	\$40,000*
Task 8	Miscellaneous Services	\$3,000
Total		\$69,500

### ASSUMPTIONS

For Task 8 above, estimating a single cost for all reviews and site inspections is not appropriate given many variable and unpredictable elements including, but not necessarily limited to:

- The preparer's and contractor's knowledge of and adherence to the provisions of the Construction Activity General Permit, Town Code, technical standards, and other pertinent regulations;
- The quality and completeness of the documentation; and
- Degree to which the project applicant and contractor are responsive to comments.

For the purposes of administering the SWPPP Review and Compliance work of this proposal, we have estimated our review and inspection efforts based upon being assigned ten (10) projects of average complexity (requiring full services of Tasks 1 and 3), and therefore respectfully request an initial authorization of \$40,000 to accomplish this work. Our effort will be invoiced individually by project based upon time actually incurred in completing the above services in accordance with the terms of our agreement with the Town.



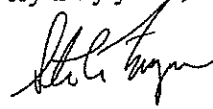
D&B ENGINEERS AND ARCHITECTS

Page 9

John Tassone, Deputy Commissioner  
Town of Oyster Bay DPW  
March 29, 2022

We have appreciated the opportunity to assist the Town with stormwater management in the past and look forward to continuing those efforts. If there are any questions, please do not hesitate to call Meredith Byers at (516) 364-9890, Ext. 3035.

Very truly yours,

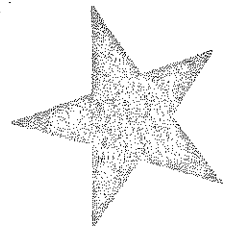


Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/PRS/kb

cc: S. Chakraborti (TOB)  
P. Sachs (D&B)  
M. Byers (D&B)

♦PX11335SAF032922JT\_Ltr



Meeting of December 7, 2021

Resolution No. 743-2021

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 Environmental Science, was issued in accordance with the terms and specifications contained in Contract No. PWC12-22, for a two (2) year contract term, commencing on 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 Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department selected D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Services, with D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering & Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, the Office of the Inspector General reviewed the Request For Proposals and the proposed vendors' disclosure questionnaires, and is satisfied that the Town of Oyster Bay Procurement Policy was fulfilled,

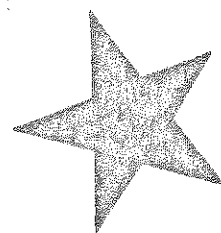
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science, with D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering & Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP, for a two (2) year contract 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

Received by  
Clerk of Town of Oyster Bay  
Ralph P. Healy



Meeting of May 24, 2022

Resolution No 382-2022

WHEREAS, by Resolution No. 741-2021, adopted on December 7, 2021, the Town Board authorized John A. Grillo Architect, P.C. to provide On-Call Engineering Services relative to Site Development in connection with Contract No. PWC09-22, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, John M. Grillo, Architect of John A. Grillo Architect, P.C., by letter dated April 25, 2022, described the scope of work to be performed under Contract No. PWC09-22, related to the design, bid opening, bid review and contract supervision for the Theodore Roosevelt Memorial Park Turf Replacement; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated May 5, 2022, requested Town Board authorization for John A. Grillo Architect, P.C., to provide the aforesaid On-Call Engineering Services under Contract No. PWC09-22, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$36,750.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 2002 001; and

WHEREAS, the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and John A. Grillo Architect, P.C. is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC09-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$36,750.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 2002 001; and be it further

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

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney



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

May 5, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST  
CONTRACT NO. PWC 09-22  
SITE DEVELOPMENT  
JOHN A. GRILLO ARCHITECT, P.C.  
ACCOUNT NO.: PKS H 7197 20000 2002 001  
PROJECT ID: 2002 PKSA-03

---


The consultant, John A. Grillo Architect, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC 09-22 by Resolution No. 741-2021 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated April 25, 2022 from John A. Grillo Architect, P.C. regarding the scope of work to be performed in an amount not to exceed \$36,750.00. Services to be performed include for design, bid opening, bid review, contractor supervision of the Theodore Roosevelt Memorial Park Turf replacement.

Attached is an availability of funds in the amount of \$36,750.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 2002 001 Project ID: 2002 PKSA-03

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

It is hereby requested that the Town Board authorize by Resolution John A. Grillo Architect, P.C. under Contract No. PWC 09-22, On-Call Engineering Services Relative to Site Development and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

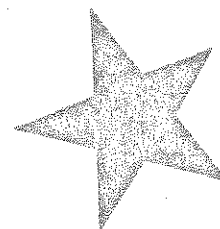
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

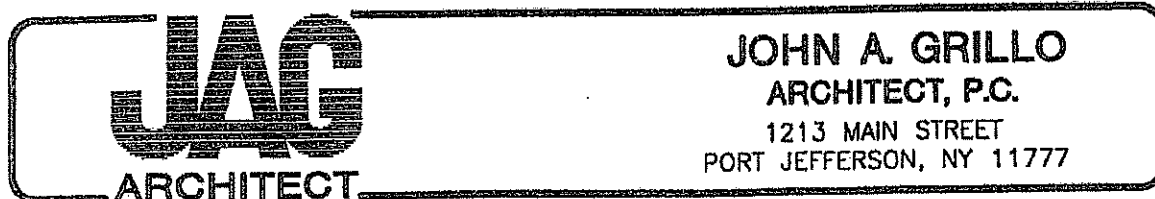
RWL/JCT/MR/SC/nm

Attachment

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

PWC09-22 - GRILLO - ON CALL SERVICE REQUEST - \$36,750.00





TEL: (631) 476-2161

FAX: (631) 476-9846

April 25, 2022

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

RE: Town of Oyster Bay  
Theodore Roosevelt Memorial Park  
Athletic Field Reconstruction

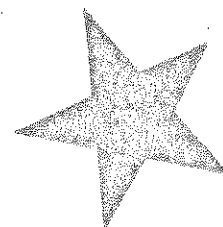
Dear Commissioner Lenz:

Based on the estimated construction costs, the following engineering fees will be associated with this project:

<u>Phase 1 - Design:</u>	<u>Hours:</u>
• Field Work & Initial Coordination Meetings	14
• Design & Construction Documents	20
• Final Pre-Bid Coordination & Meetings	10
• Clerical/Specifications	<u>12</u>
• <i>Total Hours - Phase 1</i>	<u>56</u>
<b>Total Engineering Fees @ \$175/hr (not to exceed)</b>	<b>\$9,800</b>

<u>Phase 2:</u>	<u>Hours:</u>
• Bid Opening & Bid Results Review	4
• Submittal Review	10
• Contractor Installation/Supervision	120
• Progress / Job Meetings	<u>20</u>
• <i>Total Hours - Phase 2</i>	<u>154</u>
<b>Total Engineering Fees @ \$175/hr (not to exceed)</b>	<b>\$26,950</b>

**Total Engineering Fees Phases 1 and 2: \$36,750**



If additional information is required, please don't hesitate to contact our office.

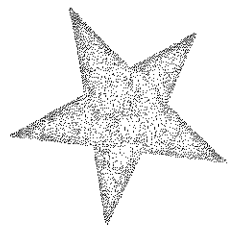
Very truly yours,

A handwritten signature in dark ink, appearing to read 'John M. Grillo', written over the typed name and title.

John M. Grillo  
Architect

JMG:kw

cc: M. Russo  
J. Tassone  
Lenz - Theodore Roosevelt Park - Estimates





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



Requesting Division/Department

Parks

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

Contract Number PWC 08-22

Contract Period 01/01/22 - 12/31/23

Consultant/Contractor John A. Grillo, Architect, P.C.

Discipline Site Development

Total Authorization \$0.00 \$36750

Resolution No. 741-2021 Date 12/7/2021

Funded To Date \$0.00

Amount Requested \$36,750.00

Account To Be Used PKS-H-7197-20000-2002-001 2002PKSA-03

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

Description Of Work

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

Theodore Roosevelt Park Turf Installation

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

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

Requesting Division/Department

Signature [Signature]  
Title Deputy Commissioner of Parks  
Date 5/3/22

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]  
Title Commissioner of Public Works  
Date 5/6/22

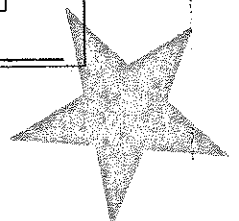
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 36,750.00

Unencumbered Balance 1,651,134.99

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

Signature [Signature] Date 5/4/22





# 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. PWC 09-22 Contract End 12/31/2023

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

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

Vendor Name and Address

John A. Grillo, Architect, P.C.

1213 Main Street

Port Jefferson, NY 11777

Requesting Town Department DPW

Contact Sunita Chakraborti Phone (516) 677 - 5725

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

Theodore Roosevelt Park Turf Installation

**This work order shall not exceed \$ 36,750.00**

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

**Requesting Division/Department**

Signature [Signature]

Title Deputy Commissioner of Parks

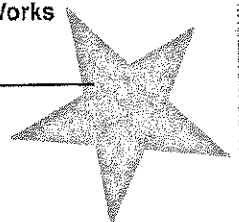
Date 5/3/22

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

Signature [Signature]

Commissioner of Public Works

Date 5/6/22



Meeting of December 7, 2021

Resolution No. 741-2021

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 Site Development was issued in accordance with the specifications contained in Contract No. PWC09-22, 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, eighteen (18) 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 N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC09-22, On-Call Engineering Services relative to Site Development, with N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

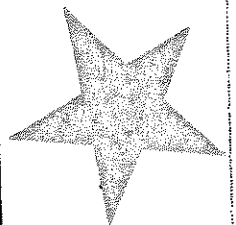
WHEREAS, The office of the Inspector General has reviewed the Request for Proposals and the proposed vendors' disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC09-22, On-Call Engineering Services relative to Site Development, with N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA, 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 May 24, 2022

Resolution No 383-2022

WHEREAS, by Resolution No. 747-2021, adopted on December 7, 2021, the Town Board authorized D&B Engineers and Architects, DPC to provide On-Call Engineering Services relative to Structural Engineering in connection with Contract No. PWC19-22, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Steven A. Fangmann, P.E., President and CEO, D&B Engineers and Architects, DPC, by letter dated March 23, 2022, described the scope of work to be performed under Contract No. PWC19-22, engineering services related to improvements made to the bulkhead at the Joseph J. Saladino Memorial Marina at TOBAY, and requested approval to utilize Vachris Engineering, P.C., Premier Infrastructure and Energy and Soil Mechanics, Inc., as sub-consultants for said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated May 9, 2022, requested Town Board authorization for D&B Engineers and Architects, DPC, to provide the aforesaid On-Call Engineering Services under Contract PWC19-22, that Vachris Engineering, P.C., Premier Infrastructure and Energy and Soil Mechanics, Inc. be approved as sub-consultants for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$192,900.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 1902 001; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and D&B Engineers and Architects, DPC is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC19-22, and Vachris Engineering, P.C., Premier Infrastructure and Energy and Soil Mechanics, Inc. are hereby approved as sub-consultants for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$192,900.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 1902 001; and be it further

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

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney

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

May 9, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST &  
USE OF A SUB-CONSULTANT  
CONTRACT NO. PWC19-22  
STRUCTURAL ENGINEERING  
ACCOUNT NO.: PKS H 7197 20000 000 1902 001  
PROJECT ID NO. 1902PKSA-04

---

The consultant, D&B Engineers & Architects, D.P.C., has been approved by the Commissioner of Public Works to provide Engineering Services under On-Call Contract No. PWC19-22 by Resolution No. 747-2021 dated 12-7-2021 for the subject project. Funds have been made available by the Director of Finance.


Attached is a letter dated March 23, 2022 from D&B Engineers & Architects, D.P.C., regarding the scope of work to be performed in an amount not to exceed \$192,900.00. Services provided include continued engineering services regarding the improvements made to the bulkhead at the Joseph J. Saladino Memorial Marina at TOBAY.

Also included is a request by D&B Engineers & Architects, D.P.C., to be authorized to use, as sub-consultants, Vachris Engineering, P.C. geotechnical design, Premier Infrastructure and Energy for underground utility mark-out and Soil Mechanics, Inc. for soil borings and geotechnical services relative to Contract No. PWC19-22.

Attached is an availability of funds in the amount of \$192,900.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1902 001, Project ID 1902 PKSA-04.

The Office of the Inspector General has reviewed the Contract and the proposed vendors' disclosure questionnaire and the sub-consultants disclosure questionnaires is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution D&B Engineers & Architects, D.P.C., under Contract No. PWC19-22, On-Call Engineering Services relative to Structural Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose. It is also hereby requested that D&B Engineers & Architects, D.P.C., be authorized by resolution to use, as sub-consultants, Vachris Engineering, P.C., Premier Infrastructure and Energy and Soil Mechanics, Inc.

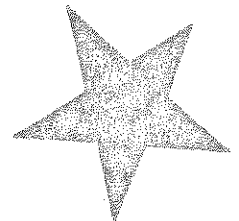
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JST/MR/HAS/SJ/nm

Attachment

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

PWC19-22 Docket 192900 D&B TOBAY Marina Bulkhead Replacement







## D&B ENGINEERS AND ARCHITECTS

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

### Board of Directors

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

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

William D. Merklin, P.E.  
*Senior Vice President*

March 23, 2022

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

Attn: Sean Jordan, Architect  
Engineering Division

Re: TOBAY Marina Bulkhead Improvements  
Professional Engineering Design, Permitting and Bidding and Construction Services  
TOB Contract No.: PWC 19-22, Resolution 747-2021

Dear Mr. Tassone:

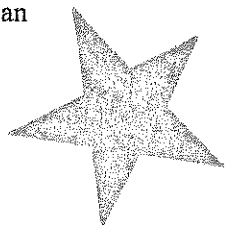
As the Town's Structural Engineering Consultant under the above-referenced contract, D&B Engineers and Architects (D&B) is pleased to submit this Task Order Proposal to provide continued assistance to the Town with professional engineering services related to the permitting, design and construction of bulkhead improvements at the TOBAY Beach Marina Facility to replace the existing bulkhead and mitigate soil loss and pavement settlement on the landward side of the bulkhead.

As you are aware, D&B has already completed work on this assignment including on-site survey and investigation landward and seaward of the bulkhead, concept and alternative evaluation and alternative selection and preparation and submittance of permitting documents for the bulkhead improvements. Our work initially intended to accomplish the design of repairs to the existing bulkhead structure; however, through our evaluation of alternatives, the Town elected to pursue seaward replacement of the bulkhead using new, composite sheeting materials for improved aesthetics and increased longevity. At this point in the permitting process, it appears that our application for seaward replacement may be approved and therefore our scope is based upon this permitting outcome.

The Town's preference to pursue seaward replacement of the bulkhead requires the need to identify and locate the network of utilities that serve the marina, so that these can be identified, reconstructed and extended as the new bulkhead is constructed in its new position, as well as the need for a soil boring program to define subsurface conditions of the site to design the structural requirements of the new bulkhead.

In addition, as a construction phase cost savings measure, our work will include permitting of the on-site disposal of dewatered spoils from dredging operations related to restoration of lost depth in the marina areas adjacent to the existing bulkhead. Should analytical sampling or other characterizing of in-situ dredge materials be required during the design and permitting phase, a proposal amendment can be prepared to address any additional requirements related to this work.

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



## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

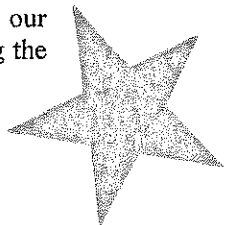
Page 2

In order to support the Town with the completion of this project, we propose the following detailed scope of work:

### A. SCOPE OF WORK

#### Detailed Design

- Coordinate with a specialty subcontractor to perform an underground site utility mark-out to identify locations of underground utilities in the project area.
- Coordinate with a specialty subcontractor to collect soil borings and prepare a geotechnical report to characterize site subsurface soil properties.
- Perform a utility field survey to record locations and arrangements of existing subsurface utilities in the area of the new and existing bulkhead systems in order to maintain, protect or reconstruct existing utilities during the bulkhead improvement work.
- Prepare plans and details to define the construction requirements related to seaward replacement of the existing bulkhead. Develop relief drainage details to mitigate erosion during storm surges which may top the bulkhead structure.
- Develop recommended sequencing of construction activities and related construction requirements to avoid impacts to seasonal marina operation.
- Develop construction requirements and details related to dewatering and reuse of dredged soils, coordinate with the Town to designate suitable soils disposal locations on site, as available and consistent with NYSDEC criteria.
- Prepare construction specifications to define specific requirements related to construction of the work to accompany the drawings.
- Coordinate the detailed design documents with requirements resulting from the Joint Application Permit to the NYSDEC, USACE and NYDOS. Incorporate the conditions of the permit into the project construction documents.
- Provide the draft detailed design drawings to the Town for review and comment. Meet with the Town to discuss questions and comments. Integrate the Town's comments into the final certified bidding documents.
- Investigate and evaluate the existing deadman system for potential use for the new bulkhead system. This will require assistance from Town personnel and equipment to excavate and expose the existing bulkhead deadman system in 2-3 locations for our inspection and analysis. This is an optional exercise that can be implemented during the design phase as a potential construction cost savings at the Town's discretion.



## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

Page 3

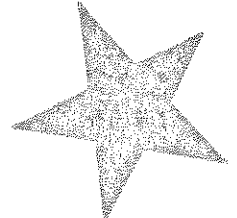
- In order to respond to permitting comments received to date on our submitted joint permit application, perform a field-surveyed assessment of Essential Fish Habitat and submerged aquatic vegetation in the waterways adjacent to the proposed bulkhead.

### Wetland Permit Application

- Continue to respond to agency comments, inquire, and requests for additional information as necessary to complete the permitting process, including responding to questions and comments related to the Town's justification for seaward replacement.
- Coordinate and attend a joint meeting with review authorities and Town representatives, as necessary to discuss our position relative to project justification, administrative requirements or any special permit application procedures.

### Bidding and Construction

- Prepare a construction cost estimate for bidding of the project, based upon the final design drawings and permitting requirements.
- Prepare bid sheets and integrate the Town's front end documents into the construction documents. Solicit the Town's endorsement of the documents for public bidding.
- Prepare fifteen (15) copies of the bidding documents on compact disk for use in public bidding of the project. Provide contact information for qualified marine contractors to the Town, as requested.
- Respond to questions and requests for information received from bidders during the bid period.
- Attend the bid opening, review bids received, make recommendation for award of the work, and prepare conformed documents for signing of the contract.
- Conduct a pre-construction meeting with the selected contractor and representatives of the Town. Prepare and issue minutes of the meeting.
- Perform review of contractor equipment submittals, review and make recommendation for monthly contractor payment requisitions, and perform project-related correspondence on behalf of the Town.
- Perform part-time inspection during principal construction activities. A total of 448 hours of on-site inspection and project field meetings (to represent 16 hours per week for 7 months of field construction activity) is included in the scope of this proposal.



D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

Page 4

- At the completion of construction, perform a joint inspection with representatives of the Town and prepare a project punch list to assist the construction contractor with completion of the contract work.

**B. FEES**

The proposed fees to complete the above tasks will be based upon time and expenses actually incurred in relation to the above scope in accordance with the terms of our on-call agreement with the Town and will not exceed the following values:

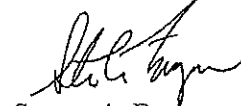
Detailed Design .....	\$77,000
Wetland Permitting.....	\$5,000
Subcontractor Expenses.....	\$12,000
Regulatory Application Fees (pass-along) .....	\$900
Bidding and Construction.....	<u>\$98,000</u>
<b>Total.....</b>	<b>\$192,900</b>

Direct expenses, including mileage and document reproduction are included in the above fees. Regulatory review fees for the Joint Application for permitting the bulkhead improvements previously assessed by the NYSDEC (\$900) are included in the above. Pass-along subcontractor expenses include utility mark-out, soil borings and geotechnical report. We note that subconsultant fees are included in the proposed design and construction phase fees above.

To complete this project, D&B intends to utilize **Vachris Engineering, P.C.** as a specialty geotechnical design subconsultant, as well as the services of **Premier Infrastructure and Energy** for underground utility subcontractor mark-out services and **Soil Mechanics, Inc.** for soil boring and geotechnical subcontractor services and is hereby requesting the Town's approval of these subconsultants and subcontractors.

If you have any questions regarding this proposal, please feel free to call me or Phil Sachs, Vice President, at (516) 364-9890, Ext. 3005 or Ext. 3401, respectively.

Very truly yours,



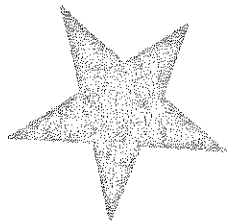
Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/PRSt/kb

cc: M. Russo (TOB-Eng)

P. Sachs (D&B)

♦5606\SAF032322JT-Ltr(R01)





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



Requesting Division/Department

PARKS

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

Contract Number PWC19-22

Contract Period JANUARY 1, 2022 THRU DECEMBER 31, 2023

Consultant/Contractor D & B ENGINEERS AND ARCHITECTS

Discipline STRUCTURAL ENGINEERING

Total Authorization \$ 359,900.00

Resolution No. 747-2021 Date 12/7/2021

Funded To Date \$ 167,000.00

Amount Requested \$192,900.00

Account To Be Used PKS-4-7197-20000-000-1902-001 1902 PKSA-04

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

Description Of Work

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

ON-CALL SERVICES FOR STRUCTURAL ENGINEERING

BULKHEAD REPLACEMENT AT TOBAY BEACH MARINA

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ n/a

Requesting Division/Department

Signature

Title

Date

Commissioner / Parks

5/6/22

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title

Date

Commissioner of Public Works

5/6/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 192,900.00

Unencumbered Balance 236,043.73

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

Yes ☒ No ☐

Signature

Date

5/6/22



# 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. PWC19-22

Contract End 12/31/2023

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

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

Vendor Name and Address

D & B ENGINEERS AND ARCHITECTS

330CROSSWAYS PARK DRIVE

WOODBURY, NY 11797

Requesting Town Department PARKS

Contact SEAN JORDAN Phone EXT. 5116

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

ON-CALL SERVICES FOR STRUCTURAL ENGINEERING

BULKHEAD REPLACEMENT AT TOBAY BEACH MARINA

**This work order shall not exceed \$ \$192,900.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

**Only To Be Executed By The Commissioner**

Signature [Signature]

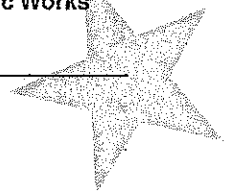
Signature [Signature]

Title COMMISSIONER / PARKS

Commissioner of Public Works

Date 5/6/22

Date 5/9/22



Meeting of December 7, 2021

Resolution No. 747-2021

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 Structural Engineering, was issued in accordance with the specifications contained in Contract No. PWC19-22 for a two (2) year contract term commencing January 1, 2022 through December 31, 2023; and

WHEREAS, in response to that Request for Proposals, twelve (12) 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 the Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Cameron Engineering & Associates, LLP, H2M Engineers & Architects, and Hirani Engineering & Land Surveying, P.C., and

WHEREAS, Commissioner Lenz, by Highway memorandum requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC19-22, On-Call Engineering Services Relative to Structural Engineering with LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Cameron Engineering & Associates, LLP, H2M Engineers & Architects, and Hirani Engineering & Land Surveying, P.C., or a two (2) year term, commencing on January 1, 2022 through December 31, 2023, and

WHEREAS, the Inspector General has reviewed the Request for Proposals on the proposed vendors' disclosures, and is satisfied that the Procurement Policy has been fulfilled,

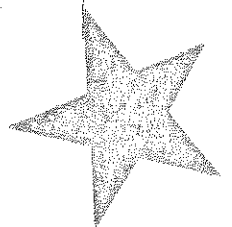
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC19-22, On-Call Engineering Services Relative to Structural Engineering with LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Cameron Engineering & Associates, LLP, H2M Engineers & Architects, and Hirani Engineering & Land Surveying, P.C. 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  
*Domenica Wolfe*



Meeting of May 24, 2022

Resolution No 384-2022

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated May 6, 2022, requested that the Town Board authorize the Supervisor, or his duly appointed designee, to execute the documents necessary to effectuate the award of a grant in the amount of \$1,000.00, from the New York Urban Forestry Council, to the Town of Oyster Bay, for the purchase and planting of five (5) Ginko Biloba "Autumn Gold" trees at the Town of Oyster Bay Western Waterfront,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and that the Supervisor, or his duly authorized designee, is hereby authorized to execute the documents necessary to effectuate the award of a grant in the amount of \$1,000.00, from the New York Urban Forestry Council, to the Town of Oyster Bay, for the purchase and planting of five (5) Ginko Biloba "Autumn Gold" trees at the Town of Oyster Bay Western Waterfront.

-#-

Reviewed By  
Office of Town Attorney  
*Ralph B. Deady*

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



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

TO: Memorandum Docket

FROM: Louis G. Savinetti, Commissioner  
Department of Environmental Resources

DATE: May 06, 2022

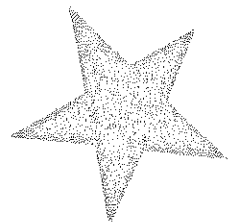
SUBJECT: Award of Grant – New York Urban Forestry Council

The Department of Environmental Resources has been awarded a one thousand dollar (\$1,000) grant through the New York Urban Forestry Council to purchase and plant 5 Ginko Biloba "Autumn Gold" trees at the Town of Oyster Bay Western Waterfront. This grant provides municipalities with the funds to celebrate Arbor Day and continue urban forestry efforts. The Department of Environmental Resources has worked with Friends of the Bay, Cornell Cooperative Extension, and the Nassau Soil and Water Conservation District to identify planting locations, and select the appropriate species.

The Department of Environmental Resources respectfully requests that the Town Board authorize the Supervisor or his designee to execute the necessary documents to proceed with the grant and tree planting process.

*Louis G. Savinetti*  
by  
*GEORGE ISA P. TISTA*  
Louis G. Savinetti  
Commissioner

LGS:GB:ca  
Attachments





February 2022

Town of Oyster Bay  
Attn: Sara Covelli  
29 Spring St  
Oyster Bay, NY 11771

Dear Ms. Covelli:

Thank you for your application requesting funding under the NYS Urban Forestry Council Quick Start Grant program. We are happy to inform you that you will receive a total of \$1,000 to proceed with the project as outlined in your application.

Please sign and return the enclosed Acceptance/Obligation Agreement. We have enclosed the first check in the amount of \$500 which is 50% of your award.

Upon completion of your planting event, please submit the following information and the balance of your grant award will be sent to you:

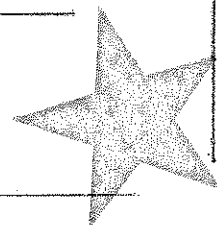
- Receipts for all expenses.
- A brief report detailing your event and how this may facilitate an urban forestry program in your community.
- Copies of any press releases, news articles, event program and photos from event.

Please note that events and all reporting need to be completed by June 15, 2022.

Sincerely,

Karen Emmerich  
Grants Committee Chair

enc





### ACCEPTANCE/OBLIGATION AGREEMENT

I, Sara Covelli, on behalf of the Town of Oyster Bay, hereby accept \$500 as 50% of the grant award (\$1,000 total) to acknowledge an agreement with the NYS Urban Forestry Council to fulfill the activities presented in the application for the Quick Start Grant. Should the approved project activities not take place, this initial payment must be refunded to the Council by the grantee by July 1, 2022.

The balance of the grant funds will be awarded after the event has taken place, and receipts for all supplies and project costs have been received by the Executive Secretary of the Council, by June 15, 2022.

By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof, the parties hereto have executed this award as of the date listed below.

*Karen Emmerich*

2/22/2022

Karen Emmerich, Grant Committee Chair

Date

NYS Urban Forestry Council

*Sara J. Covelli*

DER. Specialist

3/11/22

GRANT APPLICANT, Project Contact

Title

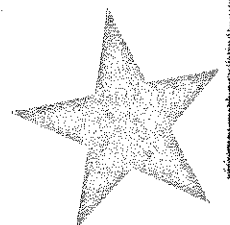
Date

ELECTED OFFICIAL, Applicant Community

Title

Date

POB 562, Lima, New York 14485  
nysufc@gmail.com





NEW YORK STATE  
URBAN FORESTRY COUNCIL

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# SPRING 2022 QUICK START GRANT AWARDEES ANNOUNCED



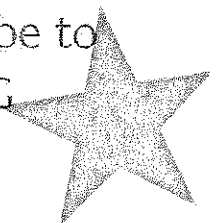
Kathy King

  
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Fourteen communities have just been notified of their successful applications for a 2022 Quick Start grant. They are the Town of Bombay, Village of Camillus, Town of Geddes, Town of Mount Pleasant, Town of Oyster Bay, Incorporated Village of Patchogue, Town of Penfield, Village of Penn Yan, Village of Phoenix, Town of Pittsford, Village of Pulaski, Town of Saugerties, Village of South Glens Falls, and Town of Wappinger.

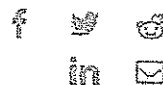
ROOT, the  
monthly e-  
news of the  
NYSUFC

Through U.S. Forest Service funding, the NYSUFC offers Quick Start competitive grants of up to \$1,000 each to small communities who want to pursue Tree City USA status, starting with an inaugural Arbor Day tree planting celebration in spring or fall.

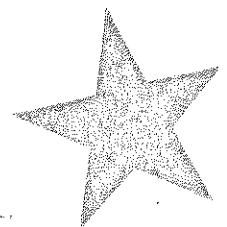
The NYSUFC currently offers two kinds of grants: Quick Start and Tree City USA Reward. Follow the Council blog or subscribe to the monthly Taking Root e-news for heads-up on the next round of each grant. See the blog for many posts about Council grant-funded events. 🌳

By Michelle Sutton | February 25th, 2022 | Categories: Grants, Tree City USA, Tree Planting | Tags: 2022 Quick Start grants announced | 0 Comments

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Leave a Reply



Meeting of May 24, 2022

Resolution No 385-2022

WHEREAS, Resolution No. 421-2021, adopted on August 17, 2021, this Town Board authorized the Department of Intergovernmental Affairs to renew membership in the New York Association of Training and Employment Professionals ("NYATEP") for a period of one (1) year from July 1, 2021 through June 30, 2022, for the amount of \$4,000.00; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated May 9, 2022, requested Town Board authorization, for the Department of Intergovernmental Affairs to renew membership in the NYATEP, for a period of one (1) year from July 1, 2022 through June 30, 2023, for the amount of \$3,750.00, and;

WHEREAS, Commissioner Sammartano, by said memorandum, advised that NYATEP provides valuable information with regard to relevant legislation and policy issues that affect the Town's Workforce Innovation and Opportunity Act ("WIOA") programs, and the aforementioned fee will be paid with WIOA funding, at no cost to the Town, with funds for this purpose available in Account No. IGA CD 6293 47900 000 CW21;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Intergovernmental Affairs is hereby authorized to renew membership in the New York Association of Training and Employment Professionals, for a period of one year from July 1, 2022 through June 30, 2023, for the amount of \$3,750.00; and it is further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds drawn from Account No. IGA CD 6293 47900 000 CW21.

#

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney

*America Walk*

385

26

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

May 9, 2022

**TO:** MEMORANDUM DOCKET

**FROM :** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS

**SUBJECT:** NEW YORK ASSOCIATION OF TRAINING AND EMPLOYMENT PROFESSIONALS  
DIVISION OF EMPLOYMENT AND TRAINING MEMBERSHIP RENEWAL

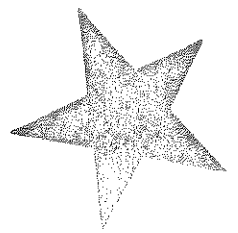
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The Department of Intergovernmental Affairs' Division of Employment and Training maintains membership in the New York Association of Training & Employment Professionals (NYATEP). Town Board Resolution No. 421-2021 dated August 17, 2021 authorized the renewal of this membership for the period July 1, 2021 through June 30, 2022.

NYATEP provides valuable information with regard to relevant legislation and policy issues that affect the Town's Workforce Innovation and Opportunity Act (WIOA) programs.

It is respectfully requested that the Town Board pass a resolution authorizing membership with NYATEP at a cost of \$3,750.00 for the period July 1, 2022 through June 30, 2023. This fee will be paid with WIOA funding, and is of no cost to the Town. Funds for this purpose are available in IGA CD 6293 47900 000 CW21.

  
FRANK V. SAMMARTANO  
Commissioner



**New York Association of Training and Employment  
Professionals (NYATEP)**

P.O. Box 648  
Albany, NY 12201  
nyatep@gmail.com



**INVOICE**

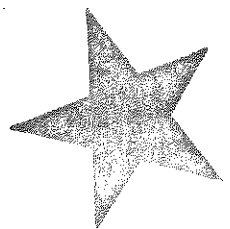
**BILL TO**  
John Sarcone  
Oyster Bay Works  
977 Hicksville Rd  
Massapequa, NY 11758

**INVOICE** 41323  
**DATE** 07/01/2022  
**TERMS** Due on receipt  
**DUE DATE** 07/01/2022

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Workforce Board Membership	1	3,750.00	3,750.00
	Workforce Board Membership: 7/1/2022-6/30/2023			

**BALANCE DUE**

**\$3,750.00**





Meeting of August 17, 2021

Resolution No. 421-2021

WHEREAS, Resolution No. 376-2020, adopted on August 18, 2020, this Town Board authorized the Department of Intergovernmental Affairs to renew membership in the New York Association of Training and Employment Professionals ("NYATEP") for a period of one (1) year from July 1, 2020 through June 30, 2021, for the amount of \$4,000.00; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated July 12, 2021, requested Town Board authorization, for the Department of Intergovernmental Affairs to renew membership in the NYATEP, for a period of one (1) year from July 1, 2021 through June 30, 2022, *nunc pro tunc*, for the amount of \$4,000.00, and;

WHEREAS, Commissioner Sammartano, by said memorandum, advised that NYATEP provides valuable information with regard to relevant legislation and policy issues that affect the Town's Workforce Innovation and Opportunity Act ("WIOA") programs, and the aforementioned fee will be paid with WIOA funding, at no cost to the Town, with funds for this purpose are available in Account No. IGA CD 6293 47900 000 CW20;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Intergovernmental Affairs is hereby authorized to renew membership in the New York Association of Training and Employment Professionals, for a period of one year from July 1, 2021 through June 30, 2022, *nunc pro tunc*, for the amount of \$4,000.00; and it is further

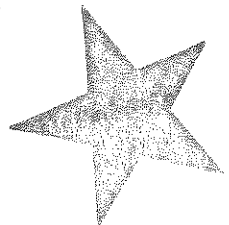
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds drawn from Account No. IGA CD 6293 47900 000 CW20.

#

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

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

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



Meeting of May 24, 2022

Resolution No 386-2022

WHEREAS, by Resolution No. 747-2021, adopted on December 7, 2021, the Town Board authorized D&B Engineers and Architects, DPC to provide On-Call Engineering Services relative to Structural Engineering in connection with Contract No. PWC19-22, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Steven A. Fangmann, P.E., BCEE, President and CEO, D&B Engineers and Architects, DPC, by letter dated March 23, 2022, described the scope of work to be performed under Contract No. PWC19-22, engineering services related to the construction of an overhead canopy over the existing ice-skating rink at Marjorie Post Community Park, Massapequa, and requested approval to utilize Bay Environmental Consulting, LLC, as a sub consultant for said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated May 9, 2022, requested Town Board authorization for D&B Engineers and Architects, DPC, to provide the aforesaid On-Call Engineering Services under Contract PWC19-22, that Bay Environmental Consulting, LLC 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 \$167,000.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2002 001; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and D&B Engineers and Architects, DPC is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC19-22, and Bay Environmental Consulting, LLC is 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 \$167,000.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2002 001; and be it further

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

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney

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

May 9, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST AND USE OF SUB-CONSULTANTS  
CONTRACT NO. PWC19-22  
STRUCTURAL ENGINEERING  
ACCOUNT NO.: PKS H 7197 20000 000 2002 001  
PROJECT ID NO. 2002PKSA 12

---


The consultant, D & B Engineers & Architects, D.P.C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC19-22 by Resolution No. 747-2021 dated 12-7-2021 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated March 23, 2022 from D & B Engineers & Architects, D.P.C., regarding the scope of work to be performed in an amount not to exceed \$167,000.00. Services provided include continued engineering services regarding the construction of an overhead canopy over the existing ice-skating rink at Marjorie Post Community Park in Massapequa. In addition to the funding request, D & B Engineers & Architects, D.P.C., requests to use, as a sub-consultant, Bay Environmental Consulting, LLC for wetland delineation work.

Attached is an availability of funds in the amount of \$167,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 2002 001, Project ID 2002 PKSA 12

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

It is hereby requested that the Town Board authorize, by Resolution D & B Engineers & Architects D.P.C, under Contract No. PWC19-22, On-Call Technical Assistance Relative to Structural Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose. It is also hereby requested that D & B Engineers & Architects, D.P.C, be authorized by resolution to use, as a sub-consultant, Bay Environmental Consulting, LLC.

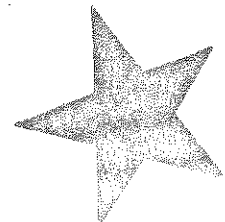
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/SJ/nm

Attachment

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

PWC19-22 Docket 167000 D&B Marjorie R. Post Ice Rink Canopy





## D&B ENGINEERS AND ARCHITECTS

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

### Board of Directors

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

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

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

March 23, 2022

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

Attn: Sean Jordan, Architect  
Engineering Division

Re: Marjorie R. Post Community Park  
Ice Rink Canopy Professional Engineering Design, Permitting,  
Bidding and Construction Services  
TOB Contract No.: PWC 19-22, Resolution 747-2021

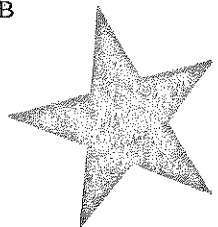
Dear Mr. Tassone:

As the Town's Structural Engineering Consultant under the above-referenced contract, D&B Engineers and Architects, D.P.C. (D&B) is pleased to submit this Task Order Proposal to provide continued assistance to the Town with professional engineering services related to the design and construction of a new overhead canopy to reduce solar loading on the ice-skating rink at Marjorie R. Post Community Park in Massapequa. The work under this proposal will provide continuance of our service to complete the remaining design work, permitting, bidding and construction related tasks.

As discussed with representatives of the Parks Department and your staff, D&B continues to develop design plans for a pre-engineered steel structure and gable roof with the goal of reducing or largely eliminating the solar loading and rain/snow impacts on the ice rink surface during winter operation, which will in turn reduce the demands on the existing compressor equipment. The arrangement of the canopy has been configured to minimize other impacts to the facility, including maintaining access to the existing penalty and scorekeepers benches, bleachers, and avoiding obstruction or significant modifications to the scoreboard.

The design concept that continues to be refined involves a pre-engineered steel Butler-style structure, with an open air, gable style roof as designed by Varco Pruden. Construction costs for the canopy structure can be developed and refined during the detailed design stage of the work; however, for planning purposes it is probable that total construction cost could be preliminarily estimated as \$1.5 to \$2 million.

The existing rink is approximately 200-feet in length and 85-feet wide, and is positioned lengthwise east-west, with winter sun exposure primarily originating from the south, or side of the rink. The rink features an existing refrigerant piping system which is primarily located on the east end, which D&B



## D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

Page 2

and Varco Pruden have provided a structural column layout that mitigates potential impacts with the existing rink features. The existing score board is located on the northwest corner of the rink and the Varco Pruden structure's interior dimensions have been designed to permit continued use of the scoreboard as currently installed.

As part of this work, the perimeter pole-mounted lighting used to illuminate the rink surface will interfere with the structure's footprint, and is scheduled to be removed and replaced with LED or similar energy-efficient lighting mounted to the underside of the canopy and designed to meet the appropriate illumination criteria for the rink. At the Town's request, D&B will investigate the applicability of Musco Lighting as a preferred supplier for the interior of the canopy.

During the investigation of the subgrade infrastructure, it was determined that a suitable connection point to the existing site stormwater system can be made and will eliminate the need for a new drywell system as the project is not increasing the impervious area beyond what already exists on the site.

The New York State Department of Environmental Conservation (DEC) freshwater wetland map indicates that the proposed canopy footings will be constructed within the 100-foot buffer zone of the freshwater wetlands surrounding the perimeter of Unqua Pond. The proposed work and related disturbances will therefore require a DEC freshwater wetland permit application for regulatory review and approval. We are therefore including in our proposal effort to prepare and assist the Town with the submittal of a DEC freshwater wetlands permit application as part of our detailed design scope. Additionally, during the course of the design and initial permitting work, it was determined that a wetland delineation will be needed and is now included in the associated scope of work.

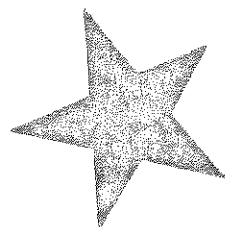
As the proposed work is an open-sided canopy without conditioning and does not likely meet the definition of a building, it does not appear that Wicks Law requirements will apply and therefore our proposal effort includes preparation of a single construction contract for the general and electrical construction work. Should separate contracts for electrical and general construction work be required, a separate proposal for the preparation of separate contract documents can be provided at that time.

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

### A. SCOPE OF WORK

#### Detailed Design

- Continue with the design of the canopy and foundation system in accordance with applicable building code criteria and in conjunction with the existing rink features, function and Town preferences.



## D&B ENGINEERS AND ARCHITECTS

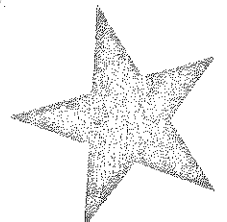
John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

Page 3

- Continue to design the drainage piping system to manage stormwater runoff from the new canopy and restored concrete apron. Discuss and evaluate alternative options for stormwater management, as necessary.
- Incorporate final structural drawings and details from Varco Pruden to define the detailed construction requirements of the structure.
- Continue to develop an energy-efficient lighting system design to provide appropriate illumination levels for night rink activities, based upon industry standards for this application. Investigate the existing electrical capacity of the facility and identify and design provisions for providing power and control of the lighting system. Incorporate demolition details for removal and storage of the existing pole-mounted lighting system.
- Prepare electrical plans and details to define the electrical construction requirements.
- Prepare construction specifications to define specific requirements related to construction of the work to accompany the drawings.
- Provide the draft detailed design drawings to the Town for review and comment. Meet with the Town to discuss questions and comments. Integrate the Town's comments into the final certified bidding documents.
- Prepare a construction cost estimate for bidding of the project, based upon the final drawings.
- Prepare the bid sheets and integrate the Town's front end documents into the construction documents. Solicit the Town's endorsement of the documents for public bidding.

### Wetland Permit Application

- Determine or confirm applicability of state and/or federal wetland jurisdiction based on final project description, design, and footprint.
- Delineate the wetland boundary and incorporate the provided GIS files into the existing survey base map.
- If necessary, request/attend a pre-application meeting or teleconference with the regulatory agencies to determine or confirm agency jurisdiction, type of permits required, agency requests for specific information, and any special permit applications procedures.
- Prepare the draft Joint Application for Permit package including application forms, project location/site maps, aerials, photographs, design drawings, and project narrative, for review by the Town.



## D&B ENGINEERS AND ARCHITECTS

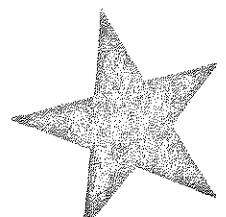
John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

Page 4

- Revise the Joint Application for Permit package based on Town comments.
- Prepare the final Joint Application for Permit package for submittal to the appropriate regulatory agencies for review and approval.
- Respond to relevant agency comments, inquiries, or requests for additional information and, as necessary, confer with the agencies to clarify or confirm issues identified in agency comments.
- Submit responses to the agencies for final review and approval, based on responses to agency comments.
- Maintain communication with agencies on status of application review and estimated schedule for permit issuance.
- Review permit conditions, evaluate permit conditions, and provide guidance to the Town on complying with any special permit conditions and work notification requirements.

### Bidding and Construction Services

- Prepare fifteen (15) copies of the bidding documents on compact disk for use in public bidding of the project.
- Respond to questions and requests for information received from bidders during the bid period.
- Attend the bid opening, review bids received, make recommendation for award of the work, and prepare conformed documents for signing of the contract.
- Conduct a pre-construction meeting with the selected contractor and representatives of the Town.
- Perform review of contractor equipment submittals, review and make recommendation for monthly contractor payment requisitions, and perform project-related correspondence on behalf of the Town.
- Perform part-time inspection during principal construction activities. A total of 256 hours of on-site inspection and project field meetings (16 hours/week for 4 months or 16 weeks of on-site construction) is included in the scope of this proposal.
- At the completion of construction, perform a joint inspection with representatives of the Town and prepare a project punch list.



D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
March 23, 2022

Page 5

**B. FEES**

The proposed fees for D&B's continued services to complete the above tasks will be based upon time and expenses actually incurred in relation to the above scope in accordance with the terms of our on-call agreement with the Town and will not exceed the following values:

Detailed Design .....	\$95,000
Wetland Permitting.....	\$7,000
Bidding & Construction Services.....	<u>\$65,000</u>
<b>Total.....</b>	<b>\$167,000</b>

The proposed Wetland Permit Application services costs include subcontractor expenses of \$1,200 for delineation of the fresh water wetland. Direct expenses, including mileage and document reproduction are included in the above fees.

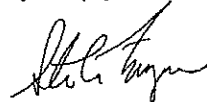
D&B intends to utilize the services of Bay Environmental Consulting, LLC for the wetland delineation work and are hereby requesting the Town's approval of this subcontractor for this specialty work.

It is assumed that the construction phase of the project will require six months to complete from the date of award based on projected delivery timeframes for the pre-engineered structure along with associated equipment and materials. Should the construction phase extend beyond the six-month estimate, a proposal for additional services can be prepared as requested.

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

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

Very truly yours,



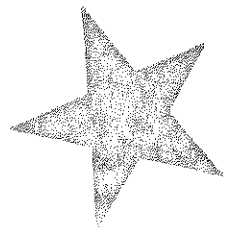
Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/SPt/kb

cc: M. Russo (TOB-Eng)

P. Sachs (D&B)

♦PX10713\SAF032222\IT-Ltr(R02)







# 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. PWC19-22

Contract End 12/31/2023

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

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

Vendor Name and Address

D & B ENGINEERS AND ARCHITECTS

330CROSSWAYS PARK DRIVE

WOODBURY, NY 11797

Requesting Town Department PARKS

Contact SEAN JORDAN Phone EXT. 5116

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

ON-CALL SERVICES FOR STRUCTURAL ENGINEERING

MARJORIE POST PARK ICE RINK CANOPY

**This work order shall not exceed \$ \$167,000.00**

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

**Requesting Division/Department**

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

Signature [Signature]

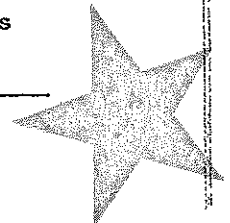
Signature [Signature]

Title COMMISSIONER / PARKS

Commissioner of Public Works

Date 5/6/22

Date 5/9/22





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



Requesting Division/Department

PARKS

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

Contract Number PWC19-22

Contract Period JANUARY 1, 2022 THRU DECEMBER 31, 2023

Consultant/Contractor D & B ENGINEERS AND ARCHITECTS

Discipline STRUCTURAL ENGINEERING

Total Authorization \$ 167,000.00

Resolution No. 747-2021 Date 12/7/2021

Funded To Date \$ 0.00

Amount Requested \$167,000.00

Account To Be Used PKS-H-7197-20000-000-2002-001 2002PKSA-12

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

Description Of Work

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

ON-CALL SERVICES FOR STRUCTURAL ENGINEERING

MARJORIE POST PARK ICE RINK CANOPY

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ n/a

Requesting Division/Department

Signature [Signature]

Title Commissioner / Parks

Date 5/6/22

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 5/9/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 167,000.00

Unencumbered Balance 212,304.72

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

Signature [Signature] Date 5/6/22

Meeting of December 7, 2021

Resolution No. 747-2021

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 Structural Engineering, was issued in accordance with the specifications contained in Contract No. PWC19-22 for a two (2) year contract term commencing January 1, 2022 through December 31, 2023; and

WHEREAS, in response to that Request for Proposals, twelve (12) 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 the Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Cameron Engineering & Associates, LLP, H2M Engineers & Architects, and Hirani Engineering & Land Surveying, P.C.; and

WHEREAS, Commissioner Lenz, by Highway memorandum requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC19-22, On-Call Engineering Services Relative to Structural Engineering with LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Cameron Engineering & Associates, LLP, H2M Engineers & Architects, and Hirani Engineering & Land Surveying, P.C., or a two (2) year term, commencing on January 1, 2022 through December 31, 2023, and

WHEREAS, the Inspector General has reviewed the Request for Proposals on the proposed vendors' disclosures, and is satisfied that the Procurement Policy has been fulfilled,

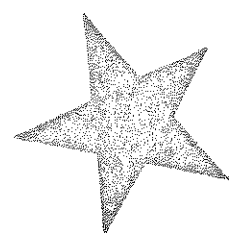
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC19-22, On-Call Engineering Services Relative to Structural Engineering with LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Cameron Engineering & Associates, LLP, H2M Engineers & Architects, and Hirani Engineering & Land Surveying, P.C. 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

Revised By  
Office of Town Attorney  
*Domenica Waite*



387

10604814.251

At a virtual 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 May 24, 2022, at 10:00 A.M., Prevailing Time.

PRESENT:

Joseph S. Saladino  
Supervisor

Michele Johnson  
Councilperson

Louis Imbroto  
Councilperson

Thomas Hand  
Councilperson

Laura Maier  
Councilperson

Vicki Walsh  
Councilperson

Councilperson

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

RESOLUTION NO. 387-2022  
ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has been presented with a petition, dated April 7, 2022, executed by the duly elected Water District Commissioners of the Oyster Bay Water District (the "District"), pursuant to Section

Reviewed By  
Office of Town Attorney

216 of the Town Law, requesting \$425,000 of additional bonds for the increase and improvement of the facilities of the District in said Town, consisting of the following projects: (i) an Advance Oxidation Process (AOP) Treatment System at Plant No. 2 and (ii) an Emergency Interconnection with Locust Valley Water District, including incidental expenses in connection therewith, and

WHEREAS, the estimated maximum cost to said District of such increase and improvement of facilities was previously determined to be \$6,249,000, as described in the Town's Bond Resolution No. 303B-2021 dated May 18, 2021; and

WHEREAS, it is now been determined that the estimated maximum cost has increased to \$6,674,000, an increase of \$425,000; and

WHEREAS, said District has provided a letter from its consulting engineers, H2M architects + engineers, engineers duly licensed in the State of New York, dated March 30, 2022 (the Engineer's Letter"), including an estimate of cost, relating to the proposed increase and improvement of the facilities of said District; and

WHEREAS, the estimated maximum cost of such increase and improvement of facilities is to be borne by the District; and

WHEREAS, repayment of the proposed additional \$425,000 bonds shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement of facilities, considering the Engineer's Letter, including the estimate off 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 June 14, 2022 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 the District in said Town, and the Engineer's Letter, including an estimate of cost 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 in Newsday, a newspaper having general circulation in 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, will meet at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, on June 14, 2022 at 10:00 A.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Oyster Bay Water District (the "District") in said Town, consisting of the following projects: (i) Advance Oxidation Process (AOP) Treatment System at Plant No. 2 and (ii) Emergency Interconnection with Locust Valley Water District, including incidental expenses in connection therewith, at an estimated maximum cost of \$3,211,780 in bonds, an increase of \$425,000 over the previous \$2,786,780 estimated maximum cost of bonds (with the remaining cost of the new estimated maximum \$6,674,000 of the project expected to be paid for with \$3,286,000 in New York State Grants and \$176,220 in cost-sharing from the Locust Valley Water District); 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, levied and collected in 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.

The letter, including the estimate of cost, relating to the proposed increase and improvement of the project, prepared by H2M architects + engineers, engineers duly licensed in the State of New York, dated March 30, 2022, is on file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

Dated: Oyster Bay, New York  
May 24, 2022

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	__ ABSENT _____
__ 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 May 24, 2022, with the original thereof  
on file in my office, and that the same is a true and correct transcript therefrom and of the whole of  
said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that, [please check one below]

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

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

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

Newspaper and/or Other News Media

Date Given

Various publications throughout the

May 20, 2022

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, 1<sup>st</sup> floor

May 20, 2022

54 Audrey Avenue, Oyster Bay, NY

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



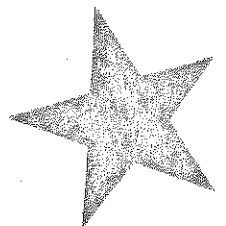
Town Clerk

(CORPORATE  
SEAL)

# **NOTICE OF PUBLIC HEARING**

**(attached hereafter)**

**Note: To be published at least 10 days prior to the date of the public hearing.**



## NOTICE OF PUBLIC HEARING

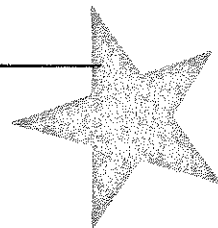
PLEASE TAKE NOTICE that the Town Board of the Town of Oyster Bay, Nassau County, New York, will meet at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, on June 14, 2022 at 10:00 A.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Oyster Bay Water District (the "District") in said Town, consisting of the following projects: (i) an Advance Oxidation Process (AOP) Treatment System at Plant No. 2 and (ii) an Emergency Interconnection with Locust Valley Water District, including incidental expenses in connection therewith, at an estimated maximum cost of \$3,211,780 in bonds, an increase of \$425,000 over the previous \$2,786,780 estimated maximum cost of bonds (with the remaining cost of the new estimated maximum \$6,674,000 of the project expected to be paid for with \$3,286,000 in New York State Grants and \$176,220 in cost-sharing from the Locust Valley Water District); 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, levied and collected in 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.

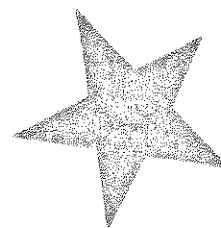
The letter, including the estimate of cost, relating to the proposed increase and improvement of the project, prepared by H2M architects + engineers, engineers duly licensed in the State of New York, dated March 30, 2022, is on file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

Dated: Oyster Bay, New York  
May \_\_\_\_, 2022

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF OYSTER BAY,  
NASSAU COUNTY, NEW YORK



Town Clerk



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

May 10, 2022

**To:** Memorandum Docket  
**From:** Rob Darienzo, Director of Finance  
**Subject:** Public Hearing – Oyster Bay Water District Improvements

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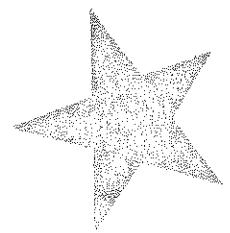
Town Board action is required to approve a resolution calling for a public hearing on June 14, 2022 to authorize the issuance of serial bonds for Oyster Bay Water District Improvements. The Order Calling for the Public Hearing has been prepared by Bond Counsel and is attached to this memo.

Thank you.



Rob Darienzo  
Director of Finance

RD/rd  
Word/Documents/Docket/2022 oyster bay wd improve



Meeting of May 24, 2022

Resolution No 388-2022

WHEREAS, Pursuant to a Town Board Resolution, adopted on April 28, 1931, the Town Board approved the Petition of the Jericho Water District (hereinafter "District") to extend its district in the Town of Oyster Bay, to include territory in the Town of Oyster Bay known as "Oyster Bay Cove Extension" pursuant to New York State Town Law, and in conjunction therewith, for purposes of construction of pipelines and appurtenances, the Town Board authorized the sale of bonds of the Town of Oyster Bay in the sum of \$21,000.00, as requested by resolution of the Board of Commissioners of the District, on May 24, 1932 (District resolution #210); and

WHEREAS, by letter dated May 4, 2022, the District advised this Office that, pursuant to resolution of the Board of Commissioners of the District on May 28, 1957 (District resolution #183), the District resolved that final payment of the Town of Oyster Bay bond issue was made for the Oyster Bay Cove Extension (hereinafter OBCE), and that on June 11, 1980 (District resolution #117) the District resolved that the principal and interest of the bonds for the construction and installation of the water system facilities within OBCE having been paid from the taxes levied on and collected from the properties within the OBCE, there existed no reason for maintenance of separate records and/or separate taxing districts; and

WHEREAS, the District, by the aforementioned letter, seeks Town Board approval to authorize the elimination of the OBCE district known as Tax District #311, and consolidate the properties located within said district into what is known as Tax District #310; and

WHEREAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated May 10, 2022, advised that upon review by the Office of the foregoing letter from the District and accompanying Town Board and District resolutions, it is recommended that the Town Board approve the request of the District to authorize the elimination of the OBCE district known as Tax District #311 and to consolidate the properties located within said district into Tax District #310,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted, and the Town Board hereby authorizes the elimination of the OBCE district known as Tax District #311 and the consolidation of the properties located within said district into Tax District #310.

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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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney

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

**TO :** MEMORANDUM DOCKET  
**FROM :** Frank M. Scalera, Town Attorney  
**DATE :** May 10, 2022  
**SUBJECT:** Application of the Jericho Water District for the Elimination of the Oyster Bay Cove Extension district within the Town of Oyster Bay

Pursuant to a Town Board Resolution, adopted on April 28, 1931, the Town Board approved the Petition of the Jericho Water District (hereinafter "District") to extend its district in the Town of Oyster Bay, to include territory in the Town of Oyster Bay known as "Oyster Bay Cove Extension," pursuant to New York State Town Law. In conjunction therewith, for purposes of construction of pipelines and appurtenances, the Town Board authorized the sale of bonds of the Town of Oyster Bay in the sum of \$21,000.00, as requested by resolution of the Board of Commissioners of the District, on May 24, 1932 (District resolution #210).

By letter dated May 4, 2022, the District advised this Office that, pursuant to resolution of the Board of Commissioners of the District on May 28, 1957 (District #183) the District resolved that final payment of the Town of Oyster Bay bond issue was made for the Oyster Bay Cove Extension (hereinafter OBCE). Said letter further advised that on June 11, 1980 (District resolution #117) the District resolved that the principal and interest of the bonds for the construction and installation of the water system facilities within OBCE having been paid from the taxes levied on and collected from the properties within the OBCE, there existed no reason for maintenance of separate records and/or separate taxing districts. Although, no request by the District to eliminate the OBCE district at that time was made to the Town, the District, by its letter dated May 4, 2022, seeks Town Board approval to authorize the elimination of the OBCE district known as Tax District #311, and consolidate the properties located within said district into what is known as Tax District #310.

Upon review by this Office of the foregoing letter from the District and accompanying Town Board and District resolutions, it is recommended that the Town Board approve the request of the District to authorize the elimination of the OBCE district known as Tax District #311 and to consolidate the properties located within said district into Tax District #310.

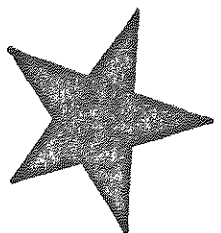
It is respectfully requested that this matter be included on the Town Board Action Calendar for May 24, 2022.

FRANK M. SCALERA  
TOWN ATTORNEY



Karen J. Underwood  
Deputy Town Attorney

KJU:kju  
2022-8575





REVIEWED BY  
OFFICE OF TOWN ATTORNEY

WHEREAS, Pursuant to a Town Board Resolution, adopted on April 28, 1931, the Town Board approved the Petition of the Jericho Water District (hereinafter "District") to extend its district in the Town of Oyster Bay, to include territory in the Town of Oyster Bay known as "Oyster Bay Cove Extension" pursuant to New York State Town Law, and in conjunction therewith, for purposes of construction of pipelines and appurtenances, the Town Board authorized the sale of bonds of the Town of Oyster Bay in the sum of \$21,000.00, as requested by resolution of the Board of Commissioners of the District, on May 24, 1932 (District resolution #210); and

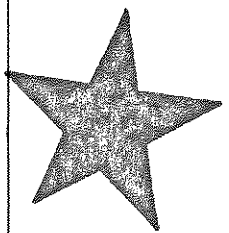
WHEREAS, by letter dated May 4, 2022, the District advised this Office that, pursuant to resolution of the Board of Commissioners of the District on May 28, 1957 (District resolution #183), the District resolved that final payment of the Town of Oyster Bay bond issue was made for the Oyster Bay Cove Extension (hereinafter OBCE), and that on June 11, 1980 (District resolution #117) the District resolved that the principal and interest of the bonds for the construction and installation of the water system facilities within OBCE having been paid from the taxes levied on and collected from the properties within the OBCE, there existed no reason for maintenance of separate records and/or separate taxing districts; and

WHEREAS, the District, by the aforementioned letter, seeks Town Board approval to authorize the elimination of the OBCE district known as Tax District #311, and consolidate the properties located within said district into what is known as Tax District #310; and

WHEREAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated May 10, 2022, advised that upon review by the Office of the foregoing letter from the District and accompanying Town Board and District resolutions, it is recommended that the Town Board approve the request of the District to authorize the elimination of the OBCE district known as Tax District #311 and to consolidate the properties located within said district into Tax District #310.

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted, and the Town Board hereby authorizes the elimination of the OBCE district known as Tax District #311 and the consolidation of the properties located within said district into Tax District #310.

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THOMAS A. ABBATE, *Chairman*  
JAMES ASMUS, *Secretary*  
PATRICIA A. BECKERLE, *Treasurer*  
PETER F. LOGAN, *Superintendent*  
KATHLEEN CANNON, *Business Manager*

May 4, 2022

Frank Scalera, Esq.  
Town Attorney  
Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay, New York 11771

RE: Elimination of Oyster Bay Cove  
Extension District – Tax District 311

Dear Mr. Scalera:

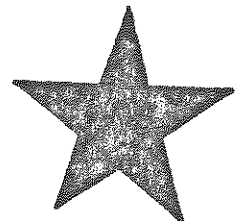
On April 28, 1931, on behalf of the Jericho Water District, the Town of Oyster Bay passed a resolution to extend the District to include territory in the Town of Oyster Bay known as "Oyster Bay Extension District". The amount of money needed for the construction of pipelines and appurtenances in the said Oyster Bay Cove Extension District was estimated to be \$21,000.00. Resolution No. 210 of the Jericho Water District was passed on May 24, 1932 in which the Board of Water Commissioners requested the Honorable Town Board to direct the issue and sale of bonds in the same sum. The Town Board then authorized the sale of the said bonds to be held on June 7, 1932.

Final payment on this bond issue in the amount of \$1,000.00 plus interest in the amount of \$28.75 was authorized to be paid in resolution no. 183 of the Jericho Water District on May 28, 1957. An additional resolution, resolution no. 117 of the District was passed on June 11, 1980 that stated, "the principal and interest of the bonds for the construction and installation of the water system facilities within the annexed territory have been paid from the taxes levied on and collected from properties within said annexed territory and there is now no valid reason for the maintenance of separate records". The Commissioners resolved that the "Oyster Bay Cove Extension District be no longer segregated as a separate unit but shall be recorded and administered as if said annexed territory had been a portion of the Jericho Water District as originally established and never a separate unit." Despite resolution no. 117 which directed the extension district be extinguished, the extension district still exists.

By this letter, we are hereby requesting the Town of Oyster Bay formally eliminate the Oyster Bay Extension District, Tax District #311 and consolidate the

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125 Convent Road • Syosset, New York 11791  
(516) 921-8280 • Fax (516) 921-7554

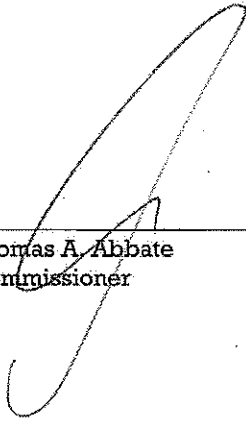
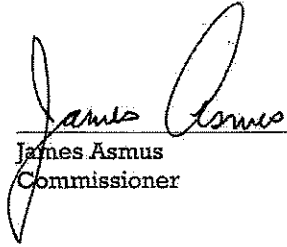
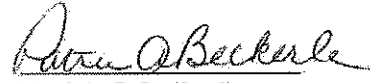


properties within the extension District into the Jericho Water District, Tax District #310. For your records, attached please find all the resolutions referenced above.

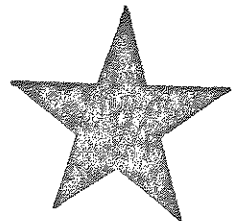
If you have any questions or require additional information, please feel free to contact our Business Manager, Kathleen Cannon at [kcannon@jerichowater.org](mailto:kcannon@jerichowater.org) or (516) 921-3766.

Sincerely,

Board of Commissioners  
Jericho Water District

  
\_\_\_\_\_  
Thomas A. Abbate  
Commissioner  
\_\_\_\_\_  
James Asmus  
Commissioner  
\_\_\_\_\_  
Patricia A. Beckerle  
Commissioner

KC/kc  
Enc(s).  
Honorable Town Board  
Michael F. Ingham, Attorney for the Jericho Water District  
Karen Underwood, Esq. Deputy Town Attorney



Town of Oyster Bay Resolution

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held on the 28th day of April, 1931.

PRESENT:

BENJAMIN W. DOWNING	Supervisor
CHARLES E. RANSON	Town Clerk
ANDREW B. HAEGERER	Justices of the Peace
AUGUSTUS MORREY	
JOHN W. ANDERSON	
EUGENE L. FLANAGAN	

-----X

IN THE MATTER OF THE PETITION :

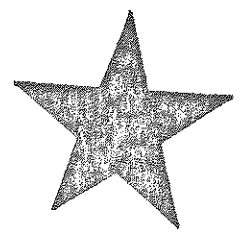
-to- :

EXTEND THE JERICHO WATER DISTRICT :  
IN THE TOWN OF OYSTER BAY, NASSAU :  
COUNTY, NEW YORK, TO INCLUDE :  
TERRITORY IN THE TOWN OF OYSTER :  
BAY KNOWN AS :

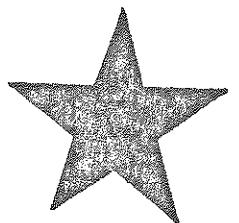
OYSTER BAY COVE EXTENSION :

-----X

The petition in the above entitled matter for the enlargement and extension of the Jericho Water District in the Town of Oyster Bay, Nassau County, New York, so as to include territory in the Town of Oyster Bay, known as Oyster Bay Cove Extension, having been duly filed with the Board of Water Commissioners of the said Jericho Water District on the 28th day of June, 1930, pursuant to Section 299a of the Town Law; a notice of hearing before the said Board of Water Commissioners having been duly published in the Enterprise & Pilot, as prescribed by Statute; the petition having been examined by the Board of Water Commissioners; and an order determining that said petition was properly signed, proved and acknowledged according to law; a hearing having been duly had thereon



before said Board of Water Commissioners of the said Jericho Water District, on the 15th day of July, 1930, at 1:30 P. M.; and the said commissioners having made their orders and determinations in writing, which orders and determinations, together with the petition, map and plans showing the proposed enlargement of said water district so as to include territory in the Town of Oyster Bay known as the Oyster Bay Cove Extension and the enlargement of the water supply system therein; the affidavit of Charles W. Smith, verified the 15th day of July, 1930, all of which papers were duly filed in the office of the Town Clerk of the Town of Oyster Bay on the 29th day of July, 1930. The petition and proceedings were had under the assumption that Section 299a of the Town Law was so amended as to permit a water district to extend upon the signatures of a majority of the resident taxpayers; the Bill permitting the extension in such a manner was, contrary to official advice, vetoed by the Governor, so that in the year 1931 a Bill was introduced in and passed by the Legislature of the State of New York, and upon being signed by the Governor became known as "Chapter 120 of the Laws of 1931", which Chapter legalized all acts and proceedings of the Town Board of the Town of Oyster Bay and the Board of Water Commissioners of the Jericho Water District with reference to the proposed extension herein referred to, and provided for the submission of the said Chapter to the qualified voters of the said proposed annexed territory. That thereafter on the 31st day of March, 1931, the Town Board of the Town of Oyster Bay duly called an election of the qualified electors in such territory to be held on the 30th day of April, 1931, between the hours of 7 and 9 P. M., due notice of which was duly published and

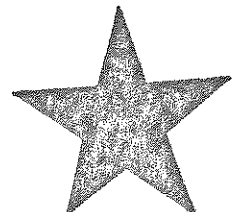


posted. That as a result of such election, the report of the inspectors of election duly filed in the office of the Clerk of the Town of Oyster Bay, on the 21st day of April, 1931, showed that 47 ballots had been cast, of which 35 were in favor and 12 against, all of which is more fully shown by the constitutional oath of office of Charles E. Ransom, verified the 20th day of April, 1931, the constitutional oath of office of Augustus Morey, verified the 20th day of April, 1931, the statement of canvass of ballots cast at the said election by the said Augustus Morey and Charles E. Ransom, the certificate made by the said Augustus Morey and Charles E. Ransom, dated April 20, 1931, and the ballot return made by the said Augustus Morey and Charles E. Ransom on the 20th day of April, 1931, all of which papers in connection with said election were duly filed in the office of the Clerk of the Town of Oyster Bay on the 21st day of April, 1931, and a supplemental order of the Board of Water Commissioners dated April 28, 1931, and duly filed in the office of the Town Clerk of the Town of Oyster Bay,

NOW, therefore, we, the undersigned, being a majority of the members of the Town Board of the Town of Oyster Bay, Nassau County, New York, do hereby, pursuant to Section 299a of the Town Law of the State of New York,

ORDER that the orders and determinations of the Board of Water Commissioners of the Jericho Water District of the Town of Oyster Bay, Nassau County, New York, both dated the 15th day of July, 1930, the supplemental order, dated April 28, 1931, hereinbefore referred to, be and they are hereby approved, and it is further

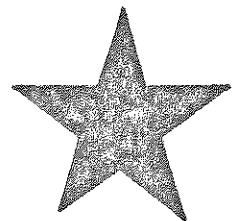
ORDERED that the Jericho Water District and the water supply system therein be extended and enlarged



in accordance with the petition and orders hereinbefore referred to, which extended area of the Jericho Water District in the Town of Oyster Bay is and shall be bounded and described as follows:

ALL that certain property lying and being at or near Oyster Bay Cove, Town of Oyster Bay, Nassau County, New York, bounded and described as follows:

BEGINNING at the southeast corner of School District No. 9, same being the common point of intersection of the boundary lines of School Districts Nos 9 and 10 and 12, Town of Oyster Bay; thence in a northeasterly direction along the boundary line of the Oyster Bay Water District to the intersection of the center lines of the Yellow Cote Road and the Oyster Bay Cold Spring Road; thence northerly along the boundary of the Oyster Bay Water District, same being the center line of the Oyster Bay Cold Spring Road to the boundary line between the property of Louis C. Tiffany and land now or formerly of Ray Morris; thence easterly along the southerly boundary of lands of Louis C. Tiffany to the northeasterly corner of lands now or formerly of George Crocker; thence through lands of Louis C. Tiffany to the northwest corner of lands now or formerly of H. F. Armstrong; thence along the westerly line of said property of H. F. Armstrong to the northerly side of Laurelton Road; thence easterly to the district line of the Jericho Water District; thence southerly along the boundary of the original Jericho Water District, same being the common division line between School Districts Nos 10 and 11 and follows the westerly side of Laurel Hollow Road to a point south of the Laurelton Road where the said line takes a southwesterly direction to the intersection of the Oyster Bay Cold Spring Road with the North Hempstead Turnpike; thence westerly along the North Hempstead Turnpike to the Yellow Cote Road; thence northwesterly along the boundary line of the original Jericho Water District, the same being the common boundary line of School Districts Nos 10 and 12 to the point or place of beginning, all as outlined by heavy double line on map of proposed enlargement of Jericho Water District, as shown upon map entitled "Map of the proposed Enlargement Jericho Water District, Nassau Co. N. Y., S. B. Rowe, Engr, Mineola, N. Y., September, 1929" the property of one H. F. Armstrong, being specifically excluded, said property being within the incorporated area of the Village of Laurelton.



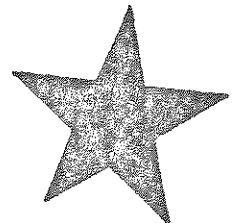
All of which said territory is wholly within the Town  
of Oyster Bay and outside of the limits of any city or  
incorporated village.

Benj. W. Downing  
Supervisor

Augustus W. W. W.  
John A. Anderson

Andrew P. Deane  
Arthur L. Hagan  
Justices of the Peace

Wm. E. Carson  
Town Clerk





154

BOARD OF THE TOWN OF  
OYSTERS, MASSACHUSETTS, NEW YORK

IN THE TOWN OF THE PETITION

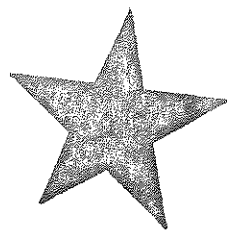
-to-

EXPAND THE TOWN OF WATER DISTRICT  
IN THE TOWN OF OYSTERS BAY, MASSACHUSETTS  
BOROUGH, NEW YORK, TO INCLUDE  
WATERBURY IN THE TOWN OF OYSTERS  
BAY, NEW YORK

OYSTERS BAY FOR EXTENSION

ORDER OF TOWN BOARD APPROVING  
DISTRIBUTION OF BOARD OF WATER  
COMMISSIONERS AND EXTENSION OF  
WATER SUPPLY SYSTEM

STOLLA, TYNDLE  
CHARLES H. STOLL  
COUNSELLOR AT LAW  
32 BROADWAY  
NEW YORK CITY



Jericho Water District - Resolution  
MINUTES OF MAY 24<sup>th</sup>, 1932

JANICY

RESOLVED that the district extend its water mains along Railroad Avenue in Syosset for a distance of from 550 to 600 feet in order to take care of the needs of the taxpayers residing on such road.

Mr Lynde then submitted a copy of the report which had been executed by the commissioners in connection with the Oyster Bay Cove extension. Upon motion duly made, seconded and carried, the report was ordered spread at length upon the minutes of this meeting:

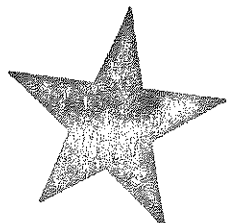
TO THE TOWN BOARD OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

WE, THE UNDERSIGNED, FRANK J. TAPPEN and WILLIAM KENNEDY, constituting a majority of the Water Commissioners of the JERICHO WATER DISTRICT of the Town of Oyster Bay, Nassau County, New York, DO HEREBY NOTIFY the Town Board of the Town of Oyster Bay that we have, pursuant to Section 287 of the Town Law of the State of New York, let a contract for the construction of pipe lines and appurtenances in that portion of the JERICHO WATER DISTRICT known as "Oyster Bay Cove Extension" consisting of pipe, valves, hydrants, meters and other work as may be necessary for the construction of said pipe lines and appurtenances, in accordance with the plans and specifications as approved by the Water Power & Control Commission of the State of New York, to Karlson & Reed, Inc., in accordance with the plans and specifications. Duplicate copies of the said contract will be delivered to the contractor and a duplicate copy of the said contract will be filed in the office of the Town Clerk of the Town of Oyster Bay, Nassau County, New York,

That a prior report was filed with this Honorable Board on the 29th day of September, 1931, and that thereafter a portion of the territory which it was proposed to serve with water was included in and is now a part of the Incorporated Village of Oyster Bay Cove.

That as a result of said incorporation the engineer has altered the estimated detailed construction cost, which is herewith annexed and made a part hereof.

That the maximum amount proposed to be expended is \$21,000.00 in the construction of the pipe lines and appurtenances in said Oyster Bay Cove Extension, including an amount to be contributed to the Jericho Water District by the said extended area on account of the existing plants, storage tanks, pumping equipment



and lands, exclusive of distribution mains based on the relative assessed valuations, which is \$2,635.60, in accordance with the report hereinbefore referred to.

That the amount of money needed for the construction of pipe lines and appurtenances in the said Oyster Bay Cove Extension, including the amount to be paid, pursuant to the said contract, the contribution toward the existing plant, exclusive of distribution mains of the Jericho Water District, engineer's fees, expenses, attorneys' fees, advertising, printing and other incidental expenses, shall not exceed \$31,000.00.

WHEREFORE the said Board of Water Commissioners of the Jericho Water District of the Town of Oyster Bay, respectfully requests the Honorable Town Board of the Town of Oyster Bay, Nassau County, New York, to direct the issue and sale of bonds in the sum of \$31,000.00, as provided in Section 287 of the Town Law of the State of New York.

Dated, East Norwich, N. Y.,  
May 18th, 1932.

FRANK J. TAPPEN  
WILLIAM KENNEDY

A majority of the Water Commissioners  
of the Jericho Water District, Town  
of Oyster Bay, Nassau County, New York

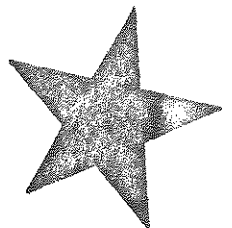
May 17, 1932.

JERICOHO WATER DISTRICT  
Proposed Enlargement, Cove Neck C.P.

Detailed construction cost based on estimated quantities  
at contract prices

Assessed valuation 1932 Jericho Water District, -	
exclusive of Village of Laurelton	\$40,532,920.00
Town of Oyster Bay Assessor's valuation of	
extended area (exclusive Village of	
Oyster Bay Cove)	169,700.00
Total valuation	\$40,702,620.00
Approximate cost of existing plant,	
exclusive of distribution mains	629,638.58

Proportionate share of extended area	
in cost of existing plant based on	
assessed valuation 0.417% of \$629,638.58	2,635.60
3650 lin. ft. 8" C.I. pipe @ \$1.49	5,438.50
4100 lin. ft. 6" C.I. pipe @ 1.28	5,248.00
1700 lin. ft. hand digging (Vil. of Laurelton @ .50	850.00
5000 lbs specials @ .08	400.00
4 - 8" valves \$43.00	172.00



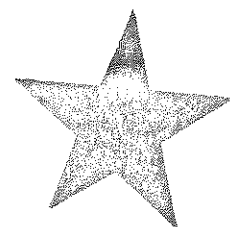
20 - 6" valves (18 hyd. valves)	33.75	875.00
18 hydrants	63.60	1,017.80
200 sq. yd. pavement repair \$5.00 (enr estimate)		1,000.00
		<u>\$17,426.70</u>
Engineering, legal, advertising, printing and miscellaneous expense at 20%		3,485.34
Total estimated cost		<u>\$20,912.04</u>

Mr Lynde further reported that the Town Board of the Town of Oyster Bay had authorized the sale of bonds of the Town of Oyster Bay in the sum of \$21,000., which will take place on June 7th, 1932, at 3 P. M.

Mr Lynde then called the attention of the board to the fact that the hearing before the Water Power and Control Commission on the application of the City of New York to develop sources of water supply in Nassau County had commenced on Monday, May 23rd, and was continuing at that time. He stated that Mr Stoll had been in attendance at the opening of the hearing and had raised the question of jurisdiction and had argued the same for a good part of Monday; that at that time Mr Stoll had submitted briefs on the matter of jurisdiction. Mr Lynde then filed with the district a copy of said brief and presented each commissioner with a copy thereof.

There being no further business the meeting was, upon motion duly made, seconded and carried, adjourned.

*William J. Kennedy*  
A. S. Secretary



MINUTES OF MEETING OF BOARD OF COMMISSIONERS

-of-

JERICOHO WATER DISTRICT

Held at the office of the District at East Norwich, Nassau County, New York, on the 28th day of May, 1957, at 8.30 A.M.

Present: Messrs Howard P. Kreutzer  
Harold J. Simonson

Minutes of previous meeting were read and approved.

Office report was then read and ordered, filed.

Mr. Eckstrom of the Engineer's office reported that Bancker, Inc. had installed the water main in Green Hills development; Watson & Hazel have installed approximately 1000 feet of 16" pipe in Jericho Tpke.; Layne New York Co. set the screen for well # 13; Cordway Construction Co. are continuing to frame the building for well # 12 and the D.E. Electric Co. have installed conduit in building # 12.

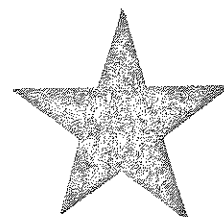
The Clerk reported that final payment on Bond Issue for the Oyster Bay Cove Extension, in amount of \$1000.00, also interest in amount of \$28.75 was due. This was ordered, paid.

Easements from Alex Rosenberg and Belsido Construction Co. were then submitted and ordered, filed.

Mr. Jacob Pincus advised that roads in Syosset Gardens were taken into the highway system June 17th/54. Refunds, as per Agreement will be based on water rents from Sept. 1/54, payable June 1st/57, and annually thereafter.

A letter from the Dept. of Public Works, New York State, advising that it would be required that the Jericho Water District post a Bond in amount of \$10,000.00 instead of the \$1,000.00 as heretofore, was then submitted. Bond for the amount of \$10,000.00 was then signed by the Board, the Clerk being directed to file same with the office at Babylon.

CAA262



WHEREAS, a petition for the extension and enlargement of the boundaries of the Jericho Water District, to be known as the "Oyster Bay Cove Extension" was filed with the Commissioners of the Jericho Water District on the 28th day of June, 1930 resulting in a decision of the said Commissioners approving the petition and ordering that the extension be made as prayed for and approving the proposed construction of the water works system within the territory so to be annexed, and

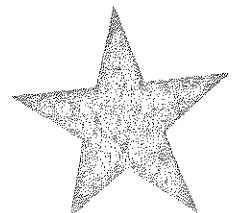
WHEREAS, all papers and documents in this proceeding were ordered to be filed with the Town Clerk of the Town of Oyster Bay which filing took place on July 29, 1930, and

WHEREAS, a defect in the description of the territory to be annexed was discovered which resulted in a litigation, subsequently settled, and the enactment of a legislative bill directing the Town Board to submit the question of annexation to the qualified voters of the territory to be annexed, and

WHEREAS, said election was held on the 20th day of April, 1931 resulting in a vote in favor of the annexation and the subsequent approval of the Town Board of Oyster Bay on April 28, 1931 by which order the decision and determinations of the Board of Commissioners of the Jericho Water District, adopted as above set forth on July 15, 1930 and the supplemental order of April 28, 1931 became effective and the boundaries of the area annexed to the District became established as follows:

ALL that certain property lying and being at or near Oyster Bay Cove, Town of Oyster Bay, Nassau County, New York, bounded and described as follows:

BEGINNING at the southeast corner of School District No. 9, same being the common point of intersection of the boundary lines of School Districts Nos. 9 and 10, and 12, Town of Oyster Bay; thence in a northeasterly direction along the boundary line of the Oyster Bay Water District to the intersection of the center lines of the Yellow Cote Road and the Oyster Bay Cold Spring Road; thence northerly along the boundary of the Oyster Bay Water District, same being the center line of the Oyster Bay Cold Spring Road to the boundary line between the property of Louis C. Tiffany and land now or formerly of Ray Morris; thence easterly along the southerly boundary of lands of Louis C. Tiffany to the northeasterly corner of lands now or formerly of George Crocker; thence through lands of Louis C. Tiffany to the northwest corner of lands now or formerly of H.F. Armstrong; thence along the westerly line of said property of H.F. Armstrong to the northerly side of Laurelton Road; thence easterly to the district line of the Jericho Water District; thence southerly along the boundary of the original Jericho Water District, same being the common division line between School Districts Nos. 10 and 11 and follows the westerly side of Laurel Hollow Road to a point south of the Laurelton Road where the said line takes a southwesterly direction to the intersection of the Oyster Bay Cold Spring Road with the North Hempstead Turnpike; thence westerly along the North Hempstead Turnpike to the Yellow Cote Road; thence northwesterly along the



boundary line of the original Jericho Water District, the same being the common boundary line of School Districts Nos. 10 and 12 to the point or place of beginning, all as outlined by heavy double line on Map of proposed enlargement of Jericho Water District, as shown upon map entitled, "Map of the proposed Enlargement Jericho Water District, Nassau County, N.Y., S.B. Bowne, Engr. Mineola, N.Y., September 1929" the property of one H.F. Armstrong, being specifically excluded, said property being within the incorporated area of the Village of Laurelton; and

WHEREAS, an application of the Board of Commissioners of the Jericho Water District was filed on May 31, 1931 with the Water Power and Control Commission of the State of New York for approval of the proposed extension of the Jericho Water District and the enlargement of the water supply system therein resulted in a decision dated June 8, 1931 approving the said application and the maps and plans filed therewith as modified for the construction and enlargement of the water system of the District within the territory so annexed, and

WHEREAS, the principal and interest on the bonds for the construction and installation of the water system facilities within the annexed territory have all been paid from taxes levied on and collected from properties within said annexed territory and there now exists no valid reason for the maintenance of separate records for

1. Maintenance of separate bank account
2. Maintenance of separate cash receipts and disbursements journals
3. Intra district billing for water
4. Maintenance of separate statistics
5. Preparation of a separate budget

NOW, THEREFORE, be it Resolved that hereafter the bookkeeping and office records of the Jericho Water District, in reflecting the operations of the District within the area heretofore known as the "Oyster Bay Cove Extension" be no longer segregated as a separate unit but shall be recorded and administered as if the said annexed territory had been a portion of the Jericho Water District as originally established and never a separate unit.

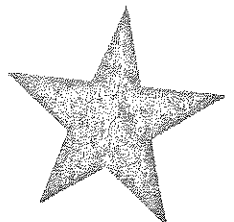
AND, FURTHER RESOLVED, that a copy of the foregoing preambles and resolutions be forwarded to and filed with the Department of Audit and Control at Albany, and with the Clerk of the Town of Oyster Bay.

The Board was reminded of Bid Opening scheduled for 9:00 A.M., on Thursday, June 12th.

The following bills were then audited and paid:

Construction Fund: Syosset Tribune 14.00.

Installation Fund: Syosset Tribune 14.80; Bancker Construction Corp. 1337.95; Sidney B. Bowne & Son 133.79.



WHEREAS, on April 11, 2022, the Department of Environmental Resources released a "Request for Proposal for Sunscreen Dispensers, Sunscreen, Skin Cancer Awareness, Outreach Program and Associated Maintenance Services at Various Parks and Facilities" (RFP) and received a single proposal from Creative Advertising Concepts, Inc. in association with Plainview Hospital/Syosset Hospital - Northwell Health, which met the requirements of the RFP, and;

WHEREAS, pursuant to Guideline 7 of the Town of Oyster Bay Procurement Policy, by memorandum dated April 28, 2022, Thomas M. Sabellico, Special Counsel, Office of the Town Attorney, advised that the Department of Environmental resources was in compliance with the Town of Oyster Bay Procurement Policy, and an RFP review committee was formed to review and rate both of the responses received; and

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memoranda dated May 9, 2022 and May 16, 2022, requested that the Town Board authorize the Town's approval of the aforementioned program and that the Supervisor, and/or his designee, be authorized to enter into an agreement with Creative Advertising Concepts, Inc. in association with Plainview Hospital/Syosset Hospital - Northwell Health, to provide and maintain fifteen (15) Sunscreen dispensers and Sunscreen lotion, along with important health information, at Town Parks and Facilities, at no cost to the Town, for a period of three (3) years, commencing May 27, 2022 through September 30, 2025, with one (1) three (3) year extension option; and

WHEREAS, the Office of the Inspector General has reviewed the vendor disclosure questionnaire and is satisfied the Town's Procurement Policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town hereby approves the aforementioned program and the Supervisor and/or his designee is hereby authorized to enter into an agreement with Creative Advertising Concepts, Inc. in association with Plainview Hospital/Syosset Hospital-Northwell Health to provide and maintain Sunscreen dispensers and Sunscreen lotion, along with important health information, at Town Parks and Facilities, at no cost to the Town, for a period of three (3) years, commencing May 27, 2022 through September 30, 2025, with one (1) three (3) year extension option,

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Revised By  
Office of Town Attorney  
Elizabeth A. Jaegerman



389

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

13

May 16, 2022

TO: Memorandum Docket

FROM: Louis G. Savinetti, Commissioner  
Department of Environmental Resources

SUBJECT: Supplemental Memo - Item # 25, Docket of May 10, 2022  
Sunscreen Dispenser and Outreach Donation

On April 11, 2022, the Department of Environmental Resources released a "*Request for Proposal for Sunscreen Dispensers, Sunscreen, Skin Cancer Awareness, Outreach Program and Associated Maintenance Services at Various Parks and Facilities.*" On April 21, 2022, the Department of Environmental Resources received a single proposal in response to the RFP. The proposal submitted by Creative Advertising Concepts fulfilled the requirements specified in the RFP. The selected firm and its principals have been evaluated and approved by the Inspector General. In addition, the Town Attorney's Office has determined that the process used to select the above-referenced firm has complied with the Town of Oyster Bay Procurement Policy.

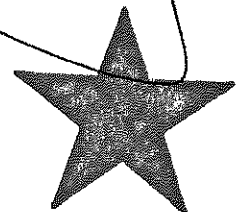
Skin cancer is a national health issue and prolonged exposure to ultraviolet light from the sun is the leading preventable cause of skin cancer. Through the introduction of sunscreen dispensers at various beach and pool locations, the Town will help residents find a convenient way to help prevent this chronic disease. The proposed program also provides free educational information as well as skin cancer screenings at co-sponsored events as determined by Commissioner of Environmental Resources, with approval by the Commissioner of the Department of Parks.

The project sponsor, Creative Advertising Concepts, for a period of three (3) years, commencing May 27, 2022 and terminating September 30, 2025 with one three (3) year extension, will maintain each dispenser to include inspection and cleaning of each on a regular basis. There will be no cost to the Town of Oyster Bay to implement or maintain this program.

The Department of Environmental Resources respectfully requests Town Board authorization to approve this program, and that the Supervisor and/or his designee be authorized to enter into an agreement with Creative Advertising Concepts Inc. as set forth above.

Louis G. Savinetti  
Commissioner  
Department of Environmental Resources

LGS/GB/ca  
cc. Joseph G. Pinto, Commissioner, Department of Parks



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

**TO** : GEORGE BAPTISTA, Deputy Commissioner  
Department of Environmental Resources

**FROM** : Thomas M. Sabellico, Special Counsel  
Office of the Town Attorney

**DATE** : April 28, 2022

**SUBJECT:** Procurement – Sunscreen Dispensers, Skin Cancer Awareness

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We are in receipt of your memorandum dated April 26, 2022, requesting the opinion of this office with respect to compliance with the Town's Procurement Policy regarding the procurement of a firm to provide sunscreen dispensers, sunscreen skin cancer awareness, outreach program and assorted maintenance services.

In response to your inquiry with respect to the above referenced matter, based upon the efforts you made to obtain proposals, including posting of the RFP on the Town's website, direct email solicitations, and sending same to four firms, it is the opinion of this office that you are in compliance with the Town's Procurement Policy despite having only received one response, and that you may proceed without the need to solicit any further proposals.

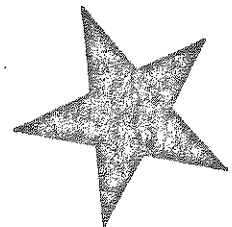
Office of the Town Attorney

*Thomas M. Sabellico*

Thomas M. Sabellico  
Special Counsel

TMS:/nb

cc: Brian Noone, Inspector General  
Frank Scalera, Town Attorney



## INTER-DEPARTMENTAL MEMO

TO: Frank M. Scalera  
Town Attorney

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

DATE: April 26, 2022

SUBJECT: Waiver of Procurement Requirements

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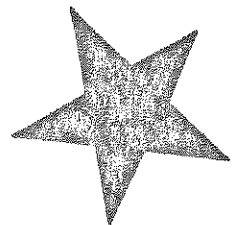
On April 11, 2022, the Department of Environmental Resources released a *"Request for Proposal for Sunscreen Dispensers, Sunscreen, Skin Cancer Awareness, Outreach Program and Associated Maintenance Services Various Parks and Facilities."* The Request for Proposal was posted on the Town of Oyster Bay website under the "Doing Business with the Town" RFP Heading on April 11, 2022. In addition to the website posting, direct email solicitations were sent to four firms offering services consistent with the RFP on April 11, 2022. By the response date of April 21, 2022, the Department of Environmental resources received one proposal in response to the RFP from Creative Advertising Concepts, Inc. A review of the submitted proposal indicates that the requirements of the RFP have been satisfied.

Pursuant to the procedures detailed in the Town of Oyster Bay's Procurement Policy, the Department of Environmental Resources respectfully requests authorization to accept the proposal as submitted by Creative Art Concepts and begin the contract preparation phase of this project.

Thank you for your cooperation and assistance with regards to this matter.

  
George Baptista, Jr.  
Deputy Commissioner

GB/DS



Sunscreen Dispensers, Sunscreen, Skin Cancer Awareness, Outreach  
Program and Associated Maintenance Services  
At Various Park Facilities

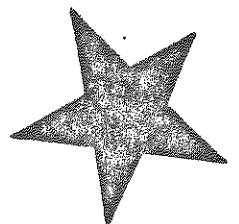
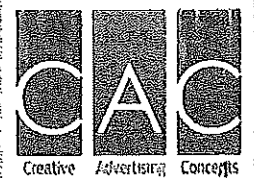
## Request for Proposal Response



Town of  
**Oyster Bay**  
Long Island, NY

Submitted by  
**Creative Advertising Concepts**

**April 21<sup>st</sup> 2022**



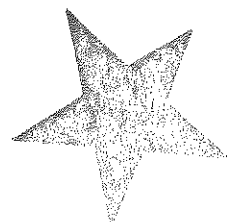
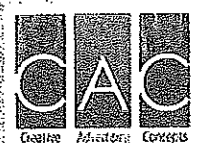
## The Town of Oyster Bay Sunscreen Program

Creative Advertising Concepts was the successful proposer for the previous 3 year Free Sunscreen program for the Town of Oyster Bay and successfully implemented the program for the past three years.

As detailed in this proposal, CAC will execute and maintain the program from Memorial Day weekend through Labor Day weekend each year of the contract period.



Town of  
**Oyster Bay**  
Long Island, NY



## The Town of Oyster Bay Sunscreen Program

Starting this Memorial Day weekend 2022, Creative Advertising Concepts will provide a minimum of 15 sponsored sunscreen dispensers for the Town of Oyster Bay.

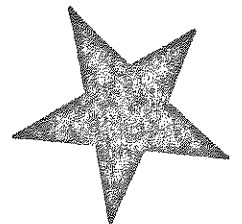
As detailed in this proposal, CAC will execute and maintain the program from Memorial Day weekend through Labor Day weekend each year of the contract period.

With successful programs in the Town of Babylon, Town of Islip, Southampton, Port Jefferson, Town of North Hempstead and Town of Huntington we have the experience to continue a fully funded program in the Town of Oyster Bay.

Creative Advertising Concepts has secured Plainview Hospital / Syosset Hospital Northwell Health as the sponsor of the program starting in May 2022.



Town of  
Oyster Bay  
Long Island, NY





## About Creative Advertising Concepts

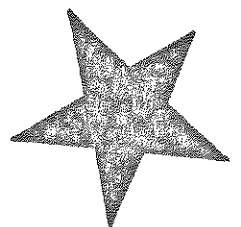
Creative Advertising Concepts ("CAC") is a full service advertising/municipal marketing agency established in 2006 with offices in Long Beach, New York

The principals of the agency are Wendy Parr and Brian Berkery, two seasoned marketing professionals, each with over 20 years experience working with municipalities and private organizations.

CAC prides itself in its unique approach to marketing and promoting a municipality by seeking fresh, innovative initiatives that are memorable, and sets them apart from all others.



Town of  
**Oyster Bay**  
Long Island, NY



## Our experience creating free sunscreen programs & providing sun protection & education on Long Island



In 2017, CAC launched its first free Sunscreen Program in the *City of Long Beach*, sponsored by NYU Winthrop Hospital.

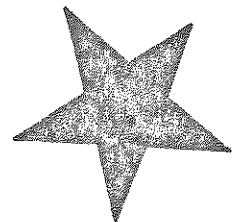


In 2018, CAC launched two new programs, one in the Town of North Hempstead, sponsored by NYU Winthrop Hospital and the second in the Town of Huntington, sponsored by Huntington Hospital Northwell Health.

In 2019, CAC will introduce a sunscreen program in the Town of Southampton, sponsored by Stony Brook Southampton Hospital, and is anticipating additional programs this spring.



Town of  
**Oyster Bay**  
Long Island, NY





## About the Sunscreen Dispensers and Frames

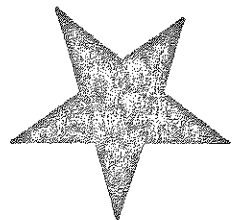
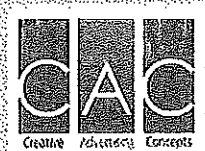


### Sunscreen Dispensers

CAC will provide a minimum of fifteen (15) touch-free sunscreen dispensers. These are the same dispensers used at beaches & parks in the Town of North Hempstead and Huntington.

### Sunscreen Frames

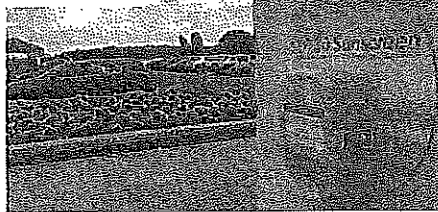
Each dispenser will be secured to a decorative frame backing that will be branded with the town and sponsor logos, and provide additional educational information.



## Dispenser Mounting Hardware



Wall Mount



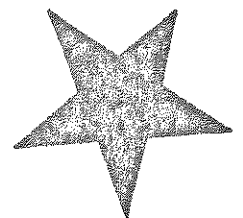
Pole Mount



Fence Mount



2-3 bolts/washers/nuts per dispenser

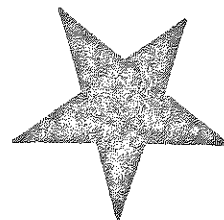


## About the Sunscreen Lotion



The sunscreen lotion, provides UVA and UVB protection, which is rated by the United States Food and Drug Administration as having a sun protection factor ("SPF") of 30 or higher. All sunscreen will be hypoallergenic and water resistant. CAC will comply with all applicable labeling requirements. Sunscreen ingredients will be clearly identified on the side of each dispenser.

**Approximate Sunscreen Usage:**  
3-4 34oz bags of lotion per dispenser.





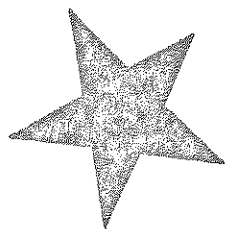
## Sunscreen Outreach & Education Program

It's more than free sunscreen... It's a summer-long education and awareness initiative that delivers an impactful message while providing the amenity of sun protection

As our current sponsor Plainview Hospital and Syosset Hospital Northwell Health are looking forward to working with the Town of Oyster Bay to fund the sunscreen program and skin cancer awareness and education programs.



Town of  
**Oyster Bay**  
Long Island, NY

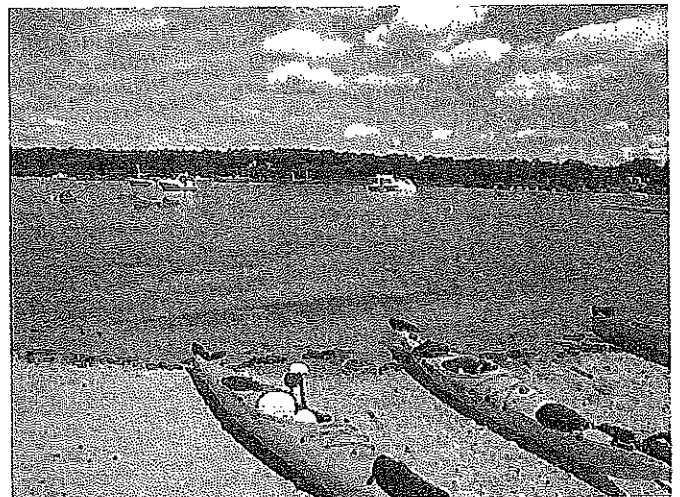


## Social Media Campaign



**Sunscreen, It's Not Just For The Beach-** Whether walking among the flowering gardens at Clark Botanic Garden, or relaxing in one of the Town of North Hempstead's parks, it is important to protect your skin by applying sunscreen to all exposed skin 15 minutes in advance and reappplied every 2 hours. And if you think your moisturizer with SPF does the trick, think again: sunscreens are more effective than moisturizers. Also wear wide-brimmed hats and sunglasses, and consider UV protective clothing. UV rays penetrate clouds, so sun-protective measures are still important on cloudy days. When properly applied, a sunscreen with SPF 30 blocks 97% of the sun's UVB rays.

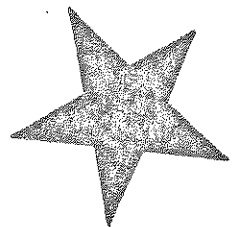
Peter O'Neill, MD, Chief of the Division of Dermatology, NYU Winthrop Hospital



**Paddle Boarding & Kayaking-** If you are actively paddle boarding, kayaking or otherwise working up a sweat, you need to apply and re-apply sunscreen. The general rule is one ounce of sunscreen every 2 hours that you're outdoors. That means you'll probably use an entire bottle of sunscreen each full day you spend outside. Access the Town of North Hempstead free dispensers, sponsored by NYU Winthrop Hospital to make things easier.

Peter O'Neill, MD, Chief of the Division of Dermatology, NYU Winthrop Hospital

CAC will work with the Town and Sponsor to create a summer-long social media campaign promoting the importance of the Town of Oyster Bay Sunscreen Program, sponsored by Plainview Hospital and Syosset Hospital Northwell Health.



## Town/Sponsor Press Conference



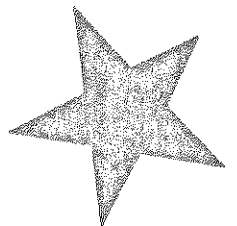
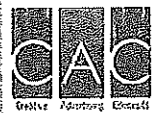
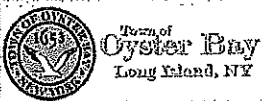
Town of North Hempstead



Town of Huntington

To kick-off the sunscreen program, CAC will work with the town's public relations department and the program sponsor to organize a press conference announcing the launch of the program and the benefits of sun protection.

We will include an invite to a health care provider skin cancer specialist and local melanoma not-for-profit representative to speak.





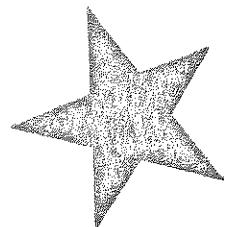
# Program Management & Maintenance

## CAC Responsibilities

- Assist with the installation of the dispensers.
- Maintain each dispenser to include regular inspections, repairs & cleaning.
- Refill additional sunscreen as needed.
- Respond to the Town's request for repairs or replacement within 24-48 hrs..
- Remove, maintain and store the dispensers in the off-season.
- Manage all sponsorship requirements to include program messaging, and activation schedules.

## Town of Oyster Bay Responsibilities

- The Commissioner of the Department of Parks will determine final locations for the sunscreen dispensers. CAC will provide insight and experience in the location selection process as needed.
- Assist with installations of the dispensers
- Inform CAC when additional sunscreen bags are needed between regular maintenance .



# Thank You

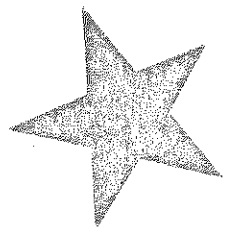
Wendy Parr- (516) 932-4365  
[wendy@creativeadvertisingconcepts.net](mailto:wendy@creativeadvertisingconcepts.net)

Brian Berkery- (516) 384-2410  
[Brian@vibeadd.com](mailto:Brian@vibeadd.com)

74 West Park Ave.  
Long Beach, NY 11561



Town of  
**Oyster Bay**  
Long Island, NY





## SERVICE AGREEMENT

THIS AGREEMENT (the "Agreement") made as of the date this agreement is executed on behalf of the Town by and between the TOWN OF OYSTER BAY, (hereinafter referred to as the "Town" or the "Licensor"), a municipal corporation duly organized and validly existing under the laws of the State of New York (the "State"), with offices at 54 Audrey Ave., Oyster Bay, New York 11771 and CREATIVE ADVERTISING CONCEPTS, INC. (hereinafter referred to as "CAC" or "Contractor"), a domestic corporation duly organized and validly existing under the laws of the State, having its principal place of business at 74 West Park Avenue, Long Beach, New York 11561 (the Town and CAC are hereinafter referred to, jointly, as the "Parties", and each is, severally, a "Party").

### WITNESSETH:

WHEREAS, the Town owns various beaches and parks (the "Town Properties") on which it would like to install sunscreen dispensers that will dispense free SPF 30 sunscreen lotion to the public from Memorial Day through Labor Day (the "Sunscreen Program"); and

WHEREAS, the Contractor has generously offered to solicit a sponsor (the "Sponsor") to donate free sunscreen dispensers in the Town to be installed on Town owned Properties; and

WHEREAS, the Contractor has requested from the Town the ability to maintain the Dispensers on the Town Properties; and

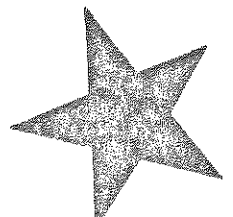
WHEREAS, pursuant to Resolution # \_\_\_\_\_ adopted on \_\_\_\_\_ by the Town Board, the Town has been authorized to execute this Agreement; and

WHEREAS, the Contractor is willing to abide by and carry out the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the promises and mutual covenants contained herein, the parties agree as follows:

1. PROVISION AND MAINTENANCE OF SUNSCREEN DISPENSERS; SPONSORSHIP

(a) Contingent on acquiring a 'Sponsor' to fund the program, the selection of such Sponsor is subject to the prior approval of the Department of Environmental Resources. Contractor shall supply to the Town with a minimum of 16 Dispensers to be installed at various Town owned Properties. Town Properties include a combination of park and beach

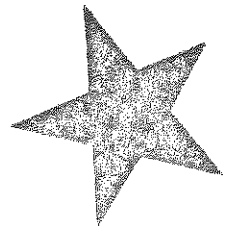


locales. Any changes to the location of the dispensers on the Town Properties, including adding dispensers, moving dispensers, or removing dispensers, are subject to the sole discretion of the Town. Prior to implementation of the Sunscreen Program, the Contractor shall submit design concepts illustrating the proposed Dispensers, the approval of which is subject to the sole discretion of the Town. The approval of the Dispenser dimensions and design shall be prior to the installation of any dispensers. Dispensers shall be accurately labeled for their contents, and shall be in compliance with all United States laws, United States Food and Drug Administration Rules and Regulations, New York State laws, and all other applicable laws, rules and regulations.

(b) Except as otherwise provided in subsection (c) below, the Contractor shall retain sole responsibility for the procurement of sunscreen, in regard to the purchase of sunscreen and sunscreen dispensers, and all maintenance, administrative and operational activities associated with the Sunscreen Program, including, but not limited to,

- i. All Dispensers shall be maintained and cleaned on a regular basis of not more than 1 x weekly.
- ii. The Contractor shall respond to any requests for repairs of a Dispenser within twenty four (24) hours of receiving such a request by phone, fax, email or other method of communication agreed upon, in writing by the parties. Contractor is responsible for ensuring the functionality of all Dispensers, including their repair whenever Town should discover repair is needed.
- iii. CAC shall procure sunscreen lotion that provides UVA and UVB protection, which is rated by the United States Food and Drug Administration as having a sun protection factor ("SPF") of 30 or higher. All sunscreen must be hypoallergenic and water resistant. CAC must strictly comply with all applicable labeling requirements required for the provision and/or distribution of sunscreen lotion, including any standard disclaimers regarding the correct uses, and hazards of misuse of the sunscreen. Such labeling must be prominently displayed on each Dispenser along with a complete listing of the ingredients.

(c) The Town shall maintain responsibility for the installation and the replacement of Dispensers provided by CAC and the refilling of the Dispensers with the sunscreen to be provided by CAC. The Town agrees that during the term of this Agreement the Dispensers provided under this Agreement shall be filled and refilled only with the sunscreen lotion provided by the Contractor. CAC agrees to supply the Town with an adequate amount of sunscreen lotion to keep the dispensers filled. Except for the installation and refilling of Dispensers as provided in this subsection, it is specifically agreed between the Town and the Contractor that the Town shall bear no costs with regard to the Sunscreen Program. All costs associated with the Sunscreen Program, including those for the purchase, maintenance and repair of the Dispensers and sunscreen and for promotional events or materials support of the Sunscreen Program, shall be borne by the Contractor.



(d) CAC shall comply with all applicable federal and state laws, and all other applicable laws and regulations pertaining to its obligations under this Agreement.

(e) CAC, in performing this Agreement, shall not discriminate against any worker, employee, or applicant for employment because of race, creed, color or national origin.

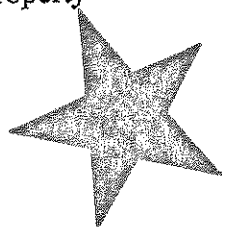
(f) The Parties acknowledge that the Contractor and (the "Sponsor") will enter into a Sponsorship Agreement under which CAC is to receive payments from the Sponsor in exchange for sponsorship of the Sunscreen Program. Materials recognizing the Sponsor's sponsorship of the Sunscreen Program may be placed on the Dispensers and Dispenser Frames including the Sponsor's name/logo (the "Sponsorship Materials"). CAC hereby warrants that it is authorized to use, display and reproduce the Sponsor's logos, trademarks, and trade names in connection with the Sunscreen Program, and that it is authorized to allow the Town to use, display, and reproduce the Sponsor's logos, trademarks, and trade names in connection with the same. Such Sponsorship Materials shall be installed, maintained and removed by the Contractor at its sole cost and expense. The display, content and placement of the Sponsorship Materials on the Dispensers shall be subject to the prior written approval of the Town. In addition to the Sponsorship Materials, the Parties agree to engage in promotional events coordinated to promote the Sunscreen Program and the important message of skin cancer prevention. The Town agrees that CAC may replace the Sponsor with another sponsoring partner (or "Alternative Sponsor") which shall be subject to the Town approval. CAC will provide the Town with notice thirty (30) days prior to CAC entering into an agreement with an Alternative Sponsor.

(g) The Town will provide the Sponsor with a minimum of five (5) opportunities at Town events and venues to provide education and information regarding the important message of skin cancer prevention. The date, time and location of each such opportunity will be subject to the prior approval of the Town. The Town will also work with CAC and the Sponsor to create a minimum of six (6) Facebook posts on the Town's Facebook page highlighting and supporting the Sponsor and the Sunscreen Program. All such posts will be subject to the prior approval of the Town.

(h) A sign shall be placed on each Dispenser recognizing the participation of the Town in placing such Dispenser on the Town Properties. The Town and the Contractor shall each take reasonable efforts to promote the use of the Dispensers by means of recognition on websites, social media and other marketing media controlled by the parties.

(i) This Agreement shall commence on May 27, 2022 (the "Commencement Date") and shall terminate on September 30 2025, subject to earlier termination and revocation. The parties may agree to renew the Term of this Agreement for up to three (3) additional years. The Contractor must provide the Town with written notice at least one hundred twenty (120) days' notice of its intent to renew the term of this Agreement.

(j) The Town shall not be liable for any loss or damage to the Sunscreen Dispensers, loss or theft of any machinery, equipment, supplies, and other personal property



of Contractor or Contractor's Employees or Agents. The Town shall have no duty or liability to protect or insure property of the Contractor. The Contractor hereby releases the Town, its officials, officers, employees from any and all liabilities related to damage, loss or theft of machinery, equipment, supplies, and other personal property of Contractor or Contractor's Employees or Agents. This disclaimer and release from liability shall be absolute and not subject to limitation by any fact or circumstance.

**2. COMPLIANCE WITH LAW**

The Contractor shall comply with any and all applicable and relevant Federal, State and Local Laws, including those relating to conflicts of interest, discrimination, and confidentiality, in connection with its performance under this Agreement. As used in this Agreement the word "Law" means any and all statutes, rules, regulations, orders, ordinances, writs, injunctions, official resolutions, official interpretations, or decrees, as the same may be amended from time to time, enacted, adopted, promulgated, released, or issued, by or on behalf of any government or political subdivision thereof, quasi-governmental authority, court, or official investigative body.

**3. ASSIGNMENT; AMENDMENT; WAIVER**

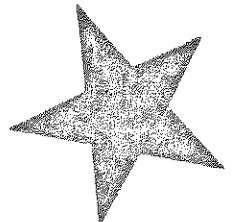
(a) This Agreement and the rights and obligations of either party hereunder may not be in whole or part (i) assigned, transferred or disposed of, (ii) amended or (iii) waived, without the prior written consent of the Parties and any purported assignment, other disposal or modification without such prior written consent shall be null and void. The failure of a party hereunder to assert any of its rights under this Agreement, including the right to demand strict performance, shall not constitute a waiver of such rights.

(b) the Contractor shall remain responsible for the full performance of its obligation under this Agreement, and

**4. LEGAL PROVISIONS DEEMED INCLUDED; SEVERABILITY; CONFLICTS; CONSTRUCTION**

(a) Every provision required by Law to be inserted into or referenced by this Agreement is intended to be a part of this Agreement. If any such provision is not inserted or referenced or is not inserted or referenced in correct form then (i) such provision shall be deemed inserted into or referenced by this Agreement for purposes of interpretation and (ii) upon the application of either party this Agreement shall be formally amended to comply strictly with the Law, without prejudice to the rights of either party.

(b) In the event that any provision of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.



(c) Unless the application of this sub-clause will cause a provision required by Law to be excluded from this Agreement, in the event of an actual conflict between the terms set forth above the signature page to this Agreement and those contained in any schedule, exhibit, appendix, or attachment to this Agreement, the terms and conditions set forth above the signature page shall control. To the extent possible, all the terms of this Agreement should be read together as not conflicting.

(d) Each Party has cooperated in the negotiation and preparation of this Agreement, so if any construction is made of the Agreement it shall not be construed against either Party as drafter.

## 5. REPAIRS, MAINTENANCE AND UTILITIES

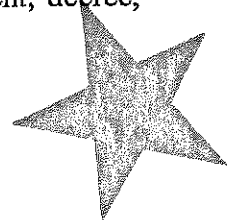
It is understood by the Contractor that the Contractor shall be responsible for keeping the Dispensers in a neat, orderly, working and safe condition at all times. Any work performed by the Contractor shall be performed in a good and workmanlike manner.

## 6. INDEMNIFICATION

(a) To the fullest extent permitted by law, the Contractor:

(i) shall be solely responsible for and shall indemnify and hold harmless the Town, and its officers, employees, agents, and servants (collectively, the "Indemnified Parties"), from and against any and all liabilities, losses, costs, expenses (including, without limitation, reasonable attorneys' fees and disbursements), and damages (collectively, "Losses"), including Losses attributable to acts or omissions of the Contractor or Contractor's Agents arising out of or in connection with this Agreement, the placement of the Dispensers on the Town Properties, the use thereof and of the sunscreen dispensed from the Dispensers, the maintenance of the Dispensers, and all other activities involving the Dispensers, including Losses incurred in connection with any investigation, litigation or other proceeding, or preparing a defense to or prosecuting the same; except, however, that the Contractor shall not be held liable when an occurrence results solely from the negligence of the Town; The Contractor shall provide liability insurance as set forth in paragraph 6b and 7 of this agreement.

(ii) shall, upon the Town's demand and at the Town's direction, promptly and diligently defend, at the Contractor's sole risk and expense, any and all suits, actions, or proceedings which may be brought or instituted against one or more of the Indemnified Parties and which arise out of the negligent performance of the Contractor, its Sponsors, or its subcontractors, in connection with this Agreement, and the Contractor shall pay and satisfy any judgement, decree,



loss, or settlement in connection therewith; and  
connection therewith; and

(iii) shall, and shall cause the Contractor's Agents, to cooperate with the Town in connection with the investigation, defense, or prosecution of any action, suit, or proceeding arising out of or in connection with this Agreement.

(b) The obligations of the Contractor pursuant to Section 6(b) hereof shall not be limited by reason of enumeration of any insurance coverage provided under this Agreement.

(c) Nothing in this Section or elsewhere in this Agreement shall create or give to third parties any claim or right of action against the Town beyond that which legally exist regardless of the provisions of this Agreement.

(d) The Contractor's indemnification obligation hereunder shall survive the expiration or termination of this Agreement.

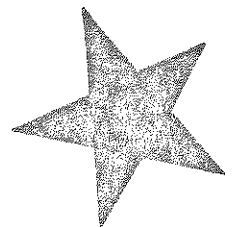
(e) Bright Guard LLC the sunscreen dispenser and lotion supplier will hold Creative Advertising Concepts Inc. and any participating organization or municipality including the Town harmless and save its officials, employees and agents harmless from any claims, demands, damages, lawsuits; including but not limited to a breach of contract (including attorney fees), injury of any person or property that may result from use of such sunscreen or sunscreen dispenser and its equipment. Bright Guard LLC. shall protect and defend CAC and the town in any lawsuit, including attorney fees and all fees associated with defending such possible litigation."

## 7. INSURANCE

Contractor agrees to procure and maintain, and shall cause its contractors and subcontractors to procure and maintain, with a New York State admitted carrier holding an "A" rating from AM Best Company or equivalent, the following insurance policies during the term of this Agreement and furnish certificates of insurance evidencing its procuring of said policies:

(a) Commercial General Liability Insurance from a New York State admitted carrier covering the liability of the Contractor including Contractual insurance defending, indemnifying and holding harmless the Town, its agents, employees and representatives from any and all loss and/or damage arising out of the performance of this Agreement with a combined single limit (bodily injury/property damage) of TWO MILLION (\$2,000,000.00) DOLLARS and each occurrence of ONE MILLION (\$1,000,000.00) DOLLARS. The Town shall be named an additional insured in such policy.

(b) Workers' Compensation Insurance or proof of its not being required to secure same, as evidenced by certificates or affidavits approved by the State Workers' Compensation Board pursuant to the State Workers' Compensation Law §57.



(c) Disability Benefits Insurance or proof of its not being required to secure same, as evidenced by certificates or affidavits approved by the State Workers' Compensation Board pursuant to State Workers' Compensation Law § 220 (8).

(d) Property Damage Insurance no less than \$ 500,000 (Five Hundred Thousand Dollars)

(e) The Town shall be entitled to thirty (30) days' advance written notice of the cancellation or termination of any and all policies listed above at (a) through (d).

## **8. TERMINATION AND CANCELLATION**

(a) Town may cancel this Agreement at any time, for any or reason, including, but not limited to, reasons relating to the public interest of the Town, failure of the Contractor to comply with any term or condition of this Agreement or with any law or regulation which is applicable to the Contractor or this Agreement, or due to the existence of any health or safety emergency which may cause loss of life or damage to property.

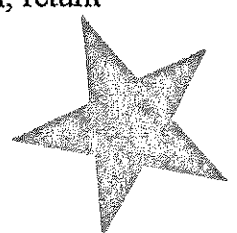
(b) If the Town decides to revoke this Agreement, Town shall notify Contractor of its intent to revoke, in writing, at least thirty (30) days before the date of revocation. However, if the reason for revocation involves a health or safety emergency which may cause loss of life or damage to the premises, no notice shall be required of the Town.

(c) Termination by Contractor. In the event the Sponsorship Agreement between CAC and the Sponsor is terminated by the Sponsor, the Contractor shall undertake all reasonable efforts to locate an Alternative Sponsor. Where the Contractor is unable to find an Alternative Sponsor after a good faith search the Contractor may terminate this Agreement by giving not less than thirty (30) days written notice to the Department of Parks and Recreation, specifying the reasons for termination and the effective date of termination.

(d) Vacating of Town Properties upon Termination or Cancellation. Upon the expiration, termination or cancellation of this Agreement, the Contractor shall quietly and peacefully remove its property from the Town Property and cause the removal of all persons and property therefrom without damage to the Town property and without recourse to any action or proceeding at law or in equity, and on failure to do so after fifteen (15) days of written notice to remove, the Contractor agrees that the Town, by its officers, employees and agents, may cause such property to be removed and disposed of at its option.

## **9. NOTICES**

Any notice, request, demand or other communication required to be given or made in connection with this Agreement shall be (a) in writing, (b) delivered or sent (i) by hand delivery, evidenced by a signed, dated receipt, (ii) postage prepaid via certified mail, return



receipt requested, or (iii) overnight delivery via a nationally recognized courier service, (c) deemed given or made on the date the delivery receipt was signed by a Town employee, three (3) business days after it is mailed or one (1) business day after it is released to an overnight courier service, as applicable, (d) to the Office of the Town Attorney at 54 Audrey Ave., Oyster Bay, New York 11771 and (e) if to the Department of Environmental Resources at 29 Spring Street, Oyster Bay New York 11771 to the attention of the Commissioner at the address specified above for the Department, if to the Contractor, to the attention of the person who executed this Agreement on behalf of the Contractor at the address specified above for the Contractor, or in each case to such other persons or addresses as shall be designated by written notice

**10. ENTIRE AGREEMENT**

This Agreement represents the full and entire understanding and Agreement between the parties with regard to the subject matter hereof and supersedes all prior agreements (whether written or oral) of the parties relating to the subject matter of this Agreement.

**11. HEADINGS**

The headings of the Sections of this Agreement are for purposes of identification only and are not intended to limit the terms hereof or proscribe the rights and responsibilities of the Town or the Contractor provided for herein.

**12. CONSENT TO JURISDICTION AND VENUE; GOVERNING LAW**

Unless otherwise specified in this Agreement or required by Law, all claims or actions with respect to this Agreement shall be resolved exclusively by a court of competent jurisdiction located in Nassau County, New York, and the parties expressly waive any objections to the same on any grounds, including venue and forum non convenient. This Agreement is intended as a contract under, and shall be governed and construed in accordance with, the Laws of the State of New York, without regard to the conflict of laws provisions thereof.

**13. LIMITATIONS ON ACTIONS AND SPECIAL PROCEEDINGS AGAINST THE TOWN**

No action or special proceeding shall lie or be prosecuted or maintained against the Town upon any claims arising out of or in connection with this Agreement unless:

(a) Notice. At least thirty (30) days prior to seeking relief the Contractor shall have presented the demand or claim(s) upon which such action or special proceeding is based



in writing to the Supervisor for adjustment and the Town shall have neglected or refused to make an adjustment or payment on the demand or claim for thirty (30) days after presentment. The Contractor shall send or deliver copies of the documents presented to the Supervisor under this Section to the Town Attorney (at the address specified above for the Town) on the same day that documents are sent or delivered to the Supervisor. The complaint or necessary moving papers of the Contractor shall allege that the above-described actions and inactions preceded the Contractor's action or special proceeding against the Town.

(b) Time Limitation. Such action or special proceeding is commenced within the earlier of (1) one year of the first to occur of (A) final payment under or the termination of this Agreement, and (B) the accrual of the cause of action, or (ii) the time specified in any other provision of this Agreement.

#### **14. REPRESENTATION ON AUTHORITY OF PARTIES/SIGNATORIES**

(a) The undersigned representative of the Town hereby represents and warrants that the undersigned is an officer, director or agent of the Town with full legal rights, power and authority to sign this Agreement on behalf of the Town and to bind the Town with respect to the obligations enforceable against the Town in accordance with its terms.

(b) The undersigned representative of the Contractor hereby represents and warrants that the undersigned is an officer, director or agent of the Contractor with full legal rights, power and authority to sign this Agreement on behalf of the Contractor and to bind the Contractor with respect to the obligations enforceable against the Contractor in accordance with its terms.

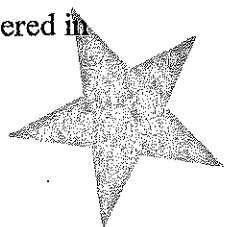
#### **15. EXECUTORY CLAUSE**

Notwithstanding any other provision of this Agreement:

(a) Approval and Execution. The Town shall have no liability under this Agreement (including any extension or other modification of this Agreement) to any Person unless (i) all relevant and required Town approvals have been obtained, including, if required, approval by the Town Board, and (ii) this Agreement has been executed by the Supervisor (as defined in this Agreement).

#### **16. ARBITRATION**

Any dispute or claim arising out of or relating to this agreement, or breach of thereof, shall be settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules. The place of arbitration shall be in Suffolk County, New York. New York law shall apply. Judgment on the award rendered by the arbiter may be entered in any court having jurisdiction thereof.



17. MERGER

All understandings and agreements previously had between the parties are merged into this Agreement which fully and completely contains the entire terms of the Agreement. Both the Contractor and the Town have entered into this Agreement after full investigation and neither party has relied upon any statement or representation not embodied within this Agreement

Dated:

TOWN OF OYSTERBAY

BY: \_\_\_\_\_

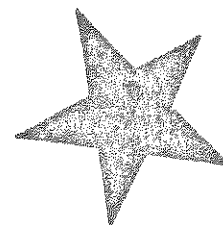
Dated:

CREATIVE ADVERTISING CONCEPTS, INC.

BY: \_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
DEPUTY TOWN ATTORNEY  
\_\_\_\_\_



**SERVICE AGREEMENT**

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

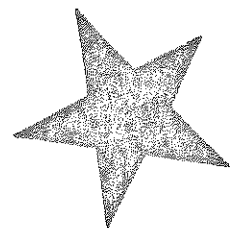
On the            day of            , in the year 2022, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC

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

On the            day of            , in the year 2022, before me, the undersigned, personally appeared \_\_\_\_\_, 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 he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC



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

TO: Memorandum Docket

FROM: Louis G. Savinetti, Commissioner  
Department of Environmental Resources

DATE: May 9, 2022

SUBJECT: Sunscreen Dispenser, Sunscreen, Skin Cancer Awareness, Outreach  
Program and Associated Maintenance Services at Various Parks –  
Supplemental Memo to Follow

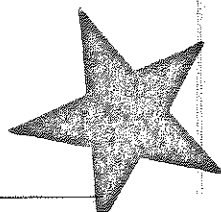
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A request seeking Town Board approval to accept a donation of Sunscreen Dispensers, Sunscreen, Skin Cancer Awareness, Outreach Program and Associated Maintenance Services at Various Parks and Facilities will be provided in a supplemental memorandum.

Therefore, we recommend and request that a space be reserved at the next Town Board Meeting to be held on May 24, 2022.

*Louis G. Savinetti*  
*George Barnasa Jr.*  
Louis G. Savinetti  
Commissioner

LGS:GB:ca



WHEREAS, Mr. Ryan Schlotter, President, Oyster Bay-East Norwich Chamber of Commerce, by letter dated April 7, 2022, requested the closure of Audrey Avenue, in Oyster Bay, from South Street to Railroad Plaza, Municipal Parking Field O-8, in Oyster Bay and the east side of Audrey Avenue, and along Shore Avenue, from Spring Street to Maxwell Avenue, from 7:00 a.m. through 7:00 p.m., the posting of temporary "No Parking" signs upon said area, fifteen (15) complete barricades, and twenty (20) traffic cones, for the Chamber's Oyster Bay Day, to be held on Saturday, June 11, 2022; and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Public Works, Highway Division, by memorandum dated May 16, 2022, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that the Highway Division has no objection to providing the Oyster Bay-East Norwich Chamber of Commerce with the closure of Audrey Avenue, Oyster Bay, from South Street to Railroad Plaza, Municipal Parking Field O-8, in Oyster Bay, and the east side of Audrey Avenue, and along Shore Avenue, from Spring Street to Maxwell Avenue, from 7:00 a.m. through 7:00 p.m., the posting of temporary "No Parking" signs upon said area, fifteen (15) complete barricades, and twenty (20) traffic cones, for the Chamber's Oyster Bay Day, to be held on Saturday, June 11, 2022; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove set forth request is hereby accepted and approved, and the Department of Public Works, Highway Division is hereby authorized to provide the Oyster Bay-East Norwich Chamber of Commerce with the closure of Audrey Avenue, in Oyster Bay, from South Street to Railroad Plaza, Municipal Parking Field O-8, in Oyster Bay and the east side of Audrey Avenue, and along Shore Avenue, from Spring Street to Maxwell Avenue, from 7:00 a.m. through 7:00 p.m., the posting of temporary "No Parking" signs upon said area, fifteen (15) complete barricades, and twenty (20) traffic cones, for the Chamber's Oyster Bay Day, to be held on Saturday, June 11, 2022, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Deputy Commissioner, Highway Department, or his duly authorized designee.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activity.

Reviewed By  
Office of Town Attorney

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating that said organization maintains general liability insurance, in the amounts of \$1,000,000.00 for each occurrence, and \$2,000,000.00 in the general aggregate, and naming the Town of Oyster Bay as an additional insured, in connection with the afore-described activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the public health and/or safety.

#

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

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

## TOWN OF OYSTER BAY

## Inter-Departmental Memo

May 16, 2022

**TO:** MEMORANDUM DOCKET

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

**SUBJECT:** THE OYSTER BAY-EAST NORWICH CHAMBER OF COMMERCE  
OYSTER BAY DAY EVENT  
JUNE 11<sup>TH</sup> 2022

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Enclosed please find a copy of the letter from Ryan Schlotter, Chamber President, requesting our assistance on behalf of the Oyster Bay-East Norwich Chamber of Commerce in hosting Oyster Bay Day on Audrey Avenue in Oyster Bay on June 11<sup>th</sup> 2022.

The Highway Department has no objection to the Oyster Bay-East Norwich Chamber of Commerce utilizing Audrey Avenue, lower Audrey Avenue and Spring Street in Oyster Bay from 7:00 am until 7:00 pm while hosting Oyster Bay Day on June 11<sup>th</sup> 2022. The event is to be held on Audrey Avenue from South Street, past the Town Hall buildings down to the Railroad Plaza, including Municipal Parking Field O-8 on the east side of lower Audrey Avenue and along Shore Avenue from Spring Street to Maxwell Avenue and will provide "No Parking signs" for the above mentioned date and times.

Further, the Oyster Bay-East Norwich Chamber of Commerce is aware that they must follow New York State Guidellines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19

The Highway Department will be pleased to provide fifteen (15) complete barricades, twenty (20) orange cones for the event.

Also attached are the Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement and Covid-19 Addendum Agreement to cover this event. Therefore, Town Board approval is requested.

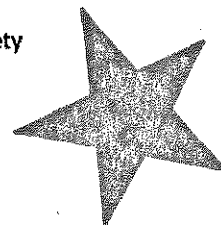
Please suspend all rules and place on May 24<sup>th</sup> 2022 Town Board Calendar

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kaz  
Attachments

C: Richard L. LaMarca, Town Clerk  
Peter Brown, General Foreman 002  
Richard Lenz, Commissioner DPW  
Steve Kelly, Sign Bureau Supervisor

Grace SantaMaria, Highway Administration  
Justin McCaffrey, Commissioner of Public Safety  
Cathy McWilliams, Department of Parks





**2022 BOARD OF DIRECTORS**

**Officers**

Ryan Schlotter - President  
Ravin Chetram - Vice President  
Susan Dembo - Secretary  
RJ Vark - Treasurer

**Directors**

Robert L. Brusca, Esq.  
Damien Carling  
Laura Escobar  
Tanya Espinal  
Rich LaMarca  
Patrick Lough  
Meredith Maus  
Anthony Minucci  
Dawn Riley  
Margaret Ross  
Dana Pagliara  
Onthe Simons  
Michele Vaccarella

**Administrator**

Amy Reilly Hanley

**Past Presidents**

Michele Browner  
Alex Gallego

**Board Members Emeriti**

Austin Azzarito  
Paige Dawson  
Alex Gallego

**National Park Service Liaison**

Paul Cetero

PO Box 21

Oyster Bay, New York 11771

(516) 759-1842

info@visittoasterbay.com

www.visittoasterbay.com

April 7, 2022

Supervisor Joseph Saladino  
54 Audrey Avenue  
Oyster Bay, NY 11771

Dear Mr. Saladino,

The Oyster Bay-East Norwich Chamber of Commerce would like to sponsor/host a single-day Spring/Summer-themed community event called Oyster Bay Day. We also have lined up a 5k in conjunction with Oyster Bay Brewery, TOB and the OBEN Chamber to kick off the day's festivities. It will be a family-friendly street fair that highlights participating OBEN Chamber member businesses. The event will run from 11:00 a.m. to 5:00 p.m. We will have family-friendly activities, Chamber member participants will have tent/table set ups in the street and there will also be live music.

The Oyster Bay-East Norwich Chamber of Commerce is hereby respectfully requesting the following:

- Closure of Audrey Avenue in Oyster Bay Hamlet (from South Street past Spring Street down lower Audrey Avenue to the Railroad Museum, and to the corner of Maxwell Avenue) as of 7:00 a.m. on 6/11/22 until 6:00 p.m.
- Closure of Spring Street (from West Main Street north to Lower Audrey Avenue).
- Use of the parking lot on the east side of Lower Audrey Avenue just north of Audrey Avenue.
- Permit from 7:00 a.m. 6/11/22 with barricades being raised and street closure at 8:00 a.m. Use of 15 barricades, 20 cones and 12 recycle pails if they are available.

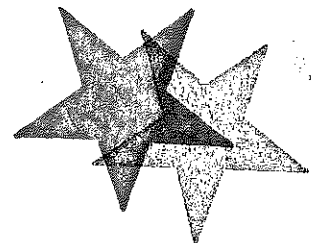
The required Certificate of Insurance with Endorsements naming the Town of Oyster Bay as additional insured is attached.

If approved, we ask that a copy of the resolution and an actual permit be sent to Oyster Bay-East Norwich Chamber of Commerce: PO Box 21, Oyster Bay, NY 11771 and emailed to [info@visittoasterbay.com](mailto:info@visittoasterbay.com). We thank the Town for all its cooperation and assistance in making this event a success.

If there are any questions, please contact me directly at [REDACTED]. Please use Amy Reilly Hanley as my backup contact at [REDACTED].

Sincerely,

Ryan Schlotter  
President, Oyster Bay - East Norwich Chamber





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
04/20/2022

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**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must 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).

<b>PRODUCER</b> <b>BC CONSULTING SERVICES LLC</b> <b>12128308</b> <b>35 AUDREY AVENUE</b> <b>OYSTER BAY NY 11771</b>	<b>CONTACT NAME:</b>	
	<b>PHONE</b> (516) 922-8500 <b>(A/C, No, Ext):</b>	<b>FAX</b> (516) 922-8272 <b>(A/C, No):</b>
	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>NAICS</b>	
<b>INSURED</b> <b>OYSTER BAY EAST NORWICH CHAMBER OF</b> <b>COMMERCE</b> <b>PO BOX 21</b> <b>OYSTER BAY NY 11771-0021</b>	<b>INSURER A:</b> Hartford Casualty Insurance Company	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	
	<b>NAICS</b> 29424	

## 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.

TERMS, EXCLUSIONS AND CONDITIONS OF COVERAGE (See reverse side of this form)									
TYPE OF INSURANCE	ADOL	SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
TYPE	INER	NOV							
A	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> General Liability	<input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER	X	12 SBM UQ3886	05/10/2022	05/10/2023	EACH OCCURRENCE	\$1,000,000	
							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 - COMPROP AGG	\$2,000,000	
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> Hired AUTOS	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	X	12 SBM UQ3886	05/10/2022	05/10/2023	COMBINED SINGLE LIMIT (Per accident)	\$1,000,000	
							BODILY INJURY (Per person)		
							BODILY INJURY (Per accident)		
							PROPERTY DAMAGE (Per accident)		
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE					EACH OCCURRENCE		
							AGGREGATE		
	<input type="checkbox"/> DEC <input type="checkbox"/> RETENTION \$						PER STATUTE	OTH. PER	
							E L. EACH ACCIDENT		
							E L. DISEASE - EA EMP./DYEE		
							E L. DISEASE - POLICY LIMIT		
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A						

DATE	LOCATION	VEHICLE	REMARKS
10/10/74	NEW YORK	FORD	FORD
10/11/74	NEW YORK	FORD	FORD
10/12/74	NEW YORK	FORD	FORD
10/13/74	NEW YORK	FORD	FORD
10/14/74	NEW YORK	FORD	FORD
10/15/74	NEW YORK	FORD	FORD
10/16/74	NEW YORK	FORD	FORD
10/17/74	NEW YORK	FORD	FORD
10/18/74	NEW YORK	FORD	FORD
10/19/74	NEW YORK	FORD	FORD
10/20/74	NEW YORK	FORD	FORD
10/21/74	NEW YORK	FORD	FORD
10/22/74	NEW YORK	FORD	FORD
10/23/74	NEW YORK	FORD	FORD
10/24/74	NEW YORK	FORD	FORD
10/25/74	NEW YORK	FORD	FORD
10/26/74	NEW YORK	FORD	FORD
10/27/74	NEW YORK	FORD	FORD
10/28/74	NEW YORK	FORD	FORD
10/29/74	NEW YORK	FORD	FORD
10/30/74	NEW YORK	FORD	FORD
10/31/74	NEW YORK	FORD	FORD
11/1/74	NEW YORK	FORD	FORD
11/2/74	NEW YORK	FORD	FORD
11/3/74	NEW YORK	FORD	FORD
11/4/74	NEW YORK	FORD	FORD
11/5/74	NEW YORK	FORD	FORD
11/6/74	NEW YORK	FORD	FORD
11/7/74	NEW YORK	FORD	FORD
11/8/74	NEW YORK	FORD	FORD
11/9/74	NEW YORK	FORD	FORD
11/10/74	NEW YORK	FORD	FORD
11/11/74	NEW YORK		

Those usual to the Insured's Operations. Reference: 6/11/22 Oyster Bay Day. Certificate holder is an additional insured per the Business Liability Coverage Form 850006 attached to this policy.

**CERTIFICATE HOLDER**

Town of Oyster Bay Dept of Parks  
160 MILLER PL  
SYOSSET NY 11791

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

Susan L. Castaneda

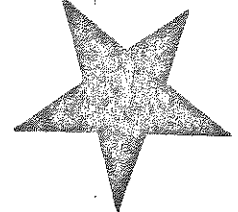
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**ACORD 25 (2016/03)**

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Reviewed By  
Office of Town Attorney

OK





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
04/20/2022

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.

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<b>PRODUCER</b> BC CONSULTING SERVICES LLC 12128308 35 AUDREY AVENUE OYSTER BAY NY 11771	<b>CONTACT NAME:</b>	
	<b>PHONE</b> (516) 922-8500 (A/C, No, Ext):	<b>FAX</b> (516) 922-6272 (A/C, No):
<b>INSURED</b> OYSTER BAY EAST NORWICH CHAMBER OF COMMERCE PO BOX 21 OYSTER BAY NY 11771-0021	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Hartford Casualty Insurance Company	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
<b>INSURER E:</b>		
<b>INSURER F:</b>		

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.							
INS LTR	TYPE OF INSURANCE	ADOL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY	X		12 SBM UQ3886	05/10/2022	05/10/2023	EACH OCCURRENCE \$1,000,000
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Per occurrence) \$300,000
	<input checked="" type="checkbox"/> General Liability						MED EXP (Any one person) \$10,000
	GEN'L AGGREGATE LIMIT APPLIES PER POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC						PERSONAL & ADV INJURY \$1,000,000
	OTHER:						GENERAL AGGREGATE \$2,000,000
A	AUTOMOBILE LIABILITY			12 SBM UQ3886	05/10/2022	05/10/2023	COMBINED SINGLE LIMIT (Per accident) \$1,000,000
	ANY AUTO						BODILY INJURY (Per person)
	ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per accident)
	HIRE AUTOS <input checked="" type="checkbox"/>						PROPERTY DAMAGE (Per accident)
	UMBRELLA LIAB EXCESS LIAB						EACH OCCURRENCE
	DED RETENTION \$						AGGREGATE
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				E.L. EACH ACCIDENT
							E.L. DISEASE - EA EMPLOYEE
							E.L. DISEASE - POLICY LIMIT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Those usual to the Insured's Operations. Reference: Oyster Bay Day 8/11/22. Certificate holder is an additional insured per the Business Liability Coverage Form S50008 attached to this policy.

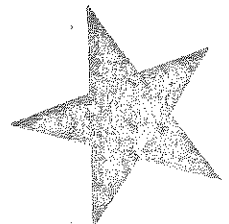
<b>CERTIFICATE HOLDER</b> Town of Oyster Bay 54 AUDREY AVE OYSTER BAY NY 11771	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b> <i>Susan O. Castaneda</i>

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ACORD 25 (2016/03)

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Reviewed By  
Office of Town Attorney





# CERTIFICATE OF LIABILITY INSURANCE

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04/20/2022

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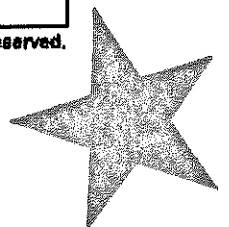
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<b>PRODUCER</b> BC CONSULTING SERVICES LLC 12128308 35 AUDREY AVENUE OYSTER BAY NY 11771	<b>CONTACT NAME:</b>	
	<b>PHONE</b> (516) 922-8500 (A/C, No, Ext):	<b>FAX</b> (516) 922-8272 (A/C, No):
<b>INSURED</b> OYSTER BAY EAST NORWICH CHAMBER OF COMMERCE PO BOX 21 OYSTER BAY NY 11771-0021	<b>EMAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>NAICS</b>	
	<b>INSURER A:</b> Hartford Casualty Insurance Company	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:			
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INSTR LTR	TYPE OF INSURANCE	ADOL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> General Liability	X		12 SBM UQ3886	05/10/2022	05/10/2023	EACH OCCURRENCE \$1,000,000
	DAMAGE TO RENTED PREMISES (Each occurrence) \$300,000						
	MED EXP (Any one person) \$10,000						
	PERSONAL & ADV INJURY \$1,000,000						
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER							GENERAL AGGREGATE \$2,000,000
							PRODUCTS - COMP/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			12 SBM UQ3886	05/10/2022	05/10/2023	COMBINED SINGLE LIMIT (Per accident) \$1,000,000
	BODILY INJURY (Per person)						
	BODILY INJURY (Per accident)						
	PROPERTY DAMAGE (Per accident)						
UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR CLAIMS-MADE <input type="checkbox"/>							EACH OCCURRENCE
DED RETENTION \$							AGGREGATE
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in MN) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	N/A				PER STATUTE OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Those usual to the Insured's Operations. Reference: Oyster Bay Day 6/11/22. Certificate holder is an additional insured per the Business Liability Coverage Form SS0008 attached to this policy.

<b>CERTIFICATE HOLDER</b> Town of Oyster Bay Dept of Public Works 150 MILLER PL SYOSSET NY 11791	<b>CANCELLATION</b> 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 <i>Susan J. Castaneda</i>
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POLICY NUMBER: 12 SBM UQ3886



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

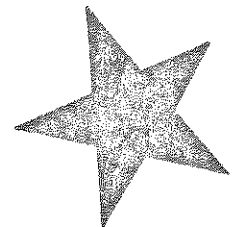
ADDITIONAL INSURED - MANAGER/LESSOR

LOC 001 BLDG 001  
TOWN OF OYSTER BAY DEPT OF PARKS  
150 MILLER PL,  
SYOSSET, NY 11771

Reviewed By  
Office of Town Attorney

Form IH 12 00 11 85 T SEQ. NO. 001 Printed in U.S.A. Page 001  
Process Date: 02/22/22

Expiration Date: 05/10/23



POLICY NUMBER: 12 SEM UQ3886



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - PERSON-ORGANIZATION

LOC 001 BLDG 001  
ISLAND PROPERTIES, LLC  
255 SOUTH ST  
OYSTER BAY NY 11771

LOC 001 BLDG 001  
OYSTER BAY CHARITABLE FUND, OYSTER BAY ROTARY CLUB,  
NEW YORK AUTO FEST, TOWN OF OYSTER BAY  
PO BOX 132  
OYSTER BAY, NY 11771

LOC 001 BLDG 001  
TOWN OF OYSTER BAY DEPT OF PUBLIC WORKS  
150 MILLER PL  
SYOSSET, NY 11791

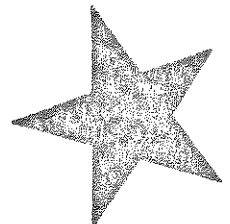
TOWN OF OYSTER BAY DEPT OF PUBLIC WORKS / HIGHWAY  
150 MILLER PL  
SYOSSET, NY 11791

OYSTER BAY WATER DISTRICT  
45 AUDREY AVE  
OYSTER BAY, NY 11771  
LOC 001 BLDG 001  
RENAISSANCE PROPERTY ASSOC  
255 SOUTH ST  
OYSTER BAY, NY 11771

TOWN OF OYSTER BAY DEPT OF PARKS  
150 MILLER PL  
SYOSSET, NY 11791

VERIZON  
2020 WANTAGH AVE  
WANTAGH, NY 11793  
LOC 001 BLDG 001  
PSEG  
176 EAST OLD COUNTRY ROAD  
HICKSVILLE, NY 11801

Reviewed By  
Office of Town Attorney



POLICY NUMBER: 12 SBM UQ3886

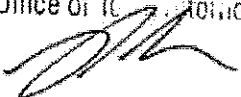


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ADDITIONAL INSURED - PERSON-ORGANIZATION

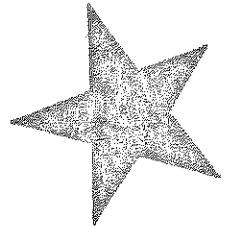
TOWN OF OYSTER BAY  
45 AUDREY AVE  
OYSTER BAY, NY 11771

LOC 001 BLDG 001  
PSEG LONG ISLAND LLC, TAD MANAGER ACTING AS AGENT  
&/ON BEHALF OF LIPA- LIGHTING & ATTACHMENTS  
1650 ISLIP AVE,  
BRENTWOOD, NY 11771

Reviewed By  
Office of Insurance  


Form IH 12 00 11 05 T SEQ. NO. 002 Printed in U.S.A. Page 002  
Process Date: 02/22/22

Expiration Date: 05/10/23



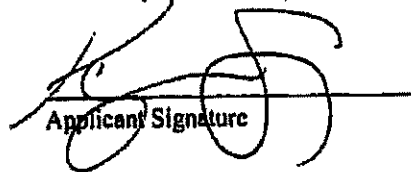


TOWN OF OYSTER BAY  
ADDENDUM TO PERMIT APPLICATION

Applicant Name: OBEN Chamber ~~2022~~ of Commerce  
Event Description: Oyster Bay Day Spring/Summer Street Fair  
Event Date: 10/11/22

The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit holder agrees that it is the sole "Responsible Party," as such term is defined by the New York State Guidelines. The permit holder further recognizes and understands that the activity is subject to cancellation at any time to prevent harm to the population from COVID-19, or any other threat to public health and/or safety.

For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.

  
Applicant Signature

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

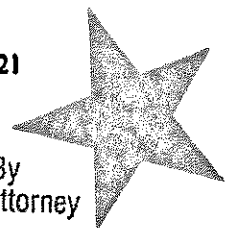
On the 12 day of April, 2022, before me, the undersigned, personally appeared Ryan Schlatter personally know to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument

ANTHONY MINUCCI  
NOTARY PUBLIC, State of New York  
No. 01198402100  
Qualified in Nassau County  
Commission Expires December 23, 23

  
Notary Public

Last Revised: May 5, 2021

Reviewed By  
Office of Town Attorney  

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

This Agreement is made this      day of      2022, by OBEN Chamber  
(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  
10/9/22 through 10/14/22.

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, 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. 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:

OBEN Chamber of Commerce

Address of Organization:

PO Box 21  
Oyster Bay, NY 11771

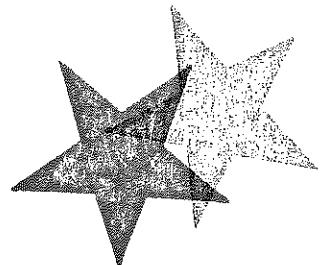
By: [Signature]  
Authorized Representative

Title: President

Telephone Number: [Redacted]

Reviewed By  
Office of Town Attorney

[Signature]





**DATE:** 5/16/2022

**TO:** HIGHWAY OPERATIONS

**SUBJECT:** OBEN Chamber of Commerce Oyster Bay Day

**PLEASE DELIVER TO:**

**DATE OF EVENT:** 06/11/2022

OBEN CC will contact  
Lake ave yard to arrange delivery

**BARRICADES:** 15

**CONTACT:** Ryan Schlotter  
[REDACTED]

**CONES:** 20

**SORT PAILS:**

**PORTABLE LIGHTS:**

**GENERATOR:**

**PACKER:**

**DELIVER ON:** 06/10/22

**PICKUP ON:** 06/13/22

**SWEEPING BEFORE AFFAIR IS NEEDED:**

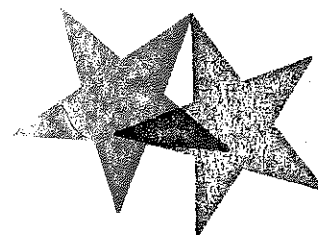
	XX
YES	NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz

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

CC: Peter Brown, General Foreman 002  
Dan Kornfeld  
Kevin Freiberg, Area Foreman 013  
Public Safety Division



Meeting of May 24, 2022

Resolution No 391-2022

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 14<sup>th</sup> day of June, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of ENGEL BURMAN AT WOODBURY, LLC, contract vendee, and JOHN GERAL, fee owner, for a Special Use Permit and Site Plan Approval to demolish an existing one-family dwelling and to construct a two-story, 70,000 square foot building, and operate a "Neurodiverse Adult Residential Community" at premises located in an One-Family Residence ("R1-1A") zone, at 92 Piquets Lane, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block C, Lot 175, on the Land and Tax Map of Nassau County; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney  
*Jan M. Helle*

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 14, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from ENGEL BURMAN AT WOODBURY, LLC, contract vendee, and JOHN GERAL, fee owner, for a Special Use Permit and Site Plan Approval to demolish an existing one-family dwelling and to construct a two-story, 70,000 square foot building, and operate a "Neurodiverse Adult Residential Community" at premises located in an One-Family Residence ("R1-1A") zone, at 92 Piquets Lane, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block C, Lot 175, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov). Any comments received will form part of the public record with respect to said hearing.

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

Dated: May 24, 2022, Oyster Bay, New York.

391

Town of Oyster Bay  
Inter-Departmental Memo

**TO** : MEMORANDUM DOCKET

**FROM** : OFFICE OF THE TOWN ATTORNEY

**DATE** : May 18, 2022

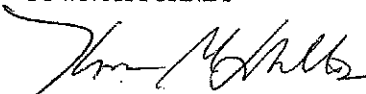
**SUBJECT:** Engel Burman at Woodbury, LLC, contract vendee  
John Geral, fee owner  
Special Use Permit and Site Plan Approval  
Premises: 92 Piquet Lane, Woodbury, New York  
Section 13, Block C, Lot 175

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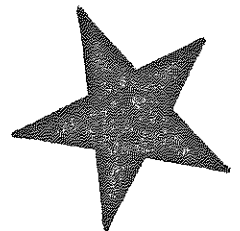
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on June 14, 2022 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the May 24, 2022 Town Board meeting.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Thomas M. Sabellico  
Special Counsel

TMS:nb  
Enclosure  
2020-7713



Reviewed By  
Office of Town Attorney

*Jan. 10/2022*

### PUBLIC NOTICE

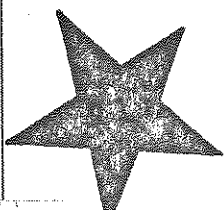
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 14, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from ENGEL BURMAN AT WOODBURY, LLC, contract vendee, and JOHN GERAL, fee owner, for a Special Use Permit and Site Plan Approval to demolish an existing one-family dwelling and to construct a two-story, 70,000 square foot building, and operate a "Neurodiverse Adult Residential Community" at premises located in an One-Family Residence ("R1-1A") zone, at 92 Piquets Lane, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block C, Lot 175, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov). Any comments received will form part of the public record with respect to said hearing.

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

Dated: May 24, 2022, Oyster Bay, New York.



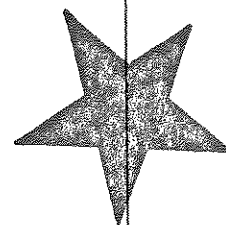
Reviewed By  
Office of Town Attorney  
*Thomas M. Johnson*

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 14<sup>th</sup> day of June, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of ENGEL BURMAN AT WOODBURY, LLC, contract vendee, and JOHN GERAL, fee owner, for a Special Use Permit and Site Plan Approval to demolish an existing one-family dwelling and to construct a two-story, 70,000 square foot building, and operate a "Neurodiverse Adult Residential Community" at premises located in an One-Family Residence ("R1-1A") zone, at 92 Piquets Lane, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block C, Lot 175, on the Land and Tax Map of Nassau County; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

-#-



Meeting of May 24, 2022

Resolution No 392-2022

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 14<sup>th</sup> day of June, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of JERICO TURNPIKE LLC, fee owner, and ARAS3 S CORP., lessee, for Revocation of an existing Declaration of Restrictive Covenants, and granting of a Special Use Permit for utilization of the premises as a restaurant with a total of 227 seats, and Site Plan Approval, Site Plan Approval for related site improvements at premises located in a Neighborhood Business ("NB") zone, at 150 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block H, Lot 263, on the Land and Tax Map of Nassau County; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 14, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from JERICHO TURNPIKE LLC, fee owner, and ARAS3 S CORP., lessee, for Revocation of an existing Declaration of Restrictive Covenants, and granting of a Special Use Permit for utilization of the premises as a restaurant with a total of 227 seats, and Site Plan Approval, Site Plan Approval for related site improvements at premises located in a Neighborhood Business ("NB") zone, at 150 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block H, Lot 263, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov). Any comments received will form part of the public record with respect to said hearing.

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

Dated: May 24, 2022, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney  
*John H. H. H.*



Town of Oyster Bay  
Inter-Departmental Memo

392

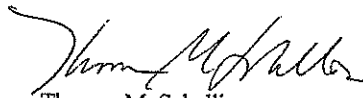
**TO** : MEMORANDUM DOCKET  
**FROM** : OFFICE OF THE TOWN ATTORNEY  
**DATE** : May 18, 2022  
**SUBJECT:** Jericho Turnpike LLC, fee owner  
ARAS3 S Corp., lessee  
Special Use Permit and  
Revocation of Declaration of Restrictive Covenants  
Premises: 150 Jericho Turnpike, Syosset, New York  
Section 15, Block H, Lot 263

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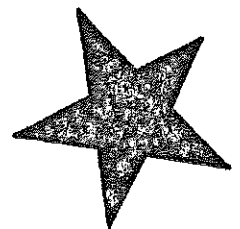
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on June 14, 2022 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the May 24, 2022 Town Board meeting.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Thomas M. Sabellico  
Special Counsel

TMS:nb  
Enclosure  
2021-8380



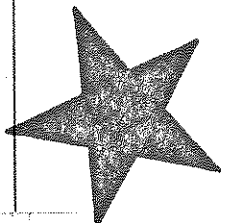
Reviewed By  
Office of Town Attorney  
*Thomas M. Heller*

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 14<sup>th</sup> day of June, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of JERICO TURNPIKE LLC, fee owner, and ARAS3 S CORP., lessee, for Revocation of an existing Declaration of Restrictive Covenants, and granting of a Special Use Permit for utilization of the premises as a restaurant with a total of 227 seats, and Site Plan Approval, Site Plan Approval for related site improvements at premises located in a Neighborhood Business ("NB") zone, at 150 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block H, Lot 263, on the Land and Tax Map of Nassau County; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

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PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 14, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from JERICHO TURNPIKE LLC, fee owner, and ARAS3 S CORP., lessee, for Revocation of an existing Declaration of Restrictive Covenants, and granting of a Special Use Permit for utilization of the premises as a restaurant with a total of 227 seats, and Site Plan Approval, Site Plan Approval for related site improvements at premises located in a Neighborhood Business ("NB") zone, at 150 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block H, Lot 263, on the Land and Tax Map of Nassau County.

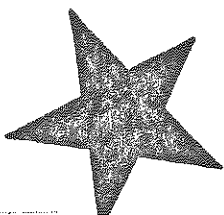
The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov). Any comments received will form part of the public record with respect to said hearing.

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

Dated: May 24, 2022, Oyster Bay, New York.

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



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

Meeting of May 24, 2022

Resolution No 393-2022

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts for fire protection for the 2022-2025 Calendar Years, *nunc pro tunc*, with the Atlantic Steamer Fire Company No. 1 and the Oyster Bay Fire Department, Inc., said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, June 14, 2022, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the

Newspapers of general circulation in the Town of Oyster Bay, pursuant to the provisions of 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

7/24/22  
Reviewed By  
Office of Town Attorney  
Elizabeth A. Taughman

**PUBLIC NOTICE**

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on June 14, 2022, at 10:00 o'clock a.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 A.M. and 4:45 P.M., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the following fire companies shall provide in general for the furnishing of fire protection during the 2022-2025 Calendar Years, *nunc pro tunc*, for the Oyster Bay Fire Protection District at the agreed per annum charge set forth, all subject to taxation in said District, as shown on the last completed Town Assessment Roll:

<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM AMOUNT NOT TO EXCEED</u>
<b><u>CALENDAR YEAR 2022</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 556,874.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 556,874.00
<b><u>CALENDAR YEAR 2023</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 562,443.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 562,443.00
<b><u>CALENDAR YEAR 2024</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 568,067.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 568,067.00
<b><u>CALENDAR YEAR 2025</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 573,748.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 573,748.00

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

393

Town of Oyster Bay  
Inter-Departmental Memo

**TO** : MEMORANDUM DOCKET  
**FROM** : Office of the Town Attorney  
**DATE** : May 17, 2022  
**SUBJECT:** 2022-2025 Fire Protection Agreements

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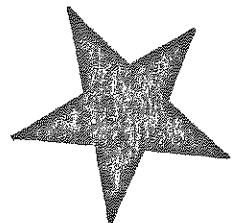
The Oyster Bay Fire Department, Inc. and the Atlantic Steamer Fire Company No. 1 have both provided this office with the necessary information regarding the 2022-2025 fire protection contracts for the Oyster Bay Fire Protection District. Please reserve a space at the next Town Board meeting on Tuesday, May 24, 2022, regarding our request that the Town Clerk be authorized to advertise a Notice of Hearing to be held on Tuesday, June 14, 2022, at 10 a.m., for the 2022-2025 Fire Protection Agreements. By contracting with the fire companies for a four (4) year period, it will provide the Town and the fire companies better budgeting and long-term planning.

Kindly suspend the rules and include this matter on the May 24, 2022, Town Board action calendar for action. The draft resolution and Public Notice accompany this memo.

FRANK M. SCALERA  
TOWN ATTORNEY

*Elizabeth A. Faughnan*  
Elizabeth A. Faughnan  
Deputy Town Attorney

EAF:ba  
Attachment  
2016-5219



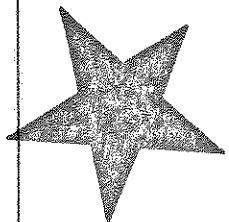
7/24/22  
Reviewed By  
Office of Town Attorney  
Elizabeth O. Taughman

**PUBLIC NOTICE**

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on June 14, 2022, at 10:00 o'clock a.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 A.M. and 4:45 P.M., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the following fire companies shall provide in general for the furnishing of fire protection during the 2022-2025 Calendar Years, *nunc pro tunc*, for the Oyster Bay Fire Protection District at the agreed per annum charge set forth, all subject to taxation in said District, as shown on the last completed Town Assessment Roll:

<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM AMOUNT NOT TO EXCEED</u>
<b><u>CALENDAR YEAR 2022</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 556,874.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 556,874.00
<b><u>CALENDAR YEAR 2023</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 562,443.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 562,443.00
<b><u>CALENDAR YEAR 2024</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 568,067.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 568,067.00
<b><u>CALENDAR YEAR 2025</u></b>		
1. Atlantic Steamer Fire Company No. 1	Oyster Bay	\$ 573,748.00
2. Oyster Bay Fire Department, Inc.	Oyster Bay	\$ 573,748.00

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

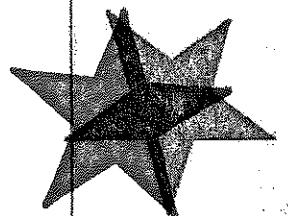


*File*  
Reviewed By  
Office of Town Attorney  
*Elizabeth A. Taughman*

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts for fire protection for the 2022-2025 Calendar Years, *nunc pro tunc*, with the Atlantic Steamer Fire Company No. 1 and the Oyster Bay Fire Department, Inc., said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, June 14, 2022, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the

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

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Meeting of May 24, 2022

Resolution No 394-2022

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing for a Hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on June 14, 2022 at 10:00 o'clock a.m., prevailing time, on the proposed rental of hydrants for the period January 1, 2022 – December 31, 2022, *nunc pro tunc*, by the Town of Oyster Bay acting on behalf of Glenwood-Glen Head Fire Protection District and Liberty Utilities (New York Water) Corp., said Notice to be advertised in

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

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Reviewed By  
Office of Town Attorney  
Elizabeth A. Laughman

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**PUBLIC NOTICE  
ON PROPOSED CONTRACT FOR FIRE HYDRANT RENTAL**

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, June 14, 2022, at 10:00 o'clock a.m., prevailing time, at which Hearing residents and parties interested will have an opportunity to be heard on the proposed rental from Liberty Utilities (New York Water) Corp. of two hundred twenty-nine (229) hydrants at a per annum rental fee not to exceed Eight Hundred Seventy-Three Dollars and Thirty-Seven Cents (\$873.37) per hydrant per annum for a total amount not to exceed \$200,001.73, for the period from January 1, 2022 to December 31, 2022, *nunc pro tunc*, for the benefit of the Glenwood-Glen Head Fire Protection District. Any recognized and established fire company, companies or department, which, from time to time, may furnish fire protection to the inhabitants within the Glenwood-Glen Head Fire Protection District, or to persons having property located therein, shall be allowed to use said fire hydrants, and all necessary water which can be drawn therefrom, for the fighting and control of fires and such other purposes as are generally customarily used for fire fighting and control. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.  
RICHARD LaMARCA, Town Clerk. Dated: 2022, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

Town of Oyster Bay  
Inter-Departmental Memo

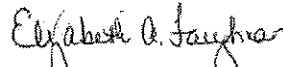
394

**TO** : MEMORANDUM DOCKET  
**FROM** : Office of the Town Attorney  
**DATE** : May 17, 2022  
**SUBJECT:** January 1, 2022 – December 31, 2022 Hydrant Rental  
Glenwood-Glen Head Fire Protection District and  
Liberty Utilities (New York Water) Corp.

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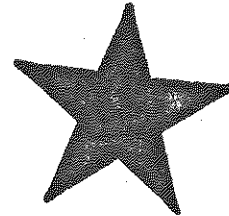
It is requested that at the May 24, 2022 Town Board Meeting the Town Board authorize the Town Clerk to advertise a Notice of Hearing for a public hearing to be held on Tuesday, June 14, 2022 at 10:00 o'clock a.m., on the proposed rental of fire hydrants by the Town of Oyster Bay, acting on behalf of the Glenwood-Glen Head Fire Protection District and Liberty Utilities (New York Water) Corp. Accordingly, kindly suspend the rules and place this item on the May 24, 2022 Town Board action calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Elizabeth A. Faughnan  
Deputy Town Attorney

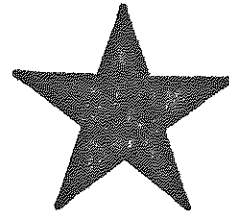
EAF:ba  
Enclosure  
File 3079



**PUBLIC NOTICE  
ON PROPOSED CONTRACT FOR FIRE HYDRANT RENTAL**

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, June 14, 2022, at 10:00 o'clock a.m., prevailing time, at which Hearing residents and parties interested will have an opportunity to be heard on the proposed rental from Liberty Utilities (New York Water) Corp. of two hundred twenty-nine (229) hydrants at a per annum rental fee not to exceed Eight Hundred Seventy-Three Dollars and Thirty-Seven Cents (\$873.37) per hydrant per annum for a total amount not to exceed \$200,001.73, for the period from January 1, 2022 to December 31, 2022, *nunc pro tunc*, for the benefit of the Glenwood-Glen Head Fire Protection District. Any recognized and established fire company, companies or department, which, from time to time, may furnish fire protection to the inhabitants within the Glenwood-Glen Head Fire Protection District, or to persons having property located therein, shall be allowed to use said fire hydrants, and all necessary water which can be drawn therefrom, for the fighting and control of fires and such other purposes as are generally customarily used for fire fighting and control. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.  
RICHARD LaMARCA, Town Clerk. Dated: 2022, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

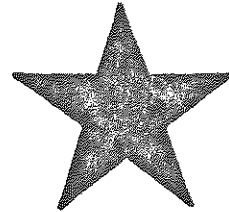


Reviewed By  
Office of Town Attorney  
Elizabeth A. Taughn

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing for a Hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on June 14, 2022 at 10:00 o'clock a.m., prevailing time, on the proposed rental of hydrants for the period January 1, 2022 - December 31, 2022, *nunc pro tunc*, by the Town of Oyster Bay acting on behalf of Glenwood-Glen Head Fire Protection District and Liberty Utilities (New York Water) Corp., said Notice to be advertised in

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

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Meeting of May 24, 2022

Resolution No 395-2022

Reviewed By  
Office of Town Attorney

WHEREAS, Pursuant to Resolution No. 432-2020, the Town Board authorized commencement of litigation against 120 Westend LLC, owner of 120 Jericho Turnpike due to modification of the premises for the purpose of operating a shelter for homeless individuals and/or homeless families, without securing necessary permits, certifications and other permissions relative to the change of use of the facility, and following the issuance of notices of violation, stop work orders and summonses; and

WHEREAS, Community Housing Innovations, Inc. ("CHI") filed suit against the Town seeking a declaration that the premises at 120 Jericho Turnpike could be modified and operated as a homeless shelter, by CHI as tenant, without securing permits, certifications or other permissions from the Town; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated May 18, 2021, advised that extensive negotiations between the Town, 120 Westend and CHI have culminated in a settlement, subject to ratification by Town Board, reflected in a Stipulation of Settlement and in Covenants and Restrictions on the subject property, ensuring that the premises would not to be used or operated, *inter alia*, as a homeless shelter or transitional housing for homeless, and further requires that the owner comply with all applicable ordinances, laws, regulations, or directives of the Town of Oyster Bay; and

WHEREAS, Messrs. Scalera and Lesser, by the aforementioned memorandum, advised that the settlement is in the best interests of the Town and recommended that the Town Board approve the proposed settlement and authorize the Town Attorney, to execute any and all documents necessary to effectuate the proposed settlement,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation hereinabove set forth is accepted and approved, and the Town Board hereby approves the proposed settlement and authorizes the Town Attorney to execute any and all documents necessary to effectuate the proposed settlement with 120 Westend LLC and/or CHI.

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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395

## Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: May 18, 2022

SUBJECT: Settlement of Litigation with 120 Westend LLC and Community Housing Innovations, Inc.

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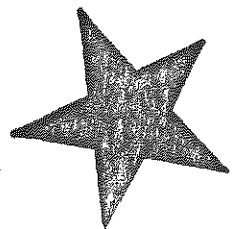
Pursuant to Resolution No. 432-2020, the Town Board authorized commencement of litigation against 120 Westend LLC, owner of 120 Jericho Turnpike, due to modification of the premises for the purpose of operating a shelter for homeless individuals and/or homeless families, without securing necessary permits, certifications and other permissions relative to the change of use of the facility, and following the issuance of notices of violation, stop work orders and summonses.

On August 6, 2020, the Town commenced litigation against 120 Westend LLC, in Supreme Court, Nassau County, Nassau County Clerk's Index No. 608065/2020, seeking to enforce the Town Code and to enjoin 120 Westend LLC from operating the premises, for among other uses, as a homeless shelter.

Community Housing Innovations, Inc. ("CHI") thereafter filed suit against the Town seeking a declaration that the premises at 120 Jericho Turnpike could be modified and operated as a homeless shelter, by CHI as tenant, without securing permits, certifications or other permissions from the Town. The suit, commenced on March 11, 2021, was filed in Supreme Court, Nassau County, Nassau County Clerk's Index No. 602939/2021.

Extensive negotiations between the Town, 120 Westend LLC and CHI have culminated in a proposed Settlement Agreement, attached hereto. Pursuant to the Agreement, the premises at 120 Jericho Turnpike is not to be used or operated, *inter alia*, as a homeless shelter or transitional housing for homeless. Further, the owner, 120 Westend LLC has agreed to various Covenants and Restrictions, a copy of which is attached, requiring it to comply with all applicable ordinances, laws, regulations, or directives of the Town of Oyster Bay, and further restricts the use of the subject property.

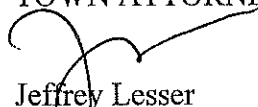
It is this Office's opinion that the settlement is in the best interests of the Town. Along with restricting the use of the subject premises, it ensures that any proposed future modifications will be subject to Town Code.



Therefore, it is this Office's recommendation that the Town Board authorize the proposed settlement and that the Town Attorney be authorized to execute any and all documents necessary to effectuate the proposed settlement.

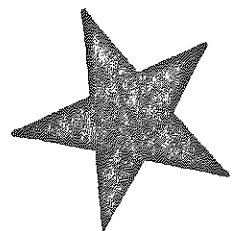
Kindly suspend the rules and place this matter on the May 24, 2022 Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Jeffrey Lesser  
Deputy Town Attorney

JL:jl  
Attachment  
2020-7690





WHEREAS, Pursuant to Resolution No. 432-2020, the Town Board authorized commencement of litigation against 120 Westend LLC, owner of 120 Jericho Turnpike due to modification of the premises for the purpose of operating a shelter for homeless individuals and/or homeless families, without securing necessary permits, certifications and other permissions relative to the change of use of the facility, and following the issuance of notices of violation, stop work orders and summonses; and

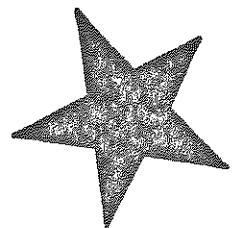
WHEREAS, Community Housing Innovations, Inc. ("CHI") filed suit against the Town seeking a declaration that the premises at 120 Jericho Turnpike could be modified and operated as a homeless shelter, by CHI as tenant, without securing permits, certifications or other permissions from the Town; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated May 18, 2021, advised that extensive negotiations between the Town, 120 Westend and CHI have culminated in a settlement, subject to ratification by Town Board, reflected in a Stipulation of Settlement and in Covenants and Restrictions on the subject property, ensuring that the premises would not to be used or operated, *inter alia*, as a homeless shelter or transitional housing for homeless, and further requires that the owner comply with all applicable ordinances, laws, regulations, or directives of the Town of Oyster Bay; and

WHEREAS, Messrs. Scalera and Lesser, by the aforementioned memorandum, advised that the settlement is in the best interests of the Town and recommended that the Town Board approve the proposed settlement and authorize the Town Attorney, to execute any and all documents necessary to effectuate the proposed settlement,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation hereinabove set forth is accepted and approved, and the Town Board hereby approves the proposed settlement and authorizes the Town Attorney to execute any and all documents necessary to effectuate the proposed settlement with 120 Westend LLC and/or CHI.

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Meeting of August 18, 2020

Resolution No. 432-2020

Reviewed By  
Office of Town Attorney  
Matthew M. Rozea

WHEREAS, Matthew M. Rozea, Deputy Town Attorney, by memorandum dated August 7, 2020, advised that unbeknownst to the Town, within the last several weeks the owner/operator of the former Hampton Inn located at 120 Jericho Turnpike, Jericho began modifying the premises in order to operate a shelter for homeless individuals and/or families, without applying for or securing necessary permits, certificates, and other permissions relative to the changed use of the facility; and

WHEREAS, the owner/operator, 120 Westend, LLC, has ignored duly issued notices of violation, stop work orders, and summonses; and

WHEREAS, the Town saw the immediate need for judicial intervention in order to enforce the stop work orders, among other things, the Office of the Town Attorney solicited three (3) firms having experience in zoning and land use litigation to represent the Town as special litigation counsel; and

WHEREAS, the Office of the Town Attorney selected Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530 (the "Firm") to represent the Town in connection with its litigation against 120 Westend, LLC; and

WHEREAS, the Office of the Town Attorney, by the aforementioned memorandum, recommended and requested that the Town Board ratify the execution of the retainer agreement with the Firm, that the expenditure of an amount not to exceed \$35,000 be authorized to satisfy legal fees and disbursements, and that Office of the Town Attorney, through the Firm, be authorized to commence litigation against 120 Westend, LLC and any other person or entity responsible for violations of the Town Code at the subject property, with funds to be drawn from Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations hereinabove set forth is accepted and approved, and the Town Board hereby ratifies the execution of the retainer agreement with the Firm, authorizes the expenditure of an amount not to exceed \$35,000 be authorized to satisfy legal fees and disbursements, and ratifies the Office of the Town Attorney's commencement of litigation against 120 Westend, LLC, and further authorizes litigation against any other person or entity responsible for violations of the Town Code at the subject property; and be it further

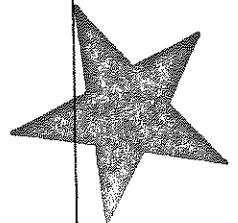
RESOLVED, that the funds for said payment shall be drawn from Account No. OTA A 1420 44110 000 0000; and be it further

RESOLVED, That the 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	Absent
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Absent



## STIPULATION OF SETTLEMENT

This Stipulation of Settlement (“Stipulation of Settlement” or “Stipulation”) is entered into by and between the Town of Oyster Bay (“Town”), 120 Westend LLC (“Westend”), and Community Housing Innovations, Inc. (“CHI”) (collectively, the “Parties”; and individually, a “Party”).

WHEREAS, 120 Westend LLC (“Westend”) is the current fee owner of the premises located at 120 Jericho Turnpike, Jericho, New York 11753 (the “Premises” or the “Hotel Premises”);

WHEREAS, the Premises is located in an NB Zoning District (neighborhood business), and was used as a hotel/motel (most recently as a Hampton Inn Hotel) in accordance with a special use permit issued by the Town in 1965 and amended in 2007 and 2009 (the “Special Use Permit”);

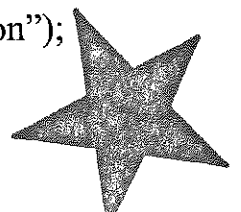
WHEREAS, Westend purchased and acquired the Hotel Premises by Bargain and Sale Deed dated July 8, 2020;

WHEREAS, CHI represents that it received approval from Nassau County to operate a homeless shelter at the Premises;

WHEREAS, Westend entered into one or more agreements between Westend, as landlord, and CHI, as tenant, for purposes of granting CHI the right to lease, use, operate and occupy the Hotel Premises for transitional housing for homeless and/or as a homeless shelter (collectively, the “CHI Lease”);

WHEREAS, the Town commenced an action entitled *Town of Oyster Bay v. 120 Westend LLC*, Nassau County Clerk’s Index No. 608065/2020, seeking, *inter alia*, to enforce the Town Code, and to preliminarily and permanently enjoin Westend from leasing, operating, using or occupying, or allowing anyone else to lease, use, operate or occupy, the Hotel Premises for transitional housing for homeless and/or as a homeless shelter (the “Town Action”);

WHEREAS, CHI commenced a separate action entitled *Community Housing Innovations, Inc. v. Town of Oyster Bay*, Nassau County Clerk’s Index No. 602939/2021, seeking, *inter alia*, a declaratory judgment that the Town’s efforts to enforce the Town Code were subject to preemption, that the Hotel Premises could be leased, used, operated and occupied for transitional housing for homeless and/or as a homeless shelter, and that the proposed use and occupancy of the Hotel Premises under the CHI Lease should be deemed lawful and proper (the “CHI Acton”);



WHEREAS, the Town has maintained that Westend and CHI are obligated to comply with all zoning, permitting, and other laws, and that the Hotel Premises cannot be operated as a homeless shelter without required applications to the Town, hearings, and approvals, including, but not limited to, application for a new Special Use Permit;

WHEREAS, Westend and CHI have maintained and alleged that the Town is preempted from enforcing its Zoning Code in any manner that would prevent, hinder or interfere with the leasing, operations, use or occupancy of the Hotel Premises for transitional housing for homeless and/or as a homeless shelter (collectively, the "Preemption Claims");

WHEREAS, the Town has denied and disputed the Preemption Claims in their entirety;

WHEREAS, the Supreme Court, Nassau County, issued a preliminary injunction in the Town's favor and against Westend (and anyone acting or purporting to act under Westend's direction, control, or supervision, including CHI), enjoining and prohibiting them from, *inter alia*, any use or occupancy of the Hotel Premises as transitional housing for homeless and/or as a homeless shelter (the "Preliminary Injunction");

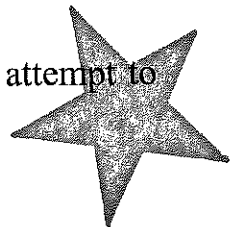
WHEREAS, the Town Action and the CHI Action were consolidated by the Court into a consolidated action entitled *The Town of Oyster Bay v. 120 Westend LLC, Community Housing Innovations, Inc.*, Nassau County Clerk's Index No. 608065/2020 (the "Consolidated Action");

WHEREAS, Westend filed a motion requesting that the Court reconsider and modify the Preliminary Injunction (the "Reconsideration Motion"), the Town opposed the Reconsideration Motion, and no decision thereon has yet been issued by the Court;

WHEREAS, Westend previously filed an appeal from the Order granting the Town the Preliminary Injunction, and subsequently withdrew its appeal;

WHEREAS, Westend and CHI each moved for summary judgment or partial summary judgment based on their Preemption Claims (the "Summary Judgment Motions"), the Town opposed the Summary Judgment Motions, and no decision thereon has yet been issued by the Court;

WHEREAS, the Parties have engaged in settlement efforts in an attempt to reach an amicable resolution of their respective claims and disputes;



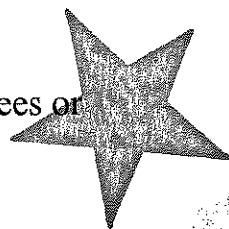
WHEREAS, in furtherance of the Parties' settlement efforts, Westend and CHI have agreed to settle and discontinue their Preemption Claims, in their entirety, with prejudice, and to permanently refrain from leasing, using, operating or occupying the Hotel Premises either for non-transient housing, transitional housing for homeless, and/or as a homeless shelter;

WHEREAS, in furtherance of the Parties' settlement efforts, Westend and CHI have agreed to relinquish any and all rights and interests pursuant to the CHI Lease, and Westend and CHI have mutually agreed to cancel and rescind the entirety of the CHI Lease which shall be deemed null and void and shall no longer have any force or effect;

WHEREAS, the Parties desire to enter into a settlement of the Consolidated Action in accordance with the terms and conditions set forth hereinbelow, and to eliminate the need for further costly and time-consuming litigation and the inherent risks and uncertainties with respect thereto;

NOW, THEREFORE, without any admission of fault or wrongdoing or violation of law by any of the Parties, and subject to the terms and conditions set forth below, the Parties stipulate and agree as follows:

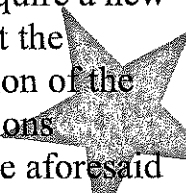
1. The Hotel Premises shall not be leased, used, operated or occupied for either non-transient housing, transitional housing for homeless, and/or as a homeless shelter.
2. The CHI Lease is deemed rescinded, cancelled, null and void and of no further force or effect.
3. The Preemption Claims are deemed settled and discontinued, with prejudice.
4. Simultaneously with the execution of this Stipulation of Settlement:
  - a. Westend agrees to sign and execute, simultaneously with the execution of this Stipulation of Settlement, the Declaration of Restrictive Covenants annexed as Exhibit 1 hereto (the "Restrictive Covenants");
  - b. The Parties agree to cause their counsel to execute the Stipulation of Discontinuance, With Prejudice, and Without Attorneys' Fees or Costs, in the form annexed as Exhibit 2 hereto (the "Stipulation of



Discontinuance”).

5. Upon execution, the Stipulation of Settlement, Restrictive Covenants and the Stipulation of Discontinuance shall be held in escrow by the Town’s counsel, Edward M. Ross of Rosenberg Calica & Birney, LLP, and shall be released from escrow upon the Effective Date (as defined in paragraph 14 below). Upon the Effective Date, the Stipulation of Settlement and the Stipulation of Discontinuance may be filed with the Court without further notice, all pending motions in the Consolidated Action shall be withdrawn, with prejudice, and shall be marked settled, all existing judicial restraints against use of the Hotel Premises shall be extinguished, and Westend shall cause the Restrictive Covenants to be immediately recorded against its Deed to the Hotel Premises.

6. In accordance with the Restrictive Covenants, Westend, on behalf of itself and its successors and assigns, agrees that the Hotel Premises shall not be used, leased, licensed, maintained or advertised for any other use or purpose except as a Lodging Place (hotel/motel) as defined in the Zoning Code of the Town of Oyster Bay pursuant to the Special Use Permit granted by resolution No. 1786-1965, and as amended by resolution Nos. 611-07 and 618-09 of the Town Board of the Town of Oyster Bay which, along with any and all approvals issued by the Zoning Board of Appeals of the Town of Oyster Bay regarding the Hotel Premises remain in full force and effect. Without limitation, the following non-exhaustive list of uses shall be deemed inconsistent with the aforesaid Special Use Permit and shall be deemed to violate the aforesaid Special Use Permit: (a) long-term hotel guests, licensees or invitees for more than 30 days; (b) multi-family residences, apartments, single-room occupancy use (SRO), or efficiencies; (c) non-transient child care facilities; (d) nursing home, rehabilitation or adult care facilities; (e) on-site kitchen and dining facilities and provisions other than restaurant facilities for Lodging Place (hotel/motel) guests; and/or (f) transitional housing for homeless persons and/or homeless shelter. In addition, and without limitation to any of the foregoing, a change from the previously operating Hampton Inn brand at the Hotel Premises to another national or regional brand of hotel/motel or to a boutique style hotel/motel shall not require a new or amended Special Use Permit in order for it to operate a hotel/motel at the premises unless such change of branding includes a change to the present physical configuration of the Hotel Premises. In addition, Westend, while it remains fee owner of the Hotel Premises, shall not require a new or amended Special Use Permit in order for it to operate a hotel/motel at the premises provided there is no change to the present physical configuration of the Hotel Premises and its use is not inconsistent with the aforesaid restrictions regarding uses inconsistent with the Special Use Permit. In addition, the aforesaid

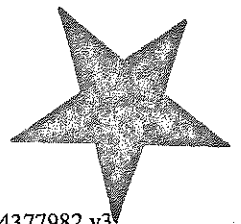


restrictions regarding uses inconsistent with the aforesaid Special Use Permit set forth above in this paragraph shall not preclude Westend and/or any successor(s) in interest from applying to the Town of Oyster Bay to utilize the premises for any legal use except for transitional housing for homeless and/or a homeless shelter.

7. Subject to and conditioned upon Westend's and/or any successor(s) in interest's compliance with this Stipulation of Settlement, including, but not limited to, Westend's and/or any successor(s) in interest's full, continuous and uninterrupted compliance with the Restrictive Covenants, and further subject to and conditioned upon Westend's and/or any successor(s) in interest's commencement of the Lodging Place (hotel/motel) use within twelve (12) months from the Effective Date, the Special Use Permit shall be deemed to remain in full force and effect and Westend and/or any successor(s) in interest shall not be required to obtain a new Special Use Permit; however, in the event that Westend and/or any successor(s) in interest knowingly, willfully and intentionally fails to fully comply with this Stipulation of Settlement, or in the event that Westend and/or any successor(s) in interest does not commence Lodging Place (hotel/motel) use within twelve (12) months of the Effective Date, then the Special Use Permit shall be deemed to expire and lapse, and Westend shall be required to obtain a new Special Use Permit. Notwithstanding the above, Westend and/or any successor(s) in interest shall have the right to apply to the Town Board of the Town of Oyster to extend this period for good cause shown.

8. Notwithstanding the potential expiration and lapse of the Special Use Permit as provided for in paragraphs 6 and 7 above, Westend and/or any successor in interest shall continue to comply with the Restrictive Covenants, and any and all future applications, including any potential application for a new Special Use Permit, shall be required to comply with the Restrictive Covenants.

9. Subject to and upon the Effective Date (as defined in paragraph 14 below), Westend and CHI, and any and all of their respective officers, directors, shareholders, investors and employees, shall be deemed to release the Town, and any and all Town employees, officials, professionals, insurers, attorneys, and anyone acting on the Town's behalf or under the Town's control or supervision, from and against any and all claims arising out of or concerning the Consolidated Action, including known and unknown claims, excepting any claims arising under the terms of this Stipulation of Settlement, including for the performance and any alleged breach hereof.



10. Subject to and upon the Effective Date (as defined in paragraph 14 below), the Town agrees that any and all outstanding violations and notices of violation with respect to the Hotel Premises shall be addressed as follows:

a. In accordance with and subject to all of the terms and conditions set forth in this Stipulation of Settlement, the Town agrees that Westend and/or any successor in interest is not required to apply for or obtain a new Special Use Permit as a condition of operating and using the Hotel Premises as a Lodging Place (hotel/motel) in substantially the same manner as the prior use and operations of the former Hampton Inn Hotel;

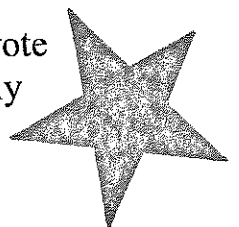
b. Notwithstanding anything to the contrary, Westend and/or any successor in interest is required to fully and timely remedy any and all violations of the Town Code with respect to the Premises and to fully and timely comply with the Town Code, including, but not limited to, Fire and Building Code compliance, public assembly permit requirements, construction and building permit requirements, and plumbing and electrical permit requirements. In addition, Westend and/or any successor in interest shall promptly file applications for Multiple Residence and Public Assembly Licenses and any and all required Building Permit applications with the Town which the Town agrees to process in good faith and without unreasonable delay.

11. Notwithstanding anything to the contrary, the Town fully reserves its right to dispute any and all potential or future claims or allegations of preemption, and nothing contained in this Stipulation of Settlement shall be deemed to limit, restrict, waive, prejudice, curtail or diminish in any way whatsoever the Town's right to dispute any and all potential or future claims or allegations of preemption.

12. In addition, if any portion of this Stipulation of Settlement is deemed invalid or otherwise rendered null or void, and/or if Westend or CHI breach any term or condition of this Stipulation of Settlement, then the Special Use Permit shall be deemed to expire and lapse.

13. The Parties agree to take all additional steps and actions as may be reasonably required to implement and effectuate the terms and provisions of this Stipulation of Settlement.

14. This Stipulation of Settlement is expressly subject to the vote and approval of the Town Board at a public meeting, which shall be promptly





scheduled, and this Stipulation of Settlement shall only be deemed effective after it is signed by each of the Parties as provided for below and upon Town Board approval (the "Effective Date").

15. Miscellaneous Provisions.

a. This Stipulation and any other documents being executed in connection herewith collectively constitute the sole and entire agreement among the undersigned Parties with respect to the matters covered herein, and this Stipulation supersedes any prior agreement, understanding or undertaking, written or oral, by or among the undersigned. Drafts of this Stipulation shall not be considered in construing its terms.

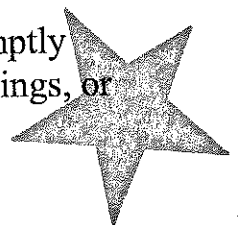
b. No term or provision of this Stipulation may be varied, changed, modified, waived, discharged or terminated, except by an instrument in writing and signed by the Party against whom the enforcement of the variation, change, modification, waiver, discharge or termination is sought. The waiver by any Party hereto of any breach of any provision of this Stipulation shall not constitute or operate as a waiver of any breach of any other provision hereof, nor shall any failure to enforce any provision hereof constitute or operate as a waiver of any breach of any other provision hereof, nor shall any failure to enforce any provision constitute or operate as a waiver at such time or any future time of such provision or of any provision hereof.

c. This Stipulation has been duly signed and delivered, and each person executing this Stipulation represents and warrants that he/she/it has full power and authority to execute this Stipulation and that each Party elected to settle on the terms herein set forth, freely and voluntarily, without duress, coercion or undue influence.

d. This Stipulation shall be binding upon and shall inure to the benefit of each of the Parties hereto and their respective successors, assigns, agents, employees, parents, beneficiaries, and heirs.

e. This Stipulation shall be construed and enforced in accordance with the laws of the State of New York, without regard to conflict of laws principles that would apply the substantive laws of another jurisdiction.

f. The undersigned shall, upon reasonable request, promptly make, execute and deliver any and all other and further instruments, writings, or

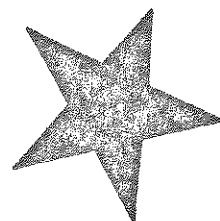


documents as may be necessary or desirable for purposes of giving full force and effect to the provisions of this Stipulation.

g. The fact that the first, or any subsequent, draft of this Stipulation was prepared by counsel for one of the parties hereto shall create no presumptions, and specifically shall not cause any ambiguities that may exist in this Stipulation to be construed against such party.

h. Each of the undersigned hereby agrees that this Stipulation may be executed in counterparts, which together shall constitute one instrument, and that any signature page of this instrument may be detached from any counterpart, without impairing the legal effect of any signature thereon, and may be attached to another counterpart identical in form thereto, even if such counterpart has attached to it one or more additional signature pages. Transmission by electronic, digital or telephone facsimile of a copy of a signed counterpart of this Stipulation shall be deemed delivery of a fully genuine and binding original counterpart for all purposes.

**[remainder of page intentionally left blank – signature page follows]**



**IN WITNESS WHEREOF**, this Stipulation has been executed by each of the undersigned as of the date set forth opposite their respective signatures.

Dated: May \_\_, 2022

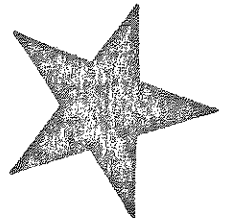
\_\_\_\_\_  
Town of Oyster Bay  
By: Frank Scalera, Town Attorney  
(\*Subject to Town Board approval)

Dated: May 16, 2022

\_\_\_\_\_  
120 Westend LLC  
By: Joel Shafman, Managing Member


Dated: May \_\_, 2022

\_\_\_\_\_  
Community Housing Innovations, Inc.  
By:

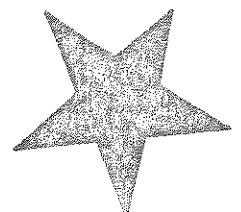


STATE OF NEW YORK     )  
  : ss.:  
COUNTY OF Kings     )

On this 16 day of May 2022, before me, the undersigned, personally appeared  
Joel Shafren, 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 he executed the same in his capacity, and that by his signature on the  
instrument, the individual, or the person upon behalf of which the individual acted, executed the  
instrument.

  
Notary Public

LISA TAYLOR  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01TA6114014  
Qualified in Kings County  
Commission Expires August 09, 2024



**IN WITNESS WHEREOF**, this Stipulation has been executed by each of the undersigned as of the date set forth opposite their respective signatures.

Dated: May \_\_, 2022

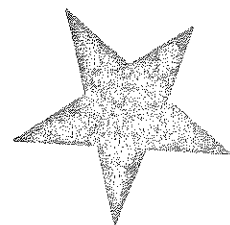
\_\_\_\_\_  
Town of Oyster Bay  
By: Frank Scalera, Town Attorney  
(\*Subject to Town Board approval)

Dated: May \_\_, 2022

\_\_\_\_\_  
120 Westend LLC  
By:

Dated: May 16, 2022

R. KEM  
Community Housing Innovations, Inc.  
By: Ron Aked, CEO

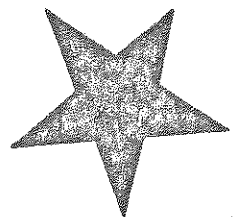


STATE OF NEW YORK     )  
COUNTY OF Westchester ) ss.:

On this 16<sup>th</sup> day of May 2022, before me, the undersigned, personally appeared  
Ron Abad, 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 he executed the same in his capacity, and that by his signature on the  
instrument, the individual, or the person upon behalf of which the individual acted, executed the  
instrument.

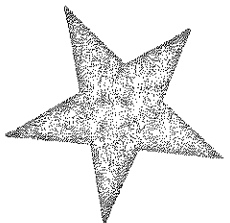
  
\_\_\_\_\_  
Notary Public

ANDREW P. SCHRIEVER  
Notary Public, State of New York  
No. 02SC6329526  
Qualified in Westchester County  
Commission Expires September 14, 2023



Exhibit

1



## DECLARATION OF RESTRICTIVE COVENANTS

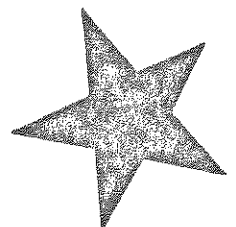
THIS DECLARATION, dated the 16<sup>th</sup> day of May 2022, by 120 Westend LLC, a New York limited liability company having a place of business 120 Jericho Turnpike, Jericho, New York 11753 ("Declarant"), and as fee owner of Section 17, Block 16, Lot 47;

WHEREAS, Declarant previously contended that the Town's approval was not required for the use and occupancy of non-transient housing, transitional housing for homeless and/or a homeless shelter at the property located at 120 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 17, Block 16, Lot 47, on the Land and Tax Map of Nassau County (the "Premises"); and

WHEREAS, litigation ensued between and among Declarant, the Town, and Declarant's tenant, Community Housing Innovations, Inc., with respect to the proposed use and occupancy of non-transient housing, transitional housing for homeless and/or a homeless shelter at said Premises, as particularized more fully in the consolidated action entitled *The Town of Oyster Bay v. 120 Westend LLC, Community Housing Innovations, Inc.*, Nassau County Clerk's Index No. 608065/2020 (the "Consolidated Action"); and

WHEREAS, in accordance with a Stipulation of Settlement dated May \_\_, 2022, which was approved by the Town Board, by Resolution No. \_\_\_\_ - 2022, dated May 2022, the Consolidated Action was settled in accordance with and subject to the terms and conditions of said Stipulation of Settlement; and

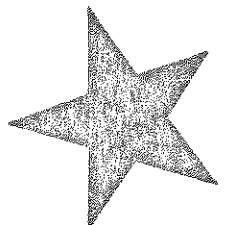
WHEREAS, Declarant, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, does hereby voluntarily impose the following covenants and restrictions with respect to the Premises identified as being located at 120 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 17, Block 16, Lot 47, on the Land and Tax Map of Nassau County, with the following covenants and restrictions, which will run with the land and be binding upon said Declarant, its successors and/or assigns, upon which the following covenants and restrictions shall be binding,





NOW, THEREFORE, pursuant to the Stipulation of Settlement and Oyster Bay Town Board Resolution No. -2022, adopted on May \_\_, 2022, Declarant does hereby covenant and declare as follows:

1. Except as specifically modified or amended by this Declaration, all prior covenants and restrictions affecting the subject Premises, whether contained in Town Board Resolutions or Declarations of Restrictive Covenants, shall remain in full force and effect.
2. That the Premises shall not be used, leased, licensed, maintained or advertised for any other use or purpose except as a Lodging Place (hotel/motel) as defined in the Zoning Code of the Town of Oyster Bay pursuant to the Special Use Permit granted by resolution No. 1786-1965, and as amended by resolution Nos. 611-07 and 618-09 of the Town Board of the Town of Oyster Bay which, along with any and all approvals issued by the Zoning Board of Appeals of the Town of Oyster Bay regarding the Hotel Premises remain in full force and effect as of the date of this Declaration of Restrictive Covenants. Without limitation, the following non-exhaustive list of uses shall be deemed inconsistent with the aforesaid Special Use Permit and shall be deemed to violate this covenant and restriction: (a) long-term hotel guests, licensees or invitees for more than 30 days; (b) multi-family residences, apartments, single-room occupancy use (SRO), or efficiencies; (c) non-transient child care facilities; (d) nursing home, rehabilitation or adult care facilities; (e) on-site kitchen and dining facilities and provisions other than restaurant facilities for Lodging Place (hotel/motel) guests; and/or (f) transitional housing for homeless persons and/or homeless shelter. In addition, and without limitation to any of the foregoing, a change from the previously operating Hampton Inn brand at the Hotel Premises to another national or regional brand of hotel/motel or to a boutique style hotel/motel shall not require a new or amended Special Use Permit in order for it to operate a hotel/motel at the premises unless such change of branding includes a change to the present physical configuration of the Hotel Premises. In addition, Westend, while it remains fee owner of the Hotel Premises, shall not require a new or amended Special Use Permit in order for it to operate a hotel/motel at the premises provided there is no change to the present physical configuration of the Hotel Premises and its use is not inconsistent with the aforesaid restrictions regarding uses inconsistent with the Special Use Permit. In addition, the aforesaid restrictions regarding uses inconsistent with the aforesaid Special Use Permit set forth above in this



paragraph shall not preclude Westend and/or any successor(s) in interest from applying to the Town of Oyster Bay to utilize the premises for any legal use except for transitional housing for homeless and/or a homeless shelter.

3. That the Premises shall strictly conform to all the applicable requirements of the N.Y.S. Uniform Fire Prevention & Building Code with respect to fire sprinklers, fire safety equipment and exits and soundproofing.

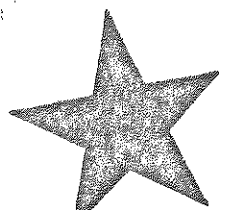
4. That the entire premises shall be continually maintained so as to present a neat and orderly condition consistent with the building design architecture and native plantings.

5. The hotel operator shall implement daytime and overnight security measures at the hotel intended to eliminate any security concerns, including but not limited to in-person staffing on premises 7 days a week, and security cameras in the front of the hotel, and two cameras showing the walkway in the rear of the hotel in each direction.

6. That waste, debris, garbage, and refuse shall be stored in closed containers enclosed on all sides and shall be disposed of in accordance with applicable statutes, rules and ordinances. Dumpster area shall be monitored daily to prevent access by rodents and the blowing away of refuse.

7. That the exterior lighting shall be directed onto the subject premises so as not to penetrate abutting properties or penetrate into the streets so as to interfere with pedestrian or vehicular traffic.

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



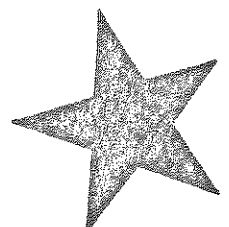
9. That a code compliant odor filtering system and fire sprinkler system satisfactory to the requirements of the Town of Oyster Bay Department of Planning and Development and the Nassau County Fire Marshall's Office shall be utilized in all kitchen areas at the hotel.

10. That any and all signs on the premises are to comply with all applicable provisions of the laws and/or ordinances of the Town of Oyster Bay.

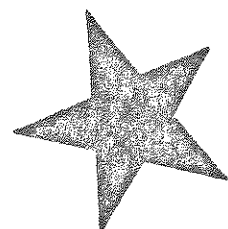
11. Any major modifications to the approved site plans on file at the Town of Oyster Bay, the latest site plan being of February 23, 2009, John A. Notaro, Architect, must be approved by all interested boards, agencies and departments and may be done only by Town Board Resolution. If a proposed modification is deemed minor, the Commissioner of the Department of Planning and Development will have final approval of same.

12. That in the event of any violation or attempted violation of any kind of the restrictions, covenants or provisions contained herein, or any ordinance or regulations and failure of the then owner(s) of the Premises affected hereby, or any first mortgagee, to remedy such violation within thirty (30) days after notice by the Town to the then owner(s) of the real estate and any first mortgagee of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, any and all permits granted, including any then-operative special use permit granted, unless a cure for such violation has been commenced and the then owner(s) and/or first mortgagee is diligently prosecuting the curing of any violation.

13. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance.



**SCHEDULE A**



*First American Title Insurance Company*

Title Number: TLNY0109205122

Page 1

**SCHEDULE A DESCRIPTION**

ALL that certain plot, piece, or parcel of land, situate, lying, and being at Jericho, in the Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the Northerly side of Jericho Turnpike with the Southerly side of South Service Road - Long Island Expressway;

RUNNING THENCE Westerly along the Northerly side of Jericho Turnpike on the arc of curve bearing to the right having a radius of 738.90 feet a distance of 297.27 feet;

RUNNING THENCE South 57 degrees 57 minutes 43 seconds West still along the Northerly side of Jericho Turnpike 70.03 feet;

RUNNING THENCE North 32 degrees 01 minute 47 seconds West 302.99 feet to the Southerly side of South Service Road - Long Island Expressway;

RUNNING THENCE North 73 degrees 53 minutes 58 seconds East along said Southerly side of South Service Road - Long Island Expressway 40.56 feet;

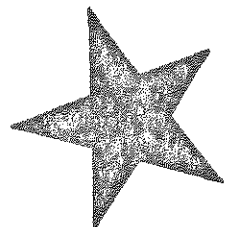
RUNNING THENCE Easterly along the Southerly side of South Service Road - Long Island Expressway on the arc of a curve bearing to the right having a radius of 573.38 feet a distance of 373.80 feet;

RUNNING THENCE South 68 degrees 44 minutes 50 seconds East still along the Southerly side of South Service Road - Long Island Expressway 30.26 feet to the corner, the point or place of BEGINNING.

FOR INFORMATION ONLY. NOT FOR POLICY.

Section 17 Block 16 Lot 47

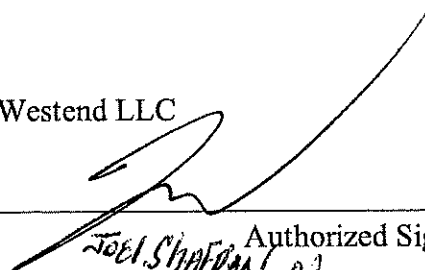
Premises being known as: 120 Jericho Turnpike, Jericho, NY 11753

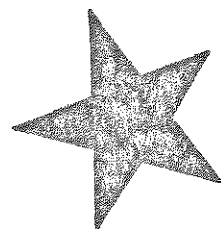


IN WITNESS WHEREOF, the Declarants have hereunto set their hand and seal the day and year first above written.

120 Westend LLC

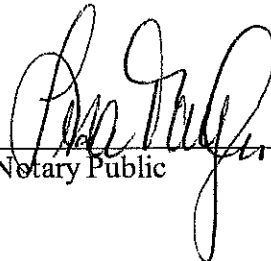
By: \_\_\_\_\_

  
Authorized Signatory  
Joel Shafman, Managing Member

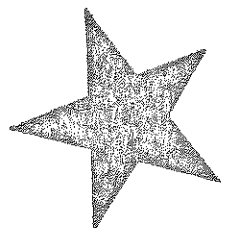


STATE OF NEW YORK     )  
COUNTY OF Kings     ): ss.:

On this 16 day of May 2022, before me, the undersigned, personally appeared JOEL PHARLAN, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

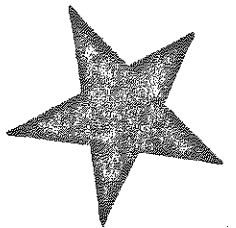
  
Notary Public

LISA TAYLOR  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01TA6114014  
Qualified in Kings County  
Commission Expires August 09, 2024



Exhibit

2





SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
THE TOWN OF OYSTER BAY,

Plaintiff,

-against-

120 WESTEND LLC, and COMMUNITY HOUSING  
INNOVATIONS, INC.

Defendants/Counterclaimants  
-----X

**STIPULATION OF  
DISCONTINUANCE**

**Index No. 608065/2020**  
(Consolidated with  
Index No. 602939/2021)

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

**IT IS FURTHER STIPULATED AND AGREED** that this Stipulation may be executed in counter-part originals and a photocopy, facsimile, PDF or other duplicate signature shall be deemed an original for all purposes.

Dated: May \_\_, 2022

ROSENBERG CALICA & BIRNEY LLP

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

Edward M. Ross  
*Attorneys for Plaintiff*  
*Town of Oyster Bay*  
100 Garden City Plaza  
Garden City, New York 11530  
(516) 747-7400

AVRUTINE & ASSOCIATES, PLLC

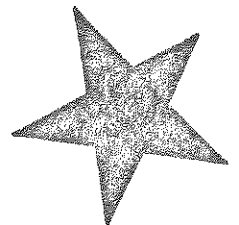
By: \_\_\_\_\_

Howard D. Avrutine  
*Attorneys for Defendant/Counterclaimant*  
*120 Westend LLC*  
2116 Merrick Avenue, Suite 2004  
Merrick, New York 11566  
(516) 677-9400

CUDDY & FEDER LLP

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

Andrew Schriever  
*Attorneys for Defendants/Counterclaimants*  
*Community Housing Innovations, Inc.*  
445 Hamilton Avenue -14th Floor  
White Plains, New York 10601  
(914) 761-1300



Meeting of May 24, 2022

Resolution No 396-2022

WHEREAS, Dottie Simons, on behalf of Sanctuary Home & Patio, 136-140 South Street, Oyster Bay has requested to donate a memorial brass plaque and 5 foot teak bench to be placed on Audrey Avenue, Oyster Bay, in memory of Georgia Sussi; and

WHEREAS, the value of the brass plaque and 5 foot teak bench to be donated is \$665.00; and

WHEREAS, Richard L. LaMarca, Town Clerk, by memorandum dated May 19, 2022, recommended that the Town accept said donation; and

WHEREAS, The Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied the Town's procurement policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of a brass plaque and 5 foot teak bench to be placed on Audrey Avenue, Oyster Bay, in memory of Georgia Sussi.

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

#19

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

**TO** : MEMORANDUM DOCKET  
**FROM** : Office of the Town Clerk  
**DATE** : May 19, 2022  
**SUBJECT:** Memorial Plaque and Bench

---

The Town Clerk has received a request from Dottie Simons, on behalf of Sanctuary Home & Patio, 136-140 South Street, Oyster Bay, NY 11771, requesting to donate a 5' teak bench and brass plaque to be placed in front of Town Hall at 54 Audrey Avenue, Oyster Bay, NY in memory of Georgia Sussi, former Town of Oyster Bay employee.

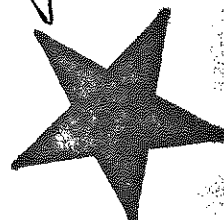
The value of the 5' teak bench and brass plaque is \$665.00.

The Town Clerk has reviewed this request and concurs this will be a fitting tribute.

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

Kindly suspend the rules and include this matter on the May 24, 2022 Town Board Action Calendar. A draft resolution is attached.

RICHARD LA MARCA  
TOWN CLERK



Meeting of May 24, 2022

Resolution No 397-2022

Reviewed By  
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney and Karen J. Underwood, Deputy Town Attorney, by memorandum dated May 20, 2022, advised that on May 17, 2022, the New York State Department of Environmental Conservation (NYSDEC) issued a permit to Frank M. Flower & Son, Inc., authorizing the hydraulic dredging, relaying and removal or relocating of shellfish by said entity in Mill Neck Creek, located within the Town of Oyster Bay, commencing May 24, 2022 through September 1, 2022; and

WHEREAS, Town Attorney Scalera and Deputy Town Attorney Underwood, by said memorandum, further advised that to protect the interests of the Town, the Office of the Town Attorney will institute suit against NYSDEC and Frank M. Flower & Son, Inc., seeking a temporary restraining order and preliminary injunction with regard to the subject permit; and

WHEREAS, Town Attorney Scalera and Deputy Town Attorney Underwood, by said memorandum, further advised that pursuant to the New York State Civil Practice Rules and Regulations, initiation of a cause of action seeking injunctive relief requires applicable notice to adverse parties, and in this case, prior to the subject permit's commencement date of May 24, 2022; and

WHEREAS, Town Attorney Scalera and Deputy Town Attorney Underwood, by said memorandum, recommended, due to the imminent nature of this litigation, that the Town Board ratify the initiation of litigation by the Town against NYSDEC and Frank M. Flower & Son, Inc.,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board hereby ratifies the initiation of litigation by the Town against NYSDEC and Frank M. Flower & Son, 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: May 20, 2022  
SUBJECT: Authorization of Litigation

---

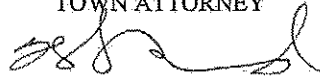
On May 17, 2022, the New York State Department of Environmental Conservation (NYSDEC) issued a permit to Frank M. Flower & Son, Inc., authorizing the hydraulic dredging, relaying, removal or relocating of shellfish by said entity in Mill Neck Creek, located within the Town of Oyster Bay, commencing May 24, 2022 through September 1, 2022.

To protect the interests of the Town, the Office of the Town Attorney will institute suit against NYSDEC and Frank M. Flower & Son, Inc. seeking a temporary restraining order and preliminary injunction with regard to the subject permit.

Pursuant to the New York State Civil Practice Rules and Regulations initiation of a cause of action seeking injunctive relief requires applicable notice to adverse parties, and in this case, prior to the permit commencement date of May 24, 2022. Accordingly, due to the imminent nature of this litigation, it is recommended that the Town Board ratify the initiation of litigation by the Town against NYSDEC and Frank M. Flower & Son, Inc.

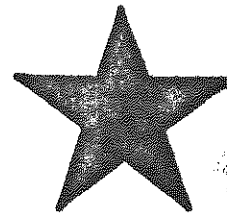
Kindly suspend the rules and place this matter on the May 24, 2022 Town Board action calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Karen J. Underwood  
Deputy Town Attorney

KJU:ba



REVIEWED BY  
OFFICE OF TOWN ATTORNEY

WHEREAS, Frank M. Scalera, Town Attorney and Karen J. Underwood, Deputy Town Attorney, by memorandum dated May 20, 2022, advised that on May 17, 2022, the New York State Department of Environmental Conservation (NYSDEC) issued a permit to Frank M. Flower & Son, Inc., authorizing the hydraulic dredging, relaying and removal or relocating of shellfish by said entity in Mill Neck Creek, located within the Town of Oyster Bay, commencing May 24, 2022 through September 1, 2022; and

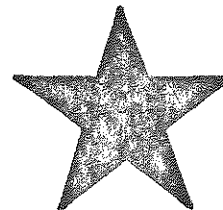
WHEREAS, Town Attorney Scalera and Deputy Town Attorney Underwood, by said memorandum, further advised that to protect the interests of the Town, the Office of the Town Attorney will institute suit against NYSDEC and Frank M. Flower & Son, Inc., seeking a temporary restraining order and preliminary injunction with regard to the subject permit; and

WHEREAS, Town Attorney Scalera and Deputy Town Attorney Underwood, by said memorandum, further advised that pursuant to the New York State Civil Practice Rules and Regulations, initiation of a cause of action seeking injunctive relief requires applicable notice to adverse parties, and in this case, prior to the subject permit's commencement date of May 24, 2022; and

WHEREAS, Town Attorney Scalera and Deputy Town Attorney Underwood, by said memorandum, recommended, due to the imminent nature of this litigation, that the Town Board ratify the initiation of litigation by the Town against NYSDEC and Frank M. Flower & Son, Inc.,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board hereby ratifies the initiation of litigation by the Town against NYSDEC and Frank M. Flower & Son, Inc.

-#-



Reviewed By  
Office of Town Attorney

WHEREAS, by Resolution No. 804-2021, adopted on December 7, 2021, the Town Board approved the Collective Bargaining Agreement between the Town of Oyster Bay ("Town") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster Bay Unit, Nassau County Local 881 ("CSEA"), with an agreement term of January 1, 2022 through December 31, 2028; and

WHEREAS, Article II – Recognition, of the CBA, which provides for the Town's recognition of the Association as the sole bargaining and representative agent for and on behalf of its full-time and part-time employees, including, but not limited to, employees holding the following civil service titles: Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Lifeguard III, Pool, or Bay, or Ocean, or Instructor; Lifeguard Trainee Seasonal, requires amendment to include language to exclude the subject lifeguard employees from the CBA that are currently recognized as the bargaining unit represented by the Town of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO, and, are assigned to work at the Town ocean beaches (TOBAY beach and TOBAY bay side); and

WHEREAS, Article V – Wages and Hours of Employment, Section 5.4.2, Special Provisions, Sub-section 5-4.2.2, of the Collective Bargaining Agreement, which provides that "any employee working on a holiday that is New Year's Day, Juneteenth, Fourth of July, Christmas Day, which fall on a Saturday or Sunday shall receive the overtime rate of pay of time and one-half the regular rate of such employee's pay," requires amendment to include the holiday of Veterans Day; and

WHEREAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated May 18, 2022, advised that a Memorandum of Agreement, dated May 18, 2022, was entered into between the Town and CSEA to amend Article II – Recognition, of the Collective Bargaining Agreement for this purpose, which Memorandum of Agreement was executed by Jarvis T. Brown, Present, CSEA, and Patrick Naglieri, Labor Representative, CSEA, who asserted that they have the agency and authority to bind the CSEA, and the Town 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,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the Memorandum of Agreement, dated May 18, 2022, to amend Article II – Recognition, of the Collective Bargaining Agreement to exclude the employees holding the following civil service titles, Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Lifeguard III, Pool, or Bay, or Ocean, or Instructor; Lifeguard Trainee Seasonal, from the Collective Bargaining Agreement that are currently recognized as the bargaining unit represented by the Town of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO, and, are assigned to work at the Town ocean beaches (TOBAY beach and TOBAY bay side).

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

398

## Inter-Departmental Memorandum

**TO** : MEMORANDUM DOCKET

**FROM** : Office of the Town Attorney

**DATE** : May 18, 2022

**SUBJECT:** Memorandum of Agreement between the Town and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster Bay Unit, Nassau County Local 881 (hereinafter "CSEA")

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By Resolution No. 804-2021, adopted on December 7, 2021, the Town Board approved the Collective Bargaining Agreement ("CBA") between the Town of Oyster Bay ("Town") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster Bay Unit, Nassau County Local 881 ("CSEA"), with an agreement term of January 1, 2022 through December 31, 2028.

Article II – Recognition, of the CBA provides for the Town's recognition of the Association as the sole bargaining and representative agent for and on behalf of its full-time and part-time employees, including, but not limited to, employees holding the following civil service titles: Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Lifeguard III, Pool, or Bay, or Ocean, or Instructor; Lifeguard Trainee Seasonal ("subject lifeguard employees"). This section requires amendment to include language to exclude the subject lifeguard employees from the CBA that are currently recognized as the bargaining unit represented by the Town of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO, and, are assigned to work at the Town ocean beaches (TOBAY beach and TOBAY bay side).

Article V – Wages and Hours of Employment, Section 5.4.2, Special Provisions, Sub-section 5-4.2.2, of the Collective Bargaining Agreement, which provides that "any employee working on a holiday that is New Year's Day, Juneteenth, Fourth of July, Christmas Day, which fall on a Saturday or Sunday shall receive the overtime rate of pay of time and one-half the regular rate of such employee's pay," requires amendment to include the holiday of Veterans Day.

A Memorandum of Agreement ("MOA"), dated May 18, 2022, was entered into between the Town and CSEA to amend Article V – Wages and Hours of Employment, Section 5.4.2, Special Provisions, Sub-section 5-4.2.2, and Article II – Recognition, of the CBA for this purpose. This MOA was executed by Jarvis T. Brown, Present, CSEA, and Patrick Naglieri, Labor Representative, CSEA, who asserted that they have the agency and authority to bind the CSEA, and the Town Supervisor, on behalf of the Town, subject to ratification by the Town Board in order for said MOA to be binding upon the Town.

It is requested and recommended that the Town Board ratify the MOA dated May 18, 2022 at the Town Board meeting scheduled for May 24, 2022. Kindly suspend the rules and add this item to the May 24, 2022 Town Board Action calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

Karen J. Underwood  
Deputy Town Attorney

KJU:kju  
File No. 2021-8379





WHEREAS, by Resolution No. 804-2021, adopted on December 7, 2021, the Town Board approved the Collective Bargaining Agreement between the Town of Oyster Bay ("Town") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster Bay Unit, Nassau County Local 881 ("CSEA"), with an agreement term of January 1, 2022 through December 31, 2028; and

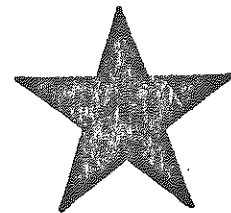
WHEREAS, Article II – Recognition, of the CBA, which provides for the Town's recognition of the Association as the sole bargaining and representative agent for and on behalf of its full-time and part-time employees, including, but not limited to, employees holding the following civil service titles: Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Lifeguard III, Pool, or Bay, or Ocean, or Instructor; Lifeguard Trainee Seasonal, requires amendment to include language to exclude the subject lifeguard employees from the CBA that are currently recognized as the bargaining unit represented by the Town of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO, and, are assigned to work at the Town ocean beaches (TOBAY beach and TOBAY bay side); and

WHEREAS, Article V – Wages and Hours of Employment, Section 5.4.2, Special Provisions, Sub-section 5-4.2.2, of the Collective Bargaining Agreement, which provides that "any employee working on a holiday that is New Year's Day, Juneteenth, Fourth of July, Christmas Day, which fall on a Saturday or Sunday shall receive the overtime rate of pay of time and one-half the regular rate of such employee's pay," requires amendment to include the holiday of Veterans Day; and

WHEREAS, Frank M. Scalera, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated May 18, 2022, advised that a Memorandum of Agreement, dated May 18, 2022, was entered into between the Town and CSEA to amend Article II – Recognition, of the Collective Bargaining Agreement for this purpose, which Memorandum of Agreement was executed by Jarvis T. Brown, Present, CSEA, and Patrick Naglieri, Labor Representative, CSEA, who asserted that they have the agency and authority to bind the CSEA, and the Town 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,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the Memorandum of Agreement, dated May 18, 2022, to amend Article II – Recognition, of the Collective Bargaining Agreement to exclude the employees holding the following civil service titles, Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Lifeguard III, Pool, or Bay, or Ocean, or Instructor; Lifeguard Trainee Seasonal, from the Collective Bargaining Agreement that are currently recognized as the bargaining unit represented by the Town of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO, and, are assigned to work at the Town ocean beaches (TOBAY beach and TOBAY bay side).

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Not  
Reviewed By  
Office of Town Attorney

Meeting of December 7, 2021

Resolution No. 804-2021

WHEREAS, the current Collective Bargaining Agreement between the Town and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster Bay Unit, Nassau County Local 881 ("CSEA") expires on December 31, 2021; and

WHEREAS, the Town has heretofore entered into negotiations with the representative members of the CSEA, for a new Collective Bargaining Agreement, pursuant to Chapter 392 of the Laws of 1967 of the State of New York, as amended, being designated the Public Employees' Fair Employment Act; and

WHEREAS, as the result of said negotiations, the CSEA and the Town entered into a new Collective Bargaining Agreement, dated December 3, 2021, for the period January 1, 2022 through December 31, 2028, subject to ratification by the members of the CSEA and the Town Board; and

WHEREAS, the Collective Bargaining Agreement, dated December 3, 2021 was ratified by the members of the CSEA on December 2, 2021,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the Collective Bargaining Agreement, dated December 3, 2021; and be it further

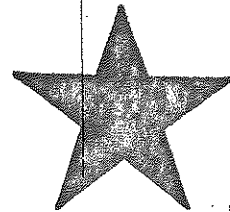
RESOLVED, that except for elected public officials, all full-time employees of the Town of Oyster Bay not covered by the new Collective Bargaining Agreement between the Town and the CSEA shall receive the benefits provided for by the Collective Bargaining Agreement; and be it further

RESOLVED, that except for elected public officials, all full-time employees of the Town of Oyster Bay not covered by the new Collective Bargaining Agreement shall receive wages in accordance with the contract provisions set forth therein as follows: within thirty (30) days of ratification of this Agreement, or, on or before January 31, 2022, whichever is sooner, all full-time employees not covered by the Collective Bargaining Agreement shall receive a one-time lump sum payment of two-thousand-five-hundred (\$2,500); all full-time employees not covered by the Collective Bargaining Agreement shall have their salary rounded up to the next highest thousand and receive an additional one-thousand-five-hundred (\$1,500) dollars in the first year of the contract (2022) effective on the start of the first full pay period in January of that year; all full-time employees not covered by the Collective Bargaining Agreement shall receive a base salary increase in the amount of two-thousand (\$2,000) dollars in the second year of the Contract (2023) effective on the start of the first full pay period in January of that year; and all full-time employees not covered by the Collective Bargaining Agreement shall receive a base salary increase in the amount of one-thousand-five-hundred (\$1,500) dollars per year for the remaining years of the contract (2024, 2025, 2026, 2027 and 2028) effective on the start of the first full pay period in January of that year.

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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	Absent



Reviewed By  
Office of Town Attorney

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is entered into on this            day of May, 2022, by and between the TOWN OF OYSTER BAY (the "Employer" or the "Town") and the CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., Local 1000, AFSCME, AFL-CIO, Town Of Oyster Bay Unit, Nassau County Local 881 (the "Association" or "CSEA") (collectively the "Parties").

### WITNESSETH:

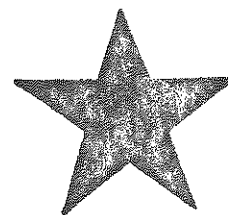
WHEREAS, on December 2, 2021, the Parties hereto entered into a Collective Bargaining Agreement, which was approved by the Town Board on December 7, 2021, with an agreement term of January 1, 2022 through December 31, 2028.

WHEREAS, the Parties acknowledge that Article II – Recognition of the Collective Bargaining Agreement, which provides for the Town's recognition of the Association as the sole bargaining and representative agent for and on behalf of its full-time and part-time employees, including, but not limited to, employees holding the following civil service titles, Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Lifeguard III, Pool, or Bay, or Ocean, or Instructor; Lifeguard Trainee Seasonal, requires amendment to include language to exclude the subject lifeguard employees from the CBA that are currently recognized as the bargaining unit represented by the Town of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO, and, are assigned to work at the Town Ocean beaches (TOBAY Beach and TOBAY bay side); and

WHEREAS, the Parties acknowledge that Article V – Wages and Hours of Employment, Section 5.4.2, Special Provisions, Sub-section 5-4.2.2, of the Collective Bargaining Agreement, which provides that "any employee working on a holiday that is New Year's Day, Juneteenth, Fourth of July, Christmas Day, which fall on a Saturday or Sunday shall receive the overtime rate of pay of time and one-half the regular rate of such employee's pay," requires amendment to include the holiday of Veterans Day; and

WHEREAS, the Parties believe it will be mutually beneficial to the Parties to enter into this Agreement to address this amendment,

NOW, THEREFORE, the Parties agree to the following:



1. Article II – Recognition, of the Collective Bargaining Agreement is deleted in its entirety and replaced as follows:

#### **ARTICLE II – RECOGNITION**

The Town recognizes the Association as the sole bargaining and representative agent for and on behalf of its full-time and part-time employees, including employees holding the following civil service titles: Lifeguard I Pool, or Bay, or Ocean, or Instructor; Lifeguard II Pool, or Bay, or Ocean, or Instructor; Life Guard III, Pool, or Bay, or Ocean or Instructor; Lifeguard Trainee Seasonal, except, all lifeguards in these titles that are currently recognized as the bargaining unit represented by the Town Of Oyster Bay Lifeguard Association, NYSUT, AFT-NEA AFL-CIO and, are assigned to work at the TOWN ocean beaches (TOBAY beach and TOBAY bay side); all other seasonal employees, temporary employees and elected public officials, as well as officials performing a legislative or judicial function pursuant to subdivision 2 of Sec. 682 of the New York State General Municipal law and/or those employees having a title on Addendum A are not included as employees represented by the Association.

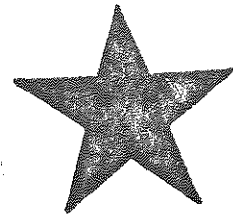
2. Article V – Wages and Hours of Employment, Section 5-4.2, Special Provisions, Sub-section 5-4.2.2, of the Collective Bargaining Agreement is deleted in its entirety and replaced as follows:

#### **ARTICLE V – WAGES AND HOURS OF EMPLOYMENT**

##### **5-4.2 – Special Provisions**

Any employee working on a holiday that is New Year's Day, Juneteenth, Fourth of July, Veteran's Day, Christmas Day, which falls on a Saturday or Sunday shall receive the overtime rate of pay of time and one-half the regular rate of such employee's pay.

3. This Memorandum of Agreement represents the full and entire understanding and agreement between the Parties with respect to the issues addressed herein.



4. Except as modified herein, or as previously amended or modified by any approved Memorandum of Agreement, all other terms of the Collective Bargaining Agreement remain in full force and effect.

5. This Memorandum of Agreement shall not be used or presented in any forum for any purpose other than to enforce the terms and conditions of the Memorandum of Agreement.

6. This Memorandum of Agreement may be executed in counterparts, each of which shall be deemed to be an original and all of which, taken together, shall be deemed to be one and the same document.

7. The CSEA President confirms that by executing this Agreement he has the authority to bind, and in fact binds, the CSEA and its membership to this Agreement, its terms and provisions, including but not limited to the aforementioned amendments to the Collective Bargaining Unit, and acknowledges that the Town has relied upon this material representation in executing this Agreement.

8. This Agreement is subject to and contingent upon formal approval and ratification by the Town Board, and will not be valid, binding or enforceable until it is fully executed by all the parties. In the event that the Town Board does not approve and ratify this Agreement, it will become null and void and no adverse inference will be drawn against any party for having entered into it.

TOWN OF OYSTER BAY

TOWN OF OYSTER BAY LOCAL, 881  
CIVIL SERVICE EMPLOYEES  
ASSOCIATION, INC., AFSCME AFL-CIO

By: \_\_\_\_\_  
Joseph S. Saladino, Supervisor

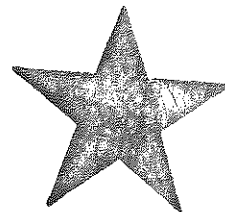
By: \_\_\_\_\_  
Jarvis T. Brown, President

CIVIL SERVICE EMPLOYEES  
ASSOCIATION, INC., AFSCME AFL-CIO

By: \_\_\_\_\_  
Patrick Naglieri, Labor Relations Specialist

REVIEWED BY  
OFFICE OF TOWN ATTORNEY

*[Signature]*  
10/11/01



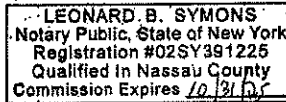
MEMORANDUM OF AGREEMENT

STATE OF NEW YORK  
COUNTY OF NASSAU )

SS.:

On the 18 day of May, in the year 2022, before me, the undersigned, personally appeared James T. Brown, 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 he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Leonard B. Symons  
Signature and Office of individual  
taking acknowledgement

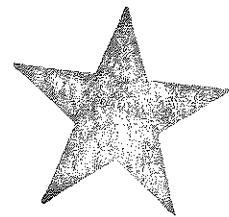


STATE OF NEW YORK  
COUNTY OF NASSAU )

SS.:

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2022, before me, the undersigned, personally appeared \_\_\_\_\_, 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 he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgement



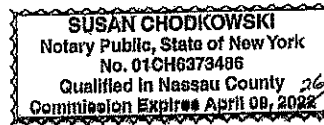
MEMORANDUM OF AGREEMENT

STATE OF NEW YORK  
COUNTY OF NASSAU )

ss.:

On the 18<sup>th</sup> day of May, in the year 2022, before me, the undersigned, personally appeared Patrick Nagheri, 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 he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Susan Chodkowski  
Signature and Office of individual  
taking acknowledgement

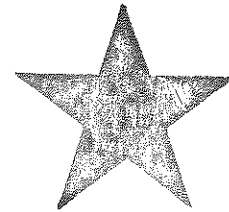


STATE OF NEW YORK  
COUNTY OF NASSAU )

ss.:

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2022, before me, the undersigned, personally appeared \_\_\_\_\_, 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 he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgement



Meeting of May 24, 2022

Resolution No 399-2022

WHEREAS, the collective bargaining agreement between the Town of Oyster Bay ("Town") and the Town of Oyster Bay Lifeguards Association, NYSUT, AFT-NEA, AFL-CIO (the "Union"), expired on April 30, 2022; and

WHEREAS, NYSUT and members of the Union, on behalf of the Union, and a negotiating team on behalf of the Town, have been negotiating the terms of a proposed successor collective bargaining agreement to be entered into between the Town and the Union; and

WHEREAS, by memorandum dated May 23, 2022, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico, Special Counsel, have advised that as a result of the negotiations a Memorandum of Agreement was entered into, subject to ratification by the Town Board and the membership of the Union, and that subsequently the membership of the Union ratified the Memorandum of Agreement; and

WHEREAS, by said memorandum, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico, Special Counsel, recommended that the Town Board ratify the Memorandum of Agreement and authorize the Supervisor or his designee to execute a successor Collective Bargaining Agreement between the Town and the Union, which memorializes and incorporates all of the terms included in the Memorandum of Agreement,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board accepts and ratifies the Memorandum of Agreement between the Town and the Union, and authorizes the Supervisor or his designee to execute a Collective Bargaining Agreement between the Town and the Union, which memorializes and incorporates all of the terms included in the Memorandum of Agreement, for a term through April 30, 2027.

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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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

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