

Meeting of October 16, 2018

Resolution No. TF-17-2018

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
085-18	DGS	\$12,000.00	DGS A 1620 42200 000 0000
			TO
		\$12,000.00	DGS A 1620 41600 000 0000
			FROM
	DGS	\$23,000.00	DGS A 1620 42200 000 0000
			TO
		\$23,000.00	DGS A 1620 44900 000 0000
			FROM
	DGS	\$5,000.00	DGS A 1620 42200 000 0000
			TO
		\$5,000.00	DGS A 1620 46100 000 0000
			FROM
086-18	DPW	\$55,000.00	DPW A 1640 41280 000 0000
			TO
		\$55,000.00	DPW A 1640 46340 000 0000
			FROM
087-18	OTC	\$20,000.00	OTC A 1410 12000 000 0000
			TO
		\$20,000.00	OTC A 1410 44100 000 0000
			FROM
088-18	PKS	\$850.00	PKS SP07 7180 46310 000 0000
			TO
		\$850.00	PKS SP07 7180 47900 000 0000
			FROM
		\$850.00	PKS SP11 7180 46310 000 0000
			TO
		\$850.00	PKS SP11 7180 47900 000 0000

Reviewed By
Office of Town Attorney



Resolution No. TF-17-2018

089-18	CYS	\$400.00	FROM	CYS A 7020 47660 000 0000
			TO	
		\$400.00		CYS A 7020 23000 000 0000
			FROM	
		\$27,600.00		CYS A 7020 47660 000 0000
			TO	
		\$27,600.00		CYS A 7020 41800 000 0000
			FROM	
090-18	DPS	\$1,500.00		DPS A 3010 44140 000 0000
			TO	
		\$1,500.00		DPS A 3010 41400 000 0000
			FROM	
		\$500.00		DPS A 3010 47200 000 0000
			TO	
		\$500.00		DPS A 3010 41400 000 0000
			FROM	
		\$400.00		DPS A 3010 46320 000 0000
			TO	
		\$400.00		DPS A 3010 41400 000 0000

#

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

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

cc: Supervisor
Town Attorney
Comptroller
General Services
Public Works
Town Clerk
Parks
Community & Youth
Public Safety

24

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: October 3, 2018

SUBJECT: Transfer of Funds

Town Board authorization is hereby requesting that the Comptroller transfer the following:


FROM:

PKS SP07 7180 46310 000 0000	Pool Start up / Shut down	\$ 850.00
PKS SP11 7180 46310 000 0000	Pool Start up / Shut down	\$ 850.00

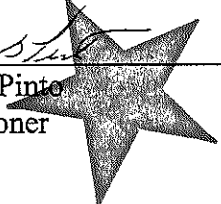
TO:

PKS SP07 7180 47900 000 0000	Other Expenses	\$ 850.00
PKS SP11 7180 47900 000 0000	Other Expenses	\$ 850.00

This transfer is being requested to provide funds necessary for membership into the Nassau County Municipal Swim Conference.



Joseph G. Pinto
Commissioner



JGP:GS:ld

cc: Town Attorney (+ 7 copies)

20

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

October 4, 2018

TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: Transfer of Funds

The Department of Community and Youth Services requests Town Board authorization to transfer the following funds:

From:	CYS A 7020 47660 000 0000	Special Events	\$ 28,000.00
To:	CYS A 7020 23000 000 0000	Other Equipment	\$ 400.00
	CYS A 7020 41800 000 0000	Recreational Supplies	\$ 27,600.00

The transfer will accommodate the cost of equipment & supplies through the end of the year.


Maureen A. Fitzgerald
Commissioner

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

October 4, 2018

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

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

FROM:	TO:
DPS A 3010 44140 000 0000	DPS A 3010 41400 000 0000
TRAINING	UNIFORMS
\$1,500.00	\$1,500.00


The above transfer is necessary in order to supply various uniform items.

FROM:	TO:
DPS A 3010 47200 000 0000	DPS A 3010 41400 000 0000
TRAVEL EXPENSES	UNIFORMS
\$500.00	\$500.00

The above transfer is necessary in order to supply various uniform items.

FROM:	TO:
DPS A 3010 46320 000 0000	DPS A 3010 41400 000 0000
INSTALL/REMOVE NAV AIDS	UNIFORMS
\$400.00	\$400.00

The above transfer is necessary in order to supply various uniform items.


Justin McCaffrey
Commissioner Public Safety

cc: Comptroller's Office
Town Attorney (7)

INTER – DEPARTMENTAL MEMO

Date: September 25, 2018
To: MEMORANDUM DOCKET
From: ERIC TUMAN, COMMISSIONER OF GENERAL SERVICES
Subject: **OPERATING ACCOUNTS – TRANSFER OF FUNDS**

The following transfer is respectfully requested:


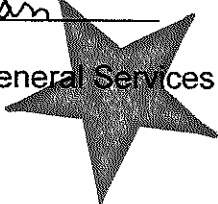
FROM: DGS A 1620 42200 000 0000 Lights, Power, Water \$40,000.00
TOTAL \$40,000.00

TO: DGS A 1620 41600 000 0000 Materials & Supplies \$12,000.00
DGS A 1620 44900 000 0000 All Other Contracts \$ 23,000.00
DGS A 1620 46100 000 0000 Equipment Maintenance \$ 5000.00

TOTAL \$40,000.00

JUSTIFICATION: TRANSFER OF FUNDS NEEDED TO COVER THE SHORTAGE
OF AVAILABLE FUNDS

Town Board approval is respectfully requested.


Eric Tuman
Commissioner of General Services


ET/nl
Cc:Town Attorney + (7) Copies

20

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 26, 2018

TO : MEMORANDUM DOCKET
FROM : RICHARD W. LENZ, P.E., COMMISSIONER OF DPW/HIGHWAY
SUBJECT : AMENDMENT TO THE 2018 OPERATING BUDGET

Kindly arrange to transfer funds for the C.V.M. Division as follows:

<u>ACCOUNT NO.</u>	<u>OBJECT DESCRIPTION</u>	<u>AMOUNT</u>
--------------------	---------------------------	---------------


FROM:

DPW A-1640-41280-000-0000	COMPRESSED NATURAL GAS (CNG)	\$ 55,000.00
---------------------------	------------------------------	--------------

TO:

DPW A-1640-46340-000-0000	TANK PERMITS & TESTING	\$ 55,000.00
---------------------------	------------------------	--------------

This transfer is necessary to provide sufficient funds in order to comply with New York State
DEC tank testing & repairs.



RICHARD W. LENZ, P.E.
COMMISSIONER OF DPW/HIGHWAY

RWL/MC/sb

C: Town Attorney – Original and 7 copies
Michael Cipriano, Division Head/CVM
Robert Tassone, Storekeeper

20

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 28, 2018

TO: MEMORANDUM DOCKET
FROM: JAMES ALTADONNA JR., TOWN CLERK
SUBJECT: TRANSFER OF FUNDS

Town Board authorization is hereby requested to transfer funds from the following account:

FROM:

OTC A 1410 12000 000 0000	SALARIES – PART TIME	\$20,000.00
---------------------------	----------------------	-------------

TO:

OTC A 1410 44100 000 0000	PRINTING PUBLIC & LEGAL NOTICES	\$20,000.00
---------------------------	---------------------------------	-------------

Justification: Transfer requested to have sufficient funds to cover the printing of public and legal notices through the end of year.



JAMES ALTADONNA JR.
TOWN CLERK

JA:RTS
cc: Town Attorney with 7 copies.

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 543-2016, adopted on September 27, 2016, granted the Petition of HICKSVILLE ROAD LLC, fee owner, (the "applicant"), for a Special Use Permit and Site Plan Approval to maintain an existing 1,276 square foot one story building on an approximately 0.42 acre site, and to be expanded by 177 square feet and to be used for retail sales ancillary to the existing gasoline service station on premises situated at 975 Hicksville Road, Massapequa, New York 11758, which premises is located in a General Business ("GB") Zone, located on the west side of Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block A, Lot 253 on the Land and Tax Map of Nassau County; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Section 6.8, Expiration, provides that the approval of a signed site plan shall expire in the event that an application has not been made for a building permit within one year after the date the site plan was signed, unless an extension of the time is granted; and

WHEREAS, pursuant to the request of the applicant and upon the recommendation of the Commissioner of the Department of Planning and Development, applicants' time to apply for a building permit has previously been extended by Resolution No. 539-17 adopted on September 12, 2017; and

WHEREAS, the applicants, through their attorneys, Harris, Beach, PLLC, by letter dated August 17, 2018, requested an extension of time from the current expiration date of September 27, 2018, to apply for a building permit; and

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated September 20, 2018, recommends that a one (1) year extension of time be granted from the current expiration date of September 27, 2018 to September 27, 2019 nunc pro tunc, to apply for a building permit,

NOW, THEREFORE, BE IT RESOLVED, That the request of Harris, Beach, PLLC, attorneys for Petitioner, for a one (1) year extension of time from the current expiration date of September 27, 2018, to apply for a building permit, is hereby GRANTED, nunc pro tunc, and the same terms and conditions effective pursuant to Town Board Resolution No. 543-2016, adopted on September 27, 2016, shall prevail.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

Reviewed By
Office of Town Attorney

4

TOWN OF OYSTER BAY
Inter-Departmental Memo

September 20, 2018

648

To : MEMORANDUM DOCKET

From : ELIZABETH MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING & DEVELOPMENT

Subject : REQUEST FOR EXTENSION OF TIME
TOWN BOARD RESOLUTION # 543-2016
PETITION OF HICKSVILLE ROAD, LLC
975 HICKSVILLE ROAD, MASSAPEQUA, NY
SECTION 52, BLOCK A, LOT 253

This Department is in receipt of correspondence, dated August 17, 2018 from David N. Altman, Harris Beach, PLLC, attorney, requesting an extension of time to obtain a certificate of occupancy for the above captioned premises (see attached).

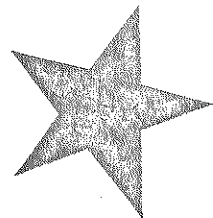
It is my recommendation that a one (1) year extension of time should be granted from the current expiration date of September 27, 2018 to September 27, 2019, nunc pro tunc.

The same terms and conditions should prevail as contained in Town Board Resolution No. 543-2016, dated September 27, 2016.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM/dg
Enclosure

cc: Legislative Affairs (7 copies w/att.)



538 BROADHOLLOW ROAD • SUITE 301
MELVILLE, NEW YORK 11747
516-222-0222 TELEPHONE • 516-222-0322 FACSIMILE
KBDA@BROWNALTMAN.COM • WWW.BROWNALTMAN.COM

August 17, 2018

VIA HAND DELIVERY

Elizabeth L. Maccarone, Commissioner
Planning and Development
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

Re: Request for an Extension of the Town of Oyster Bay (the "Town") Town Board Special Permit and Site Plan Approval to Hicksville Road, LLC in connection with the property located at 975 Hicksville Road, Massapequa, New York, New York; Nassau County Tax Map Identification Number: Section 52, Block A, Lot 253
Our File No. 308093; Town Board Resolution Number. 543-2016

Dear Commissioner Maccarone:

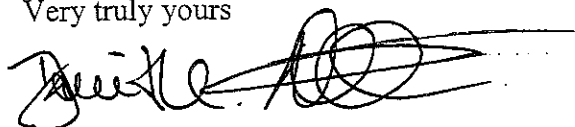
We represent Hicksville Road, LLC in connection with the above-referenced matter. In accordance with Section 246-9.3.5 of the Town Code, Hicksville Road, LLC respectfully requests a second one (1) year extension of the September 27, 2016 Town Board Special Use Permit and Site Plan approval (copy enclosed). Hicksville Road, LLC seeks the extension in order to complete construction pursuant to Town Code Section 246-9.3.5.

Hicksville Road, LLC has obtained the Building Permit and Sign Permits from the Town Building Department. While Hicksville Road, LLC has received the required permits necessary to construct the improvements, it has experienced delays in getting the required construction personnel for the improvements. Construction at the site is presently scheduled to commence on October 1, 2018 and will be completed no later than February 28, 2019. Accordingly, Hicksville Road, LLC is requesting this second extension of the Town Board approval.

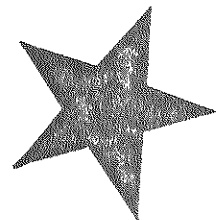
Enclosed you will find one (1) check made payable to the "Town of Oyster Bay" in the amount of \$250.00, representing the Site Plan approval extension request fee.

Should you have any questions concerning the foregoing or require additional information please do not hesitate to contact our office. Thank you for your consideration and anticipated approval of Hicksville Road, LLC's request.

Very truly yours



David N. Altman



WHEREAS, HICKSVILLE ROAD LLC, fee owner, has petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to maintain an existing 1,276 square foot one story building on an approximately 0.42 acre site, and to be expanded by 177 square feet and to be used for retail sales ancillary to the existing gasoline service station on premises situated at 975 Hicksville Road, Massapequa, New York 11758, which premises is located in a General Business ("GB") Zone, located on the west side of Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block A, Lot 253 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on January 19, 2016, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

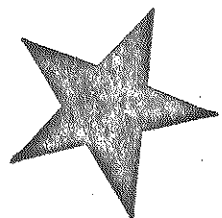
WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Department of Environmental Resources, did, by Resolution No. 353-16, adopted on July 12, 2016, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) and is applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by letter dated August 1, 2016, recommended local determination of said application; and

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

WHEREAS, Frederick P. Ippolito, Commissioner of the Department of Planning and Development, by memorandum dated April 4, 2014, has advised that the Department of Planning and Development has reviewed the following six (6) plans prepared by Christopher Mark Tartaglia, P.E., High Point Engineering, Farmingdale, NY, and recommended that the Town Board approve said items:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>DATE</u>
A-1	PROPOSED FLOOR PLAN ELEVATIONS	Christopher Mark Tartaglia, P.E. 04/17/13
SP-1	SITE PLAN	Christopher Mark Tartaglia, P.E. 08/06/13
SP-2	GRADING/DRAINAGE & UTILITY PLAN	Christopher Mark Tartaglia, P.E. 08/06/13
SP-3	LIGHTING PLAN	Christopher Mark Tartaglia, P.E. 08/06/13
SP-4	LANDSCAPE PLAN	Christopher Mark Tartaglia, P.E. 08/06/13



SP-5

DETAIL SHEET

Christopher Mark Tartaglia, P.E. 08/06/13

NOW, THEREFORE, BE IT RESOLVED, That the Petition of HICKSVILLE ROAD LLC, fee owner, has petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to maintain an existing 1,276 square foot one story building on an approximately 0.42 acre site, and to be expanded by 177 square feet and to be used for retail sales ancillary to the existing gasoline service station on premises situated at 975 Hicksville Road, Massapequa, New York 11758, which premises is located in a General Business ("GB") Zone, located on the west side of Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block A, Lot 253 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Massapequa, Town of Oyster Bay, in the County of Nassau, State of New York, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Hicksville-Massapequa Road distant the following three courses and distances along said road from the southerly end of the arc of a curve connecting the westerly side of Hicksville-Massapequa Road and the southerly side of Duff Place:

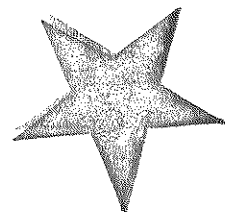
- (1) Southerly along said road for a distance of 432.76 feet to a point on said road;
- (2) North 76 degrees 27 minutes 40 seconds West along said road a distance of 50.07 feet;
- (3) South 16 degrees 37 minutes 00 seconds West along said road a distance of 60.08 feet to the true point or place of BEGINNING;

RUNNING THENCE North 76 degrees 27 minutes 40 seconds West 125.18 feet to land formerly of GORDON AND HILLENBRAND, now Long Island Lighting Company;

THENCE along said land South 16 degrees 37 minutes 00 seconds West 150 feet to land now or formerly of LONG ISLAND LIGHTING COMPANY;

THENCE along said land South 76 degrees 27 minutes 40 seconds East 125.18 feet to the westerly side of Hicksville-Massapequa Road;

THENCE ALONG said road North 16 degrees 37 minutes 00 seconds East 150 feet to the point or place of BEGINNING.



SAID PREMISES being known as and by Street Number 975
Hicksville Road, Massapequa, NY, Nassau County – Section 52,
Block A, Lot 253 on the Land and Tax Map of Nassau County;

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

RESOLVED, That in accordance with the memorandum of Frederick P. Ippolito, Commissioner of the Department of Planning and Development, dated April 4, 2014, the eight (8) plans described herein are hereby approved.

-#-

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

~~I, Carol Ann Strafford, Town Attorney,~~

Carol Ann Strafford, Director of Legislative Affairs

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

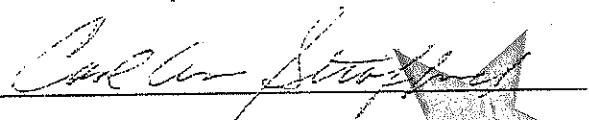
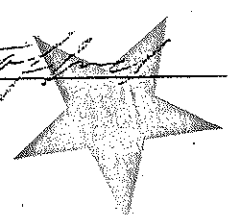
Resolution No. 543-2016 adopted by the Town Board of the Town of Oyster Bay at their meeting of September 27, 2016 GRANTING the application of Hicksville Road LLC, fee owner, for a special use permit to add additional related retail space to an existing gasoline station on premises located at 975 Hicksville Road, Massapequa, NY.

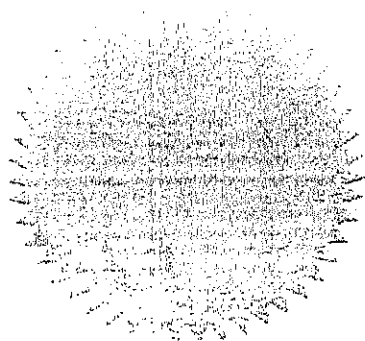
filed in the Town Attorney's Office Legislative Affairs
and that the same is true transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto signed

my name and affixed the seal of said Town

this 29th day of September 2016



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 30, 2018, authorized the Highway Department to clean up the premises located at 116 Thorne Drive, Bethpage, New York 11714-3214, also known as Section 47, Block D, Lot 120 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated September 25, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 1, 2018, in the total amount of \$2,190.70, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated September 25, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,190.70 may be assessed by the Legislature of the County of Nassau against the parcel known as 116 Thorne Drive, Bethpage, New York 11714-3214, also known as Section 47, Block D, Lot 120 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
[Signature]

9

Town of Oyster Bay
Inter-Departmental Memo

649

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 25, 2018

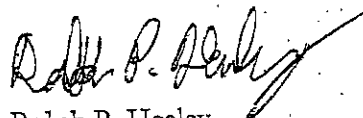
SUBJECT: Property Cleanup Assessment
116 Thorne Drive, Bethpage, New York 11714-3214
Section 47, Block D, Lot 120

The Department of Planning and Development, by memorandum dated July 30, 2018, directed the Highway Department to clean the premises located at 116 Thorne Drive, Bethpage, New York 11714-3214, also known as Section 47, Block D, Lot 120 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 7, 2018, advised that the property was cleaned by a crew from the Highway Department on August 1, 2018. The cost incurred by the Town of Oyster Bay was \$2,190.70.

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

Kindly place this matter on the Town Board Action Calendar.

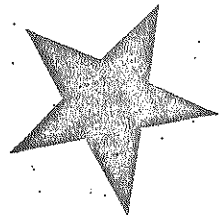
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\Cleanup\MD&R\MD&R\MD 116 Thorne Dr 9.25.18.doc



TOWN OF OYSTER

**Inter-Departmental Memo
July 30, 2018**

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 116 Thorne Drive Bethpage, NY 11714
SBL:47-D-120

Nov. (No.18051) was issued to the owner of the above-referenced premises 07/16/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.
- The tree branches to be removed throughout the property.

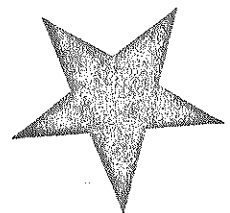
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



7/18/17

THIS INDENTURE, made the 19th day of ^{February} ~~January~~, nineteen hundred and ninety nine

BETWEEN

[REDACTED]

party of the first part, and

[REDACTED]

party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Bethpage, Town of Oyster Bay, County of Nassau and State of New York, being more particularly bounded and described as follows:

Beginning at a point on the northeasterly side of Thorne (Central Park Avenue) Drive distant 298.41 feet southeasterly from the corner formed by the intersection of the northeasterly side of Thorne (Central Park Avenue) Drive with the southeasterly side of Styrmus Avenue;

Running Thence North 45 degrees 27 minutes 10 seconds East 200.00 feet;

Thence South 44 degrees 00 minutes East 80.00 feet;

Thence South 45 degrees 27 minutes 10 seconds West 200.00 feet to the northeasterly side of Thorne (Central Park Avenue) Drive;

Thence northwesterly along the northeasterly side of Thorne (Central Park Avenue) Drive North 44 degrees 00 minutes West 80.00 feet to the point or place of Beginning.

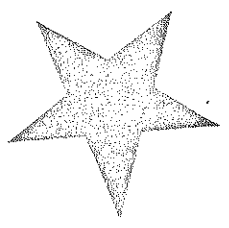
SUBJECT TO UTILITY easement of record.

SUBJECT TO Mortgage dated April 2, 1993

BEING THE SAME PREMISES conveyed to Margaret A. Murphy and Genarn J. Scarpati by deed dated April 2, 1993 and recorded on Liber 10302 page 0678.

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

47
2
120



Town of Oyster Bay
Inter- Departmental Memo

August 7, 2018

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

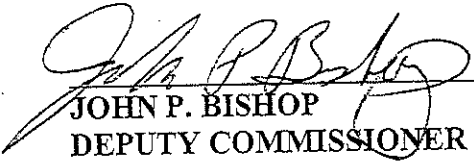
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 116 THORNE DRIVE, BETHPAGE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,190.70.

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

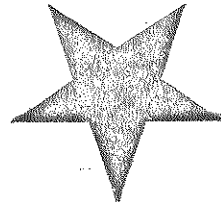

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 AUG 20 A 11:24

2018 AUG 20 A 11:24



CLEAN - UP 116 THORNE DRIVE, BETHPAGE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (47-D-120) 116 THORNE DR BETHPAGE 11714 Date Aug 1, 2018
Work Order # 50738

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL ZEREBAK	General Maintenance	00:00	\$24.60	02:30	1.5	\$92.25
MICHAEL SOLOMON	General Maintenance	00:00	\$23.27	02:30	1.5	\$87.26
CHRISTOPHER MADDEN	General Maintenance	00:00	\$24.36	02:30	1.5	\$91.35
RAYMOND SWIERKOWSKI	General Maintenance	00:00	\$26.65	02:30	1.5	\$99.94
PAT DAVINO	General Maintenance	00:00	\$22.64	02:30	1.5	\$84.90
Total Labor						\$455.70

Tools/Vehicle

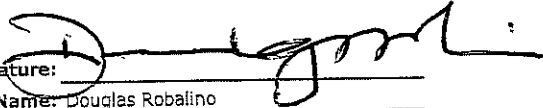
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK447	SANI PACKER 2017 INTER 7400 YW	\$105.00	02:30	\$262.50
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	\$131.00	02:30	\$327.50
TO108	Tractor 2011 New Holland T4020 BL (LT-12)	\$158.00	02:30	\$395.00
Total Equipment				\$985.00

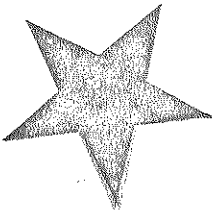
Materials

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

Grand Total \$2190.70

Description of Work:
CLEAN UP 116 THORNE DRIVE BETHPAGE

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Aug 6, 2018



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 30, 2018, authorized the Highway Department to clean up the premises located at 43 Maxwell Drive, Westbury, New York 11590, also known as Section 11, Block 428, Lot 24 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated September 25, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 2, 2018, in the total amount of \$1,367.97, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated September 25, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,367.97 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 Maxwell Drive, Westbury, New York 11590, also known as Section 11, Block 428, Lot 24 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

10

650

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 25, 2018

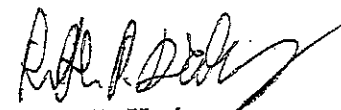
SUBJECT: Property Cleanup Assessment
43 Maxwell Drive, Westbury, New York 11590
Section 11, Block 428, Lot 24

The Department of Planning and Development, by memorandum dated July 30, 2018, directed the Highway Department to clean the premises located at 43 Maxwell Drive, Westbury, New York 11590, also known as Section 11, Block 428, Lot 24 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 7, 2018, advised that the property was cleaned by a crew from the Highway Department on August 2, 2018. The cost incurred by the Town of Oyster Bay was \$1,367.97.

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

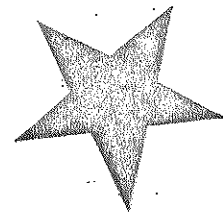
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

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

S:\AML\CleanupMD&Reso\MD&Reso\MD 43 Maxwell Dr 9.25.18.doc



TOWN OF OYSTER

**Inter-Departmental Memo
July 30, 2018**

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 43 Maxwell Drive Westbury, NY 11590
SBL:11-428-24

Nov. (No.18052) was issued to the owner of the above-referenced premises 07/17/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.

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

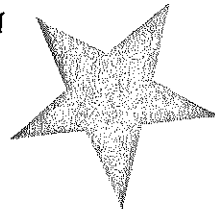
ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU



ME/js

cc: Joseph Nocella, Town Attorney



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

THIS INDENTURE, made the 4th day of January, nineteen hundred and ninety five
BETWEEN [REDACTED]

party of the first part, and [REDACTED] Place,
[REDACTED]

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

at Hicksville in the Town of Oyster Bay, County of Nassau and State of New York, known as and by lot 24 in Block 428 as shown and designated on a certain map entitled "Map of Imperial Gardens Section No. 3, situated at Hicksville, Nassau County, New York, surveyed October 1957, Baldwin & Cornelius Co., Civil Engineers and Surveyors, Freeport, NY" and filed in the Office of the Clerk of the County of Nassau, September 18, 1958, under File No. 7074, and which said lot according to said map is bounded and described as follows:

BEGINNING at a point on the northeasterly side of Maxwell Drive distant 239.06 feet northwesterly from the extreme northwesterly end of the arc connecting the northwesterly side of Robbins Lane with the northeasterly side of Maxwell Drive;

RUNNING THENCE northwesterly along the northeasterly side of Maxwell Drive the following two courses and distances:

- 1) along the arc of a circle bearing to the left having a radius of 230 feet a distance of 0.75 feet;
- 2) North 48 degrees 02 minutes West 74.26 feet;

THENCE North 41 degrees 58 minutes East 100 feet;

THENCE South 48 degrees 02 minutes East 75 feet;

THENCE South 41 degrees 58 minutes West 100 feet to the northeasterly side of Maxwell Drive, the point or place of BEGINNING.

BEING AND INTENDED TO BE same premises grantor acquired by Deed dated 7/26/94 and recorded 11/17/94 in Liber 10487 page 591.

Premises also known as 43 Maxwell Drive, Westbury, New York.

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

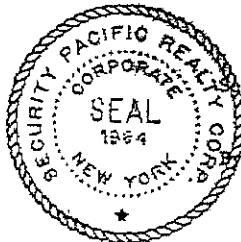
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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.

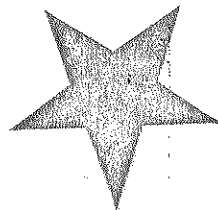
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written,

IN PRESENCE OF:



Security Pacific Realty Corp.

Caryn S. Schreiber
Caryn S. Schreiber, Asst. V.P.



Section

11 0

Block

428

Lot

224

DEED

Town of Oyster Bay
Inter- Departmental Memo

August 7, 2018

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

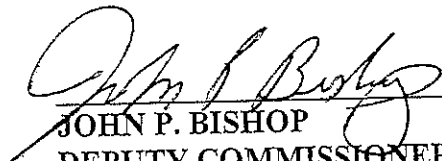
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 43 MAXWELL DRIVE, WESTBURY
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 \$1,367.97.

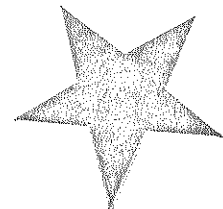
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 AUG 20 A 11:25
COMMUNICATIONS SECTION
TOWN OF OYSTER BAY



CLEAN - UP 43 MAXWELL DRIVE, WESTBURY TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (11-428-24) 43 MAXWELL DR WESTBURY 11590

Date Aug 2, 2018

Work Order # 50737

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:30	\$32.87	00:00	0	\$49.30
JAMES ROMANO	General Maintenance	01:30	\$27.75	00:00	0	\$41.63
VINCENT PADAVANO	General Maintenance	01:30	\$47.36	00:00	0	\$71.04
JAYKE SCHAEFER	General Maintenance	01:30	\$15.00	00:00	0	\$22.50
Total Labor						\$184.47

Tools/Vehicle

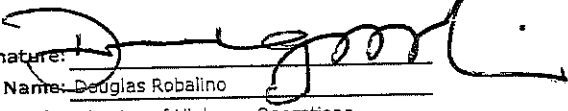
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD648	PICK-UP TRUCK 2009 FORD F-250 YW (T-010 / 010)	\$79.00	01:30	\$118.50
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:30	\$157.50
TR204	TRAILER 2017 FELLI FT30 BL	\$105.00	01:30	\$157.50
Total Equipment				\$433.50

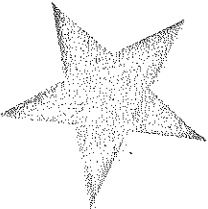
Materials

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

Grand Total \$1367.97

Description of Work:
CLEAN UP 43 MAXWELL DRIVE WESTBURY

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Aug 6, 2018



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 13, 2018, authorized the Highway Department to clean up the premises located at 16 Cedar Place, Massapequa, New York 11758, also known as Section 48, Block 561, Lot 12 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated September 25, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 19, 2018, in the total amount of \$1,175.03, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated September 25, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,175.03 may be assessed by the Legislature of the County of Nassau against the parcel known as 16 Cedar Place, Massapequa, New York 11758, also known as Section 48, Block 561, Lot 12 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

65

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 25, 2018

SUBJECT: Property Cleanup Assessment
16 Cedar Place, Massapequa, New York 11758
Section 48, Block 561, Lot 12

The Department of Planning and Development, by memorandum dated July 13, 2018, directed the Highway Department to clean the premises located at 16 Cedar Place, Massapequa, New York 11758, also known as Section 48, Block 561, Lot 12 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 30, 2018, advised that the property was cleaned by a crew from the Highway Department on July 19, 2018. The cost incurred by the Town of Oyster Bay was \$1,175.03.

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

Kindly place this matter on the Town Board Action Calendar.

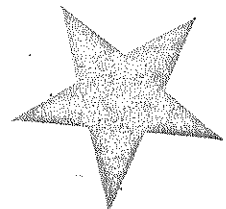
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\CleanupMD&R\Reso\MD&R\MD 16 Cedar Pl 9.25.18.doc



TOWN OF OYSTER

Inter-Departmental Memo
July 13, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 16 Cedar Place Massapequa, NY 11758
SBL:48-561-12

Nov. (No.18008) was issued to the owner of the above-referenced premises 07/02/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.

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

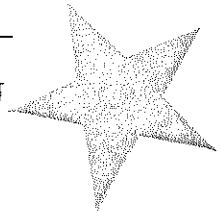
ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

Ⓟ

ME/js

cc: Joseph Nocella, Town Attorney



880

FS09 M 00814

Standard N.Y.B.T.C. Form 8602 - Bargain & sale deed with covenant against grantor's acts - Ind. or Corp. - single sheet

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

THIS INDENTURE, made the 12th day of May, 1999 ✓

BETWEEN

[REDACTED], NY 11762

party of the first part, and

[REDACTED] 210

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

SEE SCHEDULE "A" ANNEXED

See 48
228 561
Lot 12

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated June 18, 1974 and recorded in the Office of the Clerk of the County of NASSAU on June 19, 1974 in Liber 8684 at Page 280.

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

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

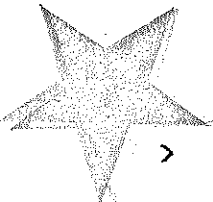
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

In Presence of:

[Signature]

[Signature]
MANUEL ALIMONDA



A2

Town of Oyster Bay
Inter- Departmental Memo

July 30, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 16 CEDAR PLACE, MASSAPEQUA PARK
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 \$1,175.03.

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

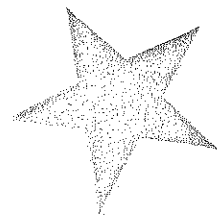

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 AUG 10 PM 3:05

CLERK OF THE TOWN OF OYSTER BAY
RECEIVED



CLEAN - UP 16 CEDAR PLACE, MASSAPEQUA PARK TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-561-12) 16 CEDAR PL MASSAPEQUA PARK 11762

Date Jul 19, 2018

Work Order # 50306

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JAMES AJAMIAN	General Maintenance	01:00	\$44.67	00:00	0	\$44.67
VICTOR NIETO	General Maintenance	01:00	\$24.60	00:00	0	\$24.60
DORIAN COVEN	General Maintenance	01:00	\$25.76	00:00	0	\$25.76
DARIN S RIEFBERG	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
Total Labor						\$110.03

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD-731	6 WHEELER DUMP TRUCK 2016 INTER 7300 YW	\$131.00	01:00	\$131.00
TD664	PICK-UP TRUCK 2009 FORD F-250 YW (17 / 017)	\$79.00	01:00	\$79.00
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$315.00

Materials

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

Grand Total \$1175.03

Description of Work:

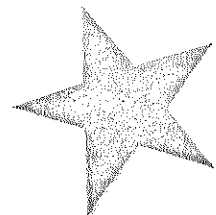
CLEAN UP 16 CEDAR PLACE MASSAPEQUA

Signature: 

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jul 30, 2018



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated June 11, 2018, authorized the Highway Department to clean up the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated September 14, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 10, 2018, in the total amount of \$1,985.94, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated September 14, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,985.94 may be assessed by the Legislature of the County of Nassau against the parcel known as 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

12

Town of Oyster Bay
Inter-Departmental Memo

652

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 2018

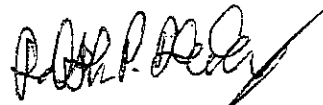
SUBJECT: Property Cleanup Assessment
101 Clocks Boulevard, Massapequa, New York 11758
Section 66, Block 133, Lot 239

The Department of Planning and Development, by memorandum dated June 11, 2018, directed the Highway Department to clean the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 25, 2018, advised that the property was cleaned by a crew from the Highway Department on July 10, 2018. The cost incurred by the Town of Oyster Bay was \$1,985.94.

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

Kindly place this matter on the Town Board Action Calendar.

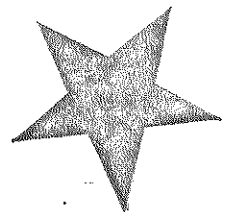
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\CleanupMD&Reso\CleanupMD&Reso\MD 101 Clocks Blvd 9.14.18.doc



REC'D BY HIGHWAY DEPT
JUN 19 '18 04:11:03

2018-6740

TOWN OF OYSTER BAY

Inter-Departmental Memo
June 11, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 101 Clocks Boulevard Massapequa, NY 11758
SBL: 66-133-239

Notice of Violation (No.17942) was issued to the owner of the above-referenced premises 06/01/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.

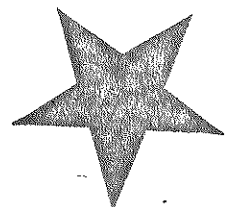
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



WCB-2
Rev. 8/89
(Uniform act)

Standard N.Y.E.T.U. Form 5002 •

-Bargain and Sale Deed, with Covenant against Grantor's Acts—Individual or Corporation (single sheet)

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

THIS INDENTURE, made the 30th day of July, in the year two thousand and one
BETWEEN [REDACTED]

party of the first part, and [REDACTED]

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

SEE SCHEDULE 'A' ANNEXED HERETO AND FORMING PART HEREOF.

SECTION: 66 BLOCK: 133 LOT: 239

PREMISES ALSO KNOWN AS 101 CLOCKS BOULEVARD, MASSAPEQUA, N.Y.

BEING AND INTENDED TO BE THE SAME PREMISES ACQUIRED BY DEED DATED 9/29/1999 AND RECORDED IN THE NASSAU COUNTY CLERK'S OFFICE ON 5/8/2000 LIBER 11201 PAGE 345.

BEING THE SAME PROPERTY ACQUIRED BY THE PARTY OF THE FIRST PART PURSUANT TO THE TERMS OF THE NATIONAL HOUSING ACT, AS AMENDED (12 U.S.C. 171 ET SEQ.) AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACT (79 STAT. 667)

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.

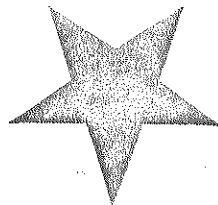
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

FIYARA BEGUM

MOHAMMAD KIBRIA



COUNTY OF

On the 10 day of July in the year 2001 before me, the undersigned, personally appeared [REDACTED], personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of
individual taking acknowledgment

STATE OF NEW YORK

COUNTY OF

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

Signature and Office of
individual taking acknowledgment

** For acknowledgments taken in New York State.

** State, District of Columbia, Territory, Possession, or Foreign Country

On the 10 day of July in the year 2001 before me, the undersigned, personally appeared [REDACTED], personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the [REDACTED] (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).

Signature and Office of
individual taking acknowledgment

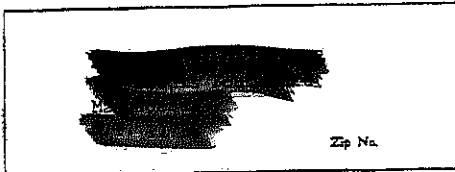
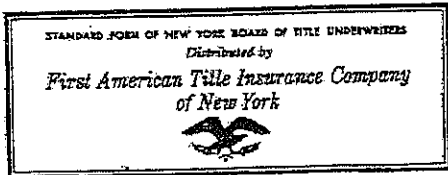
** For acknowledgments taken outside of New York State.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

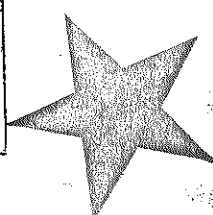
TITLE NO.

SECTION 66
BLOCK 133
LOT 239
COUNTY OR TOWN Nassau

Recorded At Request of
First American Title Insurance Company of New York
RETURN BY MAIL TO:



RESERVE THIS SPACE FOR USE OF RECORDING OFFICE



Schedule A Description

Title Number MA-2852-N

Page 1

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Breezy Point, Amityville, Town of Oyster Bay, County of Nassau and State of New York, known as and by part of Plot Nos. 103 and 104 on a certain map entitled, "Map of Breezy Point situated at Amityville, Town of Oyster Bay, Nassau County, New York, property of Ridgewood Park Realty Company, surveyed January 1913 by Frank Asbury, C.E. & C.S." and filed in the Office of the Clerk of the County of Nassau on April 13, 1916 as Map No. 255, Case No. 1927 and which said part of plots are more particularly bounded and described as follows:

BEGINNING at a point which the corner formed by the intersection of the westerly side of Clocks Boulevard with the northerly side of Bayview Place;

RUNNING THENCE westerly along said northerly side of Bayview Place and at right angles to said westerly side of Clocks Boulevard, 170.00 feet to a point, said point being 100 feet east of Yacht Channel;

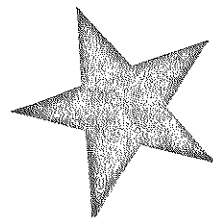
RUNNING THENCE northerly at right angles to said northerly side of Bayview Place, 100.00 feet;

RUNNING THENCE easterly at right angles to the last described course and parallel to said northerly side of Bayview Terrace, 170.00 feet to said westerly side of Clocks Boulevard;

RUNNING THENCE southerly along said westerly side of Clocks Boulevard and at right angles to last described course, 100.00 feet to the corner, to the point or place of BEGINNING.

FOR CONVEYANCING ONLY

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the any streets and roads abutting the above described premises.



CLERK

NASSAU COUNTY CLERKS OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 09-07-2001
Recorded Time: 10:19:17 a

Record and Return To:

Liber Book: D 11377
Pages From: 1
To: 4

Control
Number: 368
Ref #: RE 003451
Doc Type: D01 Deed

Location:
OYSTER BAY (2824)

Section	Block	Lot	Unit
0066	00133-00	00239	

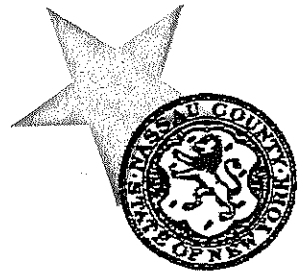
PFC001

Taxes Total	.00
Recording Totals	62.00
Total Payment	62.00

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK



2001090700368



AL

Town of Oyster Bay
Inter- Departmental Memo

July 25, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 101 CLOCKS 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 \$1,985.94.

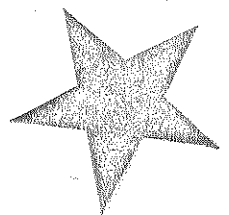
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2018 AUG 13 A 9:59



CLEAN - UP 101 CLOCKS BLVD., MASSAPEQUA TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (66-133-239) 101 CLOCKS BLVD MASSAPEQUA 11758

Date Jul 10, 2018

Work Order # 49561

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	03:00	\$32.87	00:00	0	\$98.61
JAMES ROMANO	General Maintenance	03:00	\$27.75	00:00	0	\$83.25
VINCENT PADAVANO	General Maintenance	03:00	\$47.36	00:00	0	\$142.08
JAYKE SCHAEFER	General Maintenance	03:00	\$15.00	00:00	0	\$45.00
Total Labor						\$368.94

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD648	PICK-UP TRUCK 2009 FORD F-250 YW (T-010 / 010)	\$79.00	03:00	\$237.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	03:00	\$315.00
TR204	TRAILER 2017 FELLI FT30 BL	\$105.00	03:00	\$315.00
Total Equipment				\$867.00

Materials

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

Grand Total \$1985.94

Description of Work:

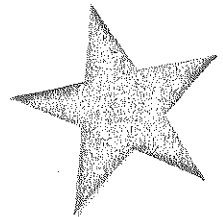
CLEAN UP 101 CLOCKS BLVD

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jul 24, 2018



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated June 7, 2018, authorized the Highway Department to clean up the premises located at 254 North Linden Street, Massapequa, New York 11758, also known as Section 52, Block 81, Lots 38 to 40 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated September 25, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on June 25, 2018, in the total amount of \$924.75, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated September 25, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$924.75 may be assessed by the Legislature of the County of Nassau against the parcel known as 254 North Linden Street, Massapequa, New York 11758, also known as Section 52, Block 81, Lots 38 to 40 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
Ralph P. Healey

13

653

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 25, 2018

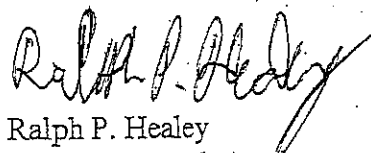
SUBJECT: Property Cleanup Assessment
254 North Linden Street, Massapequa, New York 11758
Section 52, Block 81, Lots 38 to 40

The Department of Planning and Development, by memorandum dated June 7, 2018, directed the Highway Department to clean the premises located at 254 North Linden Street, Massapequa, New York 11758, also known as Section 52, Block 81, Lots 38 to 40 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 2, 2018, advised that the property was cleaned by a crew from the Highway Department on June 25, 2018. The cost incurred by the Town of Oyster Bay was \$924.75.

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

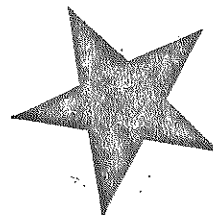
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

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

S:\AML\CleanupMD&Reso\MD&Reso\MD 254 N Linden St 9.25.18.doc



TOWN OF OYSTER

Inter-Departmental Memo
June 7, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 254 N. Linden Street Massapequa, NY 11758
SBL: 52-81-38

Nov. (No.17934) was issued to the owner of the above-referenced premises 08/03/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: **I am directing that:**

- The boards be removed and replaced with poly carbonite.
- A construction fence be installed on the east side of the property.

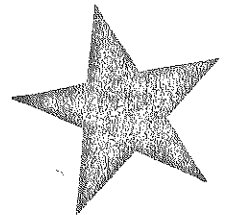
Pursuant to the provisions of Section 96.2(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME/js
cc: Joseph Nocella, Town Attorney



Do
4
325K

REFEREE'S DEED IN FORECLOSURE

THIS DEED made on 10/24/16, 2018, by and between

[REDACTED] duly appointed in the action hereinafter mentioned,
Grantor, and [REDACTED] Grantee.

5
52
6
8
1/40

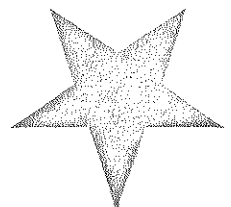
WITNESSETH, that the Grantor, the Referee appointed in an action between U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO WACHOVIA BANK, N.A., AS TRUSTEE FOR PARK PLACE SECURITIES, INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-WWF1, plaintiff and ARLINE DEMAIO A/K/A ARLINE DE MAIO, DAWN ALPDOGAN, AMERICAN EXPRESS TRAVEL RELATED SERVICES, INC., ASSET ACCEPTANCE LLC AS ASSIGNEE OF PROVIDIAN, CAPITAL ONE BANK, COLORADO CAPITAL INVESTMENTS INC., FIRST RESOLUTION INVESTMENT CORP., A/K/A CAPITAL ONE BANK, H. L. GREENBURG, MIDLAND CREDIT MANAGEMENT, INC., MONOGRAM CREDIT CARD BANK OF GEORGIA, NORTH SHORE UNIVERSITY HOSPITAL AT MANHASSET, NY FINANCIAL SERVICES, LLC, PAWTUCKET CREDIT UNION SUCCESSOR BY MERGER TO CO-OP CREDIT UNION, RAB PERFORMANCE RECOVERIES, LLC, SHERMAN ACQUISITION, II LP A/P/O HOUSEHOLD, defendants, commenced in the Supreme Court of the State of New York, County of Nassau, bearing Index No.: 14413/08 with regard to a mortgage dated October 14, 2004, and recorded on February 22, 2005 in Liber 28406, Page 1 and pursuant to a Judgment of Foreclosure and Sale entered at a L.S. Part of the Supreme Court of the State of New York, County of Nassau and bearing date December 23, 2015 and entered in the Nassau County Clerk on January 15, 2016; and sale dated October 24, 2017 in consideration of \$325,000.00 paid by the Grantee being the highest sum bid at the sale under said Judgment, does hereby grant and convey unto the Grantee:

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 State of New York, and being more particularly described on Schedule "A" annexed hereto and made a part hereof as though set forth fully hereat.

Premises: 254 North Linden St, Massapequa, NY 11758
Section: 52 Block: 81 Lot: 38, 39, 40

Being the same premises described in the deed dated October 27, 2005, recorded on November 28, 2005 in Liber 12043, at Page 339.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, unto its successors and assigns forever.



IN WITNESS WHEREOF, Grantor has hereunto set his/her hand and seal the date first above written.

Executed on this 16th day of March, 2018

[REDACTED]

STATE OF NEW YORK)

) SS:

COUNTY OF Nassau)

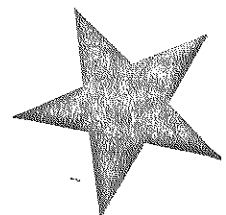
On the 16th day of March, 2018, before me, personally appeared [REDACTED] personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

TROY AMARI
NOTARY PUBLIC STATE OF NEW YORK
REG. 61418068024
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES SEPT 23, 2019

REFEREE'S DEED IN FORECLOSURE

Section: 52
Block: 81
Lot: 38, 39, 40
Address: 254 North Linden St, Massapequa,
NY 11758



62 81-5

Town of Oyster Bay
Inter- Departmental Memo

July 2, 2018

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 254 LINDEN STREET, MASSAPEQUA
BOARD-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$924.75.

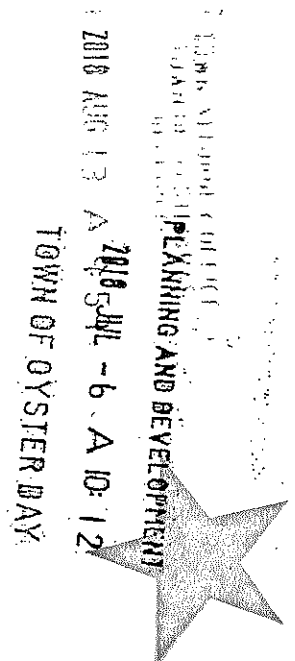
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

BOARD - UP 254 LINDEN STREET, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (52-81-38) 254 LINDEN ST MASSAPEQUA 11758

Date Jun 25, 2018

Work Order # 49555

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JEFFREY VAN NOSTRAND	General Maintenance	01:00	\$43.77	00:00	0	\$43.77
Total Labor						\$43.77

Tools/Vehicle

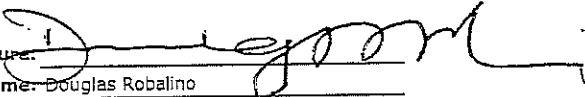
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$79.00

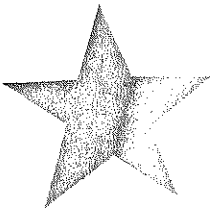
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Temporary Snow Fence (50 Ft)	\$51.98	1	\$51.98
Total Materials			\$801.98

Grand Total \$924.75

Description of Work:
BOARD UP - Replace with poly carbonite

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Jul 2, 2018



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated July 5, 2018, authorized the Highway Department to clean up the premises located at 2 Colonial Gate, Plainview, New York 11803, also known as Section 13, Block 90, Lot 1 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated September 25, 2018, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 11, 2018, in the total amount of \$1,824.24, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated September 25, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,824.24 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Colonial Gate, Plainview, New York 11803, also known as Section 13, Block 90, Lot 1 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development
Town Clerk

Reviewed By
Office of Town Attorney
RPH

14/

Town of Oyster Bay
Inter-Departmental Memo

654

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 25, 2018

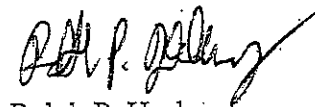
SUBJECT: Property Cleanup Assessment
2 Colonial Gate, Plainview, New York 11803
Section 13, Block 90, Lot 1

The Department of Planning and Development, by memorandum dated July 5, 2018, directed the Highway Department to clean the premises located at 2 Colonial Gate, Plainview, New York 11803, also known as Section 13, Block 90, Lot 1 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 28, 2018, advised that the property was cleaned by a crew from the Highway Department on July 11, 2018. The cost incurred by the Town of Oyster Bay was \$1,824.24.

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

Kindly place this matter on the Town Board Action Calendar.

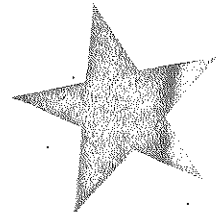
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

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

S:\AML\CleanupMD&Reso\MD&Reso\MD 2 Colonial Gate 9.25.18.doc



2018-6753

TOWN OF OYSTER

Inter-Departmental Memo
July 5, 2018

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 2 Colonial Gate Plainview, NY 11803
SBL: 13-90-1

Nov. (No.18004) was issued to the owner of the above-referenced premises 06/27/2018 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains. In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.
- The broken hasp on the door be replaced.

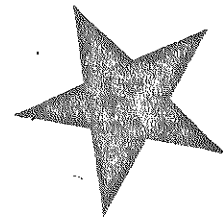
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/fs

cc: Joseph Nocella, Town Attorney



THIS INDENTURE, made the 2ND day of OCTOBER, 2001 and

party of the first part and

party of the second part.

WITNESSETH that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated, lying and being ~~known~~ at Plainview, Town of Oyster Bay, County of Nassau and State of New York known and designated as Lot 1 in Block 90 on a certain map entitled "Map of Colonial Sixty, Section 1" and filed in the Office of the Clerk of the County of Nassau on January 6, 1961 as Case Number 7399, which lot is more particularly bounded and described according to said map as follows:

Beginning at a point on the northeasterly side of Colonial Gate where the same is intersected by the northwesterly end of a curve having a radius of 10 feet a length of 15.71 feet, said curve connecting the northwesterly side of Washington Avenue as widened with the northeasterly side of Colonial Gate; Running thence from said point or place of beginning along the northeasterly side of Colonial Gate the following two courses, curves and distances; (1) North 35 degrees 52 minutes 43 seconds West 100.00 feet; (2) northwesterly along the arc of a curve bearing to the left having a radius of 250 feet a distance of 20.02 feet to the division between lots 1 and 2 on the aforesaid map; Thence along said last mentioned division line North 54 degrees 07 minutes 15 seconds East 194.04 feet; Thence South 30 degrees 03 minutes 55 minutes East 130.67 feet to the northwesterly side of Washington Avenue as widened; Thence along the northwesterly side of Washington Avenue as widened South 54 degrees 07 minutes 15 seconds West 179.00 feet to the southeasterly end of the first above mentioned curve; and Thence northwesterly along the arc of a curve bearing to the left having a radius of 10 feet a distance of 15.71 feet to the northeasterly side of Colonial Gate at the point or place of beginning.

SAID PREMISES KNOWN AS 2 Colonial Gate, Plainview, New York. Being the same premise conveyed to the parties of the first part by deed dated 8/9/72, rec. 9/21/1972.

SUBJECT to any state of facts an accurate survey may show and to covenants, restrictions TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever. Reservations and agreement, if any, of record.

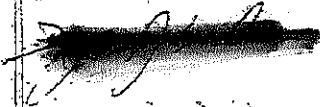
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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.

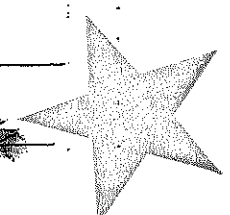
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN WITNESS OF:







NASSAU COUNTY CLERKS OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 10-18-2001
Recorded Time: 11:10:27 a

Record and Return To:

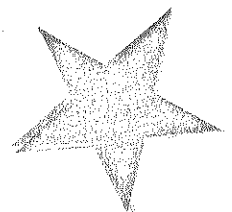
Liber Book: D 11393
Pages From: 454
To: 456

Control
Number: 525
Ref #: EE 007121
Doc Type: D01 Deed

Location:
OYSTER BAY (2824)

Section	Block	Lot	Unit
0013	00090-00	00001	

Consideration Amount: 527,000.00



K.C.
AL

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

July 28, 2018

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


FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 2 COLONIAL GATE, PLAINVIEW
CLEAN-UP / 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 \$1,824.24.

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



JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP / BOARD-UP 2 COLONIAL GATE, PLAINVIEW TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (13-90-1) 2 COLONIAL GATE PLAINVIEW 11803

Date Jul 11, 2018

Work Order # 50110

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
TERRENCE MCDERMOTT	General Maintenance	00:00	\$26.49	01:30	1.5	\$59.60
ROBERT PALACIOS	General Maintenance	00:00	\$25.05	01:30	1.5	\$56.36
JOSEPH SANTANGELO	General Maintenance	00:00	\$41.75	01:30	1.5	\$93.94
JOHN STERGIOPOULOS	General Maintenance	00:00	\$24.36	01:30	1.5	\$54.81
JEFFREY VAN NOSTRAND	General Maintenance	00:30	\$43.77	00:00	0	\$21.89
ANTONIO KOLEGA	General Maintenance	00:00	\$22.64	01:30	1.5	\$50.94
RAYMOND SWIERKOWSKI	General Maintenance	00:00	\$26.65	01:30	1.5	\$59.96
Total Labor						\$397.50

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU444	PICK-UP 2012 FORD F350 YELLO (21 / 021)	\$79.00	01:30	\$118.50
TD593	TRUCK DUMP 2006 FORD F-350 YW (T-300) - Power Wagons	\$105.00	01:30	\$157.50
TD714	TRUCK DUMP 2012 INTER 7300 YW (T-251)- 6 Wheeler	\$131.00	01:30	\$196.50
TD727	TRUCK DUMP 2015 FORD F350 YW (T-185) - POWER WAGON	\$105.00	01:30	\$157.50
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	00:30	\$39.50
Total Equipment				\$669.50

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Hasps	\$7.24	1	\$7.24
Total Materials			\$757.24

Grand Total \$1824.24

Description of Work:

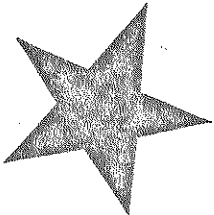
CLEAN UP/BOARD UP 2 COLONIAL GATE PLAINVIEW

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Jul 28, 2018



RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 30th day of October, 2018, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW AMENDING CHAPTER 180 – PLUMBING, OF THE TOWN CODE OF THE TOWN OF OYSTER BAY"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in
a newspaper of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

74
Reviewed By
Office of Town Attorney

Local Law Filing

TOWN OF OYSTER BAY

Local Law No. _____ of the year 2018

A local law entitled "A LOCAL LAW AMENDING CHAPTER 180 – PLUMBING, OF THE TOWN CODE OF THE TOWN OF OYSTER BAY."

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

Town of Oyster Bay as follows:

Section 1. Legislative Findings. The Town Board of the Town of Oyster Bay finds and declares it necessary to amend Chapter 180 – Plumbing, Article IV, Plumbing Permits, Section 180-28 -Term, and to amend Chapter 180 – Plumbing, Article VII, Plumbers' Examining Board, and Article VIII, Plumbers' Licenses, to accurately set forth the qualifications and responsibilities of the members of the Plumbers's Examining Board, the obligations of plumbers to obtain, retain and renew licenses in the Town of Oyster Bay, and to protect the residents of the Town of Oyster Bay.

Section 2. Amend Chapter 180, - Plumbing, Article IV, Plumbing Permits, Section 180-28, to read as follows:

§ 180-28 Term.

Each permit issued pursuant to this chapter shall expire one year from the date of issuance, unless renewed upon payment of a fee as set forth in the fee schedule established by the Department of Planning and Development.

Section 3. Amend Chapter 180 – Plumbing, Article VII, Plumbers' Examining Board, to read as follows:

CHAPTER 180 Plumbing
Article VII: Plumbers' Examining Board

§180-36 Establishment; organization.

§180-37 Qualifications.

§180-38 Meetings.

§180-39 Rules and regulations.

§ 180-36 Establishment; organization.

There shall be a Board called the Plumbers' Examining Board, which shall consist of five members appointed by the Town Board, who shall hold office at the pleasure of the Town Board. Each member shall receive such compensation as the Town Board may determine.

§ 180-37 Qualifications.

Members of the Board shall be master plumbers who shall each have had not less than 10 years' practical experience in the plumbing trade.

§ 180-38 Meetings.

The Board shall meet twice a month at the call of its Chairman. The Board shall also hold such emergency sessions as its Chairman may call, with the approval of the Commissioner of the Department of Planning and Development. Notice of meetings of the Board shall be given by mailing a notice of the time and place of meeting, addressed to each member at his or her last known post office address, at least five (5) days before the time of such meeting, or by personal delivery of such notice to each Board member at least two (2) days before the time of such meeting.

§ 180-39 Rules and regulations.

The Board shall make rules and regulations for the conduct of its business as an examining board.

Section 4. Amend Chapter 180 – Plumbing, Article VIII, Plumbers' Licenses, to read as follows:

CHAPTER 180 Plumbing

Article VIII: Plumbers' Licenses

§180-40 License required; misrepresentation.

§180-41 Application; examination.

§180-42 Public liability and property damage insurance.

§180-43 Fees.

§180-44 Review of application; issuance.

§180-45 Term; renewal; fee; reexamination.

§180-46 Inactive licenses.

§180-47 License restrictions.

§180-48 Revocation and suspension of licenses.

§180-49 Hearing, findings, recommendation and action.

§180-50 Penalties.

§180-51 Violation of directives.

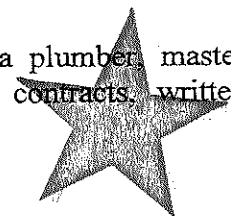
§180-52 Severability.

§ 180-40 License required; misrepresentation.

A. It shall be unlawful for any person, either directly or indirectly, to install, repair, alter or modify any plumbing or heating system or fixtures, or any sanitary, vent or potable water system, in the Town of Oyster Bay, without a master plumber's license, issued or recognized by the Town, being first procured and kept in effect pursuant to this Chapter.

B. It shall be unlawful for any person to conduct a business of plumbing within the Town of Oyster Bay without a master plumber's license, issued or recognized by the Town, being first procured and kept in effect pursuant to this Chapter.

C. It shall be unlawful for any person to represent him/herself as a plumber, master plumber, or plumbing contractor, on signs, cards, stationery, vehicles, ~~contracts, written~~



estimates, in advertising or in any other manner, by the use of the word "plumber" or "plumbing" or any words of similar import or meaning, unless he or she has complied with this Chapter and holds a license issued pursuant thereto.

§ 180-41 Application; examination.

Any person desiring a license required by this Chapter shall, before being examined, make application, in writing, to the Plumbers' Examining Board, on such forms as may be prescribed by the Examining Board, and submit therewith two photographs of the applicant, approximately 1 1/2 by 1 1/2 inches, taken within 30 days of submission, together with such other information as the Board may require concerning the applicant's fitness and qualifications to receive a license. The Plumbers' Examining Board shall arrange and conduct an examination as to the competency and qualifications of each applicant within six months of the date of the application; except that:

- applicants who maintain a principal place of business within any municipality in the state and are duly licensed as master plumbers by that municipality, which municipality has entered into a reciprocity agreement with the Town,

shall be exempt from the examination requirement, but shall submit the prescribed application, together with a certificate of competency, a certified copy of a currently valid master plumber's license, and proof of insurance in compliance with Sec. 180-42 of this Chapter.

§ 180-42 Public liability and property damage insurance.

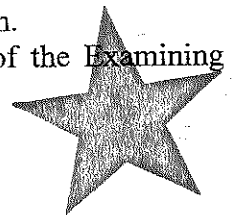
Every applicant shall, prior to the issuance of a Master Plumber's license or a renewal thereof, obtain public liability insurance, and file a certificate thereof with the Department of Planning and Development, which shall protect him/her from claims for damages for bodily injury, including death, as well as claims for damages to property. The limits of said policy shall be not less than One Million (\$1,000,000.00) Dollars single limit for all damages arising out of bodily injury and property damage, with a general aggregate of Two Million (\$2,000,000.00) Dollars. The Town of Oyster Bay must be listed as an additional insured and a certificate holder of said insurance coverage. The insurer must be a New York State licensed insurer with an "A" rating by AM Best and Company. The term of said insurance policy shall be for the term of the license and said insurance shall remain in full force and effect throughout the license period and shall provide that cancellation or material modification to such policy shall not be made unless at least fifteen (15) days' prior written notice thereof be given by registered or certified mail to the Commissioner of the Department of Planning and Development of the Town of Oyster Bay.

§ 180-43 Fees.

Each applicant for a license required by this Chapter, except as may otherwise be provided by a reciprocity agreement with other municipalities, shall pay a nonreturnable filing fee for each application and an additional fee upon the issuance of a license in an amount as determined by the Commissioner of the Department of Planning and Development.

§ 180-44 Review of application; examination; issuance of license.

- A. The Plumbers' Examining Board shall refuse an application from any person who at the time of making application may be unlawfully engaged in business as a master plumber.
- B. All applications shall expire and be canceled after a period of one (1) year if the applicant does not appear for examination or reexamination within that period.
- C. All examinations shall be written by the applicant and must be in English.
- D. The time of holding the examination shall be left to the discretion of the Examining Board. Ample notice shall be given to the applicants.



- E. After an examination for a license required by this Chapter, the Plumbers' Examining Board shall endorse on the application its approval or disapproval of the application and, if approved, the Division of Building shall grant a license to the applicant.

§ 180-45 Term; renewal; fee; reexamination.

- A. All licenses issued pursuant to this Chapter shall expire on the last day of December of the third year following the date of issue.

B. Licenses may be renewed without examination upon timely payment of a renewal fee in an amount as determined by the Commissioner of Planning and Development, and filing of proof of insurance.

C. If a licensee under this Chapter fails to make proper and timely application for the renewal of his or her license he or she shall be required to reapply and pay the initial license fee, pursuant to § 180-43.

D. A licensee who fails to renew his or her license for five consecutive years shall be subject to reexamination, as if applying for an initial license, and shall pay the examination fee as provided in § 180-43.

§ 180-46 Inactive licenses.

Any person licensed pursuant to this Chapter who, because of his or her municipal employment, may be subjected to a conflict of interest, may surrender his or her license to the Commissioner of the Department of Planning and Development or his or her designee, which license may be held inactive without a renewal fee required until such time as the licensee may not be in municipal employment. Upon written notification from the licensee, his or her plumbing license shall be immediately restored upon payment of the current registration renewal fee.

§ 180-47 License restrictions.

- A. No Master Plumber shall, directly or indirectly, allow his/her license to be used in connection with work not actually performed by him/her or his/her employee(s). Employees shall be considered people who work for the Master Plumber for no fewer than 35 hours per week, or for no fewer than the minimum number of hours required of employees under applicable union rules, as determined by the Commissioner of the Department of Planning and Development or his/her designee.
- B. No Master Plumber may hold/own or be an officer of more than one corporation for the purpose of performing plumbing work. A Master Plumber must notify the Town, in writing: (1) of the corporation he/she does plumbing work for, (2) of his/her position in the corporation, and (3) with a list of the other licensed plumbers, if any, working for the corporation.

§ 180-48 Revocation and suspension of licenses.

A Master Plumber's license granted under the provisions of this Chapter may be revoked or suspended by the Commissioner of the Department of Planning and Development, after due notice to the licensee, and after a hearing by the Plumbers' Examining Board on the matter. Said notice shall state the charges that are the basis of the proposed revocation or suspension, constituting violation(s) of one or more provisions listed in Section 180-49 hereof. Said notice shall be served either personally or by certified mail, return receipt requested, to the licensee's last known address. Said hearing shall be held after at least ten (10) days' notice to the licensee.

At said hearing, the licensee shall have an opportunity to appear and be heard in relation to the proposed revocation or suspension. Minutes of the hearing shall be transcribed by a court reporter.

§ 180-49 Hearing, findings, recommendation and action.

After the appropriate notice is given to the licensee, the required hearing is conducted, and written findings of fact and a recommendation is provided by the Plumbers Examining Board, the Commissioner of the Department of Planning and Development may, in addition to any other remedy available to him or her, revoke (or suspend for a period of up to one year) any Master Plumber's license, for any of the following conduct: failure to file an application for a permit prior to the installation of plumbing work; failure to take the required action called for upon receipt of a notice of violation; performance of plumbing work in violation of the requirements of this Chapter; violating license restrictions, including renting or lending a license to a third party (see Sec. 180-47, above); a felony conviction; altering or defacing a certificate of inspection or approval; or filing an application to perform plumbing work, for a person not licensed as a Master Plumber by the Town of Oyster Bay.

§ 180-50 Penalties.

A. Each week's continued violation shall constitute a separate additional violation.

B. Additionally or alternatively, after the hearing and upon a finding of violation(s), the Commissioner of the Department of Planning and Development may impose civil penalties on any Master Plumber committing an offense against any of the provisions of Section 180-49, in an amount not less than \$3,000.00 per offense.

C. The Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of any such ordinance, rule or regulation, notwithstanding the provision for a penalty or other punishment for such violation.

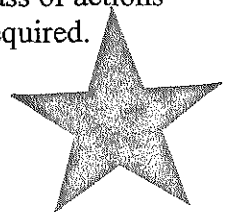
§ 180-51 Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner of the Department of Planning and Development or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900.

§ 180-51 Severability.

If any provision of this chapter or the application thereof is held invalid for any reason, the remainder of this chapter and the application thereof shall not be affected thereby.

Section 5. SEQRA Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(20) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.



Section 6. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 7. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

Certification:

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2018 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2018, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2018

STATE OF NEW YORK
COUNTY OF NASSAU

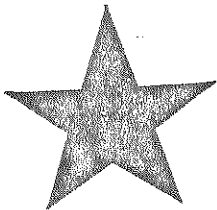
I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Town Attorney

Title

Town of _____ Oyster Bay

Date: _____ 2018



25

Town of Oyster Bay Inter-Departmental Memo

676

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : October 4, 2018


SUBJECT: Proposed Local law entitled:
"A LOCAL LAW AMENDING CHAPTER 180 – PLUMBING, OF THE TOWN
CODE OF THE TOWN OF OYSTER BAY"

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

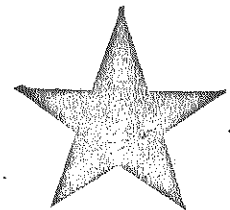
1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

Kindly place this matter on the Town Board Action calendar for October 16, 2018.

JOSEPH NOCELLA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:ss
Enclosure
cc: Town Attorney (w/6 copies)
2018-6751



Meeting of October 16, 2018

Resolution No. 657-2018

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated September 19, 2018, advised the Town Board that the Highway Department conducted a study of the B-1 Parking Field located on Benkert Street, Bethpage; and

WHEREAS, Deputy Commissioner Bishop recommended to the Town Board that five (5) of the parking spaces designated as "2 HOUR PARKING" in the B-1 Parking Field be re-designated as "4 HOUR PARKING"; and

NOW, THEREFORE, BE IT RESOLVED, that the recommendation hereinabove set forth is accepted by the Town Board and the Highway Department is directed to re-designate five (5) of the parking spaces in the B-1 Parking Field located on Benkert Street, Bethpage, currently designated as "2 HOUR PARKING" as "4 HOUR PARKING."

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Public Works

7ms
Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

18

657

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

September 19, 2018

TO: MEMORANDUM DOCKET

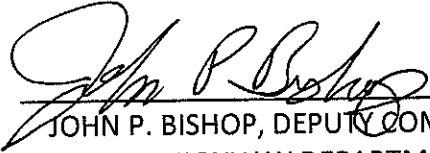
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: PARKING LOT B-1 BETHPAGE

The Highway Department has conducted a study of the B-1 parking field located in Bethpage.

The Highway Department recommends that 5 of the "2 HOUR PARKING" spaces, be converted to "4 HOUR PARKING" spaces.

Therefore, Town Board Approval is hereby requested in order to facilitate the changes listed above.

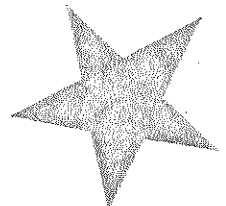


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

CC: Town Attorney (7)

Richard W. Lenz, P.E., Commissioner of DPW/Highway
Greg W. Carman, Deputy Town Supervisor



Meeting of October 16, 2018

Resolution No. 658-2018

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated September 27, 2018, requested Town Board authorization to renew a performance licensing agreement between the Town of Oyster Bay and Broadcast Music, Incorporated (BMI), in order to fulfill the requirement that all of the Town's music programs be licensed, at a cost not to exceed \$3,500.00, from December 1, 2018 through November 30, 2019,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted, and the Town of Oyster Bay hereby renews its performance licensing agreement with Broadcast Music, Incorporated (BMI), from December 1, 2018 through November 30, 2019, in order to fulfill the requirement that all of the Town's music programs be licensed, said agreement to be at a cost of \$3,500.00, and the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. CYS A 7020 47660 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

Reviewed By
Office of Town Attorney

6

658

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

September 27, 2018

TO: Memorandum Docket


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

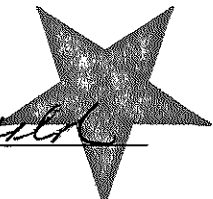
SUBJECT: Performance License – Broadcast Music, Incorporated

The Department of Community & Youth Services requests authorization to renew a performance license with Broadcast Music, Incorporated (BMI). The license was authorized for the period beginning December 1, 2017 through November 30, 2018 by Town Board Resolution No. 711-2017, dated November 14, 2017.

BMI represents 475,000 songwriters, composers, and music publishers. All music performed through the Town's various programs must be licensed to comply with music copyright laws. The Town also has music performance licenses with the Society of European Stage Authors & Composers (SESAC, Inc.) and American Society of Composers, Authors and Publishers ("ASCAP").

The performance licensing fee will be based on the Town's current population and the invoice will be sent out in December. The license will be ratified and continued from December 1, 2018 through November 30, 2019. The cost of renewing the performance license shall not exceed \$3,500.00 but will be paid based on the actual invoice amount. Funds for the licensing fee are available in Account No. CYS A 7020 47660 000 0000, *Special Events*.


Maureen A. Fitzgerald
Commissioner



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

7/11/17
Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, by memorandum dated October 19, 2017, requested authorization to renew a licensing agreement between the Town of Oyster Bay and Broadcast Music, Incorporated (BMI), in order to fulfill the requirement that all of the Town's music programs be licensed, at a cost not to exceed \$3,500.00, from December 1, 2017 through November 30, 2018,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted, and the Town of Oyster Bay hereby renews its licensing agreement with Broadcast Music, Incorporated (BMI), from December 1, 2017 through November 30, 2018, in order to fulfill the requirement that all of the Town's music programs be licensed, said agreement to be at a cost of \$3,500.00, and the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit; and be it further

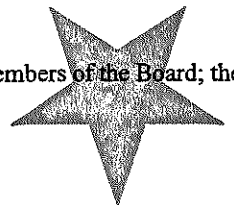
RESOLVED, That the funds for said payment are to be drawn from Account No. CYS A 7020 47660 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Community & Youth Services



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated September 27, 2018, has requested Town Board authorization to renew the contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Regional Office, for the period January 1, 2019 through December 31, 2019, and Commissioner Fitzgerald has advised that under said contract, Long Island Developmental Disabilities Regional Office will provide the Town with \$29,167.00 necessary to conduct an Autism Program administered by the Group Activities Program (GAP),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and the Department of Community and Youth Services is hereby authorized to renew the abovementioned contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Regional Office, for a total of \$29,167.00 for services in connection with an Autism Program to be administered by Group Activities Program (GAP), from January 1, 2019 through December 31, 2019.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

Reviewed By
Office of Town Attorney

7

TOWN OF OYSTER BAY
Inter-Departmental Memo

659

September 27, 2018


To: Memorandum Docket


From: Maureen A. Fitzgerald, Commissioner
Department of Community & Youth Services

Subject: Contract with the Long Island Developmental Disabilities Regional Office

The Department of Community & Youth Services is requesting Town Board authorization to continue to contract with the Long Island Developmental Disabilities Regional Office for a Program for Children with Autism. The contract period covers January 1, 2019 through December 31, 2019. The contract will provide the Town with \$29,167.00 for an Autistic Program which will be administered by the Group Activities Program (GAP). Last year, Town Board authorized Resolution Number 660-2017 for this contract.

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


Maureen A. Fitzgerald
Commissioner



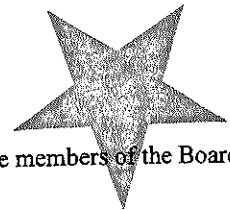
MAF:jd
Attachment
cc: Town Attorney (+7 copies)

Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, by memorandum dated September 28, 2017, has requested Town Board authorization to renew the contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Regional Office, for the period January 1, 2018 through December 31, 2018, and Commissioner Fitzgerald has advised that under said contract, Long Island Developmental Disabilities Office will provide the Town with \$27,450.00 necessary to conduct an Autism Program administered by the Group Activities Program (GAP),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and the Department of Community and Youth Services is hereby authorized to renew the abovementioned contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Services Office, for a total of \$27,450.00 for services in connection with an Autism Program to be administered by Group Activities Program (GAP), from January 1, 2018 through December 31, 2018.

-#-



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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Community & Youth Services ✓

McD
Reviewed By
Office of Town Attorney
Fuller

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated September 27, 2018, has requested Town Board authorization to renew the contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Regional Office, for the period January 1, 2019 through December 31, 2019, and Commissioner Fitzgerald has advised that under said contract, Long Island Developmental Disabilities Regional Office will provide the necessary funding in the amount of \$120,908.00, for the Town to provide family support services to developmentally disabled persons, administered by the Group Activities Program (GAP),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and the Department of Community and Youth Services is hereby authorized to renew the abovementioned contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Office, for a total of \$120,908.00 for family support services to be rendered to developmentally disabled persons, administered by the Group Activities Program (GAP), from January 1, 2019 through December 31, 2019.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

8

TOWN OF OYSTER BAY
Inter-Departmental Memo

660

September 27, 2018

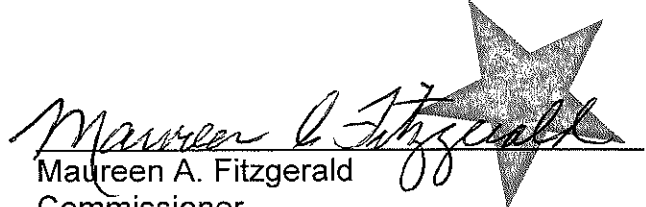
To: Memorandum Docket

From: Maureen A. Fitzgerald, Commissioner
Department of Community & Youth Services

Subject: Contract with the Long Island Developmental Disabilities Regional Office

The Department of Community & Youth Services is requesting Town Board authorization to continue to contract with the Long Island Developmental Disabilities Regional Office. The contract period covers January 1, 2019 through December 31, 2019. The contract will provide the Town with \$120,908.00 for Family Support Services rendered to the developmentally disabled persons through the Group Activities Program (GAP). Last year, Town Board authorized Resolution Number 661-2017 for this contract.

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


Maureen A. Fitzgerald
Commissioner

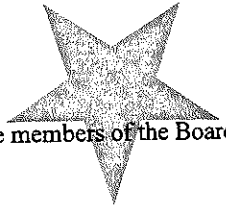
MAF:jd
Attachment
cc: Town Attorney (+7 copies)

Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, by memorandum dated September 28, 2017, has requested Town Board authorization to renew the contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Regional Office, for the period January 1, 2018 through December 31, 2018, and Commissioner Fitzgerald has advised that under said contract, Long Island Developmental Disabilities Regional Office will provide the necessary funding in the amount of \$113,790, for the Town to provide family support services to developmentally disabled persons, administered by the Group Activities Program (GAP),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and the Department of Community and Youth Services is hereby authorized to renew the abovementioned contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Office, for a total of \$113,790 for family support services to be rendered to developmentally disabled persons, administered by the Group Activities Program (GAP), from January 1, 2018 through December 31, 2018.

-#-



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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Community & Youth Services ✓

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community Service, by memorandum dated September 27, 2018, requested Town Board approval to administer an Eagle Scout Service Project that will provide cosmetic changes to the Williams P. Bennett Community Center, Hicksville; and

WHEREAS, the Eagle Scout Service Project, proposed by candidate John Joseph Lupo, will be completed with no cost to the Town of Oyster Bay and is valued at \$4,500.00; and

WHEREAS, the National Council of Boys Scouts of America has obtained liability insurance for this project, naming the Town as an additional insured; and

WHEREAS, each aspect of the Eagle Scout Service Project will be executed under the supervision of the Department of Public Works and the Department of Community Service,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town hereby authorizes the Eagle Scout Service Project to provide cosmetic changes to the William P. Bennett Community Center, Hicksville, under the supervision of the Department of Community and Youth Services in conjunction with the Department of Public Works.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

Reviewed By
Office of Town Attorney

9

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

661

September 27, 2018

TO: Memorandum Docket

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

SUBJECT: Authorization of Eagle Scout Service Project

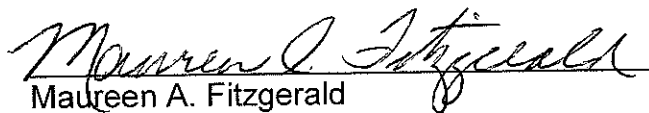
The Department of Community & Youth Services is requesting Town Board authorization to administer an Eagle Scout Service Project that will provide cosmetic changes to the Williams P. Bennett Community Center in Hicksville. The estimated value of labor & materials for this project is \$4,500.00.

The service project, which was proposed by candidate John Joseph Lupo, would power wash the center, as well as, provide outdoor benches, a military memorial, new parking lines, and low-maintenance plants & shrubs. A copy of the proposal and a copy of the National Council of the Boys Scouts of America's Liability Insurance naming the Town as an additional insured are attached. The Insurance has been approved "as to form" by the Office of the Town Attorney.

Each aspect of the service project will be executed under the Supervision of the Department in conjunction with Richard Lenz, Commissioner of the Department of Public Works. The cost of this project will be provided through Scout Troop fundraisers and of no cost to the Town of Oyster Bay.

Therefore, it is respectfully requested that the Town Board authorize the Eagle Scout Service Project under the supervision of the Department of Community & Youth Services in conjunction with the Department of Public Works.




Maureen A. Fitzgerald
Commissioner

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



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/25/18

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

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

PRODUCER MHBT, a Marsh & McLennan Agency, LLC company 8144 Walnut Hill Lane, 16th Fl Dallas TX 75231	CONTACT NAME: Jane Passino	FAX (A/C No): 972-376-8134	
	PHONE (A/C No, Ext): 972-770-1635	E-MAIL ADDRESS: Jane.Passino@mhbt.com	
Boy Scouts of America, National Council and All of its affiliates and subsidiaries Theodore Roosevelt Council Boy Scouts of America 544 Broadway Massapequa, NY 11758	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Old Republic Insurance Company		24147
	INSURER B: Old Republic Insurance Company		24147
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES CERTIFICATE NUMBER: 1730380659 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.

EXCLUSIONS AND CONDITIONS OF COVER				POLICY EFF (MM/DD/YYYY)		POLICY EXP (MM/DD/YYYY)		LIMITS					
INSR LTR	TYPE OF INSURANCE			ADDL INSD	SUBR WVD	POLICY NUMBER							
B A	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY		Y		MWZY312633 MWZX312632	3/1/2018 3/1/2018	3/1/2019 3/1/2019	EACH OCCURRENCE	\$ 1,000,000			
	<input type="checkbox"/>	CLAIMS-MADE	<input checked="" type="checkbox"/>						OCCUR	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$		
	<input type="checkbox"/>								MED EXP (Any one person)	\$			
	<input type="checkbox"/>								PERSONAL & ADV INJURY	\$			
	GEN'L AGGREGATE LIMIT APPLIES PER:								GENERAL AGGREGATE	\$ 2,000,000			
	<input checked="" type="checkbox"/>	POLICY	<input type="checkbox"/>						PRO-JECT	<input type="checkbox"/>	LOC	PRODUCTS - COMP/OP AGG	\$
	<input type="checkbox"/>	OTHER:								\$			
	AUTOMOBILE LIABILITY									COMBINED SINGLE LIMIT (Ea accident)	\$		
	<input type="checkbox"/>	ANY AUTO	<input type="checkbox"/>						SCHEDULED AUTOS	BODILY INJURY (Per person)	\$		
	<input type="checkbox"/>	ALL OWNED AUTOS	<input type="checkbox"/>						NON-OWNED AUTOS	BODILY INJURY (Per accident)	\$		
<input type="checkbox"/>	HIRED AUTOS	<input type="checkbox"/>		PROPERTY DAMAGE (Per accident)	\$								
<input type="checkbox"/>					\$								
	<input type="checkbox"/>	UMBRELLA LIAB	<input type="checkbox"/>	OCCUR					EACH OCCURRENCE	\$			
	<input type="checkbox"/>	EXCESS LIAB	<input type="checkbox"/>	CLAIMS-MADE					AGGREGATE	\$			
	<input type="checkbox"/>	DED	<input type="checkbox"/>	RETENTION \$						\$			
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			Y / N <input type="checkbox"/> N / A					<input type="checkbox"/> PER STATUTE	<input type="checkbox"/> OTH-ER			
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)								E.L. EACH ACCIDENT	\$			
	If yes, describe under DESCRIPTION OF OPERATIONS below								E.L. DISEASE - EA EMPLOYEE	\$			
									E.L. DISEASE - POLICY LIMIT	\$			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is named as an additional insured by virtue of a written or oral contract or by the issuance/existence of a permit or certificate of insurance but only with respect to operations by or on behalf of the Insured, or to facilities of, or facilities used by the Insured and then only for the limits of liability specified in such contract for the event specified herein.
Issued for the Eagle Scout Project for John Lupo of Troop 382. The project is to be held during the months of November and December 2018. The project location is the William P. Bennet Community Center, 28 West Carl St, Hicksville NY 11801.

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

IL 10 (12/06) OLD REPUBLIC INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY POLICY

It is agreed that the Persons or Entities insured provision is amended to include:

The Town of Oyster Bay is hereby named as Additional Insured by virtue of a written or oral contract or by the issuance/existence of a permit or certificate of insurance but only with respect to operations by or on behalf of the Insured, or to facilities of, or facilities used by the Insured and then only for the limits of liability specified in such contract for Theodore Roosevelt Council Eagle Project for John Lupo to be held in the months of October and November, 2018.

Nothing herein shall operate to increase the insurers per occurrence liability limit of \$1,000,000.

AI-1813

Policy Number: MWZY 312833

Insured: Boy Scouts of America, National Council and all of its affiliates and subsidiaries and all Local Councils and all their affiliates and subsidiaries and Learning for Life

Effective Date: 03/01/18

Expiration Date: 03/01/19

Countersignature of Authorized Representative: *Gary Nicos*

Date: 09/18/18

Reviewed By
Office of Town Attorney



GL 409 006 0318



Eagle Scout Service Project Proposal



BOY SCOUTS OF AMERICA®

Eagle Scout candidate's full legal name John Joseph Lupo

Eagle Scout Service Project Name William P. Bennett Community Center

Eagle Scout Requirement 5

While a Life Scout, plan, develop, and give leadership to others in a service project helpful to any religious institution, any school, or your community. (The project must benefit an organization other than Boy Scouting.) The project proposal must be approved by the organization benefiting from the effort, your unit leader and unit committee, and the council or district before you start. You must use the *Eagle Scout Service Project Workbook*, No. 512-927, in meeting this requirement.

Instructions for Preparing Your Proposal

Meeting the Five Tests of an Acceptable Eagle Scout Service Project

Your proposal must be prepared first. It is an overview, but also the beginnings of planning. It must show your unit leader, unit committee, and council or district that your project can meet the following tests.

1. **It provides sufficient opportunity to meet the Eagle Scout service project requirement.** You must show that planning, development, and leadership will take place; and how the three factors will benefit a religious institution, a school, or your community.
2. **It appears to be feasible.** You must show the project is realistic for you to carry out.
3. **Safety issues will be addressed.** You must show you have an understanding of what must be done to guard against injury, and what will be done if someone gets hurt.
4. **Action steps for further detailed planning are included.** You must make a list of the key steps you will take to make sure your plan will have enough details so it can be carried out successfully.
5. **You are on the right track with a reasonable chance for a positive experience.**

When completing your proposal you only need enough detail to show a reviewer that you can meet the tests above. If showing that you meet the tests requires a lengthy and complicated proposal, your project might be more complex than necessary. Remember, the proposal is only the *beginnings* of planning. Most of your planning will come with the next step, preparation of your project plan.

If your project does not require materials or supplies, etc., simply mark those spaces “not applicable.” As a reminder, do not begin any work, or raise any money, or obtain any materials, until your project proposal has been approved.

Consider also, that if you submit your proposal too close to your 18th birthday, it may not be approved in time to finish planning and executing the project.

Working with Your Project Beneficiary

On the last two pages of this workbook there is an information sheet called, “Navigating the Eagle Scout Service Project.” This is for you to print and give to the religious institution, school, or community that will benefit from your efforts. You should do this as part of your first meeting with your beneficiary and use the sheet to help explain how the Eagle Scout service project works. Be sure to read it carefully so you can explain what it says.

“Navigating the Eagle Scout Service Project” will help you communicate a number of things to your beneficiary. For example, it provides thanks and congratulations for accepting the project; and it gives some background, discusses the requirements, and points out the responsibilities connected with approving your project proposal. It also explains that the beneficiary has the right to review, and also to require changes in your project plan.

Again, be sure to read carefully “Navigating the Eagle Scout Service Project” so you will have a full understanding of the role of your beneficiary.

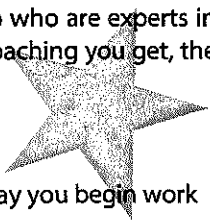
Next Step: Your Project Plan

Once your proposal is approved, you are **strongly encouraged** to prepare your project plan using the form in this workbook. Doing so increases the likelihood your project will be approved at your Eagle Scout board of review. As you begin preparing it, you should meet with a project coach. Check with the person who handled the approval of your project proposal to learn how coaches are designated in your community.

Your designated coach can help you avoid the common pitfalls associated with Eagle Scout service projects and be a big part of your success. You may also want to talk to your unit leader. There may be adults in your troop who are experts in conducting the kind of project you are planning. It's ok for you to work with them as well. The more coaching you get, the better your results will be.

Beginning Work on Your Project

Once your proposal has been fully approved and you have finished your project planning, only then, may you begin work on your project.



Contact Information

Eagle Scout candidates should know who is involved, but contact information may be more important to unit leaders and others in case they want to talk to one another. While it is recognized that not all the information will be needed for every project, Scouts are expected to provide as much as reasonably possible. Approval representatives must understand, however, that doing so is not part of the service project requirement.

Eagle Scout Candidate

Name: John Joseph Lupo Birth date: [REDACTED]
Email address: [REDACTED] BSA PID number*: [REDACTED]
Address: 23 Brooks Street South City: Hicksville State: NY Zip: 11801
Preferred telephone(s): [REDACTED] Life board of review date: 11-30-2017
** BSA PID No., found on the BSA membership card*

Current Unit Information

Check one: ☒ Troop ☐ Team ☐ Crew ☐ Ship Unit Number: 382
Name of District: R. R. Name of Council: Theodore Roosevelt Council

Unit Leader Check one: ☒ Scoutmaster ☐ Varsity Coach ☐ Crew Advisor ☐ Skipper

Name: Ben Lupo Preferred telephone(s): [REDACTED]
Address: [REDACTED] City: [REDACTED] State: NY Zip: [REDACTED]
Email address: [REDACTED]

Unit Committee Chair

Name: Cathy Evans Preferred telephone(s): [REDACTED]
Address: [REDACTED] City: [REDACTED] State: NY Zip: [REDACTED]
Email address: [REDACTED]

Unit Advancement Coordinator (If your unit has one)

Name: Stan Yoniak Preferred telephone(s): [REDACTED]
Address: [REDACTED] City: [REDACTED] State: NY Zip: [REDACTED]
Email address: [REDACTED]

Project Beneficiary (Name of religious institution, school, or community)

Name: Town Of Oyster Bay Preferred telephone(s): [REDACTED]
Address: 28 W Carl Street City: Hicksville State: NY Zip: 11801
Email address: [REDACTED]

Project Beneficiary Representative (Name of contact person for the project beneficiary)

Name: Joe Visconti Preferred telephone(s): [REDACTED]
Address: [REDACTED] City: [REDACTED] State: NY Zip: [REDACTED]
Email address: JVisconti@oysterbay-ny.gov

Your Council Service Center

Contact name: Theodore Roosevelt Center Preferred telephone(s): 516 797 4121
Address: 544 Broadway City: Massapequa State: NY Zip: 11758

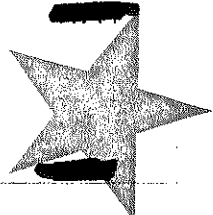
Council or District Project Approval Representative

(Your unit leader, unit advancement coordinator, or council or district advancement chair may help you learn who this will be.)

Name: Eric Mascio Preferred telephone(s): [REDACTED]
Address: [REDACTED] City: [REDACTED] State: NY Zip: [REDACTED]
Email address: [REDACTED]

Project Coach (Your council or district project approval representative may help you learn who this will be.)

Name: Gary Murphy Preferred telephone(s): [REDACTED]
Address: [REDACTED] City: [REDACTED] State: NY Zip: [REDACTED]
Email address: [REDACTED]



Project Description and Benefit

Briefly describe your project.
My project is to restore beauty to the William P. Bennet, Hicksville Community Center. Mr. Bennet, was a Korean War Veteran, past President of Hicksville School Board, and a very active member in the Hicksville community. To honor his memory, I would like to beautify the Community Center and add features for residents to use.

This project would benefit the Hicksville community, and the town of Oyster Bay by creating a scenic area to compliment the Community Center. I will schedule workdays, and workday meetings to explain what needs to be done for the project to all the volunteers helping out.

The Community Center needs benches for the residents to sit outside and relax. I would like lead my volunteers to install a military memorial with a spot light under the flag pole. There are many plants and weeds that need to be removed on all sides of the community center. I believe it would be important to repaint the parking lines because they are barely visible, this will help people navigate easily through the parking lot. Plants and shrubs will be planted on plots of grass around the parking lot, making the center more colorful and noticeable.

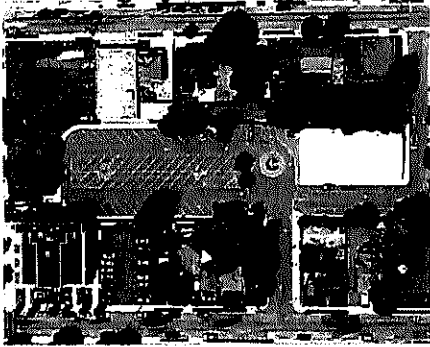
These plants and shrubs will be low maintenance, requiring no upkeep. The front and sides of the Center will be powerwashed. I will contact the Hicksville Water District to use the nearby hydrant. Since the Community Center is in a secluded location a larger sign leading into the Community Center will be installed. I want to show my appreciation for the community center and veterans by beautifying the center and installing a military memorial.

Attach sketches or "before" photographs if these will help others visualize the project.

Please click below to add images (JPEG, JPG, BMP, GIF, TIF, PNG, etc.)



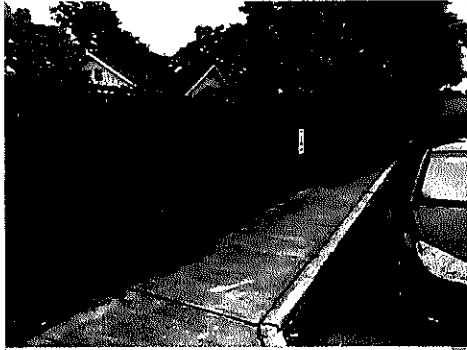
Before



Aerial Shot of the Community Center



Before



Before



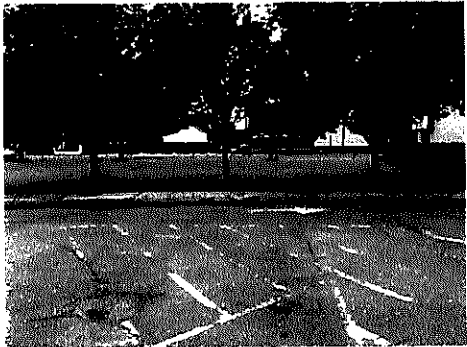
Before



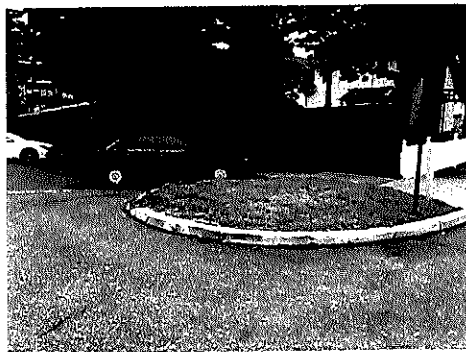
Before



Before



Before



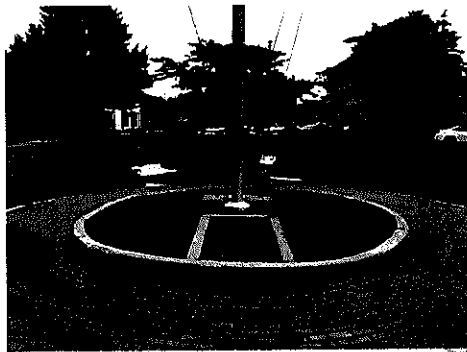
Before



Before



Before



Before

Tools

Include tools, and also equipment, that will be borrowed, rented, or purchased.

What tools or equipment, if any, will you need? You do not need a detailed list, but you must show you have a reasonable idea of what is required.

- Gardening tools
- Line painter for parking lot lines
- Power washer
- Hammer
- Meter stick
- Tape measure
- Pencils
- Drill

Other Needs

Items that don't fit the above categories; for example, parking or postage, or services such as printing or pouring concrete, etc.

What other needs do you think you might encounter?

- Clean plastic page inserts
- Printer ink Cartridges
- Photo paper for pictures

Permits and Permissions

Note that property owners should obtain and pay for permits.

Will permissions or permits (such as building permits) be required for your project? Who will obtain them? How long will it take? Permission from the water district to use the hydrant for the pressure washer. I will contact them to see if this is allowed. Permission from the VFW to install a veterans memorial at the site. I have been in contact with members of the association and will present my project to them to gain permission.

Preliminary Cost Estimate

You do not need exact costs yet. Reviewers will just want to see if you can reasonably expect to raise enough money to cover an initial estimate of expenses. Include the value of donated material, supplies, tools, and other items. It is not necessary to include the value of tools or other items that will be loaned at no cost. Note that if your project requires a fundraising application, you do not need to submit it with your proposal.

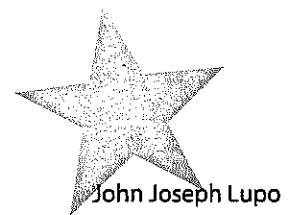
Enter estimated expenses below: (Include sales tax if applicable)	Fundraising: Explain how you will raise the money to pay for the total costs. If you intend to seek donations of actual materials, supplies, etc., then explain how you plan to do that, too.
Materials:	\$1,250.00
Supplies:	\$120.00
Tools:	\$100.00
Other:	\$50.00
Total costs:	\$1,520.00

Project Phases

Think of your project in terms of phases, and list what they might be. The first may be to prepare your project plan. Other phases might include fundraising, preparation, execution, and reporting. You may have as many phases as you want, but it is not necessary to become overly complicated; brief, one line descriptions are sufficient.

1. Create Plan/Proposal
2. Contact Eagle Coach (Gary Murphy) to begin planning
3. Begin Fundraising (Car Wash)
4. Reach out to various local stores for donations
5. Buy materials and supplies
6. Remove weeds and excess shrubbery
7. Assemble and bolt benches into the ground
8. Plant flowers and shrubs

9. Repaint parking lot lines
10. Powerwash the center
11. Install the memorial



Logistics

Check with your council service center to determine if a Tour and Activity Plan is required.

How will you handle transportation of materials, supplies, tools, and helpers? Will you need a Tour and Activity Plan?

Transportation is not a large concern. The community center is local and in very close proximity to where we meet for scout meetings. If there are any volunteers that need a ride, we will be available to transport. We also have a van which will be used to handle all the machinery such as the power washer and any other tools that may need to be transported. I will not need a Tour and Activity Plan.

Safety Issues

The Guide to Safe Scouting is an important resource in considering safety issues.

Describe the hazards and safety concerns you and your helpers should be aware of.

I will issue a statement on each workday regarding safety with the following points and concerns:

Tripping on tools : make sure all tools are put away safely.

Cuts: be careful with all tools and make sure you know how to use them to avoid being hurt.

Scratching/Bruising hands: Wear work gloves (provided)

Dehydration: Breaks for water and rest will be enforced throughout the day.

Overheating, Heat exhaustion, Heat stroke: Keep cool and hydrated, take breaks in the shade and let someone know if you aren't feeling good.

My Mother, who is a Registered Nurse, will be in charge of the safety and first aid for the project

Only the adults and older Scouts will be able to use the power tools and I will make sure that everyone who uses them knows how to use them safely.

There will be many adults around during the length of the project and I will make sure that Scouts do not use any tools without supervision of an adult.

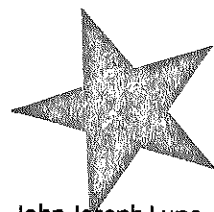
I think the most dangerous part of the project would be removing the current weeds, plants and dirt. This could be very exhausting and people could get hurt by the tools and possibly by the bushes if they get hit in the eye with a stick. Everyone removing plants will be wearing goggles and work gloves and I will check up to see that no one is overheating and that everyone is hydrated.

Project Planning

You do not have to list every step, but it must be enough to show you have a reasonable idea of how to prepare your plan.

List some action steps you will take to prepare your project plan. For example "Complete a more detailed set of drawings."

I will be photo documenting, planning dates for fundraising and drafting and printing flyers , make sign up sheets for my work days, contact potential donors (Lowes, Home Depot, Hick's Nursery), make more detailed blueprints of the work site. In addition I will acquire the parking lot line blueprint, and contact the water district to get permission for use of the water hydrant.



Candidate's Promise* Sign below before you seek the other approvals for your proposal.

On my honor as a Scout, I have read this entire workbook, including the "Message to Scouts and Parents or Guardians" on page 5. I promise to be the leader of this project, and to do my best to carry it out for the maximum benefit to the religious institution, school, or community I have chosen as beneficiary.

Signed _____ Date _____

** Remember: Do not begin any work on your project, or raise any money, or obtain any materials, until your project proposal has been approved.*

Unit Leader Approval*

I have reviewed this proposal and discussed it with the candidate. I believe it provides impact worthy of an Eagle Scout service project, and will involve planning, development, and leadership. I am comfortable the Scout understands what to do, and how to lead the effort. I will see that the project is monitored, and that adults or others present will not overshadow him.

Signed _____ Date _____

Name (Printed) Stanley Yoniack

Unit Committee Approval*

This Eagle Scout candidate is a Life Scout, and registered in our unit. I have reviewed this proposal, I am comfortable the project is feasible, and I will do everything I can to see that our unit measures up to the level of support we have agreed to provide (if any). I certify that I have been authorized by our unit committee to provide its approval for this proposal.

Signed _____ Date _____

Name (Printed) Cathy Evans

Beneficiary Approval*

This service project will provide significant benefit, and we will do all we can to see it through. We realize funding on our part is not required, but we have informed the Scout of the financial support (if any) that we have agreed to. We understand any fund raising he conducts will be in our name and that funds left over will come to us if we are allowed to accept them. We will provide receipts to donors as required.

Our Eagle candidate has provided us a copy of "Navigating the Eagle Scout Service Project, Information for Project Beneficiaries."

☐ Yes ☐ No

Signed _____ Date _____

Name (Printed) Joe Visconti

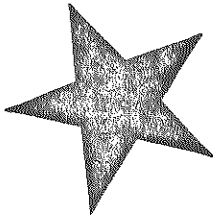
Council or District Approval

I have read topics 9.0.2.0 through 9.0.2.15, regarding the Eagle Scout service project, in the *Guide to Advancement*, No. 33088. I agree on my honor to apply the procedures as written, and in compliance with the policy on "Unauthorized Changes to Advancement." Accordingly, I approve this proposal. I will encourage the candidate to prepare a project plan and further encourage him to share it with a project coach who has been designated for him.

Signed _____ Date _____

Name (Printed) _____

**While it makes sense to obtain approvals in the order they appear, there shall be no required sequence for the order of obtaining those approvals marked with an asterisk (*). Council or district approval, however, must come after the others.*



Meeting of October 16, 2018

Resolution No. 662-2018

WHEREAS, Judy Lynn Simoncic, Esq., has requested to donate a plaque for an existing bench located in Merry Lane and Hazelwood Drive Park, Jericho, New York, in memory of Frank Davis; and

WHEREAS, the value of the plaque is estimated to be \$350.00 and the monies will be placed in account PKS A 7110 47900 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 25, 2018, has 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 from Judy Lynn Simoncic, Esq., the donation of a plaque for an existing bench located in Merry Lane and Hazelwood Drive Park, Jericho, New York, in memory of Frank Davis .

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

1/48
Reviewed By
Office of Town Attorney

10

JGP

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

SUBJECT: Memorial Plaque

DATE: September 25, 2018

The Department of Parks has received a request from Judy Lynn Simoncic (letter attached) requesting to donate a plaque on an existing bench located in Merry Lane and Hazelwood Drive Park in Jericho (J-2) in memory of a Frank Davis.

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

The plaque will be purchased by Judy Lynn Simoncic and donated to the Parks Department. The value of the plaque is estimated to be \$350.00. Town Board approval is requested on behalf of Judy Lynn Simoncic. The monies will be collected in account PKS A 7110 47900 000 0000.



Joseph G. Pinto
COMMISSIONER OF PARKS



JGP/dc
C: Town Attorney (original +7 copies)
ATTACHMENT



FORCHELLI
DEEGAN
TERRANA

JUDY LYNN SIMONCIC, P.C.
PARTNER
DIRECT FACSIMILE: (866) 522-7816
JSIMONCIC@FORCHELLILAW.COM

Bill to Coordinator

July 26, 2018

Joseph G. Pinto, Commissioner
Parks Department
Town of Oyster Bay
977 Hicksville Rd.
Massapequa, NY 11758

RE: Permission to Place Plaque on Existing Bench

Dear Commissioner Pinto:

I am writing to arrange for the placement of a memorial plaque on an existing bench located at the park on Merry Lane and Hazelwood Drive in Jericho (J-2). The request for a plaque is to memorialize my colleague and partner, Frank Davis, who recently passed away after a long struggle with pancreatic cancer. Frank was a long-time partner at my firm and a resident of Jericho. My co-workers and I believe a plaque on a park bench would be the perfect way to pay tribute to his memory.

Thank you in advance for your time and consideration of this matter. I look forward to hearing from you.

Very truly yours,

FORCHELLI DEEGAN TERRANA LLP

By:

JUDY LYNN SIMONCIC

JLS:rer

cc: Hon. Joseph Saladino

WHEREAS, Francesca Cammarota has offered to donate a memorial plaque a tree to be placed in Marjorie R. Post Community Park in memory of Roy D. Cammarota; and

WHEREAS, the value of the plaque is estimated to be \$350.00, and the monies will be placed in Account PKS A 7110 47900 000 0000, and the tree will be purchased separately by Francesca Cammarota; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 25, 2018, has recommended that the Town accept said donations,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation from Francesca Cammarota of a tree with an accompanying plaque, to be located at Marjorie R. Post Community Park, in memory of Roy D. Cammarota.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

11

623

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

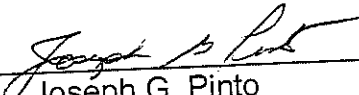
SUBJECT: Memorial Plaque

DATE: September 25, 2018

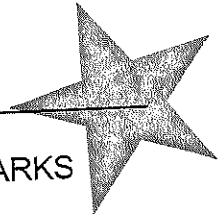
The Department of Parks has received a request from Francesca Cammarota (letter attached) requesting to donate a memorial plaque and a tree to be placed in Marjorie R. Post Community Park in memory of Roy D. Cammarota.

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

The plaque and tree will be purchased by Francesca Cammarota and donated to the Parks Department. The value of the plaque is estimated to be \$350.00 and the tree will be purchased separately by Francesca Cammarota. Town Board approval is requested on behalf of Francesca Cammarota. The monies will be collected in account PKS A 7110 47900 000 0000.



Joseph G. Pinto
COMMISSIONER OF PARKS



JGP/dc
C: Town Attorney (original +7 copies)
ATTACHMENT

Diann Codispodo

From: Roy Deane [REDACTED]
Sent: Wednesday, September 12, 2018 9:04 PM
To: Diann Codispodo
Subject: Re: new template for memorial plaque

Diann

Diann

Our family would like to donate a tree at Marjorie Post Park in memory my husband Roy D. Cammarota. The plaque is perfect!

Let me know when/where to send payment.

I hope this is acceptable, but If anything else is needed the best way to reach me is via e mail

thank you for your help,

Francesca

On Tue, Sep 11, 2018 at 11:09 AM, Diann Codispodo <dcodispodo@oysterbay-ny.gov> wrote:

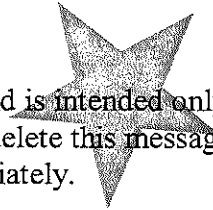
Hi Fran,

This is the template for Roy's memorial plaque. If you approve this plaque please let me know via email that it is acceptable.

Have a great day,

Diann Codispodo

This message (including any attachments) may contain confidential information and is intended only for the individual or individuals named. If you are not the intended recipient, you should delete this message immediately. If you received this message in error, please notify the sender immediately.



WHEREAS, Alexis Roth has offered to donate a plaque to be placed on an existing bench located in Theodore Roosevelt Memorial Park and Beach, in memory of Jonathan Roth; and

WHEREAS, the value of the plaque is estimated to be \$350.00, and the monies will be placed in Account PKS A 7110 47900 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 25, 2018, has 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 a plaque from Alexis Roth to be placed on an existing bench located in Theodore Roosevelt Memorial Park and Beach, in memory of Jonathan Roth.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

18

69

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks


SUBJECT: Memorial Plaque

DATE: September 25, 2018

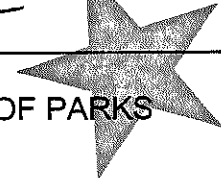
The Department of Parks has received a request from Alexis Roth (letter attached) requesting to donate a plaque on an existing bench located in Theodore Roosevelt Memorial Park and Beach in memory of Jonathan Roth.

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

The plaque will be purchased by Alexis Roth and donated to the Parks Department. The value of the plaque is estimated to be \$350.00. Town Board approval is requested on behalf of Alexis Roth. The monies will be collected in account PKS A 7110 47900 000 0000.



Joseph G. Pinto
COMMISSIONER OF PARKS



JGP/dc
C: Town Attorney (original +7 copies).
ATTACHMENT

Diane Ramos

From: Joseph Pinto
Sent: Tuesday, August 21, 2018 10:38 AM
To: Diane Ramos
Subject: FW: Bench Dedication at Theodore Roosevelt Park

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

From: Joseph Pinto
Sent: Tuesday, August 21, 2018 9:21 AM
To: 'Alexis Roth'
Cc: William Zang; Greg Skupinsky; Frank Gatto; Brian Nevin; Donna Antetomaso
Subject: RE: Bench Dedication at Theodore Roosevelt Park

Alexis,

My condolences on the passing of your son. Thank you for choosing Theodore Roosevelt Park as a site to honor and remember him.

I will be forwarding this message to Diann Codispodo, who is new to our department, yet she will be the person who will help us get this done.

Please call me at any time at 516-797-4142.

Joe Pinto

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

From: Alexis Roth [REDACTED]
Sent: Monday, August 20, 2018 9:48 PM
To: Joseph Pinto
Subject: Bench Dedication at Theodore Roosevelt Park

Commissioner Pinto,

I would like to respectfully request to re-dedicate a bench at Theodore Roosevelt Park in memory of my son, Jonathan Roth.

During our most recent visit to the park, we sat on a bench facing the sound in front of the tennis courts which did not currently have a plaque. This particular bench or any bench facing the sound would be our preference if available.

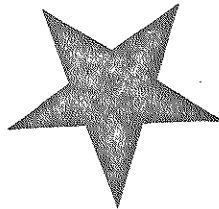
We lost him at the age of 23 on November 4, 2016. He truly loved nature and the peacefulness of the sound. As Syosset residents for over 30 year, it would truly mean a lot to our family to be able to dedicate a

bench in his memory.

Thank you for your consideration.

Alexis Roth
2 Center Drive
Syosset

[REDACTED]



[REDACTED]

Meeting of October 16, 2018

Resolution No. 665-2018

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 27, 2018, recommended that the Town Board authorize refunds be paid to the following individuals in the amounts set forth opposite their names, to be paid from the account numbers stated:

<u>Payee</u>	<u>Fee Being Refunded</u>	<u>Amount</u>	<u>Account No.</u>
Antonio Guerreiro	Resident parking permit	\$ 20.00	PKS A 0001 02025 523 0000
John Mandolese	Resident parking permit	\$ 20.00	PKS A 0001 02025 523 0000
Stanley Borushik	Resident parking permit	\$ 20.00	PKS A 0001 02025 523 0000
Louis Rossi	Resident seasonal parking	\$ 60.00	PKS A 0001 02025 523 0000
Patricia Santiago	Family pool membership	\$ 175.00	PKS A 0001 02025 523 0000
Alan Quackenbush	Five portable lights	\$ 250.00	PKS A 0001 02414 000 0000
Anna Galazka	Summer Recreation	\$ 380.00	PKS A 0001 02001 510 0000
Jane Obando	Summer Recreation	\$ 285.00	PKS A 0001 02001 510 0000
Michelle Waryold	Summer Recreation	\$ 300.00	PKS A 0001 02001 510 0000
Tara Butler.	Summer Recreation	\$ 400.00	PKS A 0001 02001 510 0000
Belinda Badash	Volleyball Sessions	\$ 100.00	PKS A 0001 02001 510 0000
Dora Moreno	Volleyball Sessions	\$ 75.00	PKS A 0001 02001 510 0000
Karen DiLeo	Pool Membership	\$ 213.75	PKS SP09 0001 02025 528 0000
	Swim lessons	\$ 50.00	PKS A 0001 02001 510 0000
Jennifer Dorman	Resident seasonal parking	\$ 60.00	PKS A 0001 02025 523 0000
Linda Varricchio	Pilates Lessons	\$ 60.00	PKS A 0001 02001 510 0000

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Parks is hereby authorized to issue the refunds as set forth above from the respective accounts and payment of said refunds are to be made upon presentation of duly certified claims, after audit by the Comptroller.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: September 27, 2018

SUBJECT: Resident Refunds

The Department of Parks has received correspondence from several Town of Oyster Bay residents requesting refunds. After reviewing pertinent information, the Department believes refunds are in order.

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

Antonio Guerreiro: 201 Elderberry Road, Mineola, NY 11501

Resident Daily Parking Permits
Total Refund \$20.00

Kindly debit account PKS A-0001-02025-523-0000

John Mandolese: 178 Floral Avenue, Plainview, NY 11803

One Resident Daily Parking Permit
Total Refund \$20.00

Kindly debit account PKS -A -0001-02025-523-0000

Stanley Borushik: 1 Thorpe Lane, Plainview, NY 11803

One Resident Daily Parking Permit
Total Refund \$20.00

Kindly debit account PKS -A-0001-02025-523-0000

Louis Rossi: 246A North Albany Avenue, Massapequa, NY 11758.....

One Resident Seasonal Parking Permit
Total Refund \$60.00

Kindly debit account PKS-A-0001-02025-523-0000

Patricia Santiago, 1201 SE Parkview Plaza, Stuart, FL 34994

One Resident Family Pool Membership	\$175.00
Two Photo Member Cards	\$ 10.00
5% Administration Fee	\$ 9.25
Total Refund	\$175.75

Kindly debit account PKS -A-0001-02025-523-0000

Alan Quackenbush, 270 Duck Pond Road, Locust Valley, NY 11560.....

Five Portable Lights	
Total Refund	\$250.00

Kindly debit account PKS A-0001-02414-000-0000

Anna Galazka, 126 Charles Street, Massapequa, NY 11758

Summer Recreation	\$400.00
5% Administration Fee	\$ 20.00
Total Refund	\$380.00

Kindly debit account PKS- A-0001-02001-510-0000

Jane Obando, 2 Ridge Rock Lane, East Norwich, NY 11732

Summer Recreation	\$300.00
5% Administration Fee	\$ 15.00
Total Refund	\$285.00

Kindly debit account PKS – A-0001-02001-510-0000

Michelle Waryold, 13 Hilltop Lane, Oyster Bay, NY 11771

Summer Recreation	
Total Refund	\$300.00

Kindly debit account PKS – A-0001-02001-510-0000

Tara Butler, 18 Elin Place, Glen Head, NY 11545

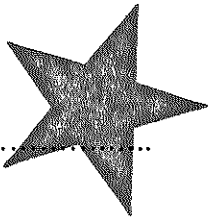
Summer Recreation	
Total Refund	\$400.00

Kindly debit account PKS –A- 0001-02001-510-0000

Belinda Badash, 239 Franklin Avenue, Island Park, NY 11558

Volleyball Sessions	
Total Refund	\$100.00

Kindly debit account PKS – A- 0001-02001-510-0000



Dora Moreno, 127 Cortland Avenue, Hicksville, NY 11801.....

Volleyball Sessions
Total Refund \$75.00

Kindly debit account PKS – A-0001-02001-510-0000

Karen DiLeo, 15 Fordham Drive, Plainview, NY 11803.....

Pool Membership \$225.00
5% Administration Fee \$ 11.25
Total Refund \$213.75

Kindly debit account PKS – SP09-0001-02025-528-0000

Karen DiLeo, 15 Fordham Drive, Plainview, NY 11803.....

Swim Lessons
Total Refund \$50.00
Kindly debit account PKS – A-0001-02001-510-0000

Jennifer Dorman, 10 Elm Street, Greenvale, NY 11548.....

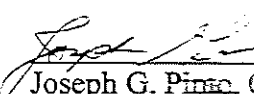
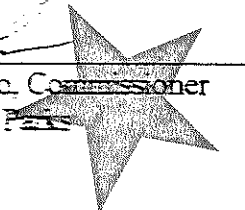
One Resident Seasonal Parking Permit
Total Refund \$60.00

Kindly debit account PKS – A-0001-02025-523-0000

Linda Varricchio, 16 Neptune Place, Massapequa, NY 11758.....

Pilates Lessons
Total Refund \$60.00

Kindly debit account PKS – A – 0001-02001-510-0000


Joseph G. Pina, Commissioner
Department of Parks


JGP:jb

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

List of Delinquent Water Rentals of the following
WATER Districts were presented to the Town Board:

BETHPAGE
HICKSVILLE
JERICHO
LOCUST VALLEY
MASSAPEQUA
OYSTER BAY
SOUTH FARMINGDALE
INC. VILLAGE OF FARMINGDALE
PLAINVIEW
ROSLYN

The following resolution was offered by Councilman
Muscarella, seconded by Councilman Macagnone.

RESOLVED, That the Town Attorney be authorized and
directed to send certified copies of Delinquent Water
Rentals received from the various Water Districts to the
County Departments of Assessment, the County Legislature,
and the Town Comptroller.

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


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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
Tom Macagnone

THIS IS TO CERTIFY THAT THE DELINQUENT WATER RENTS OF THE VARIOUS WATER DISTRICTS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, ARE AS FOLLOWS:

BETHPAGE.....	\$ 92,085.04
HICKSVILLE.....	\$ 160,174.67
JERICO.....	\$ 275,715.26
LOCUST VALLEY.....	\$ 52,284.81
MASSAPEQUA.....	\$ 144,644.87
INC. VILLAGE OF FARMINGDALE.....	\$ 7,179.31
OYSTER BAY.....	\$ 32,812.00
PLAINVIEW.....	\$ 130,086.38
SOUTH FARMINGDALE.....	\$ 338,728.94
ROSLYN.....	\$ 58.08



CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS
TOWN OF OYSTER BAY, NASSAU COUNTY
NEW YORK

DATED: October 16, 2018
 Oyster Bay, New York

S
E
A
L

15

666

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 25, 2018

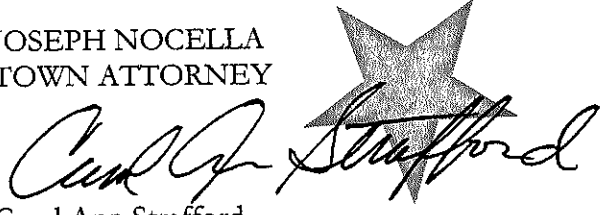
TO: MEMORANDUM DOCKET
FROM: CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS
THRU: OFFICE OF THE TOWN ATTORNEY
SUBJECT: DELINQUENT WATER RENTALS

The attached resolution relates to Delinquent Water Rentals for 2018 for the various Water Districts in the Town of Oyster Bay. In addition, it includes a 2017 delinquent water rental from the Roslyn Water District for a property in the Town of Oyster Bay.

Pursuant to Town Law, these lists are prepared by the Water Districts each year and submitted to this office for presentation to the Town Board.

After adoption, the Town Attorney is directed to notify the Town Comptroller, the Nassau County Legislature and the Nassau County Department of Assessment, who will include these unpaid items on the Tax Roll for Collection for 2019.

JOSEPH NOCELLA
TOWN ATTORNEY



Carol Ann Strafford
Director - Legislative Affairs

CAS
Attachment
cc: Town Attorney +7

WHEREAS, the Town Board has heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

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

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated September 21, 2018, have advised that claimant, Kevin Dougherty, alleged that on the evening of February 21, 2015 through the morning of February 22, 2015, he sustained injuries to the right knee, left shoulder, and right shoulder as a result of a slip and fall on ice that was on the entrance of the catering facility located at the Town of Oyster Bay Golf Course; and

WHEREAS, after extensive negotiations, the matter has settled for a total of \$75,000.00, in full resolution of all claims of Claimant;

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the Town Board finds that it is just, reasonable, and in the best interests of the Town to settle this matter for the sum of \$75,000.00, which sum is hereby authorized and approved by the Town Board, as full settlement to Claimant, Kevin Dougherty, with regard to Claim No. 2015-4921 and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to "Frank Gonzalez, Esq. and Kevin Dougherty" in the amount of \$75,000.00; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

#

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
Matthew M. Rozea

16

Town of Oyster Bay Inter-Departmental Memo

667

TO : Memorandum Docket

FROM : Office of the Town Attorney

DATE : September 21, 2018

SUBJECT: SETTLEMENT OF NEGLIGENCE CLAIM
Claimant: Dougherty v. Town of Oyster Bay
Claim No.: 2015-4921

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

The above referenced claim arose as a result of an incident that occurred on the evening of February 21, 2015 through the morning of February 22, 2015 at approximately midnight. Plaintiff Kevin Dougherty alleges to have sustained personal injuries when he slipped and fell on ice that was on the entrance of the catering facility located at the Town of Oyster Bay Golf Course. As alleged, Plaintiff suffered various injuries including, without limitation, tearing along the undersurface of the posterior horn and mid zone of the medial meniscus in the right knee (requiring surgical intervention), left shoulder impingement syndrome, right shoulder pain, and other soft tissue injuries.

After extensive settlement negotiations, this matter was settled for a total of \$75,000.00. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town given the uncertainties associated with litigation.

Accordingly, we have attached a resolution authorizing payment of \$75,000.00, together with copies of the Stipulation of Discontinuance with prejudice and a General Release executed by Claimant. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

JOSEPH NOCELLA
TOWN ATTORNEY



Matthew M. Rozea
Deputy Town Attorney

MMR:mmr
Attachment
cc: Town Attorney (with 7 copies)

FRANK GONZALEZ, ESQ.
475 NORTHERN BOULEVARD
SUITE 24
GREAT NECK, NEW YORK 11021
+++++
TELEPHONE: (516) 441-5155
FACSIMILE: (516) 441-5154
EMAIL: FRANKGONZALEZESQ@GMAIL.COM

September 20, 2018

MILBER MAKRIS, PLOUSADIS & SEIDEN, LLP
PETER TAMIGI, ESQ.
1000 Woodbury Road, Suite 402
Woodbury, N.Y. 11021

Re: KEVIN DOUGHERTY v. TOWN of OYSTER BAY, et al.
Index No.: 2516/16

Dear Mr. Tamigi:

It has been a pleasure working with in reaching a resolution in this matter.

Enclosed are the following settlement documents:

1. General Release;
2. Stipulation Discontinuing Action with Prejudice;
3. Hold Harmless for Liens;
4. Stipulation of Settlement;
5. IRS Form W-9.

Please advise me when the Town Board has approved the Settlement.

Very truly yours,


FRANK GONZALEZ

FG/
Enc.

TO ALL WHOM THESE PRESENTS SHALL COME OR MAY CONCERN
KNOW THAT KEVIN DOUGHERTY being over the age of eighteen as **RELEASOR**
in consideration of the sum of SEVENTY FIVE THOUSAND DOLLARS 00/100 (\$ 75,000.00)
received from THE TOWN OF OYSTER BAY as **RELEASEE**, receipt whereof is hereby acknowledged,
releases and discharges THE TOWN OF OYSTER BAY

The **RELEASEE**, **RELEASEE'S** heirs, executors, employees, administrators, successors and assigns from all actions, cause of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the **RELEASEE**, the **RELEASOR**, **RELEASOR'S** heirs, executors administrators successors and assigns ever had, now have or hereafter can, shall or may have, for, upon, or by reason of any matter caused or thing whatsoever from the beginning of the world to the day of the date of this **RELEASE** with reference to personal injuries sustained on February 21-22, 2015 as the result of an accident.

It is further agreed that **RELEASOR** shall hold **RELEASEES** harmless and will fully defend and indemnify **RELEASEES**, including costs and attorneys fees, for and with respect to any and all liens, rights of subrogation, rights of recovery and rights of reimbursement, known or unknown, that may be presented or asserted against **RELEASEES** arising out of the incident on FEBRUARY 21-22, 2015.

It is further agreed, that the releaser affirms that he/she is not Medicare eligible, has not applied for Medical or Social Security Disability or Railroad disability benefits; is not eligible to apply for those benefits; and, further represents that his/her knowledge, none of the bills for medical treatment provided as a result of this accident were paid by Medicare Part A or Part B.

It is further agreed the attorney affirms that to the best of his/her knowledge the information and the affirmation provided by his/her client is true and accurate.

Whenever the test hereof requires, the use of singular number shall include the appropriate plural number as the text of the within instrument may require.

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

IN WITNESS WHEREOF, the **RELEASOR** has hereunto set **RELEASOR'S** hand and seal on the 17th day of September, 2018.

In presence of



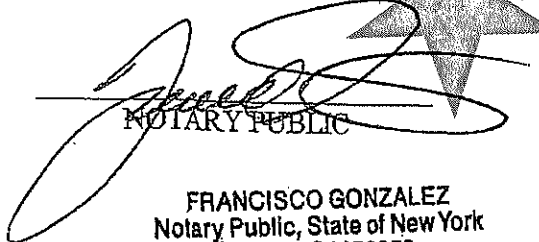
KEVIN DOUGHERTY L.S.

STATE OF NEW YORK

: COUNTY OF NASSAU

SS.:

On September 17, 2018, before me personally came **KEVIN DOUGHERTY**, to me known and known to me to be the individual(s) described in, and who executed the foregoing **RELEASE**, and duly acknowledged to me that (s)he executed the same.



NOTARY PUBLIC

FRANCISCO GONZALEZ
Notary Public, State of New York
No. 02GO6252352
Qualified in Nassau County
Commission Expires Dec. 05, 2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

KEVIN DOUGHERTY,

—x Index No. 2516/16

Calendar No.: 2018H0160

Plaintiff,

- against -

**STIPULATION
DISCONTINUING
ACTION WITH PREJUDICE**

THE TOWN OF OYSTER BAY, SINGH
HOSPITALITY GROUP, INC. SINGH HOSPITALITY
GROUP, INC. d/b/a THE WOODLANDS AT WOODBURY,
THE WOODLANDS AT WOODBURY, and
SRB CONVENTION AND CATERING CORP d/b/a/
THE WOODLANDS AND PASSION FISH.

Defendants.


—x

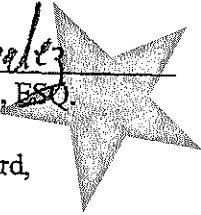
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action, be and the same hereby is discontinued with prejudice,

as to THE TOWN OF OYSTER BAY only, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: September 20, 2018
Nassau County, New York

MILBER MAKRIS PLOUSADIS & SEIDEN
Attorneys for Defendant
THE TOWN OF OYSTER BAY
1000 Woodbury Road, Ste. 402
Woodbury, N.Y. 11021
(516) 712-4000
Fax: (516) 712-4013


FRANK GONZALEZ, ESQ.
Attorney for Plaintiffs
475 Northern Boulevard,
Ste. 24
Great Neck, N.Y. 11021
(516) 441-5155
Fax: (516) 441-5154



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

KEVIN DOUGHERTY,

Plaintiff,

-against-

Index No. 2516/2016

HOLD HARMLESS FOR
LIENS

TOWN OF OYSTER BAY, SINGH HOSPITALITY
GROUP, INC. SINGH HOSPITALITY GROUP, INC.
d/b/a THE' WOODLANDS AT WOODBURY, THE
WOODLANDS AT WOODBURY, and SRB CONVENTION AND
CATERING CORP d/b/a
THE WOODLANDS AND PASSION FISH,

Defendants.
_____X

IT IS HEREBY STIPULATED AND AGREED, by and on behalf of the Plaintiff in
this action, in consideration of the settlement of this action, by defendant TOWN OF OYSTER
BAY (hereinafter "the Town"), as follows:

1. Plaintiff(s) will defend, indemnify and hold harmless Town of Oyster Bay, Milber
Makris Plousadis & Seiden, LLP, and any insuring entity participating in this settlement, against
any lien, claim or action arising from the settlement, or asserted against the settlement proceeds;
2. Plaintiff(s) will have the sole responsibility to satisfy any lien or claim asserted against
the settlement proceed or arising from the settlement;
3. Plaintiff(s) makes no claim against any other defendants in this action for vicarious
liability for any alleged acts and omissions of the Town.
4. Plaintiff(s) will completely satisfy any and all claims Medicare and/or Medicaid has or
may have with respect to the settlement of this action and the claims asserted in this action by
paying all funds due and owing to Medicare and/or Medicaid, and/or any other lien holder within

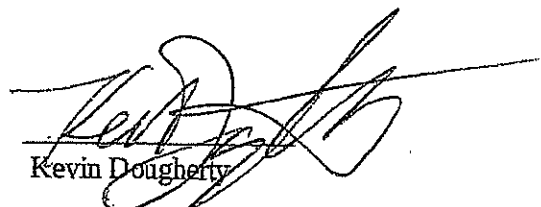
sixty (60) days of receipt the final demand letter and the settlement proceeds.

5. Plaintiff(s) will hold harmless and indemnify the Town and related entities and person; any insuring entity participating in this settlement, their agents, servants and employees; Milber Makris Plousadis & Seiden, LLP, their agents, servants and employees on claim or action for contribution, indemnification or subrogation arising out of any act or omission of the defendant(s) herein and related entities and person.

6. The settlement of this action does not constitute any admission of liability on the part of the Town and any insuring entity participating in this settlement.

7. Plaintiff(s) and plaintiff's counsel make no claim against any other known or unknown entity or person for vicarious liability for any alleged acts or omissions of the defendant(s) herein and related entities and persons.

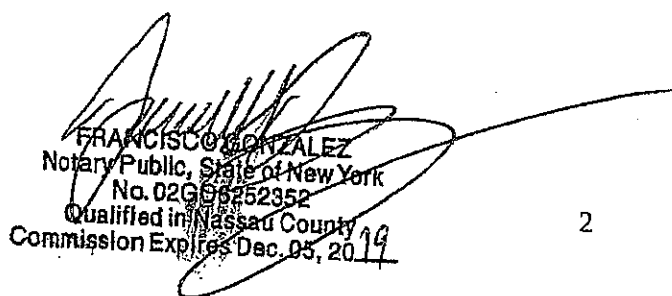
Dated: Woodbury, New York
September 21, 2018


Kevin Dougherty

STATE OF NEW YORK)

 NASSAU :SS.
COUNTY OF ~~QUEENS~~

On the 21st of September, 2018 before me personally came Kevin Dougherty to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and duly acknowledged to me that he executed the same in his capacity.


FRANCISCO GONZALEZ
Notary Public, State of New York
No. 02095252352
Qualified in Nassau County
Commission Expires Dec. 03, 2019



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

X

KEVIN DOUGHERTY,

Plaintiff,

-against-

Index No. 2516/2016

STIPULATION OF
SETTLEMENT

TOWN OF OYSTER BAY, SINGH HOSPITALITY
GROUP, INC. SINGH HOSPITALITY GROUP, INC.
d/b/a THE WOODLANDS AT WOODBURY, THE
WOODLANDS AT WOODBURY, and SRB CONVENTION
AND CATERING CORP d/b/a
THE WOODLANDS AND PASSION FISH,

Defendants.

X

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, defendant TOWN OF OYSTER BAY (hereinafter "the Town") and the plaintiff, and their respective counsel, that the above matter is settled in the total sum of \$75,000;

FURTHER STIPULATED AND AGREED TO that plaintiff's counsel represented to the Town's counsel that he has spoken with his client and he agreed to the settlement and that plaintiff's counsel represents, as an officer of the Court, that he has the authority to enter into this settlement agreement; and it is

FURTHER STIPULATED AND AGREED TO that plaintiff's counsel shall provide the Town's counsel with: an original duly executed General Release releasing the Town of Oyster Bay, an original duly executed Hold Harmless Agreement (in the form provide by the Town) agreeing to hold the Town harmless and indemnify the Town as to any and all liens, statutory or otherwise, and an original duly executed Stipulation of Discontinuance discontinuing this action with prejudice without costs to either side as to

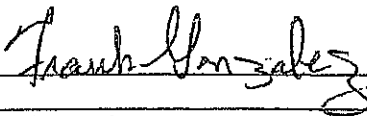
the Town; and it is

FURTHER STIPULATED AND AGREED TO, that the settlement is subject to the Town's Board approval within 120 days from the date of receipt by Town's counsel of the above-referenced settlement documents. In the event said settlement approval is rejected by the Town Board, the defendant, Town, agrees to enter into a stipulation with plaintiff's counsel restoring the above matter to the Court's calendar on 10 days written notice; and it is

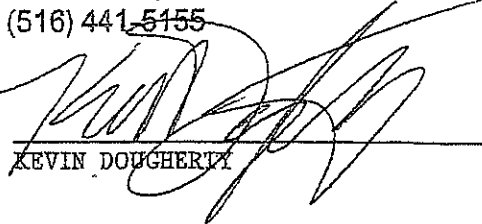
FURTHER STIPULATED AND AGREED TO, that the plaintiff recognizes that the settlement is not subject to the provisions of CPLR §5003-a; and it is

FURTHER STIPULATED AND AGREED TO, that plaintiff's counsel and the plaintiff understand that it may take up to 120 days from receipt of all Settlement Documents to receive a settlement check.

Dated: Woodbury, New York
September 20, 2018



Frank Gonzalez, Esq.
Attorneys for Plaintiff
475 Northern Boulevard, Suite 24
Great Neck, New York 11021
(516) 441-5155


KEVIN DOUGHERTY

Peter F. Tamigi, Esq.
Of Counsel
MILBER MAKRIS PLOUSADIS
& SEIDEN, LLP
Attorneys for Defendant
TOWN OF OYSTER BAY
1000 Woodbury Road, Suite 402
Woodbury, New York 11797
(516) 712-4000



WHEREAS, Cristina Harrison, Administrator, First Presbyterian Church, 60 East Main Street, Oyster Bay, New York 11771, by letter dated September 13, 2018, has requested the use of one (1) roll-off container for its Fall cleanup, from November 13, 2018 through November 20, 2018; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated September 28, 2018, has advised that the abovementioned equipment will not be required for use by the Town at that time, and that the Department of Public Works has no objection to providing one (1) roll-off container to the First Presbyterian Church, without charge, as the cleanup is not a profit-making event as defined in the Code of the Town of Oyster Bay, Chapter 201, "Solid Waste", Section 17; and

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

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby approved, and the Department of Public Works is hereby authorized to provide one (1) roll-off container to the First Presbyterian Church, for its Fall cleanup, from November 13, 2018 through November 20, 2018, without charge, subject to the following conditions:

1. The use of all Town equipment shall be in conformance with the direction of the Commissioner of the Department of Public Works/Highway, or his duly authorized representative.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town equipment and in the conduct of the aforescribed activity.
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$1,000,000 with a general aggregate of \$2,000,000, and naming the Town as an additional insured in connection with the aforescribed activity.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Public Works

Reviewed By
Office of Town Attorney

171

604

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

September 28, 2018

TO: Memorandum Docket

FROM: Richard W. Lenz, P.E., Commissioner of Public Works/Highway


SUBJECT: Request: ROLL OFF CONTAINER
First Presbyterian Church
60 East Main Street
Oyster Bay, New York 11771

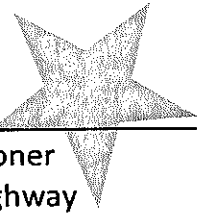
Attached please find a copy of a letter received in this office from Christine Harrison requesting a roll off container for their fall clean up. The container will be placed at 60 East Main Street, Oyster Bay, on Tuesday, November 13, 2018 and collected on Tuesday, November 20, 2018.

An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay and have requested the use of a Town roll off container in connection with a profit-making or fundraising event, shall be charged two hundred fifty dollars (\$250.00) for each container load dumped."

It is our opinion that the fall clean up does not constitute a profit-making or a fundraising event. Therefore, we hereby request the Honorable Town Board to approve this worthwhile organization the use of Town equipment without a charge.

Attached please find their certificate of insurance, endorsement and Hold Harmless Agreement for the use of Town of Oyster Bay equipment by the First Presbyterian Church from Tuesday, November 13, 2018 through Tuesday, November 20, 2018.


Richard W. Lenz, P.E., Commissioner
Department of Public Works/Highway



RWL: cw
Attachments
cc: Joseph Nocella, Town Attorney (7 copies)
Steven Ballas, Comptroller

DP

FIRST PRESBYTERIAN CHURCH
OYSTER BAY, NEW YORK
THE REV. DR. JEFFREY D. PREY, PASTOR

September 13, 2018

Town of Oyster Bay
Department of Public Works
Sanitation Division
150 Miller Place
Syosset, NY 11791
Attention: Eileen Walsh

RECEIVED/DPW
COMMISSIONER'S OFFICE
2018 SEP 22 P 2:29

Dear Eileen:

We are requesting the use of one roll-off container from Tuesday, November 13, 2018 – Tuesday, November 20, 2018. Please find enclosed our application, Certificate of Insurance, endorsement and Hold Harmless Agreement and a diagram of placement.

We are requesting for it to be delivered on Tuesday and picked up on the following Tuesday. Thank you.

If you have any questions, please call me at (516) 922-5477.

Sincerely,

Cristina Harrison

Cristina Harrison
Administrator



:cjh
Enclosure

(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)

PLEASE TYPE OR PRINT CLEARLY

Name of Organization: First Presbyterian Church

Billing Address: 60 EAST MAIN STREET

OYSTER BAY, NY 11771

Phone Number (Days): (516) 922-5477

Number of Container(s) Requested: 1

Address Where Container(s) Would Be Placed: Same

Dates Container(s) Needed: From 11/13/18 To 11/20/18

Describe The Event For Which Container(s) Is/Are Requested: Fall Clean Up

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? No

I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of \$250.00 for each container load dumped may be assessed for which I agree to assume responsibility.

Signature: Cristina Honian Date: 9/18/18

Title: CHURCH ADMINISTRATOR

Signature : _____ Date Received: _____

Signature: _____ Date Picked Up: _____

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:

Approved By Resolution No.: 14 \$250 Charge Applies: YES NO ✓

To Be Completed By Scale House:

Disposal Authorization Ticket No.: _____

Load Ticket No.: _____

Date: _____

Signature: _____

Scalehouse to return copy to Comptroller
White Copy - Sanitation Driver (to be given to Scalehouse)
Yellow Copy - Sanitation Files
Green Copy - Scale House Files



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 1

DATE (MM/DD/YYYY)
09/11/2018

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

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

PRODUCER:
Willis of Ohio, Inc.
c/o 26 Century Blvd
P.O. Box 305191
Nashville, TN 372305191 USA

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

INSURED:
0000005304-First Presbyterian Church
60 E. Main St.
Oyster Bay, NY 11771 USA

INSURER(S) AFFORDING COVERAGE
INSURER A: Lexington Insurance Company NAIC# 19437
INSURER B: National Union Fire Insurance Company of P 19445
INSURER C:
INSURER D:
INSURER E:
INSURER F:

COVERAGES

CERTIFICATE NUMBER: W7454368

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR (INS) / WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y	011971558 & 048409888	01/01/2018	01/01/2019	EACH OCCURRENCE \$ 2,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					MED EXP (Any one person) \$ 10,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					PERSONAL & ADV INJURY \$ 2,000,000
	OTHER:					GENERAL AGGREGATE \$ 4,000,000
	AUTOMOBILE LIABILITY					PRODUCTS - COMP/OP AGG \$ 4,000,000
	<input type="checkbox"/> ANY AUTO					
	<input type="checkbox"/> OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY					BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY					BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
B	UMBRELLA LIAB					
	<input checked="" type="checkbox"/> EXCESS LIAB		BE 012147072	01/01/2018	01/01/2019	EACH OCCURRENCE \$ 4,000,000
	<input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CLAIMS-MADE					AGGREGATE \$ 4,000,000
	DED RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A			PER STATUTE \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					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)
Re: Use of roll off container from 11/13/18 to 11/20/18

Town of Oyster Bay is an Additional Insured with respects to General Liability as required by written contract.

Please contact your Insurance Board Agent, John Smith at (845) 561-1706 x271, for questions regarding your Certificate of Insurance. If you would like to speak to someone at the Insurance Board, please call 800-437-8830.

CERTIFICATE HOLDER

CANCELLATION

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

Reviewed By
Office of Town Attorney

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

SR ID: 16716888

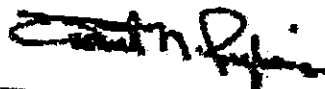
DATE: 861827

This endorsement, effective: 1/1/2018
Forms a part of Policy No.: 011971558 & 048409888
Issued to: The United Church Purchasing Group of Colorado
By: Lexington Insurance Company

ADDITIONAL INSURED REQUIRED BY WRITTEN CONTRACT ENDORSEMENT

- A. Section II – Who is an Insured is amended to include any person or organization you are required to include as an additional insured on this policy by a written contract or written agreement in effect during this policy period and executed prior to the "occurrence" of the "bodily injury" or "property damage".
- B. The insurance provided to the above described additional insured under this endorsement is limited as follows:
1. This insurance provides coverage with regard to COVERAGE A BODILY INJURY AND PROPERTY DAMAGE (Section I – coverages only.)
 2. The person or organization is only an additional insured with respect to liability arising out of "your work", "your product", or your operations.
 3. In the event that the Limits of Insurance provided by this policy exceed the Limits of Insurance required by the written contract or written agreement, the insurance provided by this endorsement shall be limited to the Limits of insurance required by the written contract or written agreement. This endorsement shall not increase the Limits of Insurance shown in the Declarations pertaining to the coverage provided herein.
 4. This insurance does not apply to "bodily injury" or "property damage" arising out of "your work", "your product", or your operations included in the "product-completed operations hazard" unless you are required to provide such coverage by written contract or written agreement and then only for the period of time required by the written contract or written agreement and in no event beyond the expiration date of the policy.
 5. Any coverage provided by this endorsement to an additional insured shall be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis, unless the written contract or written agreement with additional insured specifically requires that this insurance be primary and non-contributory with any other insurance carried by the additional insured. In such case, this insurance shall be primary and non-contributory with any other insurance carried by the additional insured.
- C. In accordance with the terms and conditions of the policy and as more fully explained in the policy, as soon as practicable, each additional insured must give us prompt notice of any "occurrence" which may result in a claim, forward all legal papers to us, cooperate in the defense of any actions, and otherwise comply with all of the policy's terms and conditions. Failure to comply with this provision may, at our options, result in the claim or "suit" be denied.

All other terms and conditions of the policy remain the same.


Authorized Representative

Reviewed By
Office of Town Attorney



DP

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

This Agreement is made this 18 day of September 2018, by First Presbyterian Church (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 60 EAST MAIN STREET
OYSTER BAY, NY 11771

for the event described as Fall Clean Up
The property/equipment is needed from November 13, 2018 to November 20, 2018
The event for which the property and/or equipment is requested () is (☒) is not a profit making event.

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

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

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

Name of Organization

First Presbyterian Church

Address of Organization

60 EAST Main Street
OYSTER BAY, NY 11771

By: Cristina Harrison
Authorized Representative

Title: Church Administrator

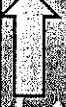
Telephone Number: (516) 922-5477

Reviewed By
Office of Town Attorney

[Signature]



**Roll of container goes
HERE**
(right next to handicap space)



Pearl St

Pearl St

Pearl St

East Main St

7/18
Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated September 28, 2018, recommended that in connection with Contract No. DPW91-560A, Syosset Landfill Remediation, and pursuant to the Consent Decree between the Town of Oyster Bay and the United States Environmental Protection Agency requiring the Town to reimburse the (EPA) for the costs of its oversight of environmental monitoring under said Contract, the Comptroller be authorized and directed to make payment to EPA Hazardous Substance Superfund in the amount of \$16,184.88, to cover their oversight costs for the period of April 1, 2016 through September 30, 2017, with the funds for said payment to be drawn from Account No. HWY H 5197 20000 000 1803 008,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and pursuant to the aforementioned (consent) decree, the Comptroller is hereby authorized and directed to make payment under Contract No. DPW91-560A, to EPA Hazardous Substance Superfund in the amount of \$16,184.88, with funds for said payment to be drawn from Account No. HWY H 5197 20000 000 1803 008.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

18

669

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

SEPTEMBER 28, 2018

TO : MEMORANDUM DOCKET

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

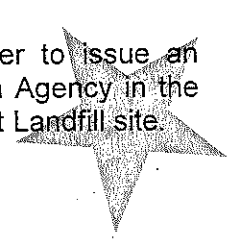
SUBJECT: PAYMENT OF EPA OVERSIGHT FEES
SYOSSET LANDFILL REMEDIATION
CONTRACT NO. DPW91-560A
ACCOUNT NO. HWY H 5197 20000 000 1803 008
PROJECT ID NO. 1803 HWYDB-02


In accordance with the requirements of the Consent Decree between the Town of Oyster Bay and the Environmental Protection Agency, the Town is obligated to reimburse the United States Environmental Protection Agency (USEPA) for their oversight of the costs relative to the ongoing environmental monitoring of the Syosset Landfill.

Attached is a letter from the USEPA referencing a Bill for Collection No. 2721826T0055 in the amount of \$16,184.88 to cover their oversight costs for the period of April 1, 2016 through September 30, 2017. Funds in the total amount of \$16,184.88 are available in Account No. HWY H 5197 20000 000 1803 008.

Payment should be made to 'EPA Hazardous Substance Superfund,' directed to US EPA – Region 2, Superfund Payments – Cincinnati Finance Center, P.O. Box 979076, St. Louis, Missouri 63197-9000.

It is therefore requested that the Town Board direct the Office of the Comptroller to issue an encumbrance order to make payment to the United States Environmental Protection Agency in the total amount of \$16,184.88 for reimbursement of oversight costs relative to the Syosset Landfill site.




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


RWL/JCT/MR/lk

Attachment

c: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
John Bishop, Department of Highways
Kathy Stefanich, DPW
DPW91-560A DOCKET 16-17 EPA FEES



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

RECEIVED/DPW
COMMISSIONER'S OFFICE
2018 SEP 14 P 3:10

M.R.

SEP - 6 2018

CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

Mr. Richard Lenz
Commissioner
Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, New York 11791

Re: Syosset Landfill Superfund Site, Town of Oyster Bay, Nassau County, New York
Consent Decree (Civil Action No. CV-90-4183)
Bill for Collection No. 2721826T0055

Dear Mr. Lenz:

This letter serves as Bill for Collection No. 2721826T0055, which has been prepared by the United States Environmental Protection Agency ("EPA") for the recovery of response costs for the Syosset Landfill Site (the "Site"), under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended, 42 U.S.C. §§ 9601-9675. This accounting is being forwarded to you in accordance with Section XX.B. of the February 20, 1991 Consent Decree, Civil Action No. CV-90-4183 (the "Consent Decree"), for the Site.

This accounting includes response costs paid between April 1, 2016 and September 30, 2017. Enclosed are both a Superfund Cost Recovery Package and Imaging On-line System ("SCORPIO\$") report, which is a breakdown by category of Site-related costs paid by EPA, and a narrative description of those costs at the Site paid by EPA.

In accordance with Section XX.B of the Consent Decree, the Town of Oyster Bay (the "Town") is responsible for remitting to EPA payment in the amount of **\$16,184.88**. This payment is to be received within seventy-five (75) days of the date of receipt of this letter. If payment is not received by this date, a daily interest charge of 0.0024% (0.87% per annum) will be assessed from the first day after the payment is overdue through the date of payment. A check in the amount of \$16,184.88 should be made payable to "EPA Hazardous Substance Superfund" and should be mailed to:

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 50% Postconsumer content)

US EPA - Region 2
Superfund Payments - Cincinnati Finance Center
P.O. Box 979076
St. Louis, MO 63197-9000

The name of the Site (Syosset Landfill), the Site identifier (02-39), the case number (Civil Action No. CV-90-4183), and the Bill number (Bill for Collection No. 2721826T0055) should also appear on the check.

To ensure that your payment is properly recorded, you must send an email or a letter, contemporaneously with the payment, which references the date, the payment amount, the Site name, the Site identifier, the case number, the Bill for Collection No., and your name and address to the following:

Sherrel D. Henry, Remedial Project Manager
Emergency and Remedial Response Division
United States Environmental Protection Agency, Region 2
290 Broadway - 20th Floor
New York, New York 10007-1866
email: henry.sherrel@epa.gov

Elizabeth Leilani Davis, Assistant Regional Counsel
United States Environmental Protection Agency, Region 2
290 Broadway - 17th Floor
New York, New York 10007-1866
email: davis.leilani@epa.gov

Jessica Henderson
United States Environmental Protection Agency
26 W. Martin Luther King Drive
Attention: Finance, MS: NWD
Cincinnati, OH 45268
emails: henderson.jessica@epa.gov and cinwd_acctsreceivable@epa.gov

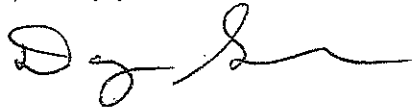
The United States reserves its rights to seek recovery of any cost paid during the period covered by this accounting but not included in this Bill, and all other response and oversight costs pursuant to the Consent Decree.

EPA reaffirms its commitment to conduct appropriate and cost-effective oversight of work performed by consenting parties while ensuring protective cleanups. To this end, EPA is prepared to discuss plans for the oversight of ongoing work at the Site, and to provide you with the opportunity to suggest ways to effectively streamline the work and its oversight.

Please contact Ms. Sherrel Henry of my staff at (212) 637-4273 if you are interested in having a conversation or meeting with us regarding oversight. If you have any legal questions regarding this matter, please direct your attorney to contact Ms. Elizabeth Leilani Davis at (212) 637-3249.

Thank you for your prompt attention to this matter.

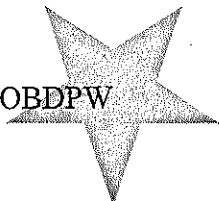
Sincerely yours,




Doug Garbarini, Chief
New York Remediation Branch

Enclosures

cc: Matt Russo, TOBDPW



		TOWN OF OYSTER BAY		TAXPAYER IDENTIFICATION NUMBER	
		CLAIM		FEDERAL ID # <input checked="" type="checkbox"/> SOCIAL SECURITY # <input type="checkbox"/>	
AUDREY AVENUE, OYSTER BAY, NEW YORK 11771					
CLAIMANT'S NAME			CONTRACT #		ORDER #
USEPA-Regd Superfund Cincinnati Finance Center					
CLAIMANT'S ADDRESS			CONTRACT NAME		
P.O. Box 979076 St. Louis MO					
TOWN DEPARTMENT			CLAIMANT INVOICE #		RESO #
63197-9000			2721826T0055		
FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES					
DETAILED DESCRIPTION OF MATERIALS OR SERVICES					
DATE	DESCRIPTION			UNIT PRICE	TOTAL
	CLAIM NUMBER: Payroll				10,675.08
	CLAIM PERIOD: Other Expenditures				611.44
	Indirect Costs				4,898.36
	CONTRACT AUTHORIZATION:				
	APPROVED INCREASES:				
	REVISED CONTRACT AUTHORIZATION: \$0.00				
	% COMPLETE				
	PREVIOUS COST TO DATE: \$0.00 0.0%				
	AMOUNT OF CLAIM: \$0.00 0.0%				
	NEW COST TO DATE: \$0.00 0.0%				
	TOB ENGINEERING PM INITIALS:				
	TOB ENGINEERING SIGNATURE:				
					16,184.88
THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT				TOTAL AMOUNT	\$0.00
I HEREBY CERTIFY the above articles were sold and delivered and/or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there stated in the amount of no part thereof has been paid except as stated therein and that the balance there in stated in the amount of				CASH DISCOUNT %	\$0.00
				NET AMOUNT	\$0.00
is actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom.					
CLAIMANT FURTHER CERTIFIES that the unit prices charged herein are not higher than those charged to any governmental or commercial consumer for like deliveries.					
Signature		Title		Date 9/6/18	
Print or type name		Name of Company		Chief, Western New York Remediation Section USEPA	
Peter Marino					
I HEARBY APPROVE this claim form for the sum of _____ for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.					
Signature		Title		Date	
Department		Account			

**Summary of Response Costs Paid by EPA
Between April 1, 2016 and September 30, 2017
Syosset Landfill Superfund Site
Town of Oyster Bay, New York**

Regional Payroll Costs

This consists of direct EPA personnel charges for time spent by EPA employees in preparation of the forth five-year review and overseeing the Town's adherence to the requirements of the Consent Decree during the period from April 1, 2016 to September 30, 2017. See Section 3 of the enclosed SCORPIOS\$ Report.

Regional Payroll..... \$10,675.08

Other Expenditures (OTH)

EnSoftek (EPS21101)

This item consists of costs paid by EPA through its contract with EnSoftek for the maintenance and updating of the Site's files. See Section 4 of the enclosed SCORPIOS\$ Report.

EnSoftek..... \$611.44

Indirect Costs

Indirect Costs are disbursements from the Superfund for the operation and management of the Superfund Program which are not direct costs (*i.e.*, disbursements recorded in individual Superfund site accounts in the EPA's financial management system). Indirect costs are allocated to particular Superfund sites by means of a methodology established by EPA Headquarters. See Sections 5 and 6 of the enclosed SCORPIOS\$ Report for the calculation of the EPA's indirect costs.

Indirect Costs..... \$4,898.36

EPA's Total Response Costs in this billing \$16,184.88

Certified By Financial Management Office

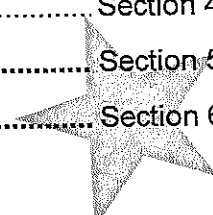
Table of Contents

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

NARRATIVE COST SUMMARY	Section 1
ITEMIZED COST SUMMARY	Section 2
REGIONAL PAYROLL COSTS	Section 3
OTHER EXPENDITURES (OTH)	
ENSOFTEK (EPS21101)	Section 4
EPA INDIRECT COSTS SUMMARY	Section 5
EPA INDIRECT COSTS	Section 6



Certified By Financial Management Office
Itemized Cost Summary

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39
TOWN OF OYSTER BAY
04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

REGIONAL PAYROLL COSTS	\$10,675.08
OTHER EXPENDITURES (OTH)	
ENSOFTEK (EPS21101)	\$611.44
EPA INDIRECT COSTS	\$4,898.36
Total Site Costs:	<div><div></div><div>\$16,184.88</div></div>

Certified By Financial Management Office

Regional Payroll Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
ALVEY, ROBERT	2016	21	8.00	627.12
			8.00	\$627.12
BENROUBI, ALBERT	2016	16	0.50	33.96
		18	0.50	33.96
		19	2.00	135.88
		26	1.00	67.94
	2017	19	0.50	34.85
			4.50	\$306.59
CARPENTER, ANGELA	2017	10	2.00	201.67
SHORT, ANGELA B.			2.00	\$201.67
COLLAZO, MAGDA	2016	18	3.50	111.78
			3.50	\$111.78
ECHOLS, CECILIA	2017	06	3.00	233.89
			3.00	\$233.89
FLYNN, KATHRYN	2016	22	7.00	435.45
			7.00	\$435.45
MANNINO, PIETRO	2017	07	4.00	358.56
		11	4.00	368.10
			8.00	\$726.66
METZ, CHLOE	2016	22	1.00	83.08
			1.00	\$83.08
NACE, CHARLES	2017	12	6.00	487.00
			6.00	\$487.00
OLSEN, MARIAN	2016	22	1.00	91.33
	2017	03	10.00	871.48
			11.00	\$962.81
TAYLOR-DOMVILLE, SHERREL	2016	25	9.00	708.53

Certified By Financial Management Office

Regional Payroll Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
HENRY, SHERREL	2016	27	2.00	162.03
	2017	02	8.00	648.15
		03	15.00	1,215.29
		04	21.00	1,701.40
		08	7.00	567.05
		09	13.00	1,080.86
		11	5.00	415.72
			80.00	\$6,499.03
Total Regional Payroll Costs			134.00	\$10,675.08

Certified By Financial Management Office

Contract Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

OTHER EXPENDITURES (OTH)

Contractor Name: ENSOFTEK

EPA Contract Number: EPS21101

Delivery Order Information	<u>DO #</u>	<u>Start Date</u>	<u>End Date</u>
	5	04/01/2016	05/31/2016


Project Officer(s): BUTLER, DEBORAH
KEATING, ROBERT

Dates of Service: From: 04/01/2016 To: 05/31/2016

Summary of Service:

Total Costs: \$611.44

<u>Voucher Number</u>	<u>Voucher Date</u>	<u>Voucher Amount</u>	<u>Treasury Schedule Number and Date</u>	<u>Site Amount</u>
56	06/15/2016	108,862.03	AVC160210 07/15/2016	234.90
55	07/09/2016	118,086.88	AVC160215 07/22/2016	376.54
Total:				\$611.44



Certified By Financial Management Office

EPA Indirect Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

<u>Fiscal Year</u>	<u>Direct Costs</u>	<u>Indirect Rate(%)</u>	<u>Indirect Costs</u>
2016	3,102.50	43.40%	1,346.49
2017	8,184.02	43.40%	3,551.87
	<u>11,286.52</u>		

Total EPA Indirect Costs

\$4,898.36



Certified By Financial Management Office
EPA Indirect Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39
TOWN OF OYSTER BAY
04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
ALVEY, ROBERT	2016	21	627.12	43.40%	272.17
			627.12		\$272.17
BENROUBI, ALBERT	2016	16	33.96	43.40%	14.74
		18	33.96	43.40%	14.74
		19	135.88	43.40%	58.97
		26	67.94	43.40%	29.49
			271.74		\$117.94
COLLAZO, MAGDA	2016	18	111.78	43.40%	48.51
			111.78		\$48.51
FLYNN, KATHRYN	2016	22	435.45	43.40%	188.99
			435.45		\$188.99
METZ, CHLOE	2016	22	83.08	43.40%	36.06
			83.08		\$36.06
OLSEN, MARIAN	2016	22	91.33	43.40%	39.64
			91.33		\$39.64
TAYLOR-DOMVILLE, SHERREL	2016	25	708.53	43.40%	307.50
		27	162.03	43.40%	70.32
			870.56		\$377.82
Total Fiscal Year 2016 Payroll Direct Costs:			2,491.06		\$1,081.13

Certified By Financial Management Office

EPA Indirect Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPS21101	56	07/15/2016	179.20	0.00	43.40%	77.77
			55.70	0.00	43.40%	24.17
	55	07/22/2016	89.60	0.00	43.40%	38.89
			286.94	0.00	43.40%	124.53
			611.44	0.00		\$265.36

Total Fiscal Year 2016 Other Direct Costs:	611.44	0.00	\$265.36
--	--------	------	----------

Total Fiscal Year 2016:	3,102.50		\$1,346.49
-------------------------	----------	--	------------

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
BENROUBI, ALBERT	2017	19	34.85	43.40%	15.12
			34.85		\$15.12
CARPENTER, ANGELA	2017	10	201.67	43.40%	87.52
			201.67		\$87.52
ECHOLS, CECILIA	2017	06	233.89	43.40%	101.51
			233.89		\$101.51
MANNINO, PIETRO	2017	07	358.56	43.40%	155.62
		11	368.10	43.40%	159.76
			726.66		\$315.38

Certified By Financial Management Office

EPA Indirect Costs

SYOSSET LANDFILL, OYSTER BAY, NY SITE ID = 02 39

TOWN OF OYSTER BAY

04/01/2016 - 09/30/2017 (PP14/FY16-PP27/FY17)

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
NACE, CHARLES	2017	12	487.00	43.40%	211.36
			487.00		\$211.36
OLSEN, MARIAN	2017	03	871.48	43.40%	378.22
			871.48		\$378.22
TAYLOR-DOMVILLE, SHERREL	2017	02	648.15	43.40%	281.30
		03	1,215.29	43.40%	527.44
		04	1,701.40	43.40%	738.41
		08	567.05	43.40%	246.10
		09	1,080.86	43.40%	469.09
		11	415.72	43.40%	180.42
			5,628.47		\$2,442.76
Total Fiscal Year 2017 Payroll Direct Costs:			8,184.02		\$3,551.87
Total Fiscal Year 2017:			8,184.02		\$3,551.87
Total EPA Indirect Costs					\$4,898.36

WHEREAS, Resolution No. 864-2017, adopted on December 12, 2017, authorized RTP Environmental Associates, Inc., to provide engineering services to the Town of Oyster Bay under Contract No. PWC28-18, On-Call Engineering Services Relative to Air Monitoring for the Old Bethpage Landfill; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated September 28, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$75,000.00, under Contract No. PWC28-18, for the 2018 air emissions sampling program for the Old Bethpage Landfill, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000,


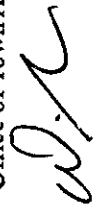
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$75,000.00, and to pay RTP Environmental Associates, Inc., for services rendered under Contract No. PWC28-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Environmental Resources


Office of Town Attorney


19

670

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

SEPTEMBER 28, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC28-18
AIR MONITORING FOR THE OLD BETHPAGE LANDFILL
ACCOUNT NO.: DER SR05 8160 44800 000 0000

The consultant, RTP Environmental Associates, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC28-18 by Resolution No. 864-2017 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated May 8, 2018 from RTP Environmental Associates, Inc. regarding the scope of work to be performed in an amount not to exceed \$75,000.00. Services to be performed include the 2018 air emissions sampling program for the Old Bethpage Landfill as required by the Town's Consent Decree.

Attached is an availability of funds in the amount of \$75,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

It is hereby requested that the Town Board authorize, by Resolution, RTP Environmental Associates, Inc. under Contract No. PWC28-18, On-Call Engineering Services Relative to Air Monitoring for the Old Bethpage Landfill, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


RICHARD W. LENZ, P.E.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/JCT/MR/lk

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Kathy Stefanich, Administrative Division/DPW
Neil Bergin, Commissioner/Environmental Resources

PWC28-18 RTP DOCKET 2018 FUNDS



TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____

E.O. No. _____

Contract Start 1/1/2018

Contract No. PWC28-18

Contract End 12/31/2019

Commencement Date 1/1/2018

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

Vendor Name and Address

RTP ENVIRONMENTAL ASSOCIATES

400 POST AVENUE

SUITE 405

WESTBURY, NEW YORK 11590

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

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

2018 AIR MONITORING PROGRAM SERVICES

This work order shall not exceed \$ 75,000.00

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 of Pub. Wr.

Commissioner of Public Works

Date 2/25/18

Date 2/27/18



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



Requesting Division/Department

ENVIRONMENTAL RESOURCES

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

Contract Number PWC28-18

Contract Period 1/1/2018 - 12/31/2019

Consultant/Contractor RTP ENVIRONMENTAL ASSOCIATES, INC.

Discipline AIR MONITORING FOR OLD BETHPAGE LANDFILL

Total Authorization \$75,000

Resolution No. 864-2017 Date 12/12/2017

Funded To Date \$0.00

Amount Requested \$75,000.00

Account To Be Used DER SR05 8160 44800 000 0000

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.

2018 AIR MONITORING PROGRAM SERVICES

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

DPW Approval

Only To Be Executed By The Commissioner

Signature _____

Title _____

Date 9/25/18

Signature _____

Title _____

Date 9/27/18

Commissioner of Public Works

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 75,000.00

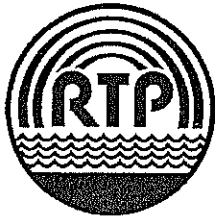
Unencumbered Balance 75,000.00

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

Yes ☒ No ☐

Signature _____

Date 9/26/18



RTP ENVIRONMENTAL ASSOCIATES, INC.®

AIR • WATER • SOLID WASTE CONSULTANTS

400 Post Avenue
Westbury, New York 11590
(www.rtpenv.com)

(516) 333-4526
fax (516) 333-4571

VIA ELECTRONIC MAIL

May 8, 2018

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

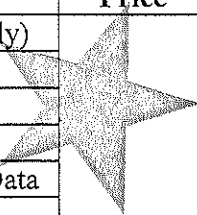
RE: Price Proposal for Conducting 2018 Activities
as describe under Contract No. PWC 28-18/19

Dear Commissioner Lenz:

RTP Environmental Associates, Inc. (RTP) is providing the following price proposal for the above referenced contract as requested by Mr. Matt Russo. In summary, RTP will provide the services listed in the following table under Contract PWC 28-18/19. The table also contains the estimated price for completing all services listed.

It is critical to understand the 4th Quarter tests will be conducted any time between October 1, 2018 and December 31, 2018, weather dependent. As a result, considering the involvement of additional contractors (Pace Laboratories), and the two (2) months it normally takes for RTP to receive the analytical results, this could easily shift a significant portion of the work into 2019. Since the contract is normally written for the calendar year in which it is issued, how will work performed after December 31, 2018 be paid?

Tabulation of Services under Contract PWC 28-18/19
Fourth Quarter

Task #	Activity	Price
1.	Ambient Air Quality, Soil Gas and Pressure Testing (4 th Quarter only)	
2.	Zero Gas Migration Survey	
3.	4 th Quarter Methane Survey	
4.	4 th Quarter Perimeter Exhaust Vent Stack Test	
5.	Reporting Town of Oyster Bay Weekly Perimeter Gas Monitoring Data	
6.	Reporting 4 th Quarter Test Results and Annual Analysis	
7.	Recommendations for 2019 Monitoring Programs Report	
	*ESTIMATED TOTAL:	\$75,000

Mr. Richard Lenz
March 8, 2018
Page 2 of 2

***Assumptions:**

a) The NYSDEC has requested reporting within 60 days of Task No. 1. The tests are weather-dependent and the analytical laboratories can take over two (2) months to provide final data because of RTP's review of preliminary data and then any subsequent corrections by the laboratory.

b) The annual reporting of weekly methane concentrations will conclude with the last week in December 2018. Data will be provided from October 1, 2017 through December 31, 2018 for comparison as rolling annual averages.

c) The price assumes a contingency for responding to no more than one iteration of review questions will be necessary; media will be readily available to perform all tests; equipment and facility operations will not interfere with test performance; and any deviations may require additional funding.

d) Town data will be supplied to RTP within one (1) week of the end of the Fourth Quarter, analytical results will be provided within specified analytical limits for sample integrity timeframes (exceeding these limits could void the test and require repeating the test, which may not be possible within the timeframe anticipated in the contract). Any excursion from these limits will result in a late report relative to DEC requirements.

e) The budget is based on costs incurred during the 2017 program. Thus, there should be some unexpended funds, should all go as planned and contingencies are not required.

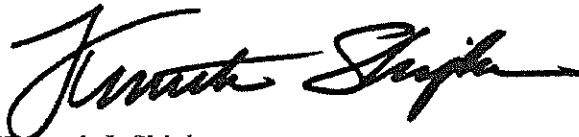
f) Should the NYSDEC require a similar program for 2019, the effort will be conducted in the first Quarter of 2019.

g) Should the Town require additional services beyond those listed above, RTP will be able to provide a proposed amendment to the contract.

RTP has performed the services included in this proposal, in total or in part, in previous years, and appreciates being considered for completing the scope of work for 2018. Should you have any questions or need additional information, RTP would be pleased to respond to any such requests.

Thank you for considering RTP for assisting with the above program for 2018. We look forward to working with the Town on this project.

Sincerely,
RTP ENVIRONMENTAL ASSOCIATES, INC.



Kenneth J. Skipka
Principal

Attachment

cc: Matt Russo, Town of Oyster Bay

Meeting of December 12, 2017

Resolution No. 864-2017

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town relative to Air Monitoring for the Old Bethpage Landfill, resulting in the receipt of two (2) submissions, and after review and analysis of the submissions based upon the technical merits of the responses has selected RTP Environmental Associates, Inc., to perform On-Call Engineering Services in connection with Contract No. PWC28-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019; and

WHEREAS, Thomas M. Sabellico, Special Counsel, Office of Town Attorney, by memorandum dated December 4, 2017, advised that the Department of Public Works/Highways has complied with Guideline 7 of the Town Procurement policy; and

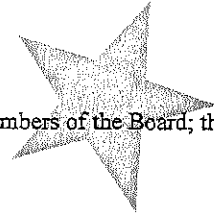
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and RTP Environmental Associates, Inc. is hereby authorized and directed to provide On-Call Engineering Services to the Town, relative to relative to Air Monitoring for the Old Bethpage Landfill, in connection with Contract No. PWC28-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019.

#

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works



WHEREAS, on December 12, 2017, the Town Board adopted Resolution No. 853-2017, awarding the Requirements Contract for Concrete Reconstruction throughout the Town of Oyster Bay to Laser Industries, Inc.; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated September 28, 2018, advised the Town Board that the contract has still not been fully executed; and

WHEREAS, Commissioner Lenz recommended to the Board that because of the time elapsed that this contract be cancelled and, upon cancellation, that all bonds be returned to the contractor. Commissioner Lenz further recommended that, upon cancellation, the Division of Purchasing be authorized to proceed with the rebid of this contract; and

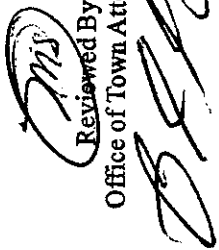
NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, are accepted, and Resolution No. 853-2017 is hereby revoked, Contract HCR17-160 with Laser Industries, Inc. is hereby cancelled, and the Division of Purchasing shall proceed with the rebid of Contract No. HCR 17-160.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

Reviewed By
Office of Town Attorney


21

671

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

SEPTEMBER 28, 2018

TO: MEMORANDUM DOCKET


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

SUBJECT: CANCELLATION OF CONTRACT AND PERMISSION TO RE-BID
REQUIREMENTS CONTRACT FOR CONCRETE RESTORATION
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. HCR17-160

Resolution Number 853-2017 adopted on December 12, 2017 awarded the Requirements Contract for Concrete Restoration Throughout the Town of Oyster Bay to Laser Industries, Inc. located in Ridge, New York.

At this time, the Division of Engineering recommends that this project be canceled due to the enormous amount of time that has gone by without the contract being fully executed. This office also requests that all bonds be returned to the contractor once the project is canceled and the Town Board authorizes the re-bid of this project.

Therefore, it is hereby requested that the Town Board authorize, by Resolution, the cancellation of the Requirements Contract for Concrete Restoration throughout the Town of Oyster Bay, all bonds be returned to the contractor and permission to re-bid Contract No. HCR17-160.


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

 RWL/CT/MR/nm

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
John P. Bishop, Deputy Commissioner / Highway Department
Kathy Stefanich, Administrative Division/DPW

HCR17-160 cancel contract permission to re-bid

WHEREAS, pursuant to public notice, bids were duly and regularly received for Requirements Contract for Concrete Restoration Throughout the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. HCR17-160, and said bids were publicly opened and read on November 27, 2017; and

WHEREAS, the lowest responsive weighted bid submitted was that of Laser Industries, Inc., 1775 Route 25, Ridge, New York 11961; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, and Nelson & Pope Engineers & Land Surveyors, PLLC, by letter dated November 28, 2017, recommended that the bid as hereinabove set forth be accepted and awarded for a one-year term with the option for four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board; and

WHEREAS, Commissioner Lenz, by memorandum dated December 4, 2017, advised that the estimated annual value of the contract is \$5,000,000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, are accepted, and Contract No. HCR17-160 shall be awarded to Laser Industries, Inc., in accordance with the provisions thereunder, for a one-year term commencing on January 1, 2018 through and including December 31, 2018, for an amount not to exceed \$5,000,000, with the option for four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board.

#

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works

Reviewed By
Office of Town Attorney
[Signature]

MS
Reviewed By
Office of Town Attorney

WHEREAS, pursuant to Public Notice, bids were requested for Contract HRZ18-178, Requirements Contract for the Demolition of Zombie Homes and Other Dangerous Structures in the Town of Oyster Bay; and

WHEREAS, at their request, ten vendors were provided with contract specifications, but no bids were received on or prior to August 27, 2018, when bids for the aforementioned contract were to be publicly opened; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated September 28, 2018, recommended that Contract HRZ18-178 be re-bid, due to the initial lack of bidder interest, and that the Division of Purchasing be authorized to proceed with the rebid of this contract; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the Division of Purchasing shall proceed with the rebid of Contract HRZ18-178, Requirements Contract for the Demolition of Zombie Homes and Other Dangerous Structures in the Town of Oyster Bay.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

27

672

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

SEPTEMBER 28, 2018

TO: MEMORANDUM DOCKET

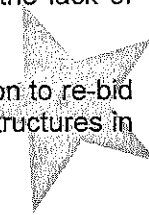
FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


SUBJECT: PERMISSION TO RE-BID
REQUIREMENTS CONTRACT FOR THE DEMOLITION OF ZOMBIE HOMES AND
OTHER DANGEROUS STRUCTURES IN THE TOWN OF OYSTER BAY
CONTRACT NO. HRZ18-178

Please be aware that on August 27, 2018 the above-mentioned contract was scheduled to publicly open bids through the Division of Purchasing. Ten (10) vendors picked up the contract specifications but no bids were received.

At this time, the Division of Engineering recommends that this project be re-bid due to the lack of bidder interest.

Therefore, it is hereby requested that the Town Board authorize, by Resolution, permission to re-bid the Requirements Contract for the Demolition of Zombie Homes and Other Dangerous Structures in the Town of Oyster Bay, Contract No. HRZ18-178.





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

RWL/JGT/MR/nm

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
John P. Bishop, Deputy Commissioner / Highway Department
Kathy Stefanich, Administrative Division/DPW

HZR 18-178 permission to re-bid

WHEREAS, Sena P. Lund, President, Afghan-Hindu Association, Inc., 80 E. Barclay Street, Hicksville, New York, by letter dated July 11, 2017, has requested the use of Parking Field H-11 (Hicksville) and the posting of "No Parking" signs in that field from 8:00 a.m. on Saturday, October 20, 2018 to 8:00 p.m. on Sunday, October 21, 2018, as well as the use of twenty (20) barricades, and thirty (30) SORT pails from Friday, October 19, 2018 to Monday October 22, 2018 in connection with its annual Diwali Mela, to be held Sunday, October 21, 2018 (rain date - October 28, 2018); and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated September 21, 2018, has advised that the abovementioned equipment will not be required for use by the Town at that time, and that he has no objection to providing the Afghan-Hindu Association, Inc. with twenty (20) barricades, and thirty (30) SORT pails from October 19, 2018 through October 22, 2018, and no objection to the utilization by the Afghan-Hindu Association, Inc. of Parking Field H-11 (Hicksville) from 8:00 a.m. Saturday, October 20, 2018 to 8:00 p.m. on Sunday, October 21, 2018, or with the posting of "No Parking" signs in Parking Field H-11 beginning at 9:00 p.m. Friday, October 19, 2019 until 12:01 a.m. on Monday, October 22, 2018, or at corresponding times regarding the subsequent rain date of Sunday October 28, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are accepted, and the Highway Department is hereby authorized to provide the Afghan-Hindu Association, Inc. with twenty (20) barricades, and thirty (30) SORT pails from October 19, 2018 through October 22, 2018, and with the use of Parking Field H-11 (Hicksville) from 8:00 a.m. Saturday, October 20, 2018 to 8:00 p.m. on Sunday, October 21, 2018, and the Highway Department is further authorized to post "No Parking" signs in Parking Field H-11 beginning at 9:00 p.m. Friday, October 19, 2018 until 12:01 a.m. on Monday, October 22, 2018, or at corresponding times regarding the subsequent rain date of Sunday October 28, 2018, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Deputy Commissioner of the Highway Department, or his duly authorized representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforementioned activity; and

Reviewed By
Office of Town Attorney

3. The said organization shall file a Certificate of Insurance and Declaration Page(s) with the Office of the Town Clerk, indicating said organization maintains a policy of comprehensive general liability insurance, with a Commercial Liability limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate per year and naming the Town of Oyster Bay as an additional insured, in connection with the aforescribed activity.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
Public Works
Parks
Public Safety

24
TOWN OF OYSTER BAY

Inter-Departmental Memo

September 21, 2018

673

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: AFGHAN HINDU ASSOCIATION, INC. ANNUAL FAIR
OCTOBER 21st, 2018 (RAIN DATE OCTOBER 28th, 2018)

Enclosed please find a copy of the letter from Sena P. Lund, Afghan Hindu Association, Inc., requesting our assistance on behalf of the Afghan Hindu Association, Inc. in conducting their annual Diwali Mela on Sunday, October 21st, 2018 with a rain date of Sunday, October 28th, 2018 in Hicksville.

The Highway Department has no objection to the Afghan Hindu Association, Inc. utilizing municipal parking field H-11 in Hicksville on Saturday, October 20th, 2018 and Sunday, October 21st, 2018 from 8:00 a.m. until 8:00 p.m. for their annual Diwali Mela. The organization is requesting the posting of temporary 'No Parking' signs in field H-11 from 9:00 p.m. on Friday, October 19th through 12:01 a.m. on Monday, October 22nd, 2018.

In addition, the Highway Department can readily supply twenty (20) complete barricades, and thirty (30) yellow SORT pails for the event.

Also attached are the Certificate of Insurance, Endorsement Sheet, and Hold Harmless Agreement to cover this event. Therefore, Town Board approval is requested.


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/taw

C: Town Attorney (7) copies
Richard Lenz, P.E., Commissioner DPW
Peter Brown, General Foreman 003
Doug Robalino, General Foreman 002
Parks Department
Justin McCaffrey, Commissioner of Public Safety



BOARD OF DIRECTORS:

Sena P. Lund, President
Rajinder Chandiok, Treasurer
Gobind Bathija, Secretary
Radhu Bathija, Vice President
Ajay Mehra, Vice President
Balram Kakar
Kawal Kapoor
Manoj Kapur
Prem Katyal
Ved Kochar
Manoj Mehra
Tirath Chugh
Gobind (Bindal) Chugh
Gurdy Wadhwa

TRUSTEES:

Harbans Bhasin
Harbans Chandiok
Suraj Tschand
Harbans Kochar
Kashi Sachdeva
Ravesh Chandiok
Vijay Chandiok
Nand K. Mehra
Sati Pal Kapoor
Sena Khanna
Naveen Shikarpuri
Pushpa Bathija
Permanand Khanija
Anju Kakkar
Sunder Luthra
Pinkil Kakkar
Ranjan Wadhwa
Verinder Lund
Sonia Bathija
Chand Suri
Daulat Gurtata
Arjan Bathija
Shri Khanna
Harish Kakkar
Vinod Khanija
Teerath Bajaj
Neeraj Kochar
Anup Bhasin
Janak R. Lund
Sunish Suchdeva
Sahil Mehra
Machew Bathija
Nindi Vig

PUNDITS (PRIESTS):

Pandit Shri Madan Kumar Jha
Pandit Shri Mani Sharma
Pandit Shri Gokul Sharma

MANAGER:

Roshan Lal Bhasin
Govind Chabra

August 1, 2018

John Bishop
Deputy Commissioner of Highway, Town of Oyster Bay
150 Miller Place, Syosset, NY 11791

VIA FACSIMILE: (516)-677-5835/5928

ATTN: Ms. Terry Wulfrost

Dear Mr. Bishop,

This is to request you to grant us permission to reserve parking lot # H-11 (Hicksville) for our annual "Diwali Mela". This parking lot is right in front of our AsaMai Hindu Temple & Community Center on 80 E. Barclay Street, Hicksville. We plan to hold the event on Sunday October 21, 2018 between 8:00 am and 8:00 PM (weather permitting). In case of inclement weather conditions the event will be held on Sunday Oct 22, 2018.

Parking Lot : H-11
Reservation Date : Saturday October 20 & Sunday October 21, 2018
Setup Date : Saturday October 20, 2018
Event Date : Sunday October 21, 2018 (Rain Date: October 28, 2018)

In addition 'No Parking Sign' for the above lot, we would need the following equipment from Friday October 13 to Monday October 23:

- Barricades (20)
- Orange traffic cones ~~(50)~~
- Yellow Sort Pales (30)

No Cones

The fair is being conducted to celebrate the Hindu festival of Deepavali (Festival of Lights). We expect over 5,000 members from the broader Indian community settled around Hicksville to participate in the fair.

Please feel free to contact me on my mobile at (516) 567-2561 or via email at senalund@hotmail.com if you have any questions.

Thank you,

Sena P. Lund
Afghan-Hindu Association Inc.

Afghan-Hindu Association, Inc

www.afghanhindu.com

www.asamai.com

Asamal Hindu Temple & Community Center

80 East Barclay Str, Hicksville, NY 11801

Tel: (516) 433-4388

Asamal Hindu Temple Of Washington Metropolitan

230Awward Ln, Silver Spring, MD 20905

Tel: (301) 966-9100

LAURA CURRAN
NASSAU COUNTY EXECUTIVE



COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
1194 PROSPECT AVENUE
WESTBURY, NEW YORK 11590-2723

Mail Log 9/13/18

RECEIVED
DEPT. OF PUBLIC WORKS
SEP 13 2018

KENNETH G. ARNOLD, P.E.
COMMISSIONER

Perry

September 6, 2018

Afghan-Hindu Association, Incorporated
Asamai Hindu Temple and Community Center
80 East Barclay Street
Hicksville, New York 11801

Att: Sena P. Lund, President

Re: Annual Festival of "Diwali Mela" (Festival of Lights)
Temporary Closure of East Barclay Street, Hicksville
From 8:00 AM to 8:00 PM on October 21, 2018 (Rain Date: October 28, 2018)

To Whom It May Concern:

The Department is in receipt your letter in which the temporary closing of East Barclay Street (a County road) on the above referenced date and time was requested. In addition, the Department is in receipt of the requested Certificate of Liability Insurance to indemnify Nassau County against any and all claims arising out of the temporary closing of East Barclay Street.

The Department has reviewed the aforementioned Certificate of Liability Insurance and found it to be satisfactory for the intended purpose. In your letter, a request was made for the County, in the given instance, to furnish "Lights with Generators (at least ten [10]). It should be noted, that in the given instance, it is no longer the policy of the Department of Public Works to provide lights and generators, upon request of the public, and that said lights and generators, if required, be obtained from a supplier of such.

It should be noted, in the given instance, that northbound traffic on Jerusalem Avenue and Broadway, entering East Barclay Street, may be temporarily diverted northward to East John Street, and hence, to either south or north on Bay Avenue. Southbound traffic on Broadway entering east Barclay Street may be temporarily diverted to West Marie Street and hence north on Bay Avenue; in both arrangements, providing for a minimum temporary discomfort for the traveling public.

Afghan-Hindu Association, Incorporated
Asamai Hindu Temple and Community Center
September 6, 2018

Page 2

Re: Annual Festival of "Diwali Mela" (Festival of Lights)
Temporary Closure of East Barclay Street, Hicksville
From 8:00 AM to 8:00 PM on October 21, 2018 (Rain Date: October 28, 2018)

It is suggested to assure the passage of emergency vehicles, should they be necessary for traversing East Barclay Street during the above referenced event, that the Hicksville Fire Department be contacted at (516) 733-3210. In addition, the Nassau County Police Department's Second Precinct be contacted at (516) 573-6200, to assure the safe passage of pedestrians and vehicular traffic during the event.

We look forward to being of assistance with the above referenced event, and we trust that the event be well received. If the Department may be of further assistance, please contact Daniel Davis, a member of my staff, at (516) 571-6885.

Very truly yours,



Kenneth G. Arnold, P.E.
Commissioner of Public Works

KGA:WSN:pl

AIM W.O. #18-237270

c: Honorable Laura M. Schaefer, 14th L.D.
Brian J. Schneider, Deputy County Executive for Parks and Public Works
Patrick Ryder, Commissioner, Nassau County Police Department
William S. Nimmo, Deputy Commissioner of Public Works
Mary Studdert, Press Secretary, Department of Public Works
Michael Fasano, Unit Head, Road Maintenance Unit
Jeff Lindgren, Traffic Engineer II
John Bishop, Town of Oyster Bay, Department of Public Works,
Deputy Commissioner, Highway Department
Joseph Brown, New York State Department of Transportation
Daniel Davis, Project Manager



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/23/2018

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

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

PRODUCER NEW ERA USA, INC. 267-05 HILLSIDE AVENUE, STE 2B FLORAL PARK, NY 11004	718-831-5626 718-831-5628	CONTACT NAME: RADHA THAROOR PHONE (A/C No. Exch): 718-831-5626 FAX (A/C No.): 718-831-5628 E-MAIL: ADDRESS:
INSURED AFGHAN HINDU ASSOCIATION, INC. 80 E. BARCLAY STREET HICKSVILLE, NY 11801		INSURER(S) AFFORDING COVERAGE INSURER A: UNITED STATES LIABILITY INS. CO. 70106 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUAR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/>	✓	CL 1888161	10/19/2018	10/23/2018	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000. MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000. PRODUCTS - COMPROP AGG \$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/>					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	OTHER: AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY					PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$	OCCUR CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				

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

EVENT: DIWALI MEHA LOCATION: Parking Lot H-11, Town of Oyster Bay and East Barclay Street, County of Nassau

EVENT DATE: Sunday, October 21, 2018 (Coverage Date: Friday October 19, 2018 to Monday 22, 2018)

RAIN DATE: Sunday, October 28, 2018 (Coverage Date: Friday, October 26, 2018 to Monday, October 29, 2018)

Additional Insured: TOWN OF OYSTER BAY, 150 Miller Place, Syosset, NY 11791
& COUNTY OF NASSAU, 1194 Prospect Avenue, Westbury, NY 11590

CERTIFICATE HOLDER TOWN OF OYSTER BAY 150 Miller Place, Syosset, NY 11791 COUNTY OF NASSAU 1194 Prospect Avenue, Westbury, NY 11590	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 RADHA THAROOR
---	--

ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

© 1988-2015 ACORD CORPORATION. All rights reserved.

Reviewed By
Office of Town Attorney

ENDORSEMENT #1

This endorsement, issued by United States Liability Insurance Company
to Afghan Hindu Association Inc. forms a part of
Policy Number CL 1888161 effective on 10/19/2018 (MO. DAY YR.) at 12:01 A.M.

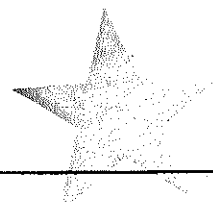
Add/Remove/Amend General Liability Additional Insured Endorsement


In consideration of no change in premium it is hereby agreed that the following form(s)
is(are) amended:

CG2011 04/13 - Additional Insured - Managers or Lessors of Premises

All other terms and conditions of this Policy remain unchanged.

ADD_REM (03-01)



Reviewed By
Office of Town Attorney


THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - MANAGERS OR LESSORS OF PREMISES

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person(s) Or Organization(s) (Additional Insured):

Effective Date: 10/19/2018

Town of Oyster Bay

150 Miller Place

Syosset, NY 11791

Designation of Premises (Part Leased To You):

Parking Lot H-11

Hicksville, NY 11801

Additional Premium: \$

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

1. Any "occurrence" which takes place after you cease to be a tenant in that premises.
2. Structural alterations, new construction or demolition operations performed by or on behalf of the person (s) or organization(s) shown in the Schedule.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and

2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

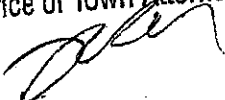
B. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - MANAGERS OR LESSORS OF PREMISES

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person(s) Or Organization(s) (Additional Insured):

Effective Date: 10/19/2018 12:01 AM
County of Nassau
1194 Prospect Avenue
Westbury, NY 11590

Designation of Premises (Part Leased To You):

Parking Lot H-11
Hicksville, NY 11801

Additional Premium: \$

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

1. Any "occurrence" which takes place after you cease to be a tenant in that premises.
2. Structural alterations, new construction or demolition operations performed by or on behalf of the person(s) or organization(s) shown in the Schedule.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and

2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney



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

This Agreement is made this 18th day of September 2018, by Afghan Hindu Association Inc. (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as H-11 Parking Lot, Show mobile, Portable Lights, Roller Container (Garbage), Barricades, 20 Sort Pail 30

For the event described as Diwali Mela - October 21, 2018 (rain date October 28, 2018).

The property/equipment is need from Friday October 19, 2018 to Monday October 21, 2018 (Rain dates from October 26 to October 29).

The event for which the property and/or equipment is requested () is (x) is not a not a profit making event.

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

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

Afghan Hindu Association, Inc.

Address of Organization:

80 East Barclay Street
Hicksville, NY 11801

By: Sena P. Lund
Authorized Representative

Title: President

Telephone Number: 516-567-2561

Reviewed By
Office of Town Attorney



DATE: 8/7/18
TO: HIGHWAY OPERATIONS
SUBJECT: Afghan-Hindu Association Inc. Annual Fair

PLEASE DELIVER TO: **DATE OF EVENT:** 10/20/18, 10/21/18
RD 10/28/18

80 East Barclay St
Hicksville

SNOW FENCE:

BARRICADES: 20

CONTACT: Sena Lund
516-567-2561

CONES:

SORT PAILS: 30

PORTABLE LIGHTS:

GENERATOR:

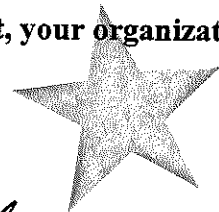
DELIVER ON: 10/19/18

PICKUP ON: 10/22/18

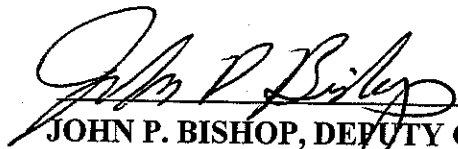
SWEEPING BEFORE AFFAIR IS NEEDED:

	XX
YES	NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.



JPB/taw


JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

CC: Doug Robalino, General Foreman 005
Peter Brown, General Foreman 003
Greg Marchese, Area Foreman 012
Jeff VanNostrand

Billy Fox, DPW Admin.
Dan Kornfeld
Public Safety Division

Meeting of October 16, 2018

Resolution No. 674-2018

WHEREAS, SOUTH FARMINGDALE FIRE DISTRICT, fee owner, has applied to the Department of Planning and Development of the Town of Oyster Bay, for approval of a site plan, to provide twelve (12) additional parking spaces on a vacant parcel of land adjacent to the Fire Department at 6 Linden Avenue, Farmingdale, Town of Oyster Bay, New York 11735, said premises being described as Section 49, Block 54, Lots 48-50 on the Land and Tax Map of Nassau County; and

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated October 4, 2018, advised that the Department of Planning and Development has reviewed the following seven (7) plans prepared by Michael W. Keffer, P.E., H2M Architects + Engineers, Melville, NY and one (1) plan prepared by Nicholas Mattessich, R.L.A., H2M Architects + Engineers, Melville, NY:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
C0.0	OVERALL SITE PLAARKIN	Michael W. Keffer, P.E.	08/15/18
C1.0	EXISTING CONDITIONS/ REMOVALS PLAN	Michael W. Keffer, P.E.	08/15/18
C2.0	DIMENSIONAL SITE PLAN	Michael W. Keffer, P.E.	08/15/18
C3.0	GRADING & DRAINAGE PLAN	Michael W. Keffer, P.E.	08/17/18
C4.0	EROSION & SEDIMENT CONTROL PLAN	Michael W. Keffer, P.E.	08/15/18
C5.0	PLANTING PLAN	Nicholas Mattessich, R.L.A.	08/15/18
C6.0	SNOW MANAGEMENT PLAN	Michael W. Keffer, P.E.	08/15/18
C7.0	SITE CONSTRUCTION DETAILS	Michael W. Keffer, P.E.	08/15/18

Which plans were submitted by SOUTH FARMINGDALE FIRE DISTRICT as part of its application for approval of a Site Plan; and

WHEREAS, said Commissioner further reports that the plan submitted complies with the standards set forth in the Code of the Town of Oyster Bay, Section 246-4.1.4.2, Governmental Uses (Special Purpose Districts) and Section 246.6, Site Plan Review, and recommended Town Board approval for the plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, dated October 4, 2018, the plans enumerated herein are hereby approved; and be it further

RESOLVED, That the application of SOUTH FARMINGDALE FIRE DISTRICT, fee owner, for approval of a site plan, to provide twelve (12) additional parking spaces on a vacant parcel of land adjacent to the Fire Department at 6 Linden Avenue, Farmingdale, Town of Oyster Bay, New York 11735, said premises being described as Section

Reviewed By
Office of Town Attorney
Ralph P. Healey

Resolution No. 674-2018

49, Block 54, Lots 48-50 on the Land and Tax Map of Nassau County, is hereby APPROVED.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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

DATE: OCTOBER 4, 2018

SUBJECT: SUPPLEMENTAL MEMO TO DOCKET ITEM NO. 14
DOCKET OF OCTOBER 2, 2018
SOUTH FARMINGDALE FIRE DISTRICT
6 LINDEN AVE.
FARMINGDALE, NEW YORK 11735
SECTION 49, BLOCK 54, LOT(S) 48-50

This Department has reviewed the proposed site plan application for the above-captioned project. The Department has reviewed the application with regard to section, block and lot designation, zoning classification, existing variances and zoning violations.

Our review is made pursuant to Section §246-4.1.4.2 Governmental Uses (Special Purpose Districts require Town Board Site Plan Approval without the need of a public hearing) and Section §246.6 Site Plan Review of the Zoning Code of the Town of Oyster Bay which requires the applicant to submit site plans for ultimate Town Board Approval prior to the issuance of Building Permits.

This application involves Site Plan approval from the Department of Planning and Development for site improvements to a vacant parcel of land, adjacent to the Fire Department, in order to provide 12 additional parking spaces.

Seven (7) plans prepared by Michael W. Keffer, P.E., H.2.M. Architects + Engineers, Melville, NY and One (1) plan prepared by Nicholas Mattessich, R.L.A., H.2.M. Architects + Engineers, Melville, NY have been submitted for approval. The plans are as follows:

SHEET NUMBER/TITLE	PREPARED BY	DATE
C0.0 OVERALL SITE PLAN	Michael W. Keffer, P.E.	08/15/2018
C1.0 EXISTING CONDITIONS/ REMOVALS PLAN	Michael W. Keffer, P.E.	08/15/2018
C2.0 DIMENSIONAL SITE PLAN	Michael W. Keffer, P.E.	08/15/2018
C3.0 GRADING & DRAINAGE PLAN	Michael W. Keffer, P.E.	08/17/2018
C4.0 EROSION & SEDIMENT CONTROL PLAN	Michael W. Keffer, P.E.	08/15/2018
C5.0 PLANTING PLAN	Nicholas Mattessich, R.L.A.	08/15/2018
C6.0 SNOW MANAGEMENT PLAN	Michael W. Keffer, P.E.	08/15/2018
C7.0 SITE CONSTRUCTION DETAILS	Michael W. Keffer, P.E.	08/15/2018

Also submitted for your review are the following documents:

1. Memorandum from Scott L. Byrne, Building Plan Examiner II, Department of Planning and Development, dated October 3, 2018.

2. Memorandum from Neil Bergin, Commissioner, Department of Environmental Resources, dated September 27, 2018.
3. Memorandum from Scott L. Byrne, Building Plan Examiner II, on behalf of the Building and Zoning Divisions, dated October 1, 2018.
4. Memorandum from Sean Jordan, Executive Secretary to the Zoning Board of Appeals, dated October 3, 2018.
5. Memorandum(s) from John Bishop, Deputy Commissioner, Highway Department, dated September 25, 2018.
6. Memorandum from Michael Esposito, Code Enforcement Bureau, dated October 1, 2018.

Said plans were prepared and modified using the standards set forth in Section §246-4.1.4.2 Governmental Uses (Special Purpose Districts) and Section §246-6 Site Plan Review of the Zoning Code of the Town of Oyster Bay as a guide.

Development of the subject premises in accordance with the plan attached does, in our opinion, comply with the requirements of Section §246-4.1.4.4 and Section §246-6 Site Plan Review of the zoning Code of the Town of Oyster Bay.

Elizabeth L. MacCarone
ELIZABETH L. MACCARONE
COMMISSIONER

BY Timothy R. Zike
Deputy Commissioner

ELM/slb
Encls.

cc: Legislative Affairs (7 copies w/ attachments)

TOWN OF OYSTER BAY
Inter-Departmental Memo
October 3, 2018

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

From : SCOTT L. BYRNE, BUILDING PLAN EXAMINER II
PLANNING DIVISION


Subject : **SOUTH FARMINGDALE FIRE DISTRICT**
6 LINDEN AVE,
FARMINGDALE, N.Y. 11735
SEC 49, BLK. 54, LOT(S) 48-50
SP 16-18 **ZONE: R1-7**

The office of Planning and Development has reviewed the following documents, which were received by the Planning Division in regards to the above referenced application:

Eight (8) plans prepared by Michael W. Keffer, P.E., H.2.M. Architects + Engineers, Melville, NY have been submitted for approval. The plans are as follows:

SHEET NUMBER/TITLE	PREPARED BY	DATE
C0.0 OVERALL SITE PLAN	Michael W. Keffer, P.E.	08/15/2018
C1.0 EXISTING CONDITIONS/ REMOVALS PLAN	Michael W. Keffer, P.E.	08/15/2018
C2.0 DIMENSIONAL SITE PLAN	Michael W. Keffer, P.E.	08/15/2018
C3.0 GRADING & DRAINAGE PLAN	Michael W. Keffer, P.E.	08/17/2018
C4.0 EROSION & SEDIMENT CONTROL PLAN	Michael W. Keffer, P.E.	08/15/2018
C5.0 PLANTING PLAN	Nicholas Mattessich, R.L.A.	08/15/2018
C6.0 SNOW MANAGEMENT PLAN	Michael W. Keffer, P.E.	08/15/2018
C7.0 SITE CONSTRUCTION DETAILS	Michael W. Keffer, P.E.	08/15/2018

Based on a review of the aforementioned documents, it is the determination of this Department that the applicant has satisfactorily addressed all concerns relative to the Town of Oyster Bay's Zoning Ordinances, as they pertained to the site plan alterations proposed in this application.



SCOTT L. BYRNE
PLANNING DIVISION

SLB

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

September 27, 2018

TO: ELIZABETH L. MACCARONE, COMMISSIONER, DEPARTMENT OF PLANNING
AND DEVELOPMENT
ATTENTION: SCOTT L. BYRNE, BUILDING PLAN EXAMINER II

FROM: NEIL BERGIN, COMMISSIONER, DEPARTMENT OF ENVIRONMENTAL
RESOURCES


SUBJECT: SOUTH FARMINGDALE FIRE DISTRICT - NEW PARKING AREA;
CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY
REVIEW ACT (SEQRA): TYPE II

LOCATION: 6 LINDEN AVENUE, FARMINGDALE, NY 11735;
SECTION 49, BLOCK 54, LOT(S): 48-50

Pursuant to Article 8 of the New York State Environmental Conservation Law, SEQRA, and the implementing regulations thereto at 6 NYCRR Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay), the Department of Environmental Resources has reviewed the above captioned proposed action. In connection with review of this subject action pursuant to SEQRA, the Department was provided with Application for Site Plan Approval and set of site plans dated August 2018.

On the basis of our evaluation, the Department of Environmental Resources concludes that this proposed action is classified as Type II pursuant to the SEQRA Type II Actions List, at 6 NYCRR §617.5(c), item #7, pertaining to "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities".

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

Neil O. Bergin

NEIL O. BERGIN
Commissioner
Department of Environmental Resources

cc: FILE/ TYPE II/SOUTH FARMINGDALE FIRE DISTRICT_PARKING AREA

TOWN OF OYSTER BAY
Inter-Office Memorandum

October 1, 2018

TO: DIVISION OF PLANNING
RE: MEMO OF September 12, 2018

FROM: SCOTT L. BYRNE, BUILDING PLAN EXAMINER II
PLANNING DIVISION

SUBJECT: PROJECT NAME: SOUTH FARMINGDALE FIRE DISTRICT
PROPERTY ADDRESS: 6 LINDEN AVE.
FARMINGDALE, N.Y. 11735
SECTION/BLOCK/LOT(S): 49-54-48-50

SITE PLAN APPLICATION NO: SP 16-18


Our files have been reviewed. There are no Town Board Resolution pertaining to the above mentioned property.

Be advised that the Nassau County land use and tax maps indicate the above mentioned property as:

Section - 49
Block - 54
Lot(s) - 48-50

According to the Town of Oyster Bay Zoning Maps, lots 48-50 are located within the "R1-7" Zoning District.





SCOTT L. BYRNE
PLANNING DIVISION

SLB

Town of Oyster Bay
Inter-Departmental Memo

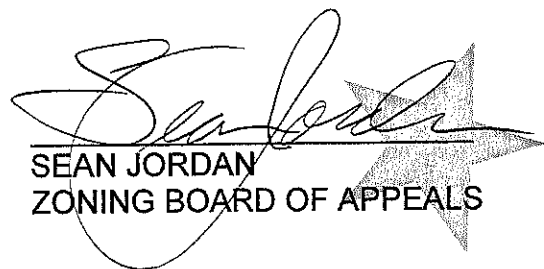
October 3, 2018

TO: SCOTT L. BYRNE, PLANNING DIVISION

FROM: SEAN JORDAN, ZONING BOARD OF APPEALS

SUBJECT: SOUTH FARMINGDALE FIRE DISTRICT
6 LINDEN AVENUE, FARMINGDALE
SECTION/BLOCK/LOT: 49-54-48-50
SITE PLAN NO: SP16-18

Pursuant to your request of October 1, 2018, kindly be advised that no Appeals were brought before the Zoning Board of Appeals in connection with the subject premises.


SEAN JORDAN
ZONING BOARD OF APPEALS

SJ

✓

Town of Oyster Bay
Inter-Departmental Memo

Tuesday, September 25, 2018

TO: Department of Planning and Development
ATT: Planning Division

FROM: John P. Bishop, Deputy Commissioner
Highway Department

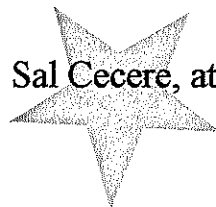
SUBJECT: Review of Building Application: SP16-18
Section: 49, Block: 54, Lot(s): 48
Location: 6 Linden Avenue, Farmingdale

The Highway Department has reviewed the above application and has no objection to the issuance of a Site Plan Building Permit.

The property abuts Linden Avenue, a town right of way. The builder must install curbing, sidewalk, and handicap ramps (corner lots only) to town specifications. If the installation of any of these items is impracticable, the builder may request the Highway Department to waive the requirement. However, the builder in the event the Highway Department does grant a waiver, will have to pay a waiver fee equal to the cost of installing the said items.

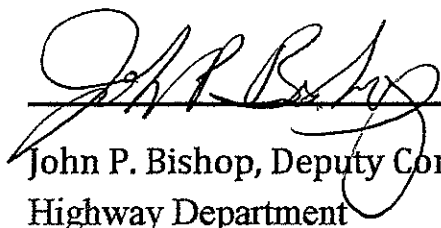
The proposed Apron and sidewalk must be concrete.

If the builder needs more information, he should call the highway inspector, Sal Cecere, at 677-5793 between 2:00 and 2:45 PM.



Public Lighting Report

Street Lights Required: NO



John P. Bishop, Deputy Commissioner
Highway Department

JPB/SRC
SP-T

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

September 25, 2018

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

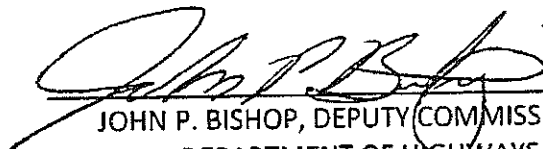
ATTENTION: SCOTT L BYRNE, PLAN EXAMINER II
DEPARTMENT OF PLANNING & DEVELOPMENT

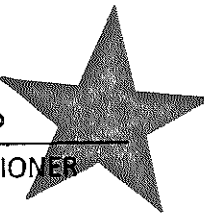
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: SOUTH FARMINGDALE FIRE DEPARTMENT
6 LINDEN AVENUE, FARMINGDALE, NY 11735
SECTION: 49, BLOCK: 54, LOT: 48

The Highway Department has inspected the site plan and has no objections to issuing a building permit, however there are six parking spaces that are proposed to be built on the Town right-of-way.

In the event that the Town has to access the right-of-way, the property owner is responsible for the replacement of the parking spaces, therefore the Town will not be held liable for any incurred expense to fix these parking spaces.


JOHN P. BISHOP, DEPUTY COMMISSIONER
DEPARTMENT OF HIGHWAYS



JPB/km

Town of Oyster Bay

INTER-DEPARTMENTAL MEMO

October 1, 2018

TO: DIVISION OF PLANNING

FROM: MICHAEL ESPOSITO
BUREAU CHIEF
CODE ENFORCEMENT BUREAU

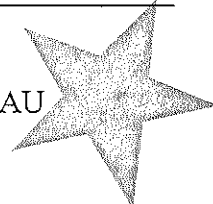
SUBJECT: SOUTH FARMINGDALE FIRE DISTRICT
6 LINDEN AVENUE
FARMINGDALE, NY 11735
SECTION/BLOCK/LOT(S): 49-54-48-50
SITE PLAN NO: SP16-18

Please be advised that a review of the files and records for this division has produced no open case(s) for the above premises:

ELIZABETH L. MACCARONE
COMMISSIONER



MICHAEL ESPOSITO
BUREAU CHIEF
CODE ENFORCEMENT BUREAU



ELM:ME:bz

14

Town of Oyster Bay
Inter-Departmental Memo

674

TO: MEMORANDUM DOCKET

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

DATE: OCTOBER 1, 2018

SUBJECT: SOUTH FARMINGDALE FIRE DISTRICT
6 LINDEN AVE.
FARMINGDALE, NEW YORK 11735
SECTION 49, BLOCK 54, LOT(S) 48-50
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum to the Docket Committee at the next docket meeting. I therefore recommend and request that a space be reserved at the next Town Board meeting of October 16, 2018.


ELIZABETH L. MACCARONE
COMMISSIONER



ELZ/slb

cc: Legislative Affairs (7 copies w/ attachments)

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on October 5, 2018, for Contract H16-142-PH1&2, Construction of Highway Improvements to the Smith Street Area Phase 1&2 located in Glen Head, New York, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated October 5, 2018, advised that in compliance with the Town's Procurement Policy, the Bid Proposals received for Contract H16-142-PH1&2, which were reviewed by the Consulting Engineer, Lockwood, Kessler & Bartlett, Inc.; and

WHEREAS, by letter dated October 5, 2018, Lockwood, Kessler & Bartlett, Inc. recommended the award of Contract H16-142-PH1&2, to Metro Paving LLC, 500 Patton Avenue, West Babylon, New York 11704, the lowest responsive bidder, in the amount of \$434,720.00; and

WHEREAS, by Town policy, \$21,736.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$456,456.00; and

WHEREAS, the estimated construction time for completion of the contract is 60 calendar days, and funds are available through Account No. HWY H 5197 20000 000 1803 008 in the amount of \$456,456.00; and

WHEREAS Commissioner Lenz, by said memorandum, concurred with the recommendation of Lockwood, Kessler & Bartlett, Inc., and recommended the award of Contract H16-142-PH1&2, to Metro Paving LLC, 500 Patton Avenue, West Babylon, New York 11704, the lowest responsive bidder, in the amount of \$434,720.00, and as per Town policy, \$21,736.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$456,456.00;

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Supervisor or his designee is hereby authorized and directed to sign Contract H16-142-PH1&2, Construction of Highway Improvements to the Smith Street Area Phase 1&2 located in Glen Head, New York, in an amount not to exceed \$456,456.00 in accordance with the provisions herein; 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 \$456,456.00, upon presentation of a duly certified claim, after audit, to be drawn from Account No. HWY H 5197 20000 000 1803 008.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

7/15
Reviewed By
Office of Town Attorney

21

675

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

October 5, 2018

TO : MEMORANDUM DOCKET

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


SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 20
DOCKET OF OCTOBER 2, 2018
CONSTRUCTION OF HIGHWAY IMPROVEMENTS
TO THE SMITH STREET AREA PHASE 1 & 2
LOCATED IN GLEN HEAD, NEW YORK
CONTRACT NO. H-16-142PH 1 & 2

In furtherance to Item No. 20 of the docket of October 2, 2018, on October 5, 2018, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Metro Paving, LLC, 500 Patton Avenue, West Babylon, NY 11704, Federal Id# 46-5339257, submitted the lowest responsive bid among six (6) bidders in the amount of \$ 434,720.00

Attached is a letter dated October 5, 2018 from the office of Lockwood, Kessler & Bartlett, Inc. recommending the award of this contract to Metro Paving, LLC in the amount of \$434,720.00. In accordance with Town policy \$21,736.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$456,456.00.

The estimated construction time for completion of the subject contract is 60 calendar days. Funds are available for the subject contract work in Account No. HWY H 5197 20000 000 1803 008, project ID# 1803 HWY DB-02.

We concur with the recommendation of Lockwood, Kessler & Bartlett, Inc. and request that Contract No. H16-142PH 1 & 2 be awarded to Metro Paving, LLC, in the total bid amount for a total bid encumbrance of \$434,720.00. and that \$21,736.00 be applied to the low bid amount for a total bid encumbrance of \$456,456.00.



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


RWL/JET/MR/HS/lk
Attachments

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Kathleen Stefanich, Administration/DPW
John Bishop, Deputy Commissioner/HIGHWAY

H16-142ph1x2 DOCKET SUPPLEMENTAL Contractor Award to Metro



Lockwood, Kessler & Bartlett, Inc.

One Aerial Way, Syosset, NY 11791
Phone: 516.938.0600 Fax: 516.931.6344

October 5, 2018

Mr. Richard W. Lenz, Commissioner
Town of Oyster Bay Department of Public Works/Highways
150 Miller Place
Syosset, NY 11791

**RE: Construction of Highway Improvements to the Smith Street Area,
Contract No. H16-142 PH 1-2**

Dear Commissioner Lenz:

We have reviewed the 6 bids received on October 5, 2018 for this project and prepared the enclosed bid summary table. The bids ranged from a low of \$434,720.00 to a high of \$740,375.00. The three low bids are as follows: Metro Paving, LLC at \$434,720.00, Laser Industries at \$536,840.00, and Rosemar Contracting, Inc. at \$545,454.00. The low bid is 23% below the second lowest bid, 25% below the third low bid, and 26% below the engineer's estimate of \$591,250.00.

Review of the bid documents found no bidding errors or other irregularities.

Metro Paving, Inc. is known to the Town and is currently performing satisfactorily on the Town's paving requirements contract. Metro has also constructed roadway improvement projects for Town of Hempstead and other municipalities on Long Island in values ranging from \$100,000 to \$1.2 million.

Based on our review of information provided in the proposal, we find no sufficient cause for the Town to not award the contract to the apparent low bidder Metro Paving, Inc. in the total amount bid of \$434,720.00.

Please call if you have any questions.

Sincerely,
Lockwood, Kessler & Bartlett, Inc.

Bart A. Marino, PE

LOCKWOOD KESSLER BARTLETT, INC.

BID SUMMARY

BID OPENING DATE: 10-05-2018

BID OPENING DATE: 10-05-2018

BID OPENING DATE: 10-05-2018

H16-142 PH1-2																											
BID OPENING DATE: 10-05-2018																											
ITEM NO.	DESCRIPTION	Engineer's Estimate				Metro Paving				Laser				Reamer				Pit				Tri State				Roadwork Ahead	
		UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
20	UNDERCUT	CY	600	\$ 50.00	\$ 30,000.00																						
21	CEMENT CONCRETE PAVEMENT & GUTTER REMOVAL	SY	20	\$ 40.00	\$ 800.00																						
22	SAV CUT OF CONCRETE	LF	40	\$ 7.00	\$ 280.00																						
23	BUTYROMOUS CONCRETE SAWCUT	LF	120	\$ 4.00	\$ 480.00																						
24	FULL DEPTH SAWCUT OF CONCRETE SIDEWALK OR DRIVEWAY	LF	60	\$ 5.00	\$ 300.00																						
25	SELECT BORROW FILL	CY	100	\$ 35.00	\$ 3,500.00																						
26	PREPARING IRON GRADE	SY	800	\$ 6.00	\$ 4,800.00																						
27	DUCTICAL IRON PIPE, 12" DIAMETER	EA	25	\$ 100.00	\$ 2,500.00																						
28	CATCH BASIN - TYPE DX	EA	12	\$ 800.00	\$ 9,600.00																						
29	FURNISH AND INSTALL PRECAST CONCRETE DIFFUSION WELL - 8" FOOT DIAMETER	EA	1	\$ 2,000.00	\$ 2,000.00																						
30	FURNISH AND INSTALL 8" DIAMETER PRECAST CONCRETE SECTION INCLUDING CHIMNEY	EA	1	\$ 2,000.00	\$ 2,000.00																						
31	REMOVE AND REPLACE BLOCK, BRICK OR SIMILAR MATERIAL CURBS	LF	60	\$ 45.00	\$ 2,700.00																						
32	REMOVE AND REPLACEMENT OF CURB	LF	80	\$ 30.00	\$ 2,400.00																						
33	REMOVE AND REPLACEMENT OF CURB	LF	250	\$ 10.00	\$ 2,500.00																						
34	CONCRETE SIDEWALKS AND RAMPS (7" THICK)	SF	80	\$ 40.00	\$ 3,200.00																						
35	DETECTABLE WARNING SURFACE	SF	160	\$ 20.00	\$ 3,200.00																						
36	REMOVE AND REPLACEMENT OF MASONRY WALK	SF	20	\$ 30.00	\$ 600.00																						
37	BUTYROMOUS DRIVEWAY AND DRIVEWAY APRONS	SY	20	\$ 5.00	\$ 1,000.00																						
38	LOOSE STONE DRIVEWAY & DRY APRONS	SY	500	\$ 22.00	\$ 11,000.00																						
39	REIN. & REPL. STONE/BRICK DRY & DRY APRONS	TON	2,000	\$ 100.00	\$ 200,000.00																						
40	BUTYROMOUS MACADAM PLANT MIX, TYPE 2A	SF	30	\$ 15.00	\$ 450.00																						
41	TOPSOIL AND SEEDING	LS	1	\$ 24,000.00	\$ 24,000.00																						
42	MAINTENANCE & PROTECTION OF TRAFFIC	EA	3	\$ 70.00	\$ 210.00																						
43	PAINT CASTING	TON	10	\$ 180.00	\$ 1,800.00																						
44	FURNISH AND APPLY CALCIUM CHLORIDE	LF	3,000	\$ 3.00	\$ 9,000.00																						
45	THERMOPLASTIC REFL. PAINT MARKINGS	LF	15,000	\$ 3.00	\$ 45,000.00																						
46	BUTYROMOUS TACK COAT	EA	1	\$ 500.00	\$ 500.00																						
47	STUMP GRINDING OVER 12" GALPER	EA	1	\$ 350.00	\$ 350.00																						
48	TEST HOLES	EA	30	\$ 15.00	\$ 450.00																						
49	PLANTING BOD. - SUPPLIED	CY	10	\$ 38.00	\$ 380.00																						
50	DENSE GRADED AGGREGATE BASE COURSE	CY	600	\$ 38.00	\$ 22,800.00																						
51	DENSE GRADED AGGREGATE BASE COURSE	CY	160	\$ 2.00	\$ 320.00																						
52	FURNISH AND INSTALL 12" LINED, P.V.C. CONDUIT	SY	16,000	\$ 6.00	\$ 96,000.00																						
53	MILLING AND GRINDING	SY	800	\$ 30.00	\$ 24,000.00																						
54	REMOVE AND RESET ORNAMENTAL GARDEN	LF	100	\$ 50.00	\$ 5,000.00																						
55	MODIFY EXISTING ROOF DRAIN	EA	4	\$ 100.00	\$ 400.00																						
56	REMOVE AND REPLACE OR RELOCATE SPRINKLER SYSTEM	EA	1	\$ 200.00	\$ 200.00																						
57	REMOVE AND REPLACE OR RELOCATE STREET SWEEPER OPERATOR	EA	1	\$ 200.00	\$ 200.00																						
58	FURNISH SELF-PROPELLED STREET SWEEPER OPERATOR	EA	1	\$ 200.00	\$ 200.00																						
59	SILT PROTECTION FOR CURBLINE INLETS	EA	5	\$ 300.00	\$ 1,500.00																						
60	SILT PROTECTION FOR CURBLINE INLETS	EA	5	\$ 300.00	\$ 1,500.00																						
		Total:				\$494,770.00				\$336,840.00				\$545,454.00				\$560,125.00				Total:				\$740,475.00	

* - Exceed Minimum Allowable Unit Price Bid (Bidder may insert higher unit price)

** = Contingency item

*** = Fixed Unit Price Bid

g = Enforced Maximum Allowable Unit Price and Contingency Item

20 675

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

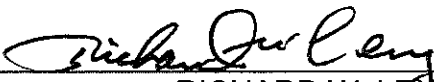
OCTOBER 1, 2018

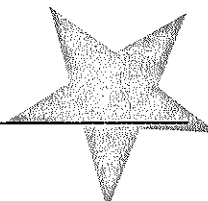
TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT
CONSTRUCTION OF HIGHWAY IMPROVEMENTS
TO THE SMITH STREET AREA PHASE 1 & 2
LOCATED IN GLEN HEAD, NEW YORK
CONTRACT NO. H16-142-PH1 & 2
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on October 16, 2018 to take action on the award of Construction of Highway Improvements to the Smith Street Area Phase 1 & 2 located in Glen Head.


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




RWL/JCT/MR/HAS/lk

cc: Joseph Nocella, Town Attorney (w/7 copies)
Steven Ballas, Comptroller
John Bishop, Deputy Commissioner/Highway
Eric Tuman, Commissioner/General Services

H16-142ph 1 & 2 DOCKET RESERVE A SPACE for Contractor Award

WHEREAS, MOM REALTY II LLC, fee owner, has petitioned the Town Board of the Town of Oyster Bay ("Town Board") for Modification of Restrictive Covenants and/or Modification of Conditions imposed pursuant to Resolution No. 656-80, in connection with the expansion of an existing building for a warehouse and self-storage facility on premises located in a Light Industrial (LI) Zoning District, located on the northwest corner of Crossways Park Drive West and Media Crossways, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 196, Lot 19, on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on September 18, 2018, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed and submitted its Quality Review Report regarding the environmental impacts contemplated by said Petition; and

WHEREAS, the Quality Review Report was dated July 20, 2018, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petition and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Negative Declaration, indicating that the proposed actions would not cause significant impacts upon the environment and recommended, accordingly, that the Town Board issue a Negative Declaration; and

WHEREAS, the Nassau County Planning Commission is scheduled to review this matter on October 18, 2018; and

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

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated July 26, 2018, has advised that the Department of Planning and Development has reviewed the following eight (8) plans prepared by Marc Pilotta, P.E., Prime Engineering, P.C., Holtsville, NY and eight (8) plans submitted by Frank G. Relf, R.A., Frank G. Relf Architecture, P.C, Melville, NY:

Reviewed By
Office of Town Attorney

SHEET NO.	TITLE		DATE
C-1	SITE PLAN	Marc Pilotta, P.E.	07/24/18
C-2	REMOVALS PLAN	Marc Pilotta, P.E.	07/24/18
C-3	GRADING, DRAINAGE & UTILITY PLAN	Marc Pilotta, P.E.	07/24/18
C-4	LANDSCAPE PLAN	Marc Pilotta, P.E.	07/24/18
C-5	LIGHTING PLAN	Marc Pilotta, P.E.	07/24/18
C-6	EROSION & SEDIMENT CONTROL PLAN	Marc Pilotta, P.E.	07/24/18
C-7	SITE DETAILS & BORING LOG	Marc Pilotta, P.E.	07/24/18
C-8	TRUCK PLAN	Marc Pilotta, P.E.	07/24/18
A-001.00	EXISTING BUILDING & PROPOSED ADDITION	Frank G. Relf, R.A.	06/19/18
A-100.00	PROPOSED CELLAR FLOOR PLAN	Frank G. Relf, R.A.	06/19/18
A-101.00	PROPOSED FIRST FLOOR PLAN	Frank G. Relf, R.A.	06/19/17
A-102.00	PROPOSED SECOND FLOOR PLAN	Frank G. Relf, R.A.	06/19/17
A-103.00	PROPOSED THIRD FLOOR PLAN	Frank G. Relf, R.A.	06/19/17
A-104.00	ROOF CONSTRUCTION PLAN	Frank G. Relf, R.A.	06/19/17
A-200.00	PROPOSED EXTERIOR ELEVATIONS	Frank G. Relf, R.A.	06/19/17
A-201.00	PROPOSED EXTERIOR ELEVATIONS	Frank G. Relf, R.A.	06/19/17

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated July 26, 2018, further reported that all of the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the Petition of MOM REALTY II LLC, fee owner, for Modification of Restrictive Covenants and/or Modification of Conditions imposed pursuant to Resolution No. 656-80, in connection with the expansion of an existing building for a warehouse and self-storage facility on premises located in a Light Industrial (LI) Zoning District, located on the northwest corner of Crossways Park Drive West and Media Crossways, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 196, Lot 19, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Petition of MOM REALTY II LLC, fee owner for Modification of Restrictive Covenants and/or Modification of Conditions imposed pursuant to Resolution No. 656-80, in connection with the expansion of an existing building for a warehouse

and self-storage facility on premises located in a Light Industrial (LI) Zoning District, located on the northwest corner of Crossways Park Drive West and Media Crossways, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 196, Lot 19, on the Land and Tax Map of Nassau County, is hereby GRANTED, subject to receipt of the recommendation of the Nassau Planning Commission for local determination, by November 30, 2018, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying, and being at Woodbury, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Crossways Park West distant the following "two" courses and distances from the southerly end of an arc having a radius of 50.00 feet and a length of 56.05 feet connecting the westerly side of Crossways Park North and the northwesterly side of Crossways Park West:

1. Southerly along the westerly side of Crossways Park West, along the arc of a curve bearing to the left having a radius of 180.00 feet and an arc length of 201.78 feet;
2. South 4 degrees 16 minutes 59 seconds East still along the westerly side of Crossways Park Drive 824.92 feet to the point or place of BEGINNING;

RUNNING THENCE still along the westerly side of Crossways Park West, South 4 degrees 16 minutes 59 seconds East, 244.03 feet to the northerly end of the arc of a curve which connects the westerly side of Crossways Park West and the northerly side of Media Crossways Drive (60 feet wide);

THENCE southwesterly along the arc of said curve bearing to the right having a radius of 50.00 feet and a length of 78.54 feet, a chord bearing South 40 degrees 43 minutes 01 seconds West and a chord length of 70.71 feet, to the westerly end of said arc;

RUNNING THENCE westerly along the northerly side of Media Crossways Drive, South 85 degrees 43 minutes 01 seconds West, 652.06 feet to the easterly end of the arc of a curve which connects the northerly side of Media Crossways Drive, with the easterly side of Seaford Oyster Bay Expressway;

THENCE northwesterly along the arc of said curve bearing to the right having a radius of 50.00 feet a length of 78.47 feet and a chord bearing North 49 degrees 19 minutes 18 seconds West to the northerly end of said arc;

RUNNING THENCE northerly along the easterly side of Seaford Oyster Bay Expressway along the arc of a curve bearing to the right having a radius of 5294.62 feet and a length of 204.14 feet;

THENCE North 85 degrees 43 minutes 01 seconds East 488.40 feet;

THENCE North 4 degrees 16 minutes 59 seconds West 40.00 feet;

THENCE North 85 degrees 43 minutes 01 seconds East 260.00 feet to the westerly side of Crossways Park West, the point or place of BEGINNING.

TOGETHER with a non-exclusive easement for ingress and egress over the following described premises:

ALL that certain plot, piece, or parcel of land, situate, lying, and being at Woodbury, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Crossways Park West distant the following two courses and distances from the southerly end of an arc having a radius of 50.00 feet and a length of 56.05 feet which connects the northwesterly side of Crossways Park West with the westerly side of Crossways Park North:

1. Southerly along the westerly side of Crossways Park West, along the arc of a curve bearing to the left having a radius of 180.00 feet and an arc length of 201.78 feet;
2. South 4 degrees 16 minutes 59 seconds East still along the westerly side of Crossways Park Drive 1228.95 feet to the point or place of BEGINNING;

RUNNING THENCE northwesterly along the arc of a curve bearing to the left having a radius of 50 feet and an arc length of 78.54 feet, said arc being subtended by a chord bearing North 49 degrees 16 minutes 59 seconds West a distance of 70.71 feet;

THENCE South 85 degrees 43 minutes 01 seconds West 649.41 feet;

THENCE North 6 degrees 48 minutes 43 seconds West 60.06 feet;

THENCE North 85 degrees 43 minutes 01 seconds East 652.06 feet;

THENCE northeasterly along the arc of a curve bearing to the left having a radius of 50.00 feet and an arc length of 78.54 feet; said arc being subtended by a chord bearing North 40 degrees 43 minutes 01 seconds East a distance of 70.71 feet to the westerly side of Crossways Park West;

THENCE southerly along the westerly side of Crossways Park South 4 degrees 16 minutes 50 seconds East 160.00 feet to the point or place of BEGINNING.

Containing approximately 4.594 acres.

SAID premises are known and described as Section 15, Block 196, Lot 19 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, dated July 26, 2018, the sixteen (16) plans described herein, as modified, are hereby approved.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Environmental Resources

WHEREAS, FEDERATED ASSOCIATES, LLC, fee owner, and MISTER GOLD, INC., d/b/a LA PIAZZA RESTAURANT, tenant, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to operate a restaurant in a portion of the building located at the northerly side of the premises located in a Neighborhood Business (NB) District at 1137 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 47, Block 151, Lots 54 and 55, on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on August 14, 2018, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed and submitted its Quality Review Report regarding the environmental impacts contemplated by said Petition; and

WHEREAS, the Quality Review Report was dated October 12, 2018, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petition and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Negative Declaration, indicating that the proposed actions would not cause significant impacts upon the environment and recommended, accordingly, that the Town Board issue a Negative Declaration; and

WHEREAS, the Nassau County Planning Commission, by letter dated October 2, 2018, has recommended local determination of said application; and

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

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated January 10, 2018, has advised that the Department of Planning and Development has reviewed the following three (3) plans prepared by Michael J. Palladino, R.A., Stony Brook, NY:

7ms
Reviewed By
Office of Town Attorney

SHEET NO.	TITLE		DATE
S-1	PARKING PLAN AND CALCULATION	Michael J. Palladino, R.A.	12/15/17
A-1	COVER SHEET	Michael J. Palladino, R.A.	08/23/17
A-2	EXISTING SEATING PLAN	Michael J. Palladino, R.A.	08/23/17

WHEREAS, Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, by memorandum dated January 10, 2018, further reported that all of the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the Petition of FEDERATED ASSOCIATES, LLC, fee owner, and MISTER GOLD, INC., d/b/a LA PIAZZA RESTAURANT, tenant, for a Special Use Permit to operate a restaurant in a portion of the building located at the northerly side of the premises located in a Neighborhood Business (NB) District at 1137 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 47, Block 151, Lots 54 and 55, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Petition of FEDERATED ASSOCIATES, LLC, fee owner, and MISTER GOLD, INC., d/b/a LA PIAZZA RESTAURANT, tenant, for a Special Use Permit to operate a restaurant in a portion of the building located at the northerly side of the premises located in a Neighborhood Business (NB) District at 1137 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 47, Block 151, Lots 54 and 55, on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, with buildings and improvements thereon erected, situate, lying, and being at Plainview, Town of Oyster Bay, County of Nassau and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point at the northerly end of an arc having a radius of 25.00 feet connecting the easterly line of Plainview Road, as widened, with the southerly line of Old Country Road, as widened;

THENCE South 72 degrees 16 minutes 50 seconds East, 445.78 feet along the southerly widened line of Old Country Road;

THENCE South 20 degrees 55 minutes 05 seconds West, 445.56 feet (445.79 Deed);

THENCE North 79 degrees 37 minutes 00 seconds West, 196.22 feet (196.01 feet Deed) to the easterly line of Bethpage Road;

THENCE in a northerly direction along the easterly line of Bethpage Road, along the arc of a curve bearing to the right with a radius of 377.62 feet an arc distance of 217.48 feet to a point in the easterly line of Plainview Road, as widened;

THENCE North 05 degrees 43 minutes 56 seconds West, 281.09 feet along the easterly widened line of Plainview Road;

THENCE in a northerly direction along the arc of a curve bearing to the right with a radius of 40.00 feet an arc distance of 34.91 feet to a point of compound curvature;

THENCE continuing in a northerly direction along the arc of a curve bearing to the right with a radius of 25.00 feet an arc distance of 27.69 feet to the southerly widened line of Old Country Road and the point or place of BEGINNING.

SAID premises are known and described as Section 47, Block 151, Lots 54 and 55 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner of the Department of Planning and Development, dated January 10, 2018, the three (3) plans described herein, as modified, are hereby approved.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Environmental Resources