Meeting of March 29, 2022 Resolution No. TF-5-2022

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

ITEM NO.	DEPT.	AMOUNT	
013-22	OTC	$ 500.00	FROM OTC A 1410 12000 000 0000
		$ 500.00	TO OTC A 1410 21000 000 0000
012-22	CMP	$2,000.00	FROM CMP A 1315 44800 000 0000
		$2,000.00	TO CMP A 1315 47900 000 0000

-#-

Reviewed By
Office of Town Attorney

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

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

2A

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 8, 2022

TO	:	Memorandum Docket
FROM	:	Donna Antetomaso, Deputy Town Clerk
THROUGH	:	Richard LaMarca, Town Clerk
SUBJECT	:	Transfer of Funds

The Town Clerk's Office is requesting Town Board Authorization to transfer the following funds.

From :	OTC A 1410 12000	Salaries-Part Time	$500.00
To:	OTC A 1410 21000	Furniture	$500.00

The transfer shall accommodate the purchase of three (4) new office chairs. The current chairs are tattered and no longer function properly.

Donna Antetomaso

DONNA ANTETOMASO
DEPUTY TOWN CLERK

RICHARD LAMARCA
TOWN CLERK

RL/Da

Cc: Rob Darienzo, Director of Finance

2B

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: MARCH 9, 2022

SUBJECT: TRANSFER OF FUNDS

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

FROM:	**TO:**
CMP A 1315 44800 000 0000	CMP A 1315 47900 000 0000
PROFESSIONAL SERVICES	OTHER EXPENSES
$2,000.00	$2000.00

This above transfer is necessary to cover the cost of membership to the National Government Finance Officers Association for Steven C. Ballas, Comptroller, Christine M. Wiss, Deputy Comptroller, Rothmony Long, Auditing Assistant, and Richard Principe, Administrative Officer I for membership in the National Government Finance Officers Association. In addition, the funds will be used to apply for the National GFOA Awards program (COA) Certificate of Achievement for Excellence in Financial Reporting.

STEVEN C. BALLAS
COMPTROLLER

SCB: mj

cc: Town Attorney
Accounts Payable
Accounting
Reading File

John Cunning by
Vic Tirelli Deputy Commissioner

COMMISSIONER OF FINANCE

Meeting of March 29, 2022 RESOLUTION P-6-2022

WHEREAS, The 2022 Budget, adopted October 26, 2021 established the titles and salaries of officers and employees of the Town of Oyster Bay pursuant to Section 27 of Town Law, and other Local Laws relating to the establishment of Town Departments, and Rules and Regulations governing appointments, etc., of employees; and

WHEREAS, The adoption of said 2022 Budget, on October 26, 2021, was by a Resolution of the Town Board; and

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

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

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

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

Meeting of March 29, 2022 Resolution No. 211-2022

Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services by memorandum dated March 3, 2022, requested Town Board authorization for the Supervisor and/or his designee, or the Commissioner of the Department of Community & Youth Services, to execute an agreement to employ the services of the following performers to provide entertainment for GAP Program participants for the dates, locations and fees below noted:

Fun Stuff Express
1779 Route 106, Syosset, N.Y. 11791
Performance at North Massapequa Community Center
Friday, April 8, 2022
Total Fee: $ 500.00

Create Dance Center LTD
5687 Merrick Road, Massapequa, N.Y. 11758
Performance at North Massapequa Community Center
Friday, May 13, 2022
Total Fee: $240.00

Jester Jim Inc.
111 Hewlett Ave., East Patchogue, N.Y. 11772
Performance at Syosset-Woodbury Community Center
Saturday, May 14, 2022
Fee: $450.00

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the Inspector General is satisfied that the requirements of the Town's Procurement Policy have been fulfilled for these vendors;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Supervisor and/or his designee, or the Commissioner of the Department of Community & Youth Services, is hereby authorized to execute an agreement for the performers, dates, locations and fees as above noted; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for the aforementioned services in a total amount not to exceed $1,190.00, upon presentation of duly certified claims, after audit and that the funds for said payments are to be drawn from Account No. CYS A 7020 47660 000 0000, Special Events.

-#-

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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memorandum

March 3, 2022

TO: Memorandum Docket

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

SUBJECT: Services for GAP

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

The total cost of these services is $1,190.00. Funds are available in Account CYS A 7020 47660 000 0000, *Special Events*. In accordance with Guideline 5, Section b, of the Town Procurement Policy, these services are exempt from the solicitation, written proposal or requirements of the policy.

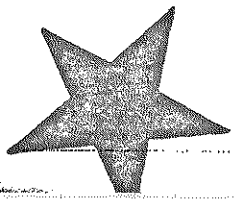
These Vendors have been vetted through the Exiger System and the Inspector General is satisfied that the requirements of the Town's Procurement Policy have been fulfilled.

Therefore, it is respectfully requested that the Town Board authorize the Town to enter into an agreement as negotiated and approved by the Town Attorney's Office and further authorize the Supervisor and/or his designee or the Commissioner of Community and Youth Services to execute said agreement.

Maureen A. Fitzgerald
Commissioner

MAF:jd
Attachment

Name / Check Made Payable To	Address	Performance Date	Performance Location	Fee
Fun Stuff Express	1779 Route 106 Syosset, N.Y. 11791	Friday, 4/8/22	North Massapequa Community Center	$500.00
Create Dance Center LTD	5687 Merrick Road Massapequa, NY 11758	Friday, 5/13/22	North Massapequa Community Center	$240.00
Jester Jim Inc.	111 Hewlett Avenue East Patchogue, NY 11772	Saturday, 5/14/22	Syosset-Woodbury Community Center	$450.00



Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated March 3, 2022, requested Town Board authorization to enter into an agreement to employ the services of Timothy Aldridge, 38 Constable Lane, Levittown, N.Y. 11756, on Tuesday, May 17, 2022, to provide entertainment at the Syosset-Woodbury Community Center for GAP Program participants; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the total cost of this service is $300.00, which will be paid by Friends of the Community Services Dept., Inc; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the Inspector General is satisfied that the requirements of the Town's Procurement Policy have been fulfilled for this vendor;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Community and Youth Services is hereby authorized to enter into an agreement with Timothy Aldridge, 38 Constable Lane, Levittown, N.Y. 11756, as negotiated and approved by the Office of the Town Attorney, to provide entertainment on Tuesday, May 17, 2022, at a cost not to exceed $300.00, to be paid by Friends of the Community Services Dept., Inc.

-#-

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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memorandum

March 3, 2022

TO: Memorandum Docket

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

SUBJECT: Services for GAP

The Department of Community & Youth Services requests Town Board authorization to employ the services of Timothy Aldridge of 38 Constable Lane, Levittown, NY 11756 on Tuesday, May 17, 2022 at the Syosset-Woodbury Community Center. He will be providing entertainment for GAP Program participants.

The total cost of this service is $300.00 which will be paid by Friends of the Community Services Dept., Inc. This Vendor has been vetted through the Exiger System and the Inspector General is satisfied that the requirements of the Town's Procurement Policy have been fulfilled.

Therefore, it is respectfully requested that the Town Board authorize the Town to enter into an agreement as negotiated and approved by the Town Attorney's Office and further authorize the Commissioner of Community and Youth Services to execute said agreement.

Maureen A. Fitzgerald
Commissioner

MAF:jd

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No. 213-2022

WHEREAS, Helen Seroka has requested to donate a memorial plaque and bench to be placed in Theodore Roosevelt Memorial Park, Oyster Bay, in memory of Taduesz and Zofia Zdebel; and

WHEREAS, the value of the plaque and bench is estimated to be $1,015.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 28, 2022, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of $1,015.00 from Helen Seroka to be deposited into Account No. PKS A 0001 02705 000 0000, to purchase a plaque and bench to be placed in in Theodore Roosevelt Memorial Park, Oyster Bay, in memory of Taduesz and Zofia Zdebel.

-#-

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

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

213

Town of Oyster Bay
Inter-Departmental Memo

TO: **Memorandum Docket**

FROM: **Joseph G. Pinto, Commissioner of Parks**

SUBJECT: **Memorial Plaque and Bench**

DATE: **February 28, 2022**

The Department of Parks has received a request from Helen Seroka (letter attached) requesting to donate a memorial plaque and a new bench at Theodore Roosevelt Memorial Park and Beach in memory of Tadeusz and Zofia Zdebel.

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

The plaque and bench will be purchased by Helen Seroka and donated to the Parks Department. The value of the plaque and bench is estimated to be $1015.00. The monies will be collected in account PKS A 0001 02705 000 0000.

for Joseph G. Pinto
COMMISIONER OF PARKS

JGP/dc

Diann Codispodo

From: Helen Seroka <hseroka@aol.com>
Sent: Sunday, February 27, 2022 11:04 PM
To: Diann Codispodo
Subject: Memorial bench request at T.R. Roosevelt Memorial Park

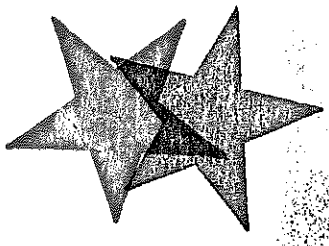
CAUTION: This email originated from outside of our organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

Dear Diann ,

my name is Helen Seroka .
As per our last phone conversation in November 2021 , me and my family would like to purchase a Memorial Bench with a plaque in memory of our parents TADEUSZ and ZOFIA ZDEBEL , at the Theodore Roosevelt Memorial Park in Oyster Bay.

Thank you for your attention to my request.
Best regards ,
Helen Seroka
[redacted]
Hseroka@aol.com

Sent from my iPad



Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No. 214-2022

WHEREAS, Sergeant Timothy Cestaro, Nassau County Police Department, Marine and Aviation Bureau, Foot of First Avenue, East Rockaway, New York 11518, by letter dated February 24, 2022, requested to berth two (2) marine enforcement boats at Harry Tappen Marina, in Glenwood Landing, and one (1) marine enforcement boat at Theodore Roosevelt Marina, in Oyster Bay, for the 2022 spring and summer seasons; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 2, 2022, requested Town Board authorization to permit the Nassau County Police Department, Marine and Aviation Bureau to berth two (2) marine enforcement boats at Harry Tappen Marina, in Glenwood Landing, and one (1) marine enforcement boat at Theodore Roosevelt Marina, in Oyster Bay, for the 2022 spring and summer seasons, at no cost to Nassau County; and

WHEREAS, the Town Board deems this to be appropriate and beneficial to the general public, as well as a crime deterrent for the protection of the Town marinas,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Parks is hereby authorized to permit the Nassau County Police Department, Marine and Aviation Bureau to berth two (2) marine enforcement boats at Harry Tappen Marina, in Glenwood Landing, and one (1) marine enforcement boat at Theodore Roosevelt Marina, in Oyster Bay, for the 2022 spring and summer seasons, at no cost to Nassau County.

-#-

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

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

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

March 2, 2022

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

SUBJECT: NASSAU COUNTY POLICE DEPARTMENT MARINE & AVIATION BUREAU
BERTH OF MARINE ENFORCEMENT VESSELS
TWO(2) AT HARRY TAPPEN MARINA AND
ONE(1) AT THEODORE ROOSEVELT MEMORIAL MARINA

The Department of Parks respectfully requests the Town Board authorize the attached request from Sergeant Timothy Cestaro of the Nassau County Police Marine and Aviation Bureau to berth two(2) marine enforcement vessels at Harry Tappen Marina, and one(1) vessel at Theodore Roosevelt Marina for the 2022 spring and summer seasons at no cost to Nassau County.

The presence of the Nassau County Marine Bureau within each of the two marinas is not only beneficial to the general public, but also a crime deterrent for the protection of our Town marinas.

This Department recommends the Town Board waive the spring and summer season berth fees on behalf of the Nassau County Police Department Marine and Aviation Bureau.

JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/km
Att.

Nassau County Police Department

BRUCE BLAKEMAN
COUNTY EXECUTIVE

1490 Franklin Avenue
Mineola, New York 11501
(516) 573-8800

PATRICK J. RYDER
COMMISSIONER

February 24, 2022

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

Dear Commissioner Pinto,

The Nassau County Marine bureau is in the process of planning the deployment of our North Shore patrol vessels for this upcoming boating season. In the past we have secured slip F-5 for our 33' Bertram patrol vessel and slip F-10 for our 27' Safeboat in Tappen Marina and one slip for a patrol vessel in Roosevelt Park Marina. This season we would like to continue with this deployment and are requesting authorization to maintain two slips in Tappen and another in Roosevelt Park Marina for our patrol vessels.

Thank you for your consideration with this request.

Sincerely,

Sergeant Timothy Cestaro
Nassau County Police
Marine and Aviation Bureau
Foot of First Avenue
East Rockaway, NY 11518
516-573-4450

Meeting of March 29, 2022 Resolution No. 215-2022

Reviewed By
Office of Town Attorney

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated March 1, 2022, requested Town Board authorization for the Town Supervisor, or his designee, to execute a Contract for Services between Nassau Community College ("College"), of the County of Nassau, a municipal corporation having its principal office at 1 West Street, Mineola, New York 11501, and the Town of Oyster Bay, on behalf of Oyster Bay-North Hempstead-Glen Cove Workforce Development Board, having its principal office at 977 Hicksville Road, Massapequa, New York 11758, for the College to provide funding in the amount of $12,500.00 to the Town, for the Workforce Development Board to provide workshops and other career services for job seekers, with said funding made possible by a grant through the Carl Perkins Career and Technical Services Act, and with the terms and conditions of said agreement to be negotiated and approved by the Office of the Town Attorney,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Supervisor, or his designee, is hereby authorized to execute an agreement between Nassau Community College and the Town of Oyster Bay, on behalf of the Oyster Bay-North Hempstead-Glen Cove Work Force Board, for the College to provide funding in the amount of $12,500.00 to the Town, for the Workforce Development Board to provide workshops and other career services for job seekers.

-#-

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

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

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TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: MARCH 1, 2022

SUBJECT: CONTRACT FOR SERVICES WITH NASSAU COMMUNITY COLLEGE UNDER THE CARL PERKINS ACT

The Town of Oyster Bay, on behalf of the Oyster Bay – North Hempstead – Glen Cove Workforce Development Board operates two (2) One-Stop Career Centers under the Workforce Innovation and Opportunity Act. These Centers are located in the Town of Oyster Bay, Town Hall South, 977 Hicksville Road, Massapequa, New York 11758 and the Department of Labor facility, 301 West Old Country Road, Hicksville, New York 11801. As provided under the Workforce Innovation and Opportunity Act of 2014, One-Stop Career Centers must provide a full array of partner Agency Service's for job seekers.

Nassau Community College has offered up to $12,500.00 to the Town of Oyster Bay, on behalf of the Oyster Bay – North Hempstead – Glen Cove Workforce Development Board through the Carl Perkins Career and Technical Education Act. Acceptance of this funding requires the execution of a Contract for Services between Nassau Community College and the Town of Oyster Bay. This agreement would provide funding to the Town of Oyster Bay, on behalf of the Oyster Bay – North Hempstead – Glen Cove Workforce Development Board to provide workshops for job seekers focusing on perfecting their job search, computer literacy, career exploration and self-assessment skills at the two (2) One-Stop Career Center locations during the Carl Perkins Program Year of July 1, 2021 through June 30, 2022.

Therefore, it is respectfully requested that the Town Board adopt a Resolution authorizing the Supervisor or his authorized designee, to execute a Contract For Services with Nassau County to be negotiated and approved by the Office of the Town Attorney.

Frank V. Sammartano
Commissioner, Intergovernmental Affairs

NASSAU COMMUNITY COLLEGE
of the County of Nassau, State of New York
One Education Drive
Garden City, New York 11530-6793

Resp. Ctr. / Obj. Code: 302205/1079 / 71329

CONTRACT FOR SERVICES

THIS AGREEMENT, dated February 16, 2021 (together with the schedules, appendices, attachments and exhibits, if any, this "Agreement"), is entered into by and between (i) NASSAU COMMUNITY COLLEGE, having its principal office at One Education Drive, Garden City, New York 11530-6793 (the "College"), of Nassau County, a municipal corporation having its principal office at One West Street, Mineola, New York 11501 (the "County") and (ii) TOWN OF OYSTER BAY, ON BEHALF OF OYSTER BAY-NORTH HEMPSTEAD-GLEN COVE WORKFORCE DEVELOPMENT BOARD, having its principal Office at 977 Hicksville Road, Massapequa, New York 11758 (the "Contractor").

WITNESSETH:

WHEREAS, the College applied for and received from the New York State Education Department ("NYSED") the Perkins V Grant for the 2021-2022 academic year, which Grant is governed by the provisions of the Carl D. Perkins Career and Technical Education Act of 2006 (the "Perkins Act");

WHEREAS, the Perkins Act as well as the Workforce Innovation and Opportunity Act requires all postsecondary Perkins V Grant recipients to use a portion of allocated grant funds to support their local One-Stop delivery system;

WHEREAS, the Contractor, a local One-Stop delivery system, has applied for Perkins V Grant funding through Nassau Community College, in order to support the career services offered through the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board;

WHEREAS, the College now desires to allocate funding as requested by the Contractor, and as approved by NYSED in consideration for career services provided by the Contractor to the local community;

NOW, THEREFORE, in consideration of the premises and mutual covenants contained in this Agreement, the parties agree as follows:

1. **Term.** This Agreement shall go into effect on the date it is fully executed by both parties, and shall terminate on June 30, 2022, subject to sooner termination as provided herein.

2. **Services.** The services to be provided by the Contractor under this Agreement shall consist of providing training seminars and workshops to equip Nassau County residents focusing on practical employment-seeking skills, as more particularly described in the College's Perkins V Application submitted to NYSED (hereinafter referred to as the "Services"). The services will be provided during the period covered by the current Perkins V Grant: July 1, 2021 through June 30, 2022.

3. **Payment**. In full consideration for the Services to be rendered by the Contractor, the College will pay Twelve Thousand Five Hundred Dollars ($12,500.00) to the Contractor upon completion of all Services. Payment will be made following the delivery of Services, including the completion of reporting by the Contractor to Perkins Director of the following information: programs provided, and total number of participants served. Contractor agrees that this compensation includes reimbursement for Contractor's travel time and expenses and for all other costs incidental to the Services to be provided by Contractor under this Agreement.

   The Contractor acknowledges that payment may only be made upon compliance with the College's bill paying procedures, including submitting an invoice to the College Accounts Payable Department (Tower 6th Floor, One Education Drive, Garden City, NY 11530), which lists in sufficient detail the services rendered, the date(s) services were performed, and fees charged. By submitting an invoice, the Contractor certifies that all services were rendered as set forth on the invoice, that the fees charged are in accordance with this Contract for Services, that the claim is just, true and correct, and actually due and owing and has not been previously claimed. The Contractor may also email invoices to: INVOICES@NASSAU.UNIMARKET.COM with the Purchase Order number referenced in the subject line of the email.

4. **Independent Contractor**. The Contractor is an independent contractor of the College and County. The Contractor shall not be (i) deemed a College or County employee, (ii) commit the College or County to any obligation, or (iii) hold itself out as a College or County employee or as having the authority to commit the College or County to any obligation.

5. **No Arrears or Default.** The Contractor is not in arrears to the College or County upon any debt or contract and it is not in default as surety, contractor, or otherwise upon any obligation to the College or County, including any obligation to pay taxes to, or perform services for or on behalf of, the College or County.

6. **Assignment; Amendment; Subcontracting; Waiver.** This Agreement and the rights and obligations hereunder may not be in whole or part (i) assigned, transferred or disposed of, (ii) amended, (iii) waived, or (iv) subcontracted, without the prior written consent of the College President or his duly designated deputy. Any purported assignment, other disposal or modification without such prior written consent shall be null and void.

7. **Termination.** This Agreement may be terminated (i) for any or no reason by the College upon thirty (30) days' written notice to the Contractor (ii) for breach of this Agreement on the part of the Contractor immediately upon the receipt by the Contractor of written notice of termination, (iii) upon mutual written Agreement of the College and the Contractor.

8. **Indemnification.** The Contractor shall be solely responsible for and shall indemnify, defend and hold harmless the College, the County, its officers, employees, and agents (the "Indemnified Parties") from and against any and all liabilities, losses, costs, expenses (including, without limitation, attorneys' fees and disbursements) and damages ("Losses"), arising out of or in connection with any acts or omissions of the Contractor or its Agents,

regardless of whether due to negligence, fault, or default, including Losses in connection with any threatened investigation, litigation or other proceeding or preparing a defense to or prosecuting the same; provided, however, that the Contractor shall not be responsible for that portion, if any, of a Loss that is caused by the negligence of the College or County. The provisions of this Section shall survive the termination of this Agreement.

9. **Insurance.** The Contractor shall obtain and maintain throughout the term of this Agreement, at its own expense: (i) one or more policies for commercial general liability insurance, which policy(ies) shall name "Nassau County" and "Nassau Community College" as additional insureds with "Nassau Community College" as certificate holder, and have a minimum single combined limit of liability of not less than One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) aggregate coverage; and (ii) compensation insurance for the benefit of the Contractor's employees ("Workers' Compensation Insurance"), which insurance is in compliance with the New York State Workers' Compensation Law. *If self-insured, a certificate of self-insurance submitted by the Contractor shall be considered sufficient to satisfy the insurance requirements listed in this paragraph.*

10. **Accounting Procedures; Records.** The Contractor shall maintain and retain, for a period of six (6) years, complete and accurate records, documents, accounts and other evidence ("Records") pertinent to performance under this Agreement. Records shall be maintained in accordance with Generally Accepted Accounting Principles. Such Records shall at all times be available for audit and inspection by the College or County and any other governmental authority with jurisdiction over this Agreement, and any of their duly designated representatives. The provisions of this Section shall survive the termination of this Agreement.

11. **Entire Agreement.** This Agreement represents the full and entire understanding and agreement between the parties with regard to the Services specified above and supersedes all prior agreements (whether written or oral) of the parties relating to the Services specified above.

12. **Executory Clause.** The College shall have no liability under this Agreement (including any extension or other modification of this Agreement) to the Contractor or any other individual or entity unless (i) all College approvals have been obtained, and (ii) this Agreement has been executed by the College President or his duly designated deputy. The College shall also have no liability under this Agreement to the Contractor or any individual or entity beyond funds appropriated or otherwise lawfully available for this Agreement.

13. **Prohibition of Gifts.** In accordance with College's Procurement Policy, the Contractor shall not offer, give, or agree to give anything of value to any College employee, agent, consultant, construction manager, or other person or firm representing the College (a "College Representative"), including members of a College Representative's immediate family, in connection with the performance by such College Representative of duties involving transactions with the Contractor on behalf of the College, whether such duties are related to this Agreement or any other College contract or matter. As used herein, "anything of value" shall include, but not be limited to, meals, holiday gifts, holiday baskets, gift cards, tickets to golf outings, tickets to sporting events, currency of any kind, or any other gifts, gratuities,

favorable opportunities or preferences. For purposes of this subsection, an immediate family member shall include a spouse, child, parent, or sibling. The Contractor shall include the provisions of this subsection in each subcontract entered into under this Agreement.

14. **Disclosure of Conflicts of Interest.** The Contractor has disclosed as part of its response to the Qualification Statement, or other disclosure form(s), any and all instances where the Contractor employs any spouse, child, or parent of a College employee of the College department that contracted or procured the goods and/or services described under this Agreement. The Contractor shall have a continuing obligation, as circumstances arise, to update this disclosure throughout the term of this Agreement.

IN WITNESS WHEREOF, the Contractor and the College have executed this Agreement as of the date first above written.

CONTRACTOR	NASSAU COMMUNITY COLLEGE
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Title: _____ Date: _____	Date: _____

Reviewed By
Office of Town Attorney

I certify that this copy of the contract is a true and complete copy of this contract.

_____ _____
College Counsel Date

NASSAU COMMUNITY COLLEGE NOTARIZATION

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

On the _____ day of _____ in the year 2022 before me personally appeared _____, _____ of Nassau Community College, the municipal corporation described herein, and which executed the above instrument; and that he or she signed his or her name thereto and is authorized to act on behalf of Nassau Community College.

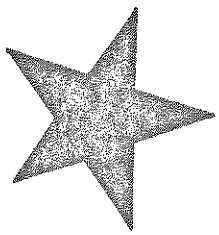
NOTARY PUBLIC _____

CONTRACTOR NOTARIZATION

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

On the ____ day of _____ in the year 2022, before me personally appeared _____ _____ to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the County of _____; that he or she is a _____ of _____, the organization described herein and which executed the above instrument; and that he or she signed his or her name thereto by authority of the Board of Directors of said corporation.

NOTARY PUBLIC _____



Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 4, 2022, directed CATHY ANSANELLI, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 130 East Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 97, Lot(s) 21-26, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of March 29, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated January 26, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

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

RESOLVED, That the application of CATHY ANSANELLI, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 130 East Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 97, Lot(s) 21-26 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

10

216

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: **MEMORANDUM DOCKET**

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

DATE: **MARCH 4, 2022**

SUBJECT: **WATERWAYS REVIEW**
CATHY ANSANELLI
130 EAST SHORE DRIVE
MASSAPEQUA, NY 11758
SECTION 66, BLOCK 97, LOT(S) 21-26
DOCK BUILDING PERMIT APPLICATION # 22010206

We have received a request from Cathy Ansanelli to "install one 4' x 6' platform, two 3' x 15' ramps, one 6' x 40' floating dock, one 6' x 25' floating dock, two 5' x 20' finger floats, five mooring piles, two jetski floats, and two ladders." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03396/00008 dated August 3, 2021 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2021-01232-EMC dated December 16, 2021. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 22010206; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03396/00008 dated August 3, 2021; Department of the Army, New York District Corps of Engineers Permit No. NAN-2021-01232-EMC dated December 16, 2021., and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated November 16, 2021. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated January 26, 2022, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

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

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

Pursuant to Section §241-9(E)(3) of the Code of the Town of Oyster Bay, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is

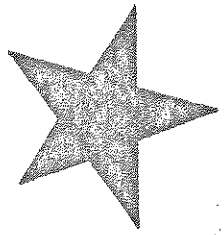
sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the March 29, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

Elizabeth L. Maccarone

ELIZABETH L. MACCARONE
COMMISSIONER

ELM/gl
Encls.

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



SECTION 66 BLOCK 97 LOT(S) 21-26

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

201020

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

	Name	Street Address	Post Office	Zip	Phone #
PROPERTY OWNER:	Cathy Ansanelli	92 Broadway	Amityville	NY 11701	[redacted]
LESSEE					
TENANT:					

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

ARCHITECT: PR Consulting Engineers PC – Paul Barroca 147 Glen St. 2nd Floor Glen Cove NY 516-790-4583

CONTRACTOR: Kevel Marine Contractors Inc/Michael Johnson 100 Cedar Shore Drive Massapequa, NY 11758 516-541-8819

PLUMBER: NA

ELECTRICIAN: NA

ADDRESS OF CONSTRUCTION: 130 East Shore Drive Massapequa NY 11758
IF DIFFERENT FROM ABOVE — NO. & STREET — POST OFFICE — ZIP CODE

LOCATION OF PROPERTY: N(E)S.W. SIDE OF East Shore Drive 299.6 FEET
(N)E.S.W. OF Iroquois Place (STREET) Massapequa (POST OFFICE)
OR
N.E.S.W. OF _____ corner of _____ (STREET) and _____ (STREET) _____ (POST OFFICE)

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

TYPE OF BUILDING

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

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s) Install 4' x 6' platform, two 3' x 15' ramps, one 6' x 40' float, one 6' x 25' float on six galvanized float pipes, two 5' x 20' finger floats on two float anchor piles, five mooring piles, two 5' x 14' jet ski floats & two safety ladders.

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

HAVE BOTH AFFIDAVITS NOTARIZED

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

APPLICANT

STATE OF NEW YORK
COUNTY OF NASSAU ss:

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

(Sign here) _____

Sworn to before me this 11th day of Dec 2021

NOTARY PUBLIC

LISA DREES
Notary Public - State of New York
NO. 01DR6145418
Qualified in Nassau County
My Commission Expires May 8, 2022

OWNER

STATE OF NEW YORK
COUNTY OF NASSAU ss:

Cathy Ansanelli being duly sworn, deposes and says: That he/she resides at 92 Broadway
in the hamlet of Amityville in the State of NY
and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Donna Myers – Shore Solutions Inc. (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.

(Sign here) _____ (owner)

Sworn to before me this 14th day of Dec 2021

NOTARY PUBLIC

MEAGHAN JUDD
Notary Public, State of New York
No. 01JU5005979
Qualified in Nassau County
Commission Expires December 21, 2022

(Rev. 03/13/2012)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

August 3, 2021

Cathy Ansanelli
92 Broadway
Amityville, NY 11701

Re: Permit No. 1-2824-03396/00008

Dear Permittee:

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

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

Sincerely,

Thomas Kohlmann
Environmental Analyst

NEW YORK STATE | Department of Environmental Conservation

PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
CATHY ANSANELLI
92 BROADWAY
AMITYVILLE, NY 11701

Facility:
ANSANELLI PROPERTY
130 E SHORE DR|66-97-21, 22, 23, 24, 25, 26
MASSAPEQUA, NY 11758

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

Facility Location: in OYSTER BAY in NASSAU COUNTY
Facility Principal Reference Point: NYTM-E: 632.495 NYTM-N: 4502.405
Latitude: 40°39'42.8" Longitude: 73°25'57.3"
Project Location: 130 East Shore Dr, Massapequa, NY Watercourse: Carman River
Authorized Activity: Install one 4' x 6' platform, two 3' x 15' ramps, one 6' x 40' floating dock, one 6' x 25' floating dock, two 5' x 20' finger floats, five mooring piles, two jetski floats, and two ladders. All work shall be in strict conformance with the attached plans stamped "NYSDEC Approved" on 8/3/2021. (TSK)

Permit Authorizations

Tidal Wetlands - Under Article 25
Permit ID 1-2824-03396/00008
New Permit Effective Date: 8/3/2021 Expiration Date: 8/2/2026

NYSDEC Approval

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

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

Authorized Signature: Sherri L. Aicher Date 8/3/2021

Distribution List

SHORE SOLUTIONS INC
Bureau of Marine Habitat Protection
THOMAS S KOHLMANN

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

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

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Shore Solutions Inc., dated 6/9/2021.

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

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

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

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

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

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

8. **No Unauthorized Fill** No fill or backfill is authorized by this permit without further written approval from the department (permit, modification, amendment).

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

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

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

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

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

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

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

a. extend laterally beyond property lines,

b. interfere with navigation, or

c. interfere with other landowners riparian rights.

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

a. extend laterally beyond property lines,

b. interfere with navigation, or

c. interfere with other landowners riparian rights.

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

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

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

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

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

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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

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

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

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

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

Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY11790 -3409

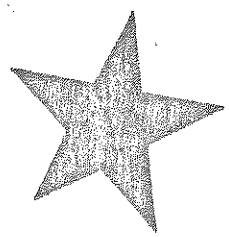
4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands.

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

a. materially false or inaccurate statements in the permit application or supporting papers;

b. failure by the permittee to comply with any terms or conditions of the permit;

c. exceeding the scope of the project as described in the permit application;



d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

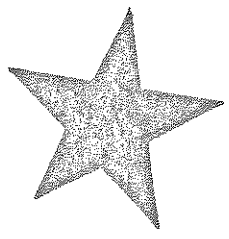
NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

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

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

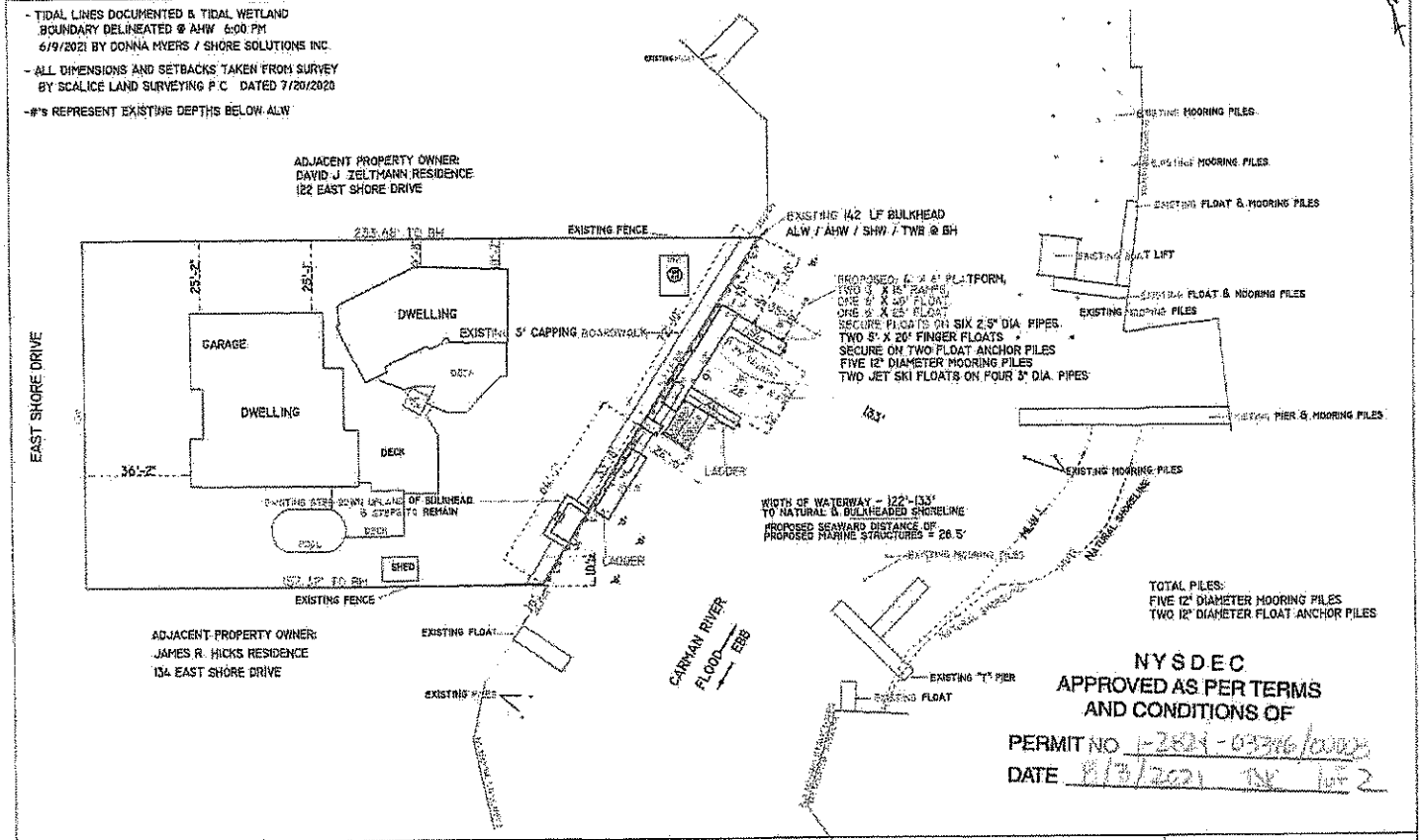
Item C: Permittee Responsible for Obtaining Other Required Permits
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PROJECT PLAN SITE PLAN VIEW

- TIDAL LINES DOCUMENTED & TIDAL WETLAND BOUNDARY DELINEATED @ AHW 6:00 PM 6/9/2021 BY DONNA MYERS / SHORE SOLUTIONS INC.
- ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY BY SCALICE LAND SURVEYING P.C. DATED 7/20/2020
- #'s REPRESENT EXISTING DEPTHS BELOW ALW



NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO 1-2824-03396/00003
DATE 8/3/2021 TK 1 of 2

PURPOSE: PROVIDE A SAFE PRIVATE MOORING				NCTM# SD 23 / SEC 66 / BLK 97 / LOTS 21-26
PROPOSED: INSTALL 4' X 6' PLATFORM, TWO 3' x 15' RAMPS, ONE 6' X 40' FLOAT, ONE 6' X 25' FLOAT ON 6 PIPES, TWO 5' X 20' FINGER FLOATS ON TWO FLOAT ANCHOR PILES, FIVE MOORING PILES, TWO JET SKI FLOATS & TWO SAFETY LADDERS				AT: 130 EAST SHORE DRIVE MASSAPEQUA, NY 11758 TOWN OF OYSTER BAY NASSAU COUNTY
DATUM: ALW = 0.00' AHW = 2.00' SHW = 2.50'	LAT 40° 39' 42.7566" N LONG 73° 25' 57.291" W	SCALE 1" = 50' PAGE 1 OF 2	PREPARED 6 / 9 / 2021 BY SHORE SOLUTIONS INC.	ON: CARMAN RIVER FOR: CATHY ANSANELLI

NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO 1-2824-03376/00005
DATE 8/3/2021 TW 2 of 2

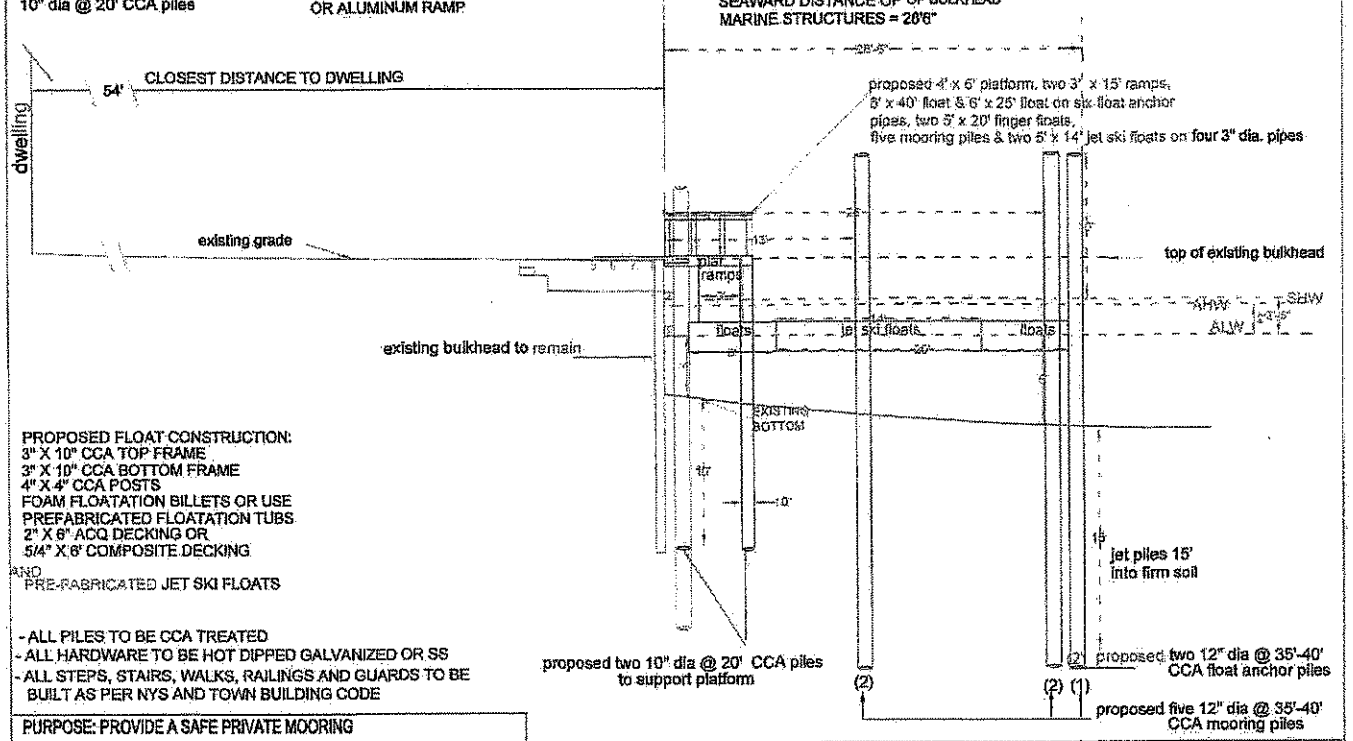
PROJECT PLAN CROSSVIEW

PROPOSED PLATFORM:
3" X 8" CCA STRINGERS
2" X 6" ACQ DECKING
4" X 4" CCA POSTS (BALLASTERS)
2" X 6" CCA RAILINGS
10" dia @ 20' CCA piles

PROPOSED RAMP
2" X 8" CCA STRINGERS
2" X 6" ACQ DECKING
4" X 4" CCA POSTS
2" X 6" CCA RAILINGS
OR ALUMINUM RAMP

DISTANCE OF WATERWAY ~ 122'-133'
TO NATURAL & BULKHEADED SHORELINE

SEAWARD DISTANCE OF OF BULKHEAD
MARINE STRUCTURES = 28'6"



PROPOSED FLOAT CONSTRUCTION:
3" X 10" CCA TOP FRAME
3" X 10" CCA BOTTOM FRAME
4" X 4" CCA POSTS
FOAM FLOATATION BILLETS OR USE
PREFABRICATED FLOATATION TUBS
2" X 6" ACQ DECKING OR
5/4" X 6' COMPOSITE DECKING
AND
PRE-FABRICATED JET SKI FLOATS

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

PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 4' X 6' PLATFORM, TWO 3' X 15' RAMPS,ONE 6' X 40' FLOAT& ONE 6' X 25' FLOAT ON SIX FLOAT ANCHOR PIPES, TWO 5' X 20' FINGER FLOATS ON TWO FLOAT ANCHOR PILES, FIVE MOORING PILES, TWO 5' x 14' JET SKI FLOATS & ONE SAFETY LADDER

NCTM# SD 23 / SEC 66 /
BLK 97 / LOTS 21-26

DATUM: ALW= 0.00' AHW= 2.00' SHW= 2.50'	LAT 40 39' 42.7566 " N LONG -73 25' 57.291 " W	SCALE 1" = 10' PAGE 2 OF 2	PREPARED 6/9/2021 BY SHORE SOLUTIONS INC.	AT: 130 EAST SHORE DRIVE MASSAPEQUA, NY 11758 TOWN OF OYSTER BAY NASSAU COUNTY ON: CARMAN RIVER FOR: CATHY ANSANELLI

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

REGULATORY BRANCH

December 16, 2021

SUBJECT: Department of the Army Permit Number NAN-2021-01232
Issued to Cathy Ansanelli

Cathy Ansanelli
92 Broadway
Amityville, NY 11701

Dear Ms. Ansanelli:

We have completed our review of Application Number NAN-2021-01232-EMC.

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

APPLICANT: Cathy Ansanelli
92 Broadway
Amityville, NY 11701

ACTIVITY: From the middle of the property, install an approximately four-foot-wide by six-foot-long platform. To the west of the platform, install an approximately three-foot-wide by 15-foot-long-ramp leading to an approximately six-foot-wide by 25-foot-long float and one (1) safety ladder. To the east of the platform, install an approximately three-foot-wide by 15-foot-long ramp leading to an approximately six-foot-wide by 40-foot-long float. At the east and west ends, and extending perpendicularly from the float, install two (2) five-foot-wide by 20-foot-long finger floats, each secured by a 12-inch diameter pile. To the west of the west finger float, install two (2) approximately five-foot-wide by 14-foot-long jet ski floats. To the east of the west finger float, install one (1) 12-inch diameter mooring piling approximately 12 feet from the float. To the east of the second finger float, install two (2) 12-inch diameter mooring pilings immediately adjacent to the float, and two (2) 12-inch diameter mooring pilings approximately 15 feet east of the float.

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

WATERWAY: Carman River, Tributary of South Oyster Bay

LOCATION: 130 East Shore Drive, Massapequa, Town of Oyster Bay, Nassau County, New York

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

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

Stephan A. Ryba
Chief, Regulatory Branch
USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, NY 10278

In order for a RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by _____. It is not necessary to submit a RFA form to the District Office if you do not object to the permit decision in this letter.

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

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

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

If any questions should arise concerning this matter, please contact Reegan A. McCaulley, of my staff, at (917) 790-8523.

Sincerely,

Date: 2021.12.16 15:59:45 -05'00'

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

Encls

PERMIT CONDITIONS:

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

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends within three years of the date of this permit. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least four months before the date is reached.

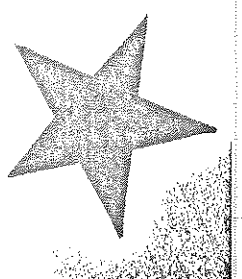
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification to this office. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

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



(B) The permittee shall utilize best management practices to minimize turbidity during all in-water work activities as well as prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

Further Information:

1. Limits of authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

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

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

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

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

a. You fail to comply with the terms and conditions of the permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).

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

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

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

December 16, 2021

MARINE RADIUS MAP
EXISTING MARINE STRUCTURES
AERIAL IMAGING FROM GOOGLE MAPS

LAT 40° 39' 42.7566" N
LONG -73° 25' 57.291" W

N

DATUM:
MLW= 0.00'
MHW = 2.00'
SHW = SPRING TIDE = 2.50'

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

NCTM# SD 23 / SEC 66 /
BLK 97 / LOTS 21-26

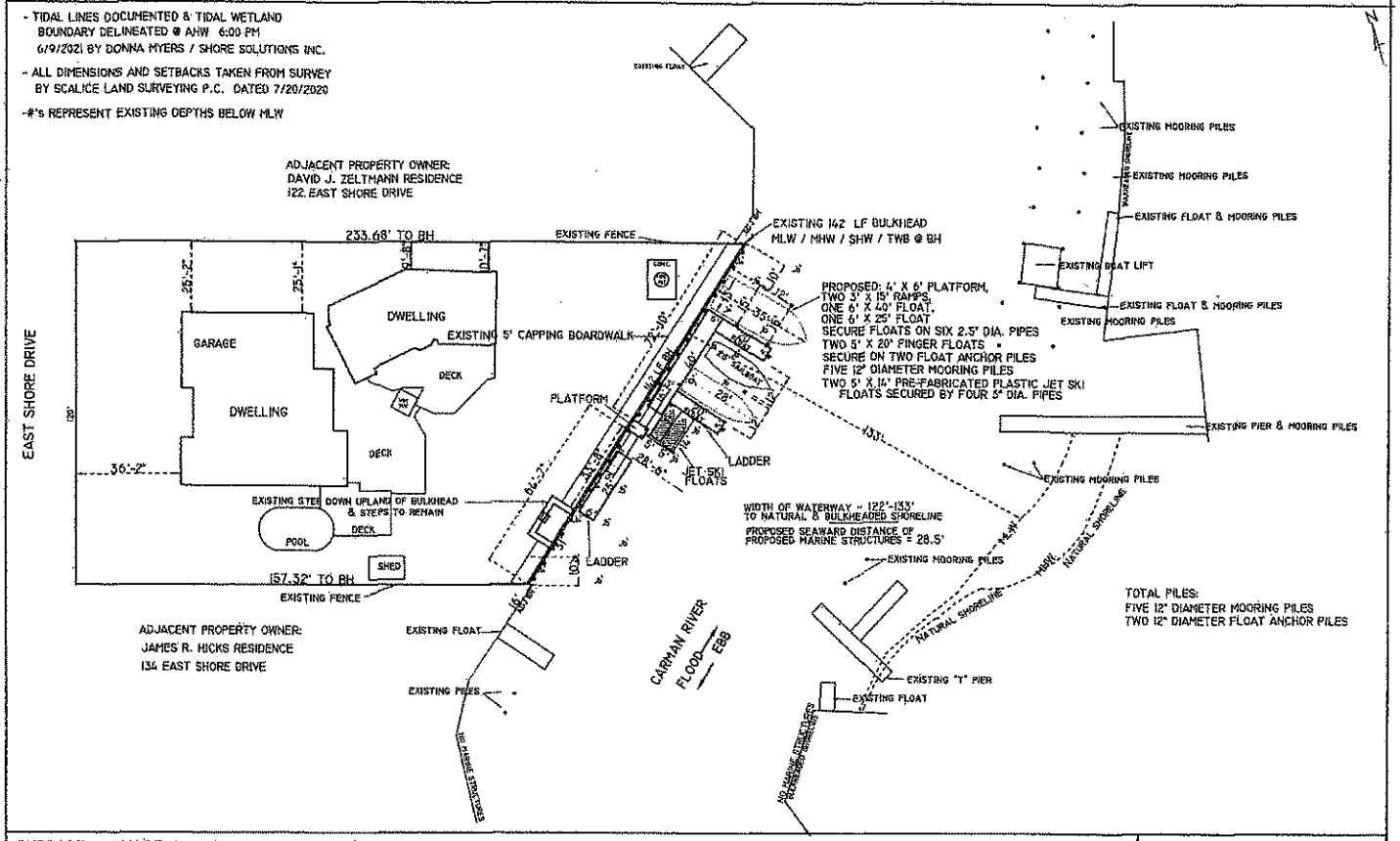
AT: 130 EAST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: CARMAN RIVER
FOR: CATHY ANSANELLI

PAGE 2 OF 4

December 16, 2021

PROJECT PLAN SITE PLAN VIEW

- TIDAL LINES DOCUMENTED & TIDAL WETLAND BOUNDARY DELINEATED @ AHW 6:00 PM 6/9/2021 BY DONNA MYERS / SHORE SOLUTIONS INC.
- ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY BY SCALICE LAND SURVEYING P.C. DATED 7/20/2020
- #'s REPRESENT EXISTING DEPTHS BELOW MLW



PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 4' X 6' PLATFORM, TWO 3' X 15' RAMPS, ONE 6' X 40' FLOAT, ONE 6' X 25' FLOAT ON 6 PIPES, TWO 5' X 20' FINGER FLOATS ON TWO FLOAT ANCHOR PILES, FIVE MOORING PILES, TWO JET SKI FLOATS & TWO SAFETY LADDERS

DATUM: MLW = 0.00' MHW = 2.00' SHW = 2.50'	LAT 40°39' 42.7566" N LONG 73° 25' 57.291" W	SCALE 1" = 50' PAGE 3 OF 4	PREPARED 6 / 9 / 2021 BY SHORE SOLUTIONS INC. REVISED 11/30/2021 ADDED JET SKI FLOAT SPECKS & DISTANCE BETWEEN EASTERN MOORING PILES TO SITE PLAN

NCTM# SD 23 / SEC 66 / BLK 97 / LOTS 21-26
AT: 130 EAST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: CARMAN RIVER
FOR: CATHY ANSANELLI

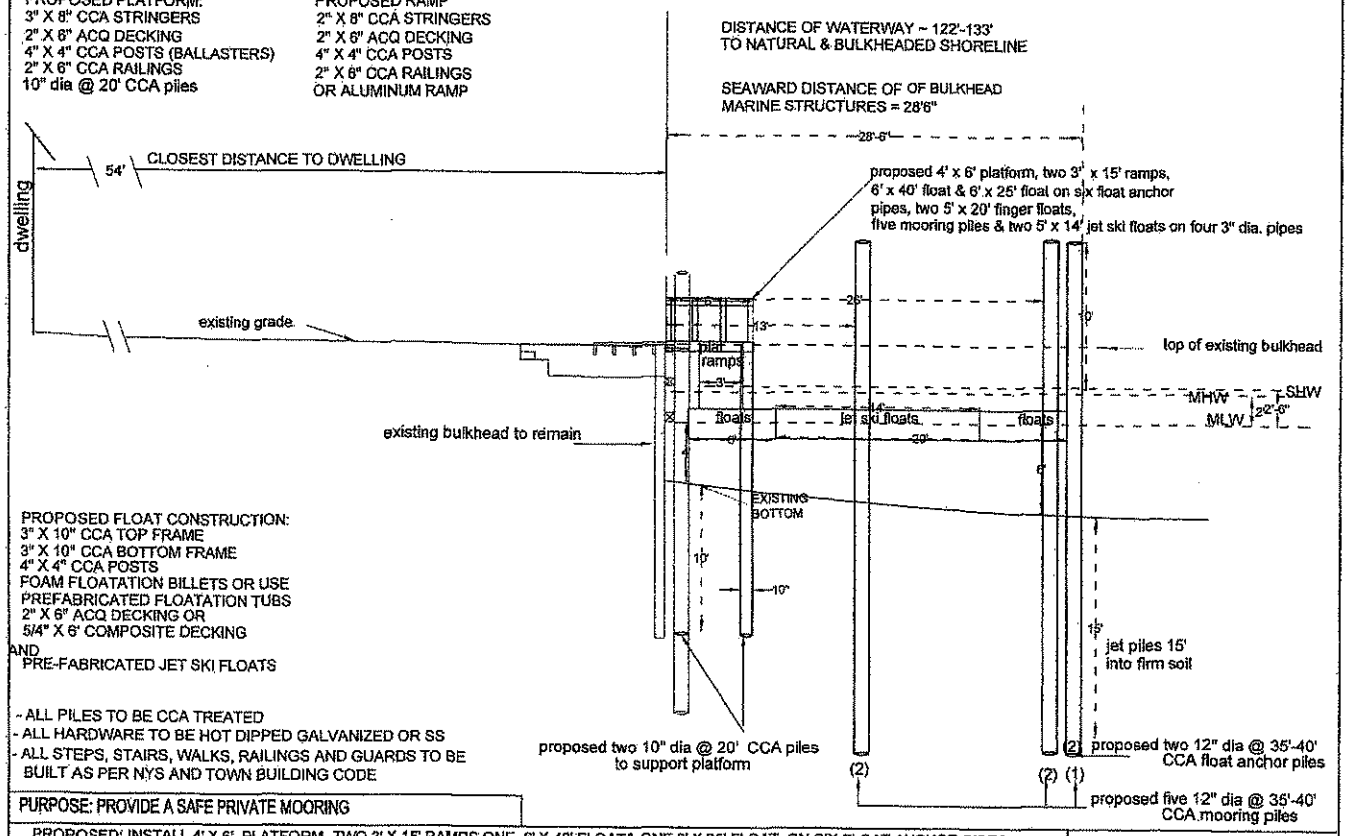
PROJECT PLAN CROSSVIEW

PROPOSED PLATFORM:
3" X 8" CCA STRINGERS
2" X 6" ACQ DECKING
4" X 4" CCA POSTS (BALLASTERS)
2" X 6" CCA RAILINGS
10" dia @ 20' CCA piles

PROPOSED RAMP
2" X 8" CCA STRINGERS
2" X 6" ACQ DECKING
4" X 4" CCA POSTS
2" X 6" CCA RAILINGS
OR ALUMINUM RAMP

DISTANCE OF WATERWAY ~ 122'-133'
TO NATURAL & BULKHEADED SHORELINE

SEAWARD DISTANCE OF OF BULKHEAD
MARINE STRUCTURES = 28'6"



PROPOSED FLOAT CONSTRUCTION:
3" X 10" CCA TOP FRAME
3" X 10" CCA BOTTOM FRAME
4" X 4" CCA POSTS
FOAM FLOATATION BILLETS OR USE
PREFABRICATED FLOATATION TUBS
2" X 6" ACQ DECKING OR
5/4" X 6' COMPOSITE DECKING
AND
PRE-FABRICATED JET SKI FLOATS

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

PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 4' X 6' PLATFORM, TWO 3' X 15' RAMPS,ONE 6' X 40' FLOAT& ONE 6' X 25' FLOAT ON SIX FLOAT ANCHOR PIPES, TWO 5' X 20' FINGER FLOATS ON TWO FLOAT ANCHOR PILES, FIVE MOORING PILES, TWO 5' x 14' JET SKI FLOATS & ONE SAFETY LADDER

DATUM: MLW= 0.00' MHW= 2.00' SHW= 2.50'	LAT 40 39' 42.7568 " N LONG -73 25' 57.291 " W	SCALE 1" = 10' PAGE 4 OF 4	PREPARED 8/9/2021 BY SHORE SOLUTIONS INC.	NCTM# SD 23 / SEC 66 / BLK 97 / LOTS 21-26 AT: 130 EAST SHORE DRIVE MASSAPEQUA, NY 11758 TOWN OF OYSTER BAY NASSAU COUNTY ON: CARMAN RIVER FOR: CATHY ANSANELLI

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

KATHY HOCHUL
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

November 16, 2021

Donna Myers
Shore Solutions Inc.
32 Lincoln Ave.
Massapequa, NY 11758

Re: F-2021-0779
U.S. Army Corps of Engineers/ New York District
Permit Application – Cathy Ansanelli
Proposes new docking area consisting of a 4' x 6' platform, two 3' x 15' ramps, a 6' x 40' and 6' x 25' floats on six float pipes total. Also, two 5' x 20' finger floats are proposed off of the floats, with five mooring piles, and two 5' x 14' jet ski floats and two safety ladders.
Carman River,130 East Shore Drive, Massapequa, NY,11758, Nassau County
Concurrence with Consistency Certification

Dear Ms. Myers:

The Department of State has completed its review of your consistency certification regarding the consistency of the above-referenced activity with the New York Coastal Management Program.

Pursuant to 15 CFR Part 930.62, and based upon the project information submitted, the Department of State concurs with your consistency certification for this activity. This concurrence is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, or other forms of authorization or approval that may be required pursuant to existing State statutes.

Sincerely,

Sarah Crowell

Sarah Crowell, AICP
Director, Office of Planning, Development and
Community Infrastructure

SC/pb
ecc: ACOE – NY District – Arlene Tirado
DEC Region 1 (1-2824-03396/00008)

Planning

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 26, 2022

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

FROM: GEORGE BAPTISTA, JR., DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: **DOCKS, PIERS & FLOATS PERMIT:**
Cathy Ansanelli
Application # 22010206
130 East Shore Drive, Massapequa, New York
Section: 66 Block: 97 Lot(s): 21-26

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

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

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

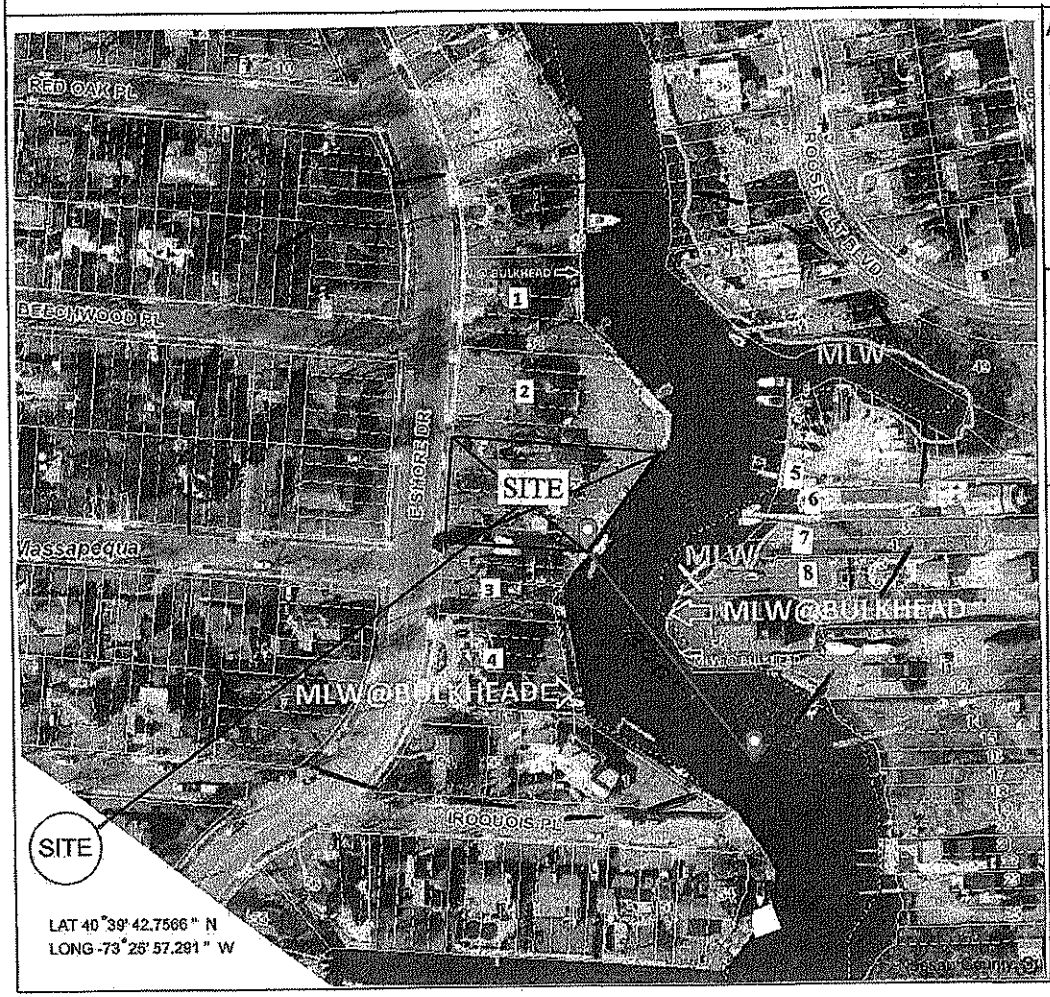
Inasmuch as the proposed action is on SEQR's pre-determined Type II Actions list and the TEQR Law Type II Actions List, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.

George Baptista Jr. Julia Schneider
GEORGE BAPTISTA, JR.
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/130 East Shore Drive, Massapequa_1.26.22

300 FOOT RADIUS MAP

SHOWING MLW AT BULKHEAD IN CANAL & MLW ON ADJACENT NATURAL SHORELINES WITH EXISTING MARINE STRUCTURES IN THE VICINITY



AERIAL IMAGING FROM
NASSAU COUNTY
ASSESSORS WEBSITE

N

DATUM: MLW= 0.00'
MHW = 2.00'
SHW = SPRING TIDE = 2.50'

PURPOSE: PROVIDE A SAFE
PRIVATE MOORING

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

NCTM# SD 23 / SEC 66 /
BLK 97 / LOTS 21-26

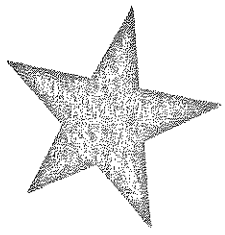
AT: 130 EAST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: CARMAN RIVER
FOR: CATHY ANSANELLI

300' Radius map for: NCTM# section 66 / block 97 / lot 21-26
Prepared By: Donna Myers / Shore Solutions Inc. 32 Lincoln Ave
Massapequa, NY 11758

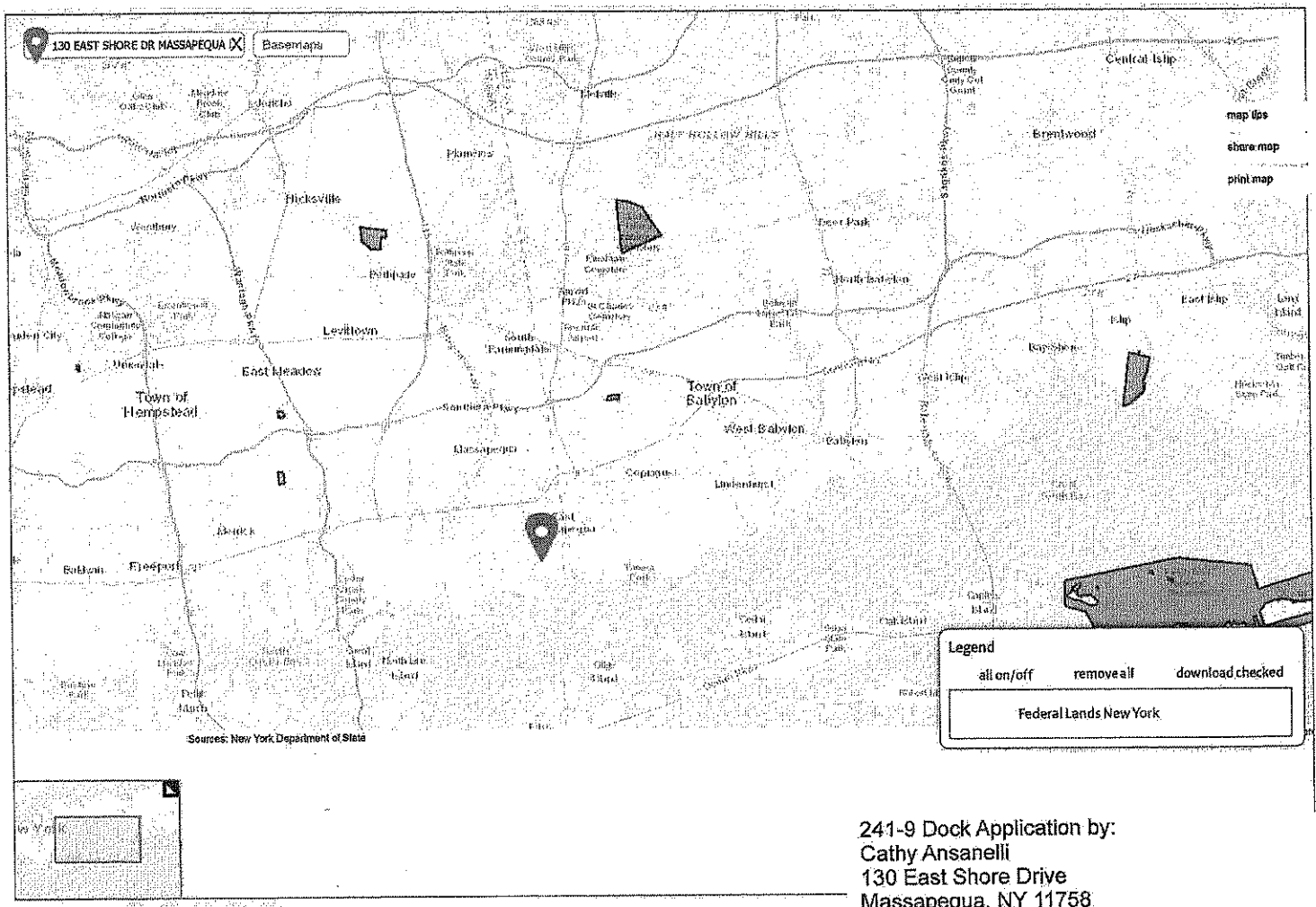
For: Cathy Ansanelli
130 East Shore drive
Massapequa, NY 11758

Section 66 / Block 97 Lot		
1	37	Richard & Kathleen Bergin 118 East Shore Drive Massapequa, NY 11758
2	27	David & Francesca Zeltmann 122 East Shore Drive Massapequa, NY 11758
3	17	James Hicks 134 East Shore Drive Massapequa, NY 11758
4	11	James Karras 140 East Shore Drive Massapequa, NY 11758

Section 66 / Block 125 Lot		Properties across the waterway
5	49 & 51	Mooring lot at terminus of Carman Place Massapequa, NY 11758 mailing address: Susan Riccioti Life Estate Property 736 S. Walnut Street Lindenhurst, NY 11757
6	1	Gautam Khanna 56 Riverdale Avenue Massapequa, NY 11758
7	3	Matthew P. Ramsingh 54 Riverdale Avenue Massapequa, NY 11758
8	5	Constantine Rivenburgh 52 Riverdale Avenue Massapequa, NY 11758



GEOGRAPHIC INFORMATION GATEWAY



241-9 Dock Application by:
Cathy Ansanelli
130 East Shore Drive
Massapequa, NY 11758

Property is not located in a Federal Wildlife Refuge

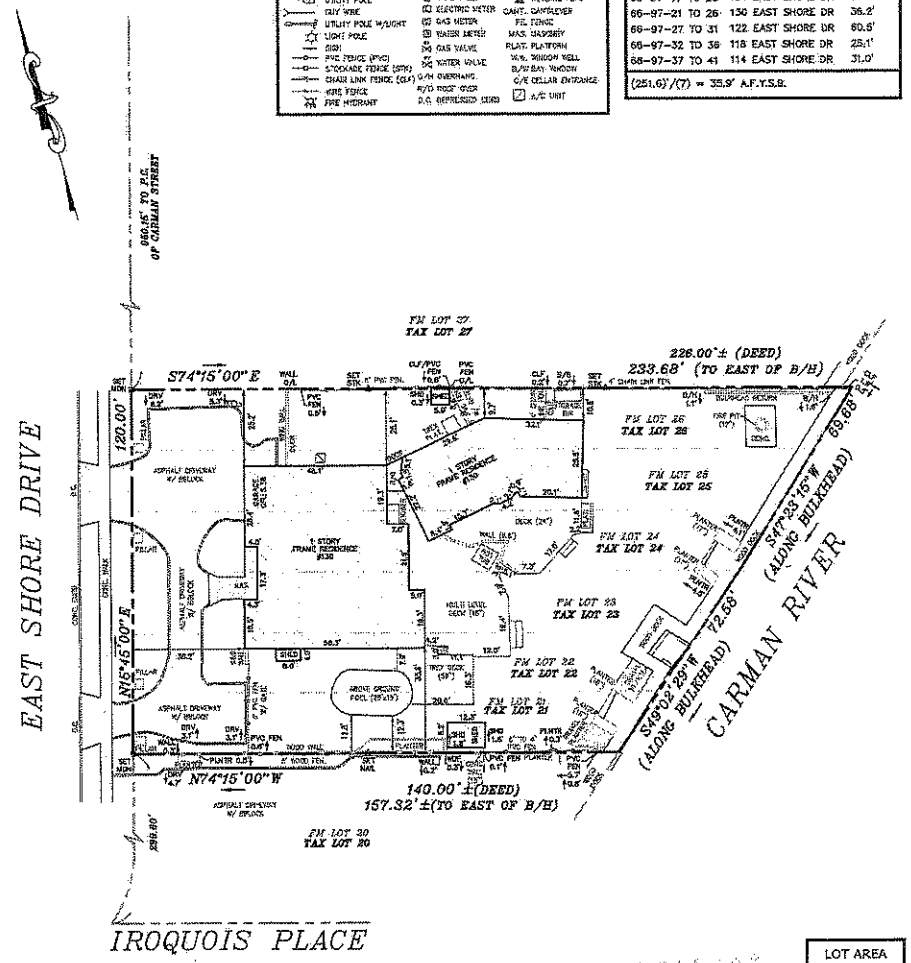
SYMBOL LEGEND

MONUMENT FND	MANHOLE	TEST HOLE
I.P. / I.B. FND	"A"-INLET	TREE
I.P. / I.B. SET	"B"-INLET	SHRUB
SPOT ELEVATIONS	YARD INLET	BOLLARD
UTILITY POLE	YARD INLET	WETLAND FLAG
GUY WIRE	ELECTRIC METER	CANT. CANTILEVER
UTILITY POLE W/LIGHT	GAS METER	FIL. FENCE
LIGHT POLE	WATER METER	MAS. MASONRY
SIGN	GAS VALVE	PLAT. PLATFORM
PVC FENCE (PVC)	WATER VALVE	W.W. WINDOW WELL
STOCKADE FENCE (STK)	O/H OVERHANG	B/W BAY WINDOW
CHAIN LINK FENCE (CLF)	R/D ROOF OVER	C/E CELLAR ENTRANCE
WIRE FENCE	D.C. DEPRESSED CURB	A/C UNIT
FIRE HYDRANT		

AVERAGE FRONT YARD SETBACK

TAX MAP NO.	ADDRESS	SETBACK
66-97-94	142 EAST SHORE DR	36.2'
66-97-11 TO 16	140 EAST SHORE DR	26.3'
66-97-17 TO 20	134 EAST SHORE DR	36.3'
66-97-21 TO 26	130 EAST SHORE DR	36.2'
66-97-27 TO 31	122 EAST SHORE DR	60.5'
66-97-32 TO 36	118 EAST SHORE DR	25.1'
66-97-37 TO 41	114 EAST SHORE DR	31.0'

(251.6)'/(7) = 35.9' A.F.Y.S.B.



LOT AREA
23,534.12 S.F.
0.54 AC.

GRAPHIC SCALE
30 0 15 30
(IN FEET)
1 inch = 30 ft.

NOTE:
FLOOD ZONE AE 7

GUARANTEED TO:
VINCENT AND CATHY ANSANELLI
ABSTRACTS INC

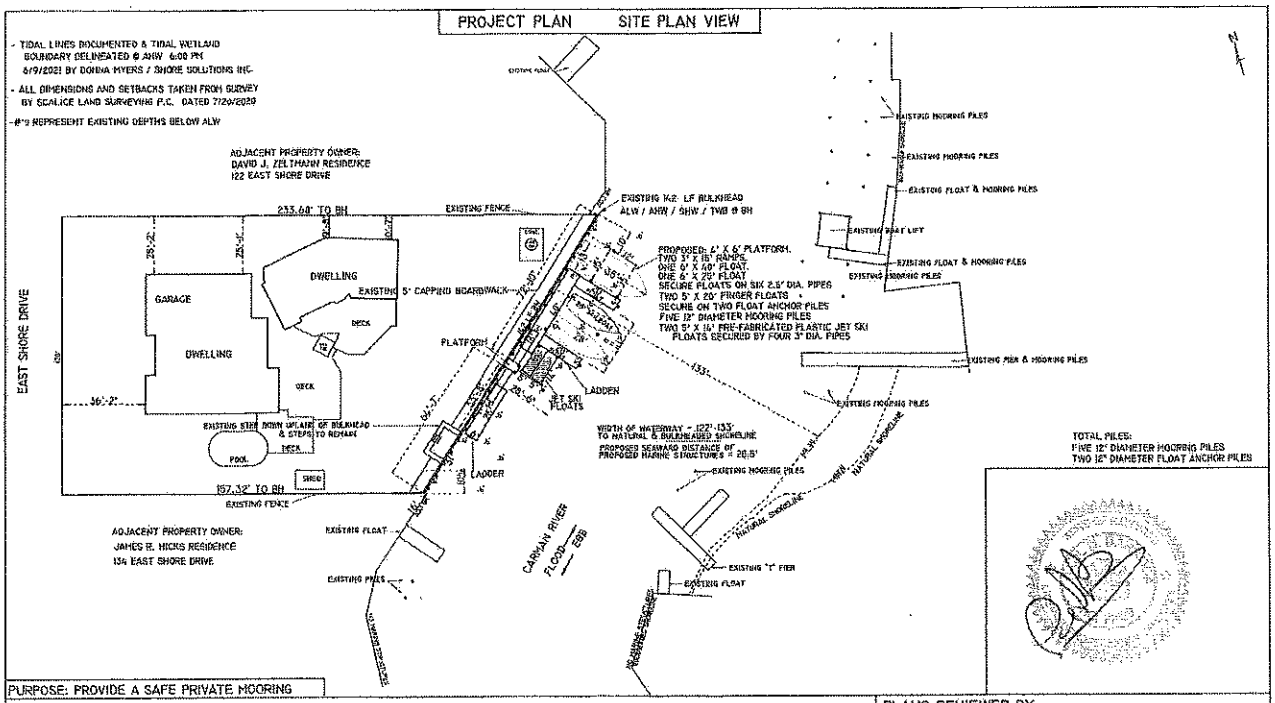
REV	DATE	DESCRIPTION	BY	CHK
1	08/28/2020	STAKE OUT	KL	MJS

STATE OF NEW YORK
MICHAEL J. SCALICE
No. 050884
LICENSED LAND SURVEYOR

SCALICE
land surveying
mjslandsurvey.com P: 631-957-2400

DR.: MC	CREW.: TR	SCALE: 1" = 30'	NASSAU TAX MAP NO. 66-97-21 TO 26
DATE SURVEYED: 07/20/2020		JOB No. N20-1088	

SURVEY OF PROPERTY
LOTS 21 TO 26, BLOCK 297
REVISED MAP OF
NASSAU SHORES
SECTION NO. 3
FILE DATE: 04/14/1930 MAP NO. 704
SITUATE
MASSAPEQUA, TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK



PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 4' X 6' PLATFORM, TWO 3' x 15' RAMPS, ONE 6' X 40' FLOAT, ONE 6' X 25' FLOAT ON 6 PIPES, TWO 5' X 20' FINGER FLOATS ON TWO FLOAT ANCHOR PILES, FIVE MOORING PILES, TWO JET SKI FLOATS & TWO SAFETY LADDERS

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

DATUM: ALW = 0.00'
AHW = 2.00'
SHW = 2.50'

LAT 40° 39' 42.7566" N
LONG 73° 25' 57.291" W

PREPARED 6 / 9 / 2021 BY SHORE SOLUTIONS INC.

REVISED 11/30/2021 ADDED JET SKI FLOAT SPECKS & DISTANCE BETWEEN EASTERN MOORING PILES TO SITE PLAN

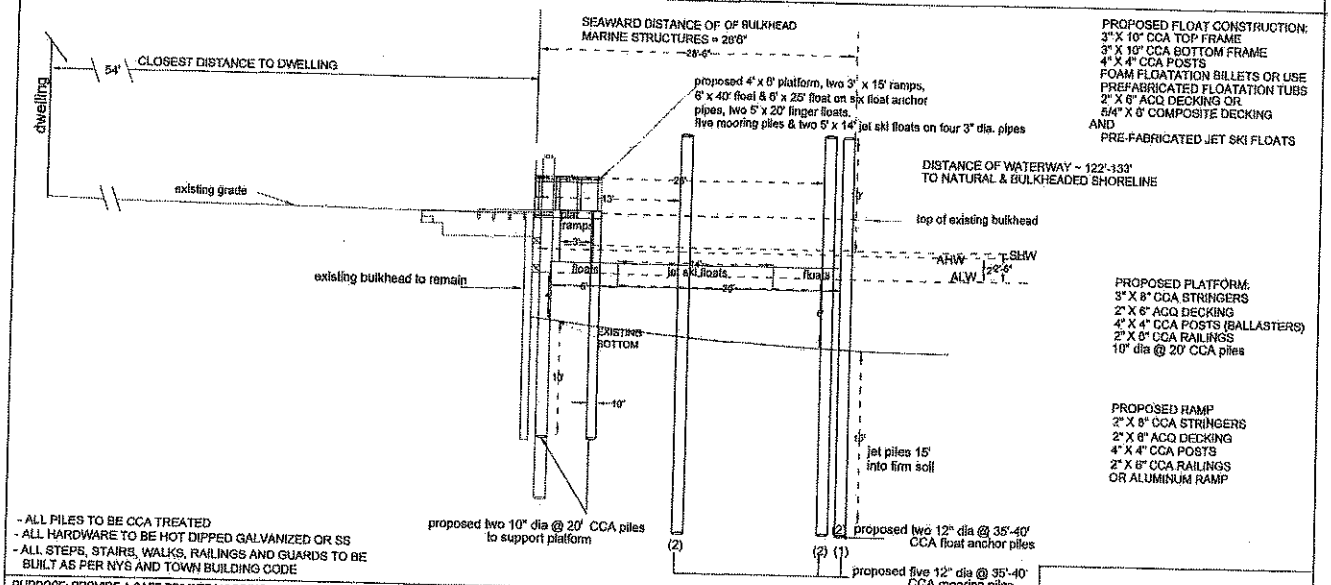
SCALE: 1" = 40'

PAGE 1 OF 2

NCTM# SD 23 / SEC 66 / BLK 97 / LOTS 21-26
AT: 130 EAST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: CARMAN RIVER
FOR: CATHY ANSANELLI

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

PROJECT PLAN CROSSVIEW



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

PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 4' X 6' PLATFORM, TWO 3' X 15' RAMPS,ONE 6' X 40' FLOAT& ONE 6' X 25' FLOAT ON SIX FLOAT ANCHOR PIPES, TWO 5' X 20' FINGER FLOATS ON TWO FLOAT ANCHOR PILES, FIVE MOORING PILES, TWO 5' x 14' JET SKI FLOATS & ONE SAFETY LADDER

DATUM: ALW= 0.00'
AHW= 2.00'
SHW= 2.50'

LAT 40 39' 42.7568 " N
LONG -73 25' 57.291 " W

PREPARED 6/ 9 /2021 BY
SHORE SOLUTIONS INC.
REVISED SITE 11/ 30 /2021
ADDED DIMENSION BETWEEN PILES

SCALE 1"=8'

PAGE 2 OF 2

NCTM# SD 237 SEC 66.7
BLK 97 / LOTS 21-26
AT: 120 EAST SHORE DRIVE
MASSAPEQUA, NY 11758
TOWN OF OYSTER BAY
NASSAU COUNTY
ON: CARMAN RIVER
FOR: CATHY ANSANELLI

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

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

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 262-2021, adopted on May 4, 2021, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747, to provide consultant services for technical assistance with general planning services in the Town of Oyster Bay for the period commencing May 5, 2021 through December 31, 2021, with two (2) one (1) year extensions; and

WHEREAS, by Resolution No. 77-2022, adopted on February 8, 2022, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, for the period commencing on January 1, 2022 through December 31, 2022, nunc pro tunc; and

WHEREAS, Kathryn Eiseman, AICP, Partner/Division Manager, Nelson, Pope & Voorhis, LLC, by letter dated January 27, 2022, described the scope of work to be performed under the aforementioned agreement, review of the Town's existing zoning regulations pertaining to private golf courses and country clubs, finalization of the Golf Course Planning Study Report, the preparation of draft local laws for the implementation of the recommendations of said Study Report and the preparation, coordination and technical assistance for hearings and public meetings relating to the presentation of said report, in an amount not to exceed $20,000.00; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 7, 2022, requested Town Board authorization for Nelson, Pope & Voorhis, LLC, to perform the consulting services under the aforementioned Agreement, and further requested that the Town Comptroller be directed to issue an encumbrance order in an amount not to exceed $20,000.00 for this purpose; and

WHEREAS, Commissioner Maccarone, by said memorandum, advised that funds in the amount of $20,000.00 to satisfy said consulting costs are available in Account No. PAD B 8020-44800-000-0000, Professional Services; and

WHEREAS, Commissioner Maccarone, by said memorandum further advised that the Office of the Inspector General has reviewed the proposed vendor's questionnaire, and is satisfied that the Town of Oyster Bay Procurement policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and Nelson, Pope & Voorhis, LLC, is hereby authorized to perform the aforesaid consulting services under its Professional Consulting Services Agreement with the Town of Oyster Bay; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of $20,000.00, in connection with the aforementioned Agreement; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PAD B 8020-44800-000-0000, Professional Services; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY
Inter-Departmental Memorandum

To: MEMORANDUM DOCKET

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

Date: MARCH 7, 2022

Subject: **ENCUMBRANCE OF FUNDS**
GENERAL PLANNING SERVICES
NELSON, POPE AND VOORHIS, LLC
ACCOUNT NO. PAD B 8020-44800-000-0000
PROFESSIONAL SERVICES

On May 4, 2021 the Town Board adopted Resolution No. 262-2021 authorizing Nelson, Pope and Voorhis, LLC to perform General Planning Services in the Town of Oyster Bay from May 5, 2021 through December 31, 2021 with two (2) one (1) year extension options to be exercised at the Town Boards discretion.

On February 8, 2022, the Town Board adopted Resolution No. 77-2022 authorizing the first one (1) year extension option for a period of January 1, 2022 through December 31, 2022.

Attached please find a proposal from Nelson, Pope and Voorhis, LLC dated January 27, 2022 in the amount of $20,000.00 for their review of the Town's existing zoning regulations pertaining to private Golf Courses and Country Clubs.

In order to pay anticipated claims, the Department is requesting approval to authorize the encumbrance of the following funds that are available in Account No. PAD-B-8020-44800-000-0000 in the amount of $20,000.00 to cover claims of Nelson, Pope and Voorhis, LLC for this planning study.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
COMMISSIONER

ELM/dm
Attachments
C: Legislative Affairs

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 262-2021, adopted on May 4, 2021, the Town Board authorized the Town to enter into an agreement with Nelson, Pope & Voorhis, LLC, Hardesty & Hanover and Cameron Engineering & Associates, LLP to assist with General Planning Services for a period commencing May 5, 2021 through December 31, 2021, with an option for two (2) one (1) year extensions; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated January 20, 2022, requested Town Board authorization to exercise the first one-year extension, for the period January 1, 2022 through and including December 31, 2022; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the agreement with Nelson, Pope & Voorhis, LLC, Hardesty & Hanover, and Cameron Engineering & Associates, LLP to assist with General Planning Services is hereby extended for the period January 1, 2022 through and including December 31, 2022, nunc pro tunc.

-#-

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

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

NELSON POPE VOORHIS

environmental • land use • planning

January 27, 2022

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

Re: Golf Course Planning Study
Additional Services for 2022

Dear Commissioner Maccarone:

As you are aware, Nelson, Pope & Voorhis, LLC (NPV) has been assisting the Department of Planning & Development (P&D) in undertaking a planning study of the private golf courses in the Town of Oyster Bay to identify important environmental features on these properties, determine potential development under existing zoning, assess the impacts that may be associated with such build-out development, and identify mechanisms to minimize these impacts. Via correspondence dated January 12, 2022, NPV submitted a supplemental authorization request for additional work completed through the end of 2021. This correspondence respectfully requests authorization for ongoing work for this project in 2022.

The following is an outline of anticipated tasks for continuation of the Golf Course Planning Study this year:

- **Finalization of the Golf Course Planning Study Report** – The draft Report will be completed for submission to the Office of the Town Attorney (TA) based on final input that has been received from P&D and the Department of Environmental Resources (DER). Further revisions will be made to address any input received from the TA's Office to finalize the Report for consideration by the Town Board and public review.
- **Local Laws** – NPV has been requested to prepare draft local laws for implementation of the recommendations of the Planning Report. It is anticipated that these draft local laws will initially be prepared for review by P&D and DER, which have provided technical support in NPV's preparation of the draft Planning Report and are familiar with the Report's findings and recommendations. The initial draft version of the local laws will be revised based on any input received from P&D and DER, and then will be submitted for review by the TA's Office. Any input from the TA's Office will be addressed by further revisions to finalize the proposed local laws for consideration by the Town Board. Based on the recommendations in the current version of the Planning Report, it is expected that the local laws to be drafted will include the following:
  - Parcel-specific zoning changes
  - Revisions to the Recreation Zoning District, as necessary, to ensure consistency with the recommended parcel-specific zoning changes
  - Revisions to the existing Conservation Subdivision legislation to require clustered development of all golf course properties in the Town

- Establishment of yield deductions for environmental features (i.e., wetlands and steep slopes) on properties proposed for development
- Review of the entire Zoning Code to ensure internal consistency with the recommendations enumerated above.

- **Meetings, Hearings and Consultations** – It is expected that a number of meetings with P&D and other Town Departments (e.g., Supervisor's Office, TA's Office, DER, etc.) will be required to finalize the report for public review. It is also expected that NPV will be called upon to provide a technical presentation to the Town Board at the time of the hearing(s) on the recommendations of the Planning Report, including adoption of local laws implementing these recommendations as described above and, potentially, adoption of the Report itself as the Town's land use plan for the golf course properties within its jurisdiction. It presently is envisioned that this presentation will provide a concise summary of the purpose, methodologies, analysis, findings, conclusions and recommendations set forth in the Report.

  Additional meetings also are likely in preparing and coordinating for the public hearing before the Town Board. This task also includes meetings with the involved Town personnel (particularly in the Supervisor's Office and TA's Office), preparation of NPV's direct testimony for the hearing, and preparation of supporting graphic materials such as aerial photographs and maps on display boards.

  Additional meetings and consultations may also occur under this task with other involved agencies, such as Nassau County and New York State, which own public courses (i.e., Cantiague Park and Bethpage State Park) that were addressed in the Study, and/or neighboring municipalities containing the portions of the private golf courses examined in the Report which span across jurisdictional lines. The budget provided herein includes 4 working meetings, preparation of testimony and supporting materials for the public hearing and attendance at the Town Board public hearing.

In consideration of the forgoing tasks scheduled to be undertaken this year to complete the Private Golf Course Planning Study and its implementation, it is respectfully request that additional budget be allocated in the amount of $20,000 through the end of 2022.

If you have any questions, please feel free to call (631) 427-5665 ext. 208 or contact me by email at keiseman@nelsonpopevoorhis.com.

Respectfully submitted,

Nelson Pope Voorhis

Kathryn Eiseman, AICP

Partner/Division Manager

NPV

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized then Highway Department to secure the dwelling and the entire subject property, located at 24 Bernard Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 135 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 8, 2022, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on November 3, 2021, in the amount of $874.68, be referred to the County of Nassau for assessment,

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 8, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $874.68 may be assessed by the Legislature of the County of Nassau against the parcel known as 24 Bernard Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 135 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 8, 2022

SUBJECT: Property Cleanup Assessment
24 Bernard Street, Farmingdale, New York 11735
Section 49, Block 21, Lot 135

By the emergency powers granted to the Department of Planning and Development, the Highway Department secured the premises of the house located at 24 Bernard Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 135 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated August 19, 2021, advised that the property was secured by a crew from the Highway Department on November 3, 2021. The cost incurred by the Town of Oyster Bay was $874.68.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

S:\Attys\aml\Cleanup MD&Reso\MD 24 Bernard St Bdup 3.8.2022

2022-8411

Ken Bishop

From:	Michael Esposito
Sent:	Wednesday, November 3, 2021 11:04 AM
To:	John Bishop; Ken Bishop; Daniel Kornfeld
Cc:	John Bacigalupo
Subject:	24 bernard street Farmingdale

John
The property owner has broken in to the home and was arrested by NCPD yesterday. Please have Highway re-secure the areas that were compromised.

Thanks

Michael G. Esposito
Bureau Chief
Code Enforcement Bureau
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6237

THIS INDENTURE, made the 2nd day of July, in the year 2004

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 ATTACHED SCHEDULE A

SAID PREMISES known as 24 Bernard Street, Farmingdale, NY 11735.

THE GRANTOR HEREIN is the same as the Grantee in deed dated 9/24/93 and recorded 10/20/93 in Liber 10359 Page 595.

Sect: 49
Blk: 21
Lot: 135

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:

[redacted]

Town of Oyster Bay
Inter- Departmental Memo

November 3, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: **24 BERNARD STREET, FARMINGDALE**
BOARD-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of $874.68.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-21-135) 24 BERNARD ST FARMINGDALE 11735 **Date** Nov 3, 2021

Work Order # 88629

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
ALBERT.MAZLIAH	General Maintenance	01:00	$25.03	00:00	0	$25.03
					Total Labor	$25.03

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
Plywood 4'X8'X1/2"	$20.65	1	$20.65
		Total Materials	$770.65

Grand Total **$874.68**

Description of Work:
BOARD UP 24 BERNARD STREET FM

Signature: _____
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Nov 9, 2021

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 4, 2022, advised that LiRo Engineering, Inc., by letter dated, February 4, 2022, informed the Department that it made a final inspection of the work performed pursuant to Contract No. H19-197-PH1, Construction of Highway and Drainage Improvements to the Intervale Avenue Area, Farmingdale, New York, and certified that the contractor, complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, advised further, that said Consulting Engineer informed the Department, by said letter, of an increase/decrease in quantities, relative to the Construction Phase of Contract No. H19-197-PH1, for a total net decrease in the amount of $317,259.11; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the decrease in quantities relative to the Construction Phase of Contract No.H19-197-PH1, for a total net decrease in the amount of $317,259.11;

WHEREAS, final construction costs were in the amount of $1,583,493.17; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the Consulting Engineers that the Contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, work under this Contract was directed to proceed as of April 20, 2021, and to be completed within one hundred eighty (180) calendar days on October 16, 2021, with completion on November 24, 2021; and

WHEREAS, the Office of the Town Attorney, by memorandum dated February 8, 2022, and the Office of the Town Comptroller, by memorandum dated February 7, 2022, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Highway, by memorandum dated March 1, 2022, concurred with the recommendation of final acceptance of this project,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby authorizes an increase/decrease in quantities, relative to the Construction Phase of Contract No. H19-197-PH1, for a net decrease, in the amount of $317,259.11; and be it further

RESOLVED, That upon the recommendations as hereinabove set forth, Contract No. H19-197-PH1, is hereby accepted as being complete, at a final construction cost of $1,583,493.17, and final payment is to be made in accordance with the applicable terms and conditions of the Contract, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim, after audit.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 4, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: QUANTITY INCREASE & DECREASE NO.2, ACCEPTANCE & FINAL PAYMENT CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE AREA, FARMINGDALE, NY CONTRACT NO. H19-197 PH1

Attached is a letter, with backup, from LiRo Engineering, Inc. dated February 4, 2022, concerning a decrease in quantities with a total net decrease in the amount of $317,259.11. The change in quantities are explained by the consultant in this correspondence and further described as per the attached tabulation.

Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Notification No.2 for a total net decrease in the amount of $317,259.11 relative to the Construction Phase of Contract No. H19-197 PH 1.

Also attached herewith are:

1. A letter dated February 4, 2022 from LiRo Engineering, Inc. and recommending final acceptance by the Town of Oyster Bay.

2. The consultant's final engineer's certificate dated 02/03/2022.

3. A statement from the Town Attorney's office indicating that there are no legal hindrances.

4. A statement from the Town Comptroller indicating that there are no financial hindrances which would delay the acceptance of this contract.

5. A statement from the Highway Division concurring with final acceptance.

Work under this contract was directed to proceed as of April 20th, 2021. The contract was to be completed within 180 calendar days on October 16, 2021 with the completion of actual work on November 24, 2021.

Final construction costs amount to $1,583,493.17.

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

Therefore, we request the Town Board authorize, by resolution, the above-mentioned Notification No. 2 Increase & Decrease in Quantity, and we hereby concur with LiRo Engineering, Inc. that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

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

RWL/JCF/MR/BK/nm
Attachments

cc: Steven C. Ballas, Comptroller
John P. Bishop, Deputy Commissioner/Highway

H19-197 Docket Final Acceptance – QDecrease

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

February 4, 2022

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

Re: Town of Oyster Bay
Highway Improvements to the Intervale Avenue Area Phase 1, Farmingdale
Contract No. H19-197
Final Acceptance

Dear Commissioner Lenz:

LiRo Engineers, Inc. (LiRo) has performed a final inspection of the Highway Improvements to the Intervale Avenue Area Phase 1 under this contract. All punch list items have been satisfactorily completed by the contractor, Metro Paving, LLC. LiRo's inspection indicates that the work was constructed in accordance with the approved plans and specifications.

Enclosed, please find a copy of the Maintenance Bond provided by Liberty Mutual Insurance Company for the one year maintenance period.

The contract included 180 calendar days to complete the work. The start of construction was scheduled for April 12, 2021 and substantially completed on July 8, 2021. The project reached final completion on November 24, 2021.

The original bid amount for this contract was $1,882,960.00. The final contract quantities were tabulated and provided in the attached increase/decrease notification No.2 for a decrease of $317,259.17. Based upon this we recommend the Town accept the credit as provided. The final contract value, including Increase Notification No. 1 and Increase/Decrease Notification No. 2 recommended for approval is $1,583,493.17.

LiRo recommends that the Town of Oyster Bay accept this job as final. If you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,

Michael Smith, P.E.
Senior Vice President

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

HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 1, NASSAU COUNTY NY
CONTRACT NO.: H19-197
QUANTITY INCREASES / DECREASES
Dated: 03 FEBRUARY 2022

Contractor: METRO PAVING, LLC
Item No.: As Listed Below
Resident Representative: JEFFREY MUNZING

Authorized Change: QUANTITY INCREASE AND DECREASES THROUGH PAYMENT REQUISITION NO. 04

DECREASES

ITEM 2:	**Unclassified Excavation**	
	Decrease Estimated Quantity From 6,420 CY to 5,629.67 CY	
	Decrease in cost of 790.33 CY @ Unit Price Bid of $40 =	$ (31,613.20)

Reason: The item quantity is based on actual field measurement.

ITEM *2B:	**Alteration of Trench Depth**	
	Decrease Estimated Quantity From 20 LF to 0 LF	
	Decrease in cost of 20 LF @ Unit Price Bid of $10 =	$ (200.00)

Reason: The item was not utilized in the contract.

ITEM *2U:	**Undercut**	
	Decrease Estimated Quantity From 920 CY to 85.67 CY	
	Decrease in cost of 834.33 CY @ Unit Price Bid of $10 =	$ (8,343.30)

Reason: The item quantity is based on actual field measurement.

ITEM *4A:	**Cement Concrete Pavement and Gutter Removal**	
	Decrease Estimated Quantity From 140 SY to 0 SY	
	Decrease in cost of 140 SY @ Unit Price Bid of $5 =	$ (700.00)

Reason: The item was not utilized in the contract.

ITEM 4B:	**Cement Concrete Structure Removal**	
	Decrease Estimated Quantity From 10 CY to 0 CY	
	Decrease in cost of 10 CY @ Unit Price Bid of $100 =	$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM 4B-P:	**Remove Existing Pipe**	
	Decrease Estimated Quantity From 20 LF to 0 LF	
	Decrease in cost of 20 LF @ Unit Price Bid of $20 =	$ (400.00)

Reason: The item was not used during the contract.

ITEM 4E:	**Full Depth Saw Cut of Cement Concrete Pavement and/or Bituminous Concrete Pavement**	
	Decrease Estimated Quantity From 250 LF to 180 LF	
	Decrease in cost of 70 LF @ Unit Price Bid of $4 =	$ (280.00)

Reason: The item quantity is based on actual field measurement.

ITEM 4E-1:	**Full Depth Saw Cut of Cement Concrete Sidewalk and/or Driveway**	
	Decrease Estimated Quantity From 350 LF to 348.50 LF	
	Decrease in cost of 1.5 LF @ Unit Price Bid of $2 =	$ (3.00)

Reason: The item quantity is based on actual field measurement.

ITEM 5S:	**Select Borrow Fill**	
	Decrease Estimated Quantity From 130 CY LF to 0 CY	
	Decrease in cost of 130 CY @ Unit Price Bid of $20 =	$ (2,600.00)

Reason: The item was not utilized in the contract.

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

HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 1, NASSAU COUNTY NY
CONTRACT NO.: H19-197
QUANTITY INCREASES / DECREASES
Dated: 03 FEBRUARY 2022

Contractor: METRO PAVING, LLC
Item No.: As Listed Below
Resident Representative: JEFFREY MUNZING

ITEM 5T:	**Trench Borrow Fill**	
	Decrease Estimated Quantity From 10 CY to 0 CY	
	Decrease in cost of 10 CY @ Unit Price Bid of $20 =	$(200.00)

Reason: The item was not utilized in the contract.

ITEM 7:	**Preparing Fine Grade**	
	Decrease Estimated Quantity From 25,450 SY to 24,948 SY	
	Decrease in cost of 502 SY @ Unit Price Bid of $1 =	$ (502.00)

Reason: The item quantity is based on actual field measurement.

ITEM 13SS:	**Regrout Catch Basins and Manholes**	
	Decrease Estimated Quantity From 2 EA to 1 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of $500 =	$ (500.00)

Reason: The item quantity is based on actual field conditions.

ITEM 15-3A:	**Manholes, Type 3 Alternate**	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of $6,000 =	$ (6,000.00)

Reason: The item was not utilized in the contract.

ITEM 16-1:	**Change Elevation of Manhole Casting – Minor Adjustment**	
	Decrease Estimated Quantity From 29 EA to 4 EA	
	Decrease in cost of 25 EA @ Unit Price Bid of $300 =	$ (7,500.00)

Reason: The item quantity is based on actual field conditions.

ITEM 16-2:	**Change Elevation of Manhole Casting – Major Adjustment**	
	Decrease Estimated Quantity From 12 EA to 0 EA	
	Decrease in cost of 12 EA @ Unit Price Bid of $500 =	$ (6,000.00)

Reason: The item was not utilized in the contract.

ITEM *16M:	**Furnish and Install New Manhole Casting**	
	Decrease Estimated Quantity From 10 EA to 2 EA	
	Decrease in cost of 8 EA @ Unit Price Bid of $600 =	$ (4,800.00)

Reason: The item quantity is based on actual field conditions.

ITEM *17-AC:	**Concrete Masonry, Contingency, Class A Concrete**	
	Decrease Estimated Quantity From 10 CY to 1 CY	
	Decrease in cost of 9 CY @ Unit Price Bid of $600 =	$ (5,400.00)

Reason: The item quantity is based on actual field conditions.

ITEM 26:	**Cement Curbs**	
	Decrease Estimated Quantity From 70 LF to 40 LF	
	Decrease in cost of 30 LF @ Unit Price Bid of $28 =	$ (840.00)

Reason: The item quantity is based on actual field conditions.

ITEM 26-CG:	**Integral Cement Concrete Curb and Gutter, 5-Inch**	
	Decrease Estimated Quantity From 14,050 LF to 12,590 LF	
	Decrease in cost of 1,460 LF @ Unit Price Bid of $28 =	$ (40,880.00)

Reason: The item quantity is based on actual field conditions.

HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 1, NASSAU COUNTY NY
CONTRACT NO.: H19-197
QUANTITY INCREASES / DECREASES
Dated: 03 FEBRUARY 2022

Contractor: METRO PAVING, LLC
Item No.: As Listed Below
Resident Representative: JEFFREY MUNZING

ITEM 27DW:	**Detectable Warning Surface**	
	Decrease Estimated Quantity From 320 SF to 272.66 SF	
	Decrease in cost of 47.34 SF @ Unit Price Bid of $40 =	$ (1,893.60)

Reason: The item quantity is based on actual field conditions.

ITEM 27:	**Cement Concrete Sidewalk and Ramps (5" Thick)**	
	Increase Estimated Quantity From 4,260 SF to 4,236.75 SF	
	Decrease in cost of 23.25 SF @ Unit Price Bid of $9 =	$ (209.25)

Reason: The item quantity is based on actual field measurement.

ITEM 28A:	**Bituminous Sidewalk and Driveways**	
	Decrease Estimated Quantity From 50 SY to 0 SY	
	Decrease in cost of 50 SY @ Unit Price Bid of $60 =	$ (3,000.00)

Reason: The item was not utilized in the contract.

ITEM *28B:	**Loose Stone Sidewalks and Driveways**	
	Decrease Estimated Quantity From 10 SY to 0 SY	
	Decrease in cost of 10 SY @ Unit Price Bid of $30 =	$ (300.00)

Reason: The item was not utilized in the contract.

ITEM 36-DRAN:	**Bituminous Macadam Plan Mix, Type 2A, Paving Courses, Various Thicknesses and Mixes**	
	Decrease Estimated Quantity From 2,430 Tons to 2,393.28 Tons	
	Decrease in cost of 36.72 Tons @ Unit Price Bid of $92 =	$ (3,378.24)

Reason: The item quantity is based on actual field measurement.

ITEM 36D:	**Asphalt Concrete Type 1A (Top & Binder)**	
	Decrease Estimated Quantity From 3,230 Tons to 2,814.21 Tons	
	Decrease in cost of 415.79 Tons @ Unit Price Bid of $92 =	$ (38,252.68)

Reason: The item quantity is based on actual field measurement.

ITEM 49-C:	**Reinforced Cement Concrete Valley Gutter**	
	Decrease Estimated Quantity From 80 SY to 65 SY	
	Decrease in cost of 15 SY @ Unit Price Bid of $38 =	$ (570.00)

Reason: The item quantity is based on actual field conditions.

ITEM 49-E:	**Reinforced Cement Concrete Valley Gutter**	
	Decrease Estimated Quantity From 30 SY to 25 SY	
	Decrease in cost of 5 SY @ Unit Price Bid of $150 =	$ (750.00)

Reason: The item quantity is based on actual field measurement.

ITEM 74:	**Replace or Construct Miscellaneous Structures**	
	Decrease Estimated Quantity From 20 CF to 0 CF	
	Decrease in cost of 20 CF @ Unit Price Bid of $100 =	$ (2,000.00)

Reason: The item was not utilized in the contract.

ITEM 76:	**Topsoil and Seeding**	
	Decrease Estimated Quantity From 510 SY to 412 SY	
	Decrease in cost of 98 SY @ Unit Price Bid of $20 =	$ (1,960.00)

Reason: The item quantity is based on actual field conditions.

HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 1, NASSAU COUNTY NY
CONTRACT NO.: H19-197
QUANTITY INCREASES / DECREASES
Dated: 03 FEBRUARY 2022

Contractor: METRO PAVING, LLC
Item No.: As Listed Below
Resident Representative: JEFFREY MUNZING

ITEM 121:	**DryBound Base Course**	
	Decrease Estimated Quantity From 3280 CY to 3204.17 CY	
	Decrease in cost of 75.83 CY @ Unit Price Bid of $30 =	$ (2,274.90)

Reason: The item quantity is based on actual field measurement.

ITEM 363:	**Furnish and Apply Calcium Chloride**	
	Decrease Estimated Quantity From 21 Tons to 0 Tons	
	Decrease in cost of 21 Tons @ Unit Price Bid of $100 =	$ (2,100.00)

Reason: The item was not utilized in the contract.

ITEM *364A:	**Construction of Small Retaining Walls - Brick**	
	Decrease Estimated Quantity From 10 CY to 0 CY	
	Decrease in cost of 10 CY @ Unit Price Bid of $500 =	$ (5,000.00)

Reason: The item was not utilized in the contract.

ITEM *364B:	**Construction of Small Retaining Walls - Concrete**	
	Decrease Estimated Quantity From 10 CY to 0 CY	
	Decrease in cost of 10 CY @ Unit Price Bid of $400 =	$ (4,000.00)

Reason: The item was not utilized in the contract.

ITEM 366T:	**Thermoplastic Reflectorized Pavement Markings**	
	Decrease Estimated Quantity From 5,490 LF to 0 LF	
	Decrease in cost of 5490 LF @ Unit Price Bid of $1.50 =	$ (8,235.00)

Reason: The item was not utilized in the contract.

ITEM *387:	**Relocation of Water Main Valves**	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of @ 1 EA Unit Price Bid of $1,500 =	$ (1,500.00)

Reason: The item was not utilized in the contract.

ITEM 393:	**Test Holes**	
	Decrease Estimated Quantity From 18 EA to 0 EA	
	Decrease in cost of 18 EA @ Unit Price Bid of $50 =	$ (900.00)

Reason: The item was not utilized in the contract.

ITEM 396:	**Planting Sod, Supplied or Rehandled**	
	Decrease Estimated Quantity From 4,530 SY to 3,150 SY	
	Decrease in cost of 1,380 SY @ Unit Price Bid of $24 =	$ (33,120.00)

Reason: The item quantity is based on actual field measurement.

ITEM 450:	**Furnish and Install Post Mounted Sign**	
	Decrease Estimated Quantity From 4 EA to 2 EA	
	Decrease in cost of 2 EA @ Unit Price Bid of $400 =	$ (800.00)

Reason: The item quantity is based on actual field conditions.

ITEM 500:	**Clean Existing Drainage System**	
	Decrease Estimated Quantity From 4,780 LF EA to 1,776 LF	
	Decrease in cost of 3,004 LF @ Unit Price Bid of $6 =	$ (18,024.00)

Reason: The item quantity is based on actual field measurement.

HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 1, NASSAU COUNTY NY
CONTRACT NO.: H19-197
QUANTITY INCREASES / DECREASES
Dated: 03 FEBRUARY 2022

Contractor: METRO PAVING, LLC
Item No.: As Listed Below
Resident Representative: JEFFREY MUNZING

ITEM 506:	**Remove and Reset Ornamental Garden**	
	Decrease Estimated Quantity From 100 SF to 0 SF	
	Decrease in cost of 100 SF @ Unit Price Bid of $10 =	$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM *507:	**Modify Existing Roof Drains**	
	Decrease Estimated Quantity From 100 LF to 1 LF	
	Decrease in cost of 99 LF @ Unit Price Bid of $15 =	$ (1,485.00)

Reason: The item quantity is based on actual field conditions.

ITEM 508:	**Removal and Replacement of Existing Fence**	
	Decrease Estimated Quantity From 200 LF to 0 LF	
	Decrease in cost of 200 LF @ Unit Price Bid of $20 =	$ (4,000.00)

Reason: The item was not utilized in the contract.

ITEM 514:	**Furnish Self-Propelled Street Sweeper Complete with Operator**	
	Decrease Estimated Quantity From 20 HRS to 16 HRS	
	Decrease in cost of 4 HRS @ Unit Price Bid of $150 =	$ (600.00)

Reason: The item quantity is based on field conditions.

ITEM *529:	**Modify or Reconstruct Masonry Pillar**	
	Decrease Estimated Quantity From 10 CF to 0 CF	
	Decrease in cost of 10 CF @ Unit Price Bid of $100 =	$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM *534:	**Relocate and/or Adjust Existing Hydrants**	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of $3,800=	$ (3,800.00)

Reason: The item was not utilized in the contract.

ITEM *535:	**Grinding Existing Tree Stumps**	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of $200 =	$ (200.00)

Reason: The item was not utilized in the contract.

ITEM 570:	**Brick, Block, Precast Decorative or Cast-in-Place Decorative Driveways and Sidewalks**	
	Decrease Estimated Quantity From 390 SF to 0 SF	
	Decrease in cost of 390 SF @ Unit Price Bid of $28 =	$ (10,920.00)

Reason: The item was not utilized in the contract.

ITEM 572:	**Silt Fence for Sediment Control**	
	Decrease Estimated Quantity From 1,000 LF to 0 LF	
	Decrease in cost of 1,000 LF @ Unit Price Bid of $2 =	$ (2,000.00)

Reason: The item was not utilized in the contract.

ITEM 575:	**Silt Protection for Surface Inlet Drainage Structures**	
	Increase Estimated Quantity From 18 EA to 11 EA	
	Increase in cost of 7 EA @ Unit Price Bid of $250 =	$ (1,750.00)

Reason: The item quantity is based on actual field conditions.

HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 1, NASSAU COUNTY NY
CONTRACT NO.: H19-197
QUANTITY INCREASES / DECREASES
Dated: 03 FEBRUARY 2022

Contractor: METRO PAVING, LLC
Item No.: As Listed Below
Resident Representative: JEFFREY MUNZING

ITEM 600:	**Unforeseen Restoration Work – Fixed Bid Amount**	
	Decrease Estimated Quantity From 1 EA to 0.1005 EA	
	Decrease in cost of 0.8995 EA @ Unit Price Bid of $50,000 =	$ (44,975.00)

Reason: The item quantity is based on actual field conditions.

INCREASES

ITEM 362:	**Painting Castings**	
	Increase Estimated Quantity From 41 EA to 46 EA	
	Increase in cost of 5 EA @ Unit Price Bid of $100 =	$ 500.00

Reason: The item quantity is based on actual field conditions.

G702 APPLICATION and CERTIFICATE for PAYMENT

To: Town of Oyster Bay
Department of Public Works

Project: Highway Improvements for
Intervale Area - Farmingdale NY

Application No: 4
App. Date: December 16, 2021
Period to:
Project No: H19-179
Contract Date: January 1, 2021

Distribution to:
☐ OWNER
☐ CONSTRUCTION MGR.
☐ ARCHITECT
☐ CONTRACTOR
☐ ENGINEER

From: Metro Paving LLC
500 Patton Ave
West Babylon NY 11704

Contract For: Highway Improvements for

Engineer:

APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, G703, is attached.

1. ORIGINAL CONTRACT SUM			1,882,460.00
2. Net Change By Change Orders			0.00
3. CONTRACT SUM TO DATE			1,882,460.00
4. TOTAL COMPLETED AND STORED TO DATE			1,583,493.17
5. RETAINAGE:			
a.	of Completed Work	0.00	
b.	of Stored Material	0.00	
TOTAL RETAINAGE			0.00
6. TOTAL EARNED LESS RETAINAGE			1,583,493.17
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT			1,413,151.74
8. CURRENT PAYMENT DUE			170,341.43
9. BALANCE TO FINISH, INCLUDING RETAINAGE			298,966.83

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approval this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: _____ Date: December 16, 2021
Dennis Kellerman

State of: NY County of: Suffolk

Subscribed and sworn before me this 16th day of December, 2021

Dennis Kellerman personally appeared before me, the undersigned notary public, and provided satisfactory evidence of identification to be the person who signed the document in my presence and swore or affirmed to me that the contents of this document are truthful and accurate to the best of his/her knowledge and belief.

NATALIANA YEROUSHALMI
Notary Public, State of New York
No. 01YE6238171
Qualified in Nassau County
My Commission Expires April 4, 2023

Notary Public: _____ My Commission expires:

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED $170,341.43

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ENGINEER

By: _____ Date: 02/03/22

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: JOHN C. TASSONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

DATE: FEBRUARY 8, 2022

SUBJECT: FINAL ACCEPTANCE
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE AREA, FARMINGDALE, NEW YORK
CONTRACT NO. H19-197PH1

In reply to your memorandum of February 4, 2022, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

By copy of this memorandum, Maintenance Bond No. 0152135222 is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY

By: _____
Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)

Meeting of March 29, 2022 Resolution No. 220-2022

WHEREAS, Oyster Bay Sail and Power Squadron, by letter dated February 8, 2022, has requested to donate a memorial plaque and bench to be placed in Theodore Roosevelt Memorial Park, Oyster Bay, in honor of Oyster Bay Sail and Power Squadron; and

WHEREAS, the value of the plaque and bench is estimated to be $1,015.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 9, 2022, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of $1,015.00 from Oyster Bay Sail and Power Squadron to be deposited into Account No. PKS A 0001 02705 000 0000, to purchase a plaque and bench to be placed in in Theodore Roosevelt Memorial Park, Oyster Bay, in honor of Oyster Bay Sail and Power Squadron.

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Reviewed By
Office of Town Attorney

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

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: **Memorandum Docket**

FROM: **Joseph G. Pinto, Commissioner of Parks**

SUBJECT: **Memorial Plaque and Bench**

DATE: **March 9, 2022**

The Department of Parks has received a request from Oyster Bay Sail and Power Squadron (letter attached) requesting to donate a memorial plaque and bench in honor of Oyster Bay Sail and Power Squadron.

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

The plaque and bench will be purchased by O.B.Sail and Power Squadron and donated to the Parks Department. The value of the plaque and bench is estimated to be $1015.00. Town Board approval is requested on behalf of O.B.Sail and Power Squadron. The monies will be collected in account PKS A 0001 02705 000 0000.

Joseph G. Pinto
COMMISIONER OF PARKS

JGP/dc

Oyster Bay Sail and Power Squadron

P O Box 13
Oyster Bay, New York 11771
516 987-9715
obemail@boatoysterbay.net

Date: 02/08/2022

Diann Codispodo ***(dcodispodo@oysterbay-ny.gov)***
c/o

Commissioner of Department of Parks
Joseph G. Pinto
977 Hicksville Road
Massapequa, NY 11758

Dear Diann,

On behalf of the ***Oyster Bay Sail and Power Squadron*** and its members, I am writing to affirm our dedication to supporting our beautiful waterways and the safety of the boaters in our community. The Oyster Bay Parks Department's commitment to preserving 'clean water' and welcoming 'green space' for generations to come is why the ***Oyster Bay Sail and Power Squadron*** know we are *blessed* to share these waters while engaged in recreational boating. In addition, for 50 years, our members have continuously worked to educate all boaters about the importance of safe boating in our community.

On 12 September 2021, the ***Oyster Bay Sail and Power Squadron*** celebrated its 50th Anniversary. As you may know, our record is unblemished. Over these past 50 years, we have taught over 5,000 men, women, and children about safe boating. We continue to chart waterways for dangers and anomalies for NOAA, and we continue to work with various community enrichment programs that benefit all - not just boaters.

Even though last year's COVID restrictions may have halted our original plans, our Anniversary Committee continued to plan several celebratory events:

First*, our Club would like to donate a bench and commemorative plaque installed in the Theodore Roosevelt Memorial Park. As per your email, the Club overwhelming voted to contribute $1,015.00 for the 8 x 6 plaque and bench.*

Second*, we would like to host a Dedication Ceremony on Saturday 23 April 2022, at the bench location.*

And third*, we plan to enjoy a special time together that day, with an outdoor brunch, at a local restaurant that we hope a representative from the Town of Oyster Bay will be able to attend.*

Our members believe that this bench and plaque is another meaningful way to show our commitment and dedication to our town – one of Long Island's most beautiful locations.

Thank you for your email and continued support of our non-profit educational organization. Feel free to contact me at your earliest convenience about this project.

Ronald Ferina JN
Commander – Oyster Bay Sail and Power Squadron

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Town of Oyster Bay
Inter-Departmental Memo

March 14, 2022

TO: MEMORANDUM DOCKET

FROM: ERIC TUMAN, COMMISSIONER OF GENERAL SERVICES

SUBJECT: AWARD RECOMMENDATION OF HEALTH AND SAFETY PROGRAMS FOR OSHA/PESH COMPLIANCE REQUEST FOR PROPOSAL (RFP) CONTRACT

Pursuant to the Town of Oyster Bay Procurement Policy, the Department of General Services has solicited Requests for Proposals (RFP's) for Health and Safety Programs for OSHA/PESH Compliance. A total of four (4) firms were sent the RFP to provide Health and Safety Programs for OSHA/PESH Compliance for a three (3) year period with two (2) extensions at the Town's option, each extension being one (1) year in length. In addition, the RFP was posted on the Town's website and advertised in the newspaper.

Of the four (4) firms, two (2) responded by the March 2, 2022 response date. The evaluation and selection process was performed in compliance within guidelines 6 & 9 of the Town of Oyster Bay Procurement Policy. An RFP Review Committee formed of five (5) employees established and created a criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firm. That criteria consisted of specific questions relevant to the services the Town was seeking to conduct Health and Safety Programs for OSHA/PESH Compliance. Each question had a numerical scoring method associated with the question. Of the two (2) firms reviewed and evaluated, Cashin Associates, P.C. was ranked with the highest numerical score.

The office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied the procurement policy standards have been met.

Town Board authorization is requested to enter into a contract with Cashin Associates, P.C. for the period of January 1, 2022 - December 31, 2022 with an option to extend this contract for an additional second and third year at the Town's request. The total amount of this contract will not exceed $75,000 in the first year, $80,000 in the second year, and $84,000 in the third year. Funds will be available in Account TWNA-1989-47900-000-0000.

Accordingly, the Department of General Services respectfully requests Town Board approval to award Cashin Associates, P.C. the RFP for Health and Safety Programs for OSHA/PESH Compliance.

Eric Tuman By:

Eric Tuman
Commissioner of General Services

ET:kd

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No. 221-2022

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated March 14, 2022, advised that a request for proposals (RFP) was issued by the Department of General Services to procure Health and Safety Programs for OSHA/PESH Compliance for a three (3) year period in accordance with the Town's procurement policy, was forwarded to four (4) firms, and was advertised on the Town website, and advertised in a newspaper of general circulation, resulting in the Town having received two (2) responses; and

WHEREAS, following a review and evaluation of said two (2) responses by a selection committee and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Tuman by said memorandum, requested and recommended that the Town Board authorize Cashin Associates, P.C., to provide Health and Safety Programs for OSHA/PESH Compliance for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with the option of two (2) one-year extensions in a total amount not to exceed $75,000.00 in the first year, $80,000.00 in the second year (if extended) and $84,000.00 in the third year (if extended); and

WHEREAS; the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and it satisfied the Procurement Policy standards have been met,

NOW THEREFORE BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and that Cashin Associates, P.C. is hereby authorized to provide the above-referenced Health and Safety Programs for OSHA/PESH Compliance for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with the option of two (2) one-year extensions, in a total amount not to exceed $75,000.00 in the first year, $80,000.00 in the second year (if extended) and $84,000.00 in the third year (if extended); and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. TWNA-1989-47900-000-0000.

-#-

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

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

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No. 222-2022

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 264-2021, adopted on May 4, 2021, granted the Petition of VARUN REALTY, LLC, fee owner, for a Special Use Permit and Site Plan Approval to permit the construction and operation of a gasoline service station and a 1,400 square foot convenience retail store on property located in a Neighborhood Business ("NB") District, at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 37, Lot 143, on the Land and Tax Map of Nassau County; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Section 246-9.3.5, Expiration, provides that the approval of a Special Use Permit shall expire in the event that construction has not commenced within one year after the date the Special Use Permit was granted, unless an extension of the time is granted; and

WHEREAS, the applicants, through their attorneys, Avrutine & Associates, PLLC, by letter dated January 26, 2022, requested an extension of time from the current expiration date of May 4, 2022, to commence construction of the improvements to the subject property; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 2, 2022, recommended that a six (6) month extension of time be granted, to November 4, 2022, for applicant to commence construction of the improvements to the subject property,

NOW, THEREFORE, BE IT RESOLVED, That the request of Avrutine & Associates, PLLC, attorneys for applicant, for a six (6) month year extension of time, from the current expiration date of May 4, 2022, to commence construction of the improvements contemplated under Town Board Resolution No. 264-2021, is hereby GRANTED, and the same terms and conditions effective pursuant to Town Board Resolution No. 264-2021, adopted on May 4, 2021, shall prevail.

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

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

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TOWN OF OYSTER BAY
Inter-Departmental Memo

March 2, 2022

To : MEMORANDUM DOCKET

From : ELIZABETH MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING & DEVELOPMENT

Subject : **REQUEST FOR EXTENSION OF TIME FOR SPECIAL USE PERMIT AND APPROVED SITE PLAN**
TOWN BOARD RESOLUTION # 264-2021
PETITION OF VARUN REALTY, LLC
430 JERICHO TURNPIKE JERICHO, NY 11753
SECTION: 12 BLOCK: 37 LOTS: 143

This Department is in receipt of correspondence, dated January 26, 2022, from Howard D. Avrutine of Law Offices of Avrutine & Associates, PLLC requesting an extension of time to commence with the approved use and development of the site for the above captioned premises (see attached). It is the Department's recommendation that a six (6) month extension of time should be granted from the current expiration date of May 4, 2022 to November 4, 2022.

The same terms and conditions should prevail as contained in Town Board Resolution Number 264-2021 dated May 4, 2021.

Very Truly Yours,

Elizabeth L. Maccarone

ELIZABETH L. MACCARONE
COMMISSIONER

ELM/cm
Enclosure

AVRUTINE & ASSOCIATES, PLLC
ATTORNEYS AT LAW

HOWARD D. AVRUTINE

E-MAIL: hda@avrutinelaw.com

2116 MERRICK AVENUE
SUITE 2004
MERRICK, NEW YORK 11566
TELEPHONE (516) 677-9400
FAX (516) 677-9405

January 26, 2022

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

Re: Application of Varun Realty, LLC
Town Board, Town of Oyster Bay
Special Use Permit
Premises: 430 Jericho Turnpike, Jericho, NY
Sec. 12, Blk. 37, Lot 143
Resolution No. 264-2021

Dear Commissioner Maccarone:

This office represents the above-referenced applicant. Enclosed is a copy of Resolution No. 264-2021 of the Town Board of the Town of Oyster Bay approving the application of Varun Realty, LLC for a special use permit and site plan approval authorizing construction and operation of a gasoline station and a 1,400 square foot convenience retail store at 430 Jericho Turnpike, Jericho, NY. That resolution was issued on May 4, 2021. One of the conditions set forth in the resolution states that the approval is subject to the applicant obtaining certain zoning variances from the Town of Oyster Bay Zoning Board of Appeals. The applicant has filed the necessary applications to the Zoning Board of Appeals for the variance relief and, as of the writing of this letter, is awaiting assignment of a hearing date. Inasmuch as the aforesaid special use permit approval is set to expire on May 4, 2022, it is respectfully requested that the Town Board extend the approval pursuant to Section 246-9.3.5 of the Zoning Code of the Town of Oyster Bay for an additional period of six (6) months to afford the applicant the opportunity to complete the Zoning Board of Appeals process, hopefully obtain the necessary variance relief, and thereafter proceed to obtain building permits from the Department of Planning and Development.

As always, thank you for your courtesies and consideration. If you have any questions or require anything further, please do not hesitate to contact me.

Very truly yours,

Howard D. Avrutine

HDA/cr
Enclosures

Reviewed By
Office of Town Attorney

Meeting of May 4, 2021 Resolution No. 264-2021

WHEREAS, VARUN REALTY, LLC, fee owner, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval to permit the construction and operation of a gasoline service station and a 1,400 square foot convenience retail store on property located in a Neighborhood Business ("NB") District, at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York 11753, and described as Section 12, Block 37, Lot 143 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 February 11, 2020, 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 memorandum dated April 27, 2021, regarding the environmental impacts contemplated by said Petition and recommended Town Board determination that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, relative to "construction or expansion of a primary or accessory/appurtenant, nonresidential 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 communications or microwave transmission facilities" and does not require the completion of an Environmental Impact Statement, or any review or other procedural activities pursuant to SEQR/TEQR; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10365-20, dated March 12, 2020, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

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

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandua dated August 6, 2019 and March 15, 2021, advised that the Department of Planning and Development has reviewed the following fourteen (14) plans prepared by Christopher M. Tartaglia, P.E., High Point Engineering, Farmingdale, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
SP-1	Site Plan	Christopher M. Tartaglia, R.A.	02/20/2021
SP-2	Grading/Drainage & Utility Plan	Christopher M. Tartaglia, R.A.	02/20/2021
SP-3	Landscape/Erosion Control Plan	Christopher M. Tartaglia, R.A.	02/20/2021
SP-4	Lighting Plan	Christopher M. Tartaglia, R.A.	02/20/2021
SP-5	Detail Sheet	Christopher M. Tartaglia, R.A.	02/20/2021
SP-6	Detail Sheet	Christopher M. Tartaglia, R.A.	02/20/2021
SGN-1	Detached ID Sign Plan & Elevation	Christopher M. Tartaglia, R.A.	02/25/2021
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CA-1	Canopy Elevations	Christopher M. Tartaglia, R.A.	03/01/2021
TR-1	Fuel Delivery Truck Route Plan	Christopher M. Tartaglia, R.A.	02/20/2021
TR-2	Delivery Truck Route Plan	Christopher M. Tartaglia, R.A.	02/20/2021
A1.0	Floor Plans and Exterior Elevations	Christopher M. Tartaglia, R.A.	03/12/2021

WHEREAS, said Commissioner further reports that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246-6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby accept the recommendation of the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, and determines that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, relative to "construction or expansion of a primary or accessory/appurtenant, nonresidential 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 communications or microwave transmission facilities" and does not require the completion of an Environmental Impact Statement, or any other procedural activities pursuant to SEQR/TEQR; and it is further

RESOLVED, That the Petition of VARUN REALTY, LLC, fee owner, for a Special Use Permit and Site Plan Approval to permit the construction and operation of a gasoline service station and a 1,400 square foot convenience retail store on property located in a Neighborhood Business ("NB") District, at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York 11753, and described as Section 12, Block 37, Lot 143 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, lying and being at Jericho, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the northwesterly side of Jericho Turnpike (new route), distant 529.88 feet southwesterly from a point where the northwesterly side of Jericho Turnpike (old route) and from said point of BEGINNING;

RUNNING THENCE still southwesterly along the said new northwesterly side of Jericho Turnpike (new route), along an arc of a curve having a radius of 1595.13 feet, a distance along the arc of said curve of 106.95 feet to the land now and formerly of The Religious Society of Friends;

THENCE north 55 degrees 16 minutes 00 seconds west, along the last mentioned land, 117.01 feet;

THENCE north 45 degrees 26 minutes 05 seconds east, a distance of 90.65 feet;

THENCE south 64 degrees 44 minutes 00 seconds east, a distance of 107.55 feet to the northwesterly side of Jericho Turnpike (new route), at the point or place of BEGINNING.

SAID PREMISES being known as 430 Jericho Turnpike, Jericho, New York 11753, and designated as Section 12, Block 37, Lot 143 on the Land and Tax Map of Nassau County.

and be it further

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

RESOLVED, That the Petition herein granted is subject to the Petitioner applying to the Town of Oyster Bay Zoning Board of Appeals for a variance from the required number of off-street parking spaces and said variance being granted; and be it further

RESOLVED, That in accordance with the memoranda of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated August 6, 2019 and March 15, 2021, the fourteen (14) plans described herein are hereby approved.

#

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

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

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

I, Frank M. Scalera, Town Attorney
Sheila Tarnowski, Director of Legislative Affairs

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

Resolution No. 264-2021, adopted by the Town Board of the Town of Oyster Bay on May 4, 2021, pertaining to the decision on the application of Varun Realty, LLC, fee owner, for a Special Use Permit at 430 Jericho Turnpike, Jericho 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 4th day of May 2021

Sheila Tarnowski

Dir. Legislative Affairs

Reviewed By
Office of Town Attorney

Meeting of May 4, 2021 Resolution No. 264-2021

WHEREAS, VARUN REALTY, LLC, fee owner, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval to permit the construction and operation of a gasoline service station and a 1,400 square foot convenience retail store on property located in a Neighborhood Business ("NB") District, at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York 11753, and described as Section 12, Block 37, Lot 143 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 February 11, 2020, 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 memorandum dated April 27, 2021, regarding the environmental impacts contemplated by said Petition and recommended Town Board determination that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, relative to "construction or expansion of a primary or accessory/appurtenant, nonresidential 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 communications or microwave transmission facilities" and does not require the completion of an Environmental Impact Statement, or any review or other procedural activities pursuant to SEQR/TEQR; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10365-20, dated March 12, 2020, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

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

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandua dated August 6, 2019 and March 15, 2021, advised that the Department of Planning and Development has reviewed the following fourteen (14) plans prepared by Christopher M. Tartaglia, P.E., High Point Engineering, Farmingdale, New York:

SHEET NO.	TITLE	PREPARED BY	DATE
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A1.0	Floor Plans and Exterior Elevations	Christopher M. Tartaglia, R.A.	03/12/2021

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

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby accept the recommendation of the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, and determines that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, relative to "construction or expansion of a primary or accessory/appurtenant, nonresidential 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 communications or microwave transmission facilities" and does not require the completion of an Environmental Impact Statement, or any other procedural activities pursuant to SEQR/TEQR; and it is further

RESOLVED, That the Petition of VARUN REALTY, LLC, fee owner, for a Special Use Permit and Site Plan Approval to permit the construction and operation of a gasoline service station and a 1,400 square foot convenience retail store on property located in a Neighborhood Business ("NB") District, at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York 11753, and described as Section 12, Block 37, Lot 143 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, lying and being at Jericho, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the northwesterly side of Jericho Turnpike (new route), distant 529.88 feet southwesterly from a point where the northwesterly side of Jericho Turnpike (old route) and from said point of BEGINNING;

RUNNING THENCE still southwesterly along the said new northwesterly side of Jericho Turnpike (new route), along an arc of a curve having a radius of 1595.13 feet, a distance along the arc of said curve of 106.95 feet to the land now and formerly of The Religious Society of Friends;

THENCE north 55 degrees 16 minutes 00 seconds west, along the last mentioned land, 117.01 feet;

THENCE north 45 degrees 26 minutes 05 seconds east, a distance of 90.65 feet;

THENCE south 64 degrees 44 minutes 00 seconds east, a distance of 107.55 feet to the northwesterly side of Jericho Turnpike (new route), at the point or place of BEGINNING.

SAID PREMISES being known as 430 Jericho Turnpike, Jericho, New York 11753, and designated as Section 12, Block 37, Lot 143 on the Land and Tax Map of Nassau County.

and be it further

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

RESOLVED, That the Petition herein granted is subject to the Petitioner applying to the Town of Oyster Bay Zoning Board of Appeals for a variance from the required number of off-street parking spaces and said variance being granted; and be it further

RESOLVED, That in accordance with the memoranda of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated August 6, 2019 and March 15, 2021, the fourteen (14) plans described herein are hereby approved.

-#-

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

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

Reviewed By
Office of Town Attorney

DECLARATION OF RESTRICTIVE COVENANTS

VARUN REALTY, LLC, fee owner, with a business address of 2188 Kirby Lane, Muttontown, New York 11791, does, by this declaration, dated , 2021, declare as follows:

WHEREAS, VARUN REALTY, LLC, fee owner, (hereinafter referred to as "Declarant"). petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to permit the construction and operation of a gasoline service station and a 1,400 square foot convenience retail store on property located in a Neighborhood Business ("NB") District, at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York 11753, and described as Section 12, Block 37, Lot 143 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 February 11, 2020, 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, by Resolution No. 264-2021, dated May 4, 2021, approved said application subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarant, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, does hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as being at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York 11753, and described as Section 12, Block 37, Lot 143 on the Land and Tax Map of Nassau County, which will run with the land and be binding upon said Declarant, its successors and/or assigns,

NOW, THEREFORE, said Declarant, does hereby covenant and declare as follows:

1. That any and all prior Declarations of Restrictive Covenants affecting the premises located at 430 Jericho Turnpike, Jericho, Town of Oyster Bay, New York, are hereby revoked in their entirety, and are superseded by this Declaration.

2. That the subject property shall not be used for any purposes other than a gasoline service station and accessory retail facility.

3. That the use of the subject property in any manner for the sale or offering for sale or lease of new or used automobiles, trailers or any other vehicles shall be prohibited at all times.

4. That no facilities for overnight truck parking or storage shall be provided, and no overnight truck parking or storage will be permitted.

5. That there shall be no parking of commercial vehicles on the subject property except when such vehicles are being fueled or making deliveries, and except those commercial vehicles related to the use of the subject property as a gasoline service station and accessory retail facility.

6. That the outdoor storage of vehicles and material and merchandise and the outdoor display of material and merchandise on the subject property shall be prohibited at all times.

7. That auto body work and repairs shall also be prohibited at all times.

8. That delivery trucks delivering gasoline products to the premises will not have a capacity in excess of 8,400 gallons, and will consist of a 40 foot trailer plus the cab.

9. That there shall be no backing of delivery trucks onto adjacent streets and delivery trucks shall not queue onto adjacent streets.

10. That the hours of operation of any business on the subject premises shall be between the hours of 6:00 a.m. and 10:00 p.m.

11. That the engines of all trucks delivering products, including gasoline, shall shut down during the delivery and/or refilling operation.

12. That no mechanical games of amusement shall be permitted on the subject premises.

13. That the entire subject property shall be effectively policed to eliminate litter, papers and trash and shall be policed to remove oil cans, grease spots, etcetera, so as to present an overall clean and neat appearance.

14. That no banners, flags or extraneous signs will be displayed at the premises and that any and all signs that are to be erected and maintained are to comply with all applicable provisions of present or future laws or ordinances of the Town of Oyster Bay.

15. That all exterior lights shall be located, positioned and directed so as not to interfere with or cause annoyance or inconvenience to vehicular traffic or the surrounding areas, and shall be of shielded design to minimize impacts.

16. That all underground storage facilities shall be in compliance with all local, county, state and federal requirements and regulations. Said storage facilities shall be maintained to meet all the requirements set by the Department of Health of the County of Nassau.

17. That there shall be no charge for the use of air hoses or air equipment intended for the servicing of vehicles.

18. That any external audio communication system utilized shall be checked, monitored and maintained so as to be inaudible along any of the subject property lot lines.

19. That there shall be no exterior television monitors at any location on the subject property, including, but not limited to, at pump stations.

20. That no bell hoses shall be installed or maintained.

21. That all garbage and rubbish shall be kept in closed containers and disposed in accordance with applicable statutes, ordinances and laws.

22. That the exterior of all structures, parking areas, planting of shrubs or other installations visible to the public, shall be continually monitored, repaired when necessary and kept neat and clean and that any and all plantings along the street frontage shall be less than 30 inches in height in order to maintain driver visibility.

23. That in accordance with Chapter 246, Section 246-5.5.17.5 of the Code of the Town of Oyster Bay, between the hours of 8:00 a.m. and 6:00 p.m., the motor vehicle fuel sales establishment shall provide at least one clearly identified full-service location for handicapped drivers.

24. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the fourteen (14) plans prepared by Christopher M. Tartaglia, P.E, High Point Engineering, Farmingdale, New York, reviewed in accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by the Department of Planning and Development, by memorandum dated March 15, 2021, approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. In the event Declarants seek permission to make a change to the subject structure or property after the date of the granting resolution, the Department of Planning and Development shall determine whether the proposed change is a major or minor modification. If a proposed modification is deemed minor, the Department of Planning and Development shall have final approval of same. Any major modifications to said plans shall require Town Board approval. The plans approved by the granting resolution are as follows:

SHEET NO.	TITLE	PREPARED BY	DATE
SP-1	Site Plan	Christopher M. Tartaglia, R.A.	02/20/2021
SP-2	Grading/Drainage & Utility Plan	Christopher M. Tartaglia, R.A.	02/20/2021
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A1.0	Floor Plans and Exterior Elevatiions	Christopher M. Tartaglia, R.A.	03/12/2021

25. That there shall be strict compliance with any and all ordinances, laws, regulations or directives of the Town of Oyster Bay, the Nassau County Fire Marshal's Office, the Nassau County Department of Health and any and all other agencies or departments of the Town of Oyster Bay, the County of Nassau, the State of New York and/or the United States of America.

26. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

27. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

ALL that certain plot, piece or parcel of land, lying and being at Jericho, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the northwesterly side of Jericho Turnpike (new route), distant 529.88 feet southwesterly from a point where the northwesterly side of Jericho Turnpike (old route) and from said point of BEGINNING;

RUNNING THENCE still southwesterly along the said new northwesterly side of Jericho Turnpike (new route), along an arc of a curve having a radius of 1595.13 feet, a distance along the arc of said curve of 106.95 feet to the land now and formerly of The Religious Society of Friends;

THENCE north 55 degrees 16 minutes 00 seconds west, along the last mentioned land, 117.01 feet;

THENCE north 45 degrees 26 minutes 05 seconds east, a distance of 90.65 feet;

THENCE south 64 degrees 44 minutes 00 seconds east, a distance of 107.55 feet to the northwesterly side of Jericho Turnpike (new route), at the point or place of BEGINNING.

SAID PREMISES being known as 430 Jericho Turnpike, Jericho, New York 11753, and designated as Section 12, Block 37, Lot 143 on the Land and Tax Map of Nassau County.

IN WITNESS WHEREOF, the Declarant has hereunto set its hand and seal the day and year first above written.

VARUN REALTY, LLC

BY:_____

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

On the day of in the year 2021 before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), 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

Meeting of March 29, 2022

Resolution No. 223-2022

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 4, 2022, recommended that the Town Board authorize payment of a refund in the amount of $6,976.00 to Virender Sharma, 20 Jolan Avenue, Hicksville, New York, 11801, for the fee paid for the issuance of Building Permit Number R21000749, dated February 23, 2001, for work to be done at 23 Terrace Place, Hicksville, New York 11801, which was subsequently voided due to the filing by this owner of a new application for a new one family dwelling, Building Permit Number R22000622 dated February 14, 2022,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund in the amount of $6,976.00, to Virender Sharma, 20 Jolan Avenue, Hicksville, New York, 11801, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Office of the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 0001 02555 000 0000.

-#-

Reviewed By
Office of Town Attorney

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

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

19

223

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 4, 2022

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

SUBJECT: RESIDENT REFUND – VIRENDER SHARMA

This Department issued Virender Sharma, Building Permit Number R21000749, dated February 23, 2021, for construction to be done at 23 Terrace Place, Hicksville, N.Y. 11801. Building Permit Number R21000749 was issued for interior alterations, an addition, a portico, and additional renovations as outlined in the attached documents. The scope of the work changed and a new application was subsequently submitted to construct a new one family dwelling. Building Permit Number R22000622 was issued on February 14, 2022. This permit replaced and superseded Building Permit R21000749, which was voided.

Therefore, in light of the aforementioned facts, a six thousand, nine hundred, seventy six dollar ($6,976.00) refund for the issuance of Building Permit Number R21000749 should be refunded to Virender Sharma, 20 Jolan Avenue, Hicksville, New York 11801 under account number PAD B 0001 02555 000 0000. Kindly note that this is minus the $100.00 non-refundable application fee.

Elizabeth L. Maccarone

ELIZABETH L. MACCARONE
COMMISSIONER

ELM:km

TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER
FEDERAL ID # ☐ SOCIAL SECURITY # ☒ [redacted]

CLAIMANT'S NAME: VIRENDER SHARMA
CONTRACT #:
ORDER #:
CLAIMANT'S ADDRESS: 20 JOLAN Avenue Hicksville N.Y. 11801
CONTRACT NAME:
TOWN DEPARTMENT: Building Department
CLAIMANT INVOICE #:
RESO #:

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

DATE	DETAILED DESCRIPTION OF MATERIALS OR SERVICES DESCRIPTION	UNIT PRICE	TOTAL
	Refund [redacted] for Application # R21000749.	$6976.00	6,976.00
	Section 12. Block 55 Lot 21-23.		
	[redacted] Refund for renovation		
	Permit # R21000749.		
	This permit work was never		
	done.		
	Form prepared by: Cashier (Susan)		
	Please sign and fill out all the highlighted		
	areas and return to:		
	Town of Oyster Bay		
	Department of Planning and Development		
	74 Audrey Avenue		
	Oyster Bay, New York 11771		

TOTAL AMOUNT	
CASH DISCOUNT %	
NET AMOUNT	6,976.00

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

I HEREBY CERTIFY the above articles were sold and delivered and or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there stated in the amount of $6,976.00 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.

Date 2/14/22.

Signature V Sharma. Title Home Owner

Print or type name Virender Sharma. Name of Company —

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

Signature _____ Title Commissioner Date _____

Department Planning & Development Account PAD B 0001 02555 000 0000

[redacted]

VIRENDER SHARMA
20 JOLAN AVE.
HICKSVILLE, NY 11801-1710

1-2/210 1112

DATE 2/18/21

PAY TO THE ORDER OF Town of Oyster Bay $ 6976 xx/100

Six Thousand Nine Hundred Seventy Six 4 xx/100 DOLLARS

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

APH 20120469

MEMO 23, Terrace Pl. Hicksville

Sharma, NY

⑆021000021⑆ [redacted]

For Deposit Only
Town of Oyster Bay
[redacted]

[redacted]

CAPITAL ONE, NA
[redacted]
RICHMOND, VA 149 22
Deposit [redacted]

TOWN OF OYSTER BAY

ITEM 9 OF 9 $100 CREDIT RECEIPT

RECEIPT # : 01000470791
RECEIPT DATE : 02/22/2021

PRINT DATE : 02/23/2022
PRINT TIME : 14:45:13
OPERATOR : jdunn
COPY # : 1

RECEIVED BY : SG
REC'D. FROM : VIRENDER SHARMA

CASH DRAWER: 01

CUSTOMER ID		ITEM	PAYMENT
1.000	$100.00	$100 CREDIT	-100.00
TOTAL			-100.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	6,976.00	1112
TOTAL RECEIPT :	6,976.00	

TOWN OF OYSTER BAY

8 ITEMS OF 9 PERMIT RECEIPT OPERATOR: jdunn
COPY # : 1

Sec:12 Twp:Oyster B Rng: Sub: Blk:55 Lot:21
SBL .....: 12-55-21

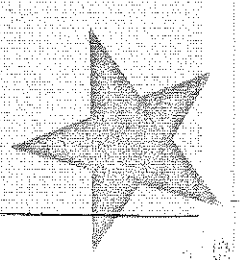
DATE ISSUED.....: 02/22/2021
RECEIPT #.....: 01000470791
REFERENCE ID # ...: 20120469

Permit Num .....: R21000749
SITE ADDRESS .....: 23 TERRACE PL
SUBDIVISION .....:
CITY .....: HICKSVILLE
IMPACT AREA .....:

OWNER .....: VIRENDER SHARMA
ADDRESS .....: 20 JOLAN AVENUE
CITY/STATE/ZIP ...: HICKSVILLE, NY 11801

RECEIVED FROM ....: VIRENDER SHARMA
CONTRACTOR .....: DPA DEV CORP LIC # 03720
COMPANY .....: DPA DEV CORP
ADDRESS .....: 894 METROPOLITAN AVE
CITY/STATE/ZIP ...: BROOKLYN, NY 11211
TELEPHONE .....: (718) 274-7009

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-A/C RES	PER UNIT	2.00	200.00	0.00	200.00	0.00
B-BLDG FEE	VALUATION	414,306.00	5068.00	0.00	5068.00	0.00
B-CA	FIXTURES	24.00	95.00	0.00	95.00	0.00
B-CC		1.00	35.00	0.00	35.00	0.00
B-CO	VALUATION	414,306.00	863.00	0.00	863.00	0.00
B-DRYWELL	PER UNIT	1.00	75.00	0.00	75.00	0.00
B-GAS		5.00	500.00	0.00	500.00	0.00
B-PLMB FEE	FIXTURES	19.00	240.00	0.00	240.00	0.00
TOTAL PERMIT :			7076.00	0.00	7076.00	0.00



SEC. BLK. LOT
12 55 21

Virender & Anuradha Sharma
20 Jolan Avenue
Hicksville NY
2/14/2022

Deputy Commissioner
Building Department
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, New York 11771

Subject: Refund of a renovation permit fee (R21000749)

Dear Commissioner,

Sir in Feb, 2021 I got the permit for my house renovation address at 23 Terrace Pl. Hicksville NY 11801 under the permit # R21000749. But I could not complete the house renovation because the house was under termite. The existing walls were falling apart. Then I was told by town that I need a new house permit.

Sir I have paid $6,976.00 for the renovation permit (R21000749), which never got any work done. So I am requesting you to refund my above mentioned permit fee. I already got the new dwelling permit for my house at 23 Terrace Pl, Hicksville NY 11801. I have paid the new permit fee for that.

Sincerely,

Virender &Anuradha Sharma

Building Permit

R21000749

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

74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

School District	Section/Block/Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
Hicksville	12-55-21	R1-6	20120469			03000007156

Permittee	CURTIS TAUFMAN 1935 WALT WHITMAN RD MELVILLE, NY 11747 (516) 427-1602	Contractor	DPA DEV CORP 894 METROPOLITAN AVE BROOKLYN, NY 11211 (718) 274-7009
Property Owner	VIRENDER SHARMA 20 JOLAN AVE HICKSVILLE, NY 11801 (917) 560-5799	Plumber	SAJI ONE CORP 1011 NORTH 5TH ST NEW HYDE PARK, NY 11040 (516) 626-1904
		Electrician	LOMBARDI ELECTRIC 40 PEONY RD LEVITTOWN, NY 11756 (516) 735-7023

Address of Actual Construction

23 TERRACE PL HICKSVILLE, NY 11801		Tenant
Permission Granted for the	CONSTRUCTION OF	Estimated Cost of Construction $414306

A (33.5' X 5.6') (OA) (187 S.F.) ONE (1) STORY ADDITION WITH FINISHED BASEMENT, ONE (1) BASEMENT ENTRY WITH STAIRS TO GRADE, AN (11.6' X 25.6') (OA) (296 S.F.) ONE (1) CAR GARAGE ADDITION, (743 S.F.) OF INTERIOR ALTERATIONS TO EXISTING BASEMENT FOR (NON-HABITABLE) STORAGE USE, (852 S.F.) FIRST FLOOR INTERIOR ALTERATIONS, A (10.5' X 6') (OA) (63 S.F.) PORTICO, (45.3' X 32.3') (OA) (1,346 S.F.) SECOND FLOOR ADDITION, ONE (1) (5') WIDE HINGED DOOR, THREE (3) (8') WIDE BAY WINDOWS, ONE (1) (11' WIDE BAY WINDOW, ONE (1) (6') WIDE BOW WINDOW, ONE (1) DRYWELL, INSTALL AS PER CODE, TWO (2) AC UNITS INSTALL AS PER CODE, FIVE (5) GAS FIRED BURNERS; (BSMT: 1-BLR, 1-HWH, 1-DRYER) (1ST FL: 1-RANGE) (2ND FL: 1-DRYER), INSTALL AS PER CODE, (19) PLUMBING FIXTURES; (BSMT: 1-WC, 1-LAV, 1-SHWR, 1-WM) (1ST FL: 1-WC, 1-LAV, 1-BT, 1-KS, 1-DW) (2ND FL: 2-WC, 4-LAV, 2-SHWR, 1-WM, 1-SLP SINK), INSTALL AS PER CODE, ALTERATIONS AS PER DRAWINGS PREPARED BY CURTIS TAUFMAN, R.A. DATED 1/11/2021.
MUST COMPLY TO T.O.B. SITE ENGINEERING DATED 2/26/2020 *MUST PROVIDE: NOTICE OF TRUSS TYPE PRE-ENGINEERED WOOD AND/OR TIMBER CONSTRUCTION PRIOR TO ISSUANCE OF CO* *ALL EXISTING WALLS MUST REMAIN INTACT PURSUANT TO THE TOWN APPROVED PLANS. REMOVING THE EXISTING WALLS WITHOUT PERMISSION FROM THE DEPARTMENT WILL RESULT IN A NOTICE OF VIOLATION/STOP WORK ORDER AND THE NEED TO FILE A NEW BUILDING PERMIT APPLICATION FOR A NEW DWELLING*
ALL WORK TO COMPLY WITH T.O.B. APPROVED PLAN DATED 2/8/2021
ZONING REVIEW: ONE FAMILY DWELLING ONLY

This Permit has been issued specifically for the construction or maintenance of the improvement listed hereon. The issuance of this Permit shall not be deemed to be an acknowledgement by the Town of Oyster Bay as to the legality of any other improvements to the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvements listed hereon shall be conditioned upon the issuance of a Building Permit and Certificate of Occupancy for any and all other improvements to the subject premises.

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

Located On	Side Of	Feet	Of		Post Office
S	TERRACE PLACE	454.49	E	PARK AVENUE	HICKSVILLE

DESCRIPTION	FEE	PAID	BALANCE
APP FEE	100.00	100.00	0.00
BLDG	5,268.00	5,268.00	0.00
CA	95.00	95.00	0.00
CC	35.00	35.00	0.00
CO	863.00	863.00	0.00
DRYWELL	75.00	75.00	0.00
PLUMBING	740.00	740.00	0.00
*** FEE TOTALS ***	7,176.00	7,176.00	0.00

TOTAL PAID AFTER APPLICATION FEE APPLIED: 86,976.00

Occupancy of this new building or addition or alteration prior to the issuance of a Certificate of Occupancy will be considered a violation of the Code of the Town of Oyster Bay. Prompt notification by the various contractors for inspection of their various parts of the work will avoid delay in the issuance of the Certificates of Occupancy. Permit and approved plans must be posted on the job site, visual to public inspection, until completion of the work and inspections.

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

INSPECTIONS

There are numerous inspection requirements that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

BUILDING INSPECTIONS:

*Demolition inspections – Check with Building Division.
*Concrete Certifications.
*Soil Conditions – before footings and foundations are poured
*Forms for footings, keyways and foundations including rebar.
*Waterproofing, membrane and insulating.
*Foundations and/or slabs.
*Framing – wood or steel before mechanicals.
*Framing after mechanicals and before insulating.
*Insulation inspection – before closing.
*Rough enclosed.
*Final inspection(s).

PLUMBING INSPECTIONS

*Underground plumbing – before backfilling.
*Rough plumbing – before closed up and ready for inst
*Final inspection when all fixtures are set.
*Sewer connection – spot tie-in.
*Sanitary systems. (Excavation/Construction).
*Installation or replacement of burners. (oil, gas, electric).
*All Tanks – inground or above. (Check with Building Division for required testing and in testing and inspections).
*Pressure tests are required for any natural or propane gas installation, Alteration or replacement
*Hydrostatic pressure testing must be witnessed by a plumbing inspector.
For all fire sprinkler systems.

DRAINAGE, SITE WORK, & RETAINING WALLS:
Contact Planning and Development site engineer.
ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW.
Please be advised that a Certificate of Occupancy will not be issued for this project until all of the required landscaping has been installed and inspected, or a performance bond in the amount of $_____ has been posted with the Town of Oyster Bay.

Date Issued:	02/23/2021	Work Must Start By:	08/23/2021

CO must be issued by 02/24/2022 or permit will expire unless renewed prior to expiration.

Permittee's copy of approved plans must be available at the site for all inspections

Elizabeth L. Maccarone

Commissioner, Department of Planning and Development

Certificate of Completion

No. 521303

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

01/04/2022

Property Owner Information					
VIRENDER SHARMA, 20 JOLAN AVENUE HICKSVILLE, NY 11801					
Property Information:	**School District**			**Section Block Lot(s)**	**Zone**
	Hicksville			12-55-21	R1-6
Located on	**Side of**	**Feet**		**Of**	**Post Office**
S	TERRACE PLACE	454.49	E	PARK AVENUE	HICKSVILLE
Address of Installation:	23 TERRACE PLACE HICKSVILLE, NY 11801				

Appl. No.	Permit No.	Permit Date	Receipt No.	ZBA No.	ZBA Date	Town Board No.	Date	Elec No.
21020275	R21004478	09/20/2021	03000007626					
21100334	R21005820	11/01/2021	01000478612					

Work Completed

R21004478-DEMOLITION OF A DETACHED GARAGE

R21005820-DEMOLITION OF A 1.5 STORY FRAMED DWELLING

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

		Initials
Elizabeth L. Maccaro		
Commissioner, Department of Planning and Development		

Building Permit

R21004478

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

74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

School District	Section/Block/Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
Hicksville	12-55-21	R1-6	21020275			03000007626

Permittee	VIRENDER SHARMA 20 JOLAN AVENUE HICKSVILLE NY 11801 [redacted]	Contractor	SCOTT D INDUSTRIES INC 85 BARNYARD LANE LEVITTOWN, NY 11756 (516) 779-2969
Property Owner	VIRENDER SHARMA 20 JOLAN AVENUE HICKSVILLE, NY 11801 [redacted]	Plumber	
		Electrician	LOMBARDI ELECTRIC 40 PEONY ROAD LEVITTOWN NY 11756 516-735-7023

Address of Actual Construction

23 TERRACE PL. HICKSVILLE, NY 11801		Tenant	
Permission Granted for the	DEMOLITION OF	Estimated Cost of Construction	$800

A DETACHED GARAGE AS PER T.O.B. CODES. *ALL DEBRIS MUST BE REMOVED FROM SITE AND AREA MADE SAFE FOR RELEASE OF BOND. DURING THE PROCESS OF DEMOLITION, INSPECTIONS ARE REQUIRED. AN INSPECTION MUST BE SCHEDULED AND INSPECTED PRIOR TO BACKFILLING. PLEASE CALL TO SCHEDULE ANINSPECTION TO COINCIDE WITH THE DEMOLITION PROCESS* *NASSAU COUNTY HEALTH DEPARTMENT RODENT FREE LETTER IS TO BE SUBMITTED TO THE BUILDING DIVISION CASHIER AT THE TIME THE FINAL BUILDING PERMIT FEE IS PAID. NO FEE WILL BE ACCEPTED AND NO PERMIT WILL BE ISSUED UNLESS THAT LETTER IS SUBMITTED AT THAT TIME ONLY* *A SEPARATE TREE PERMIT IS REQUIRED FROM THE T.O.B. HIGHWAY DEPARTMENT FOR ALL TREES BEING REMOVED ON THE PROPERTY PURSUANT TO CHAPTER 225(TREES) OF THE CODE OF THE T.O.B.*

ALL WORK TO COMPLY WITH T.O.B. APPROVED PLAN DATED 8/19/2021.

ZONING REVIEW: DURING THE PROCESS OF DEMOLITION, INSPECTIONS ARE REQUIRED. AN INSPECTION MUST BE SCHEDULED AND INSPECTED PRIOR TO BACKFILLING. PLEASE CALL TO SCHEDULE AN INSPECTION TO COINCIDE WITH THE DEMOLITION PROCESS

This Permit has been issued specifically for the construction or maintenance of the improvement listed hereon. The issuance of this Permit shall not be deemed to be an acknowledgement by the Town of Oyster Bay as to the legality of any other improvements to the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvement listed hereon shall be conditioned upon the issuance of a Building Permit and Certificate of Occupancy for any and all other improvements to the subject premises.
A certificate from an approved Electrical Inspection Co. is to be placed on file prior to issuance of a Certificate of Occupancy/Approval/Completion

Located On	Side Of	Feet	Of	Post Office
S	TERRACE PLACE	454.49	E PARK AVENUE	HICKSVILLE

DESCRIPTION	FEE	PAID	BALANCE
APP FEE	100.00	100.00	0.00
BLDG	100.00	100.00	0.00
CC	35.00	35.00	0.00
*** FEE TOTALS ***	235.00	235.00	0.00

TOTAL PAID AFTER APPLICATION FEE APPLIED: $35.00

Occupancy of this new building or addition or alteration prior to the issuance of a Certificate of Occupancy will be considered a violation of the Code of the Town of Oyster Bay. Prompt notification by the various contractors for inspection of their various parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit and approved plans must be posted on the job site, visual to public inspection, until completion of the work and inspection.

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

INSPECTIONS

There are numerous inspection requirements that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

BUILDING INSPECTIONS

*Demolition inspections – Check with Building Division.
*Controlled Certifications.
*Soil Conditions – Before footings and foundations are poured.
*Forms for footings, keyways and foundations including rebar.
*Waterproofing, membrane and insulating.
*Foundations and/or slabs.
*Framing – wood or steel before mechanicals.
*Framing after mechanicals and before insulating.
*Insulation inspection – before closing.
*Rough enclosed.
*Final inspection(s).

PLUMBING INSPECTIONS

*Underground plumbing – before backfilling.
*Rough plumbing – before closed up and ready for test.
*Final inspection when all fixtures are set.
*Sewer connection – spur tie-in.
*Sanitary systems. (Excavation/Construction).
*Installation or replacement of burners, (oil, gas, electric).
*All Tanks – inground or above. (Check with Building Division for required testing and in testing and inspections).
*Pressure tests are required for any natural or propane gas installation, Alteration or replacement.
*Hydrostatic pressure testing must be witnessed by a plumbing inspector for all fire sprinkler systems.

DRAINAGE, SITE WORK, & RETAINING WALLS:
Contact Planning and Development site engineer.
ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW:
Please be advised that a Certificate of Occupancy will not be issued for this project until all of the required landscaping has been installed and inspected, or a performance bond in the amount of $_____ has been posted with the Town of Oyster Bay.

Date Issued:	09/20/2021	Work Must Start By:	3/20/2022

CO must be issued by 09/21/2022 or permit will expire unless renewed prior to expiration.

Permittee's copy of approved plans must be available at the site for all inspections

Elizabeth A. Maccarone

Commissioner, Department of Planning and Development

Building Permit

R21005820

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

74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

School District	Section/Block/Lot	Zone	Application No.	ZBA Number	ZBA Date	Receipt No.
Hicksville	12-55-21	R1-6	21100334			01000478612

Permittee	VIRENDER SHARMA 20 JOLAN AVENUE HICKSVILLE NY 11801 [redacted]	Contractor	MAINTAIN
Property Owner	VIRENDER SHARMA 20 JOLAN AVENUE HICKSVILLE, NY 11801 [redacted]	Plumber	
		Electrician	

Address of Actual Construction

23 TERRACE PL HICKSVILLE, NY 11801		Tenant	
Permission Granted for the	DEMOLITION OF	Estimated Cost of Construction	$5500

MAINTAIN THE DEMOLITION OF A (1.5) STORY FRAMED DWELLING WITH DETACHED GARAGE, AS PER T.O.B. CODES.
ALL DEBRIS MUST BE REMOVED FROM SITE AND AREA MADE SAFE FOR RELEASE OF BOND. DURING THE PROCESS OF DEMOLITION, INSPECTIONS ARE REQUIRED. AN INSPECTION MUST BE SCHEDULED AND INSPECTED PRIOR TO BACKFILLING. PLEASE CALL TO SCHEDULE AN INSPECTION TO COINCIDE WITH THE DEMOLITION PROCESS *NASSAU COUNTY HEALTH DEPARTMENT RODENT FREE LETTER IS TO BE SUBMITTED TO THE BUILDING DIVISION CASHIER AT THE TIME THE FINAL BUILDING PERMIT FEE IS PAID. NO FEE WILL BE ACCEPTED AND NO PERMIT WILL BE ISSUED UNLESS THAT LETTER IS SUBMITTED AT THAT TIME ONLY* *A SEPARATE TREE PERMIT IS REQUIRED FROM THE T.O.B. HIGHWAY DEPARTMENT FOR ALL TREES BEING REMOVED ON THE PROPERTY PURSUANT TO CHAPTER 225(TREES) OF THE CODE OF THE T.O.B.*
ALL WORK TO COMPLY WITH T.O.B. APPROVED PLAN DATED 10/29/2021.
ZONING REVIEW: DURING THE PROCESS OF DEMOLITION, INSPECTIONS ARE REQUIRED. AN INSPECTION MUST BE SCHEDULED AND INSPECTED PRIOR TO BACKFILLING. PLEASE CALL TO SCHEDULE AN INSPECTION TO COINCIDE WITH THE DEMOLITION PROCESS

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

Located On	Side Of	Feet		Of	Post Office
S	TERRACE PLACE	454.49	E	PARK AVENUE	HICKSVILLE

DESCRIPTION	FEE	PAID	BALANCE
APP FEES	100.00	100.00	0.00
BLDG	480.00	480.00	0.00
CO	105.00	105.00	0.00
*** FEE TOTALS ***	685.00	685.00	0.00

TOTAL PAID AFTER APPLICATION FEE APPLIED: $685.00

Occupancy of this new building or addition or alteration prior to the issuance of a Certificate of Occupancy will be considered a violation of the Code of the Town of Oyster Bay. Prompt notification by the various contractors for inspection of their various parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit and approved plans must be posted on the job site, visual to public inspection, until completion of the work and inspections.

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

INSPECTIONS

There are numerous inspection requirements that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

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*Demolition Inspections – Check with Building Division.
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*Forms for footings, keyways and foundations including rebar.
*Waterproofing, membrane and insulating
*Foundations and/or slabs.
*Framing – wood or steel before mechanicals.
*Framing after mechanicals and before insulating.
*Insulation inspection – before closing.
*Rough enclosed.
*Final inspection(s).

PLUMBING INSPECTIONS

*Underground plumbing – before backfilling.
*Rough plumbing – before closed up and ready for test.
*Final inspection when all fixtures are set.
*Sewer connection – spur tie-in.
*Sanitary systems. (Excavation/Construction).
*Installation or replacement of burners. (oil, gas, electric).
*All Tanks – Inground or above. (Check with Building Division for required testing and in Testing and Inspections).
*Pressure tests are required for any natural or propane gas installation, Alteration or replacement
*Hydrostatic pressure testing must be witnessed by a plumbing inspector For all fire sprinkler systems.

DRAINAGE, SITE WORK, & RETAINING WALLS:

Contact Planning and Development site engineer.

ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW

Please be advised that a Certificate of Occupancy will not be issued for this project until all of the required landscaping has been installed and inspected, or a performance bond in the amount of $_____ has been posted with the Town of Oyster Bay

Date Issued:	12/01/2021	Work Must Start By:	6/1/2022

CO must be issued by 03/01/2022 or permit will expire unless renewed prior to expiration.

Permittee's copy of approved plans must be available at the site for all inspections

Elizabeth L. Maccarone

Commissioner, Department of Planning and Development

Building Permit

R22000522

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

74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

School District	Section/Block/Lot	Zone	Application No	ZBA Number	ZBA Date	Receipt No
Hicksville	12-55-21	R1-6	21060628			03000008540

Permittee	VIRENDER SHARMA 20 JOLAN AVENUE HICKSVILLE NY 11801 [redacted]	Contractor	DPA DEV CORP 894 METROPOLITAN AVE BROOKLYN, NY 11211 (718) 274-7009
Property Owner	VIRENDER SHARMA 20 JOLAN AVENUE HICKSVILLE, NY 11801 [redacted]	Plumber	SAI JI ONE CORP. 3011 NORTH 5TH STREET NEW HYDE PARK NY 11040 (516) 625-1904
		Electrician	LOMBARDI ELECTRIC 40 PEONY ROAD LEVITTOWN NY 11756 516-735-7023

Address of Actual Construction

23 TERRACE PL HICKSVILLE, NY 11801	Tenant
Permission Granted for the CONSTRUCTION OF	Estimated Cost of Construction $535442

A (45' X 31.3') (OA) (2,676 S.F.) TWO (2) STORY ONE (1) FAMILY DWELLING OF (TYPE-5B) CONSTRUCTION REPLACING EXISTING DWELLING, (1,048 S.F.) UNFINISHED BASEMENT WITH ENTRY AND STAIRS TO GRADE, ONE (1) CAR BUILT-IN GARAGE, AN (11.6' X 6') (OA) (69 S.F.) PORTICO, ONE (1) (5') WIDE HINGED DOOR, ONE (1) (6') WIDE BOW WINDOW, ONE (1) DRYWELL, INSTALL AS PER CODE, TWO (2) AC UNITS, INSTALL AS PER CODE, FIVE (5) GAS-FIRED BURNERS; (BSMT: 1-BLR, 1-HWH, 1-DRYER) (1ST FL: 1-RANGE) (2ND FL: 1-DRYER), INSTALL AS PER CODE, (19) PLUMBING FIXTURES; (BSMT: 1-WC, 1-LAV, 1-SHWR, 1-WM) (1ST FL: 1-WC, 1-LAV, 1-BT, 1-KS, 1-DW) (2ND FL: 2-WC, 4-LAV, 1-SHWR, 1-BT, 1-WM, 1-SLOP SK), INSTALL AS PER CODE, AS PER DRAWINGS PREPARED BY CURTIS TAUFMAN, R.A. DATED 11/16/2021. *MUST COMPLY TO T.O.B. SITE ENGINEERING DATED 12/27/2021* *MUST OBTAIN PERMIT FROM NCDPW AND T.O.B. FOR SANITARY SEWER CONNECTION* *MUST COMPLY TO N.Y. STATE ENERGY STAR HOME PROGRAM PER T.O.B. LOCAL LAW 93-27.1* *MUST PROVIDE: NOTICE OF TRUSS TYPE PRE-ENGINEERED WOOD AND/OR TIMBER CONSTRUCTION PRIOR TO ISSUANCE OF CO*

ALL WORK TO COMPLY WITH T.O.B. APPROVED PLAN DATED 2/3/2022.

ZONING REVIEW: ONE FAMILY DWELLING ONLY

This Permit has been issued specifically for the construction or maintenance of the improvement listed hereon. The issuance of this Permit shall not be deemed to be an acknowledgement by the Town of Oyster Bay as to the legality of any other improvements to the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvement listed hereon shall be conditioned upon the issuance of a Building Permit and Certificate of Occupancy for any and all other improvements to the subject premises.

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

Located On	Side Of	Feet	Of	Post Office
S	TERRACE PLACE	454.49	E PARK AVENUE	HICKSVILLE

DESCRIPTION	FEE	PAID	BALANCE
ASP. FEE	100.00	100.00	0.00
BLDG	6,720.00	6,720.00	0.00
CA	95.00	95.00	0.00
DP	15.00	15.00	0.00
CO	1,105.00	1,105.00	0.00
DRYWELL	75.00	75.00	0.00
PLUMBING	740.00	740.00	0.00
FEE TOTALS	8,870.00	8,870.00	0.00

TOTAL PAID AFTER APPLICATION FEE APPLIED: $8,670.00

*Occupancy of this new building or addition or alteration prior to the issuance of a Certificate of Occupancy will be considered a violation of the Code of the Town of Oyster Bay. Prompt notification by the various contractors for inspection of their various parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit and approved plans must be posted on the job site, visual to public inspection, until completion of the work and inspections.

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

INSPECTIONS

There are numerous inspection requirements that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

BUILDING INSPECTIONS:

*Demolition inspections – Check with Building Division.
*Concrete Certifications.
*Soil Conditions – before footings and foundations are poured.
*Forms for footings, keyways and foundations including rebar
*Waterproofing, membrane and insulating
*Foundations and/or slabs.
*Framing – wood or steel before mechanicals.
*Framing after mechanicals and before insulating.
*Insulation inspection - before closing.
*Rough enclosed.
*Final inspection(s).

PLUMBING INSPECTIONS

*Underground plumbing – before backfilling.
*Rough plumbing – before closed up and ready for test.
*Final inspection when all fixtures are set.
*Sewer connection – spur permit.
*Sanitary systems. (Excavation/Construction).
*Installation or replacement of burners (oil, gas, electric).
*All Tanks – inground or above. (Check with Building Division for required testing and in testing and inspections).
*Pressure tests are required for any natural or propane gas installation, Alteration or replacement
*Hydrostatic pressure testing must be witnessed by a plumbing inspector for all fire sprinkler systems.

DRAINAGE, SITE WORK, & RETAINING WALLS:

Contact Planning and Development site engineer.

ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW

Please be advised that a Certificate of Occupancy will not be issued for this project until all of the required landscaping has been installed and inspected, or a performance bond in the amount of $_____ has been posted with the Town of Oyster Bay

Date Issued:	02/14/2022	Work Must Start By:	8/14/2022

CO must be issued by 02/15/2023 or permit will expire unless renewed prior to expiration.

Permittee's copy of approved plans must be available at the site for all inspections

Elizabeth P. Maccarone

Commissioner, Department of Planning and Development

Reviewed By
Office of Town Attorney

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated March 9, 2022, recommended that Town Board authorization be granted to pay for membership dues in the New York State Government Finance Officers' Association, Inc. (GFOA) for 2022 in the amount of $1,305.00 for a total of up to five (5) Town employees, including Steven C. Ballas, Comptroller, Christine M. Wiss, Deputy Comptroller, Rothmony Long, Auditing Assistant, and Richard Principe, Administrative Officer I; and

WHEREAS, Town Board authorization is also requested for an additional cost of $1,150.00 to apply for the National Certificate of Achievement for Excellence in Financial Reporting Program (National COA Awards Program) which is a program that was established "to encourage state and local government entities to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and to recognize individual governments that succeed"; and

WHEREAS, the combined total of the fees for the GFOA membership and the National COA Awards Program Fee shall not exceed $2,455.00;

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted and approved, and authorization is hereby granted to pay for GFOA membership dues for the employees set forth hereinabove for 2022, as well as the National COA Awards Program fees, for a total amount not to exceed $2,455.00, 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. CMP A1315 47900 000 0000.

-#-

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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: **MEMORANDUM DOCKET**

FROM: **STEVEN C. BALLAS, COMPTROLLER**

DATE: **MARCH 9, 2022**

SUBJECT: **MEMBERSHIP:**
NATIONAL GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)

Town Board authorization is hereby requested for Steven C. Ballas, Comptroller, Christine M. Wiss, Deputy Comptroller, Rothmony Long, Auditing Assistant and Richard Principe, Administrative Officer I for membership in the National Government Finance Officers Association for 2022. The annual fee is $1,305 for a total up to 5 employees. Please allow the Comptroller to add additional members up to 5 as he sees fit.

"The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program in 1945 **to encourage state and local government entities to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and to recognize individual governments that succeed.**" Therefore, Town Board authorization is also requested for an additional cost of $1,150 to apply for the National COA Awards Program (Comprehensive Financial Report). The total amount with a "not to exceed" figure of $2,455 covers the membership fee as well as the National COA Awards Program fee. Funds will be available in CMP A1315.47900 000 0000, "Other Expenses", after a transfer of funds is completed.

STEVEN C. BALLAS
COMPTROLLER

Attachments

SCB: mj

cc: Town Attorney
Christine M. Wiss, Deputy Comptroller
Accounts Payable Division
Reading File

Membership Fees

Below are the annual membership fees for GFOA. In order to become a member, your agency must first have a membership. Depending on the status of your locality, your membership may already be included in the base fee, or you may have to purchase an additional membership. All additional memberships are $150/year per person.

Number of Memberships included in Base Fee Base Fee Additional Memberships

Note: $35 of your membership dues pays for a subscription to Government Finance Review, GFOA's bimonthly magazine.

See page 2

Cities and Counties

Membership Application Fee

POPULATION		$	$$
0 – 4,999	1	$160	$150
5,000 – 9,999	1	170	150
10,000 – 19,999	1	190	150
20,000 – 29,999	1	225	150
30,000 – 39,999	2	250	150
40,000 – 49,999	2	305	150
50,000 – 74,999	3	595	150
75,000 – 99,999	3	640	150
100,000 – 199,999	4	840	150
200,000 – 299,999	5	1,145	150
300,000 – 499,999	5	1,305	150
500,000 – 749,999	6	1,775	150
750,000 – 999,999	6	3,050	150
More than 1,000,000	7	4,620	150

for additional employees above 5.

Awards Program

AWARDS

COA Program Fee Schedule

Below is the fee schedule for the COA Award Program effective June 1, 2020.

City/Municipality

POPULATION	MEMBER FEE	NON-MEMBER FEE
Up to 19,999	$460	$920
20,000 - 39,999	$530	$1,060
40,000 - 99,999	$610	$1,220
100,000 - 199,999	$760	$1,520
200,000 - 299,999	$910	$1,820
300,000 - 749,999	$1,150	$2,300
750,000 or more	$1,265	$2,530

County

POPULATION	MEMBER FEE	NON-MEMBER FEE
Up to 19,999	$460	$920
20,000 - 39,999	$530	$1,060
40,000 - 99,999	$610	$1,220
100,000 - 199,999	$760	$1,520
200,000 - 299,999	$910	$1,820
300,000 - 749,999	$1,150	$2,300

225-2022 Resolution

10604814.186

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, in said Town, on March 29, 2022, at 7:00 P.M., Prevailing Time.

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

PRESENT: Supervisor Saladino
Councilman Imbroto
Councilman Hand
Councilman Labriola
Councilwoman Walsh

ABSENT: Councilwoman Johnson
Councilwoman Maier

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

RESOLUTION NO. 225, 2022

REFUNDING BOND RESOLUTION DATED MARCH 29, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTIONS 90.00 OR 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, TO BE DESIGNATED "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

Reviewed By Office of Town Attorney

WHEREAS, the Town of Oyster Bay (the "Town") heretofore issued $170,490,000 General Obligation (Serial) Bonds, 2014, dated August 7, 2014 (the "2014 Bonds"), pursuant to various bond resolutions for various objects or purposes all as set forth in Exhibit A attached hereto and made a part hereof, and a bond certificate of the Supervisor dated August 7, 2014 executed in connection therewith, and of which there are presently $100,825,000 aggregate principal amount outstanding, maturing on August 1 of 2023 through 2031, in the following amounts;

Year	Amount	Year	Amount
2023	$ 9,925,000	2028	$11,425,000
2024	10,220,000	2029	11,885,000
2025	10,450,000	2030	12,360,000
2026	10,720,000	2031	12,855,000
2027	10,985,000		

WHEREAS, it appears that it would be in the public interest to refund $100,825,000 outstanding principal amount of the 2014 Bonds maturing in each of the years 2023 through 2031, inclusive (the "Refunded Bonds") by the issuance of refunding bonds pursuant to Sections 90.00 or 90.10 of the Local Finance Law; and

WHEREAS, it appears that the refunding of the Refunded Bonds will result in present value savings in debt service as required by Section 90.00 or 90.10 of the Local Finance Law, as applicable, NOW, THEREFORE, BE IT

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

Section 1. For the object or purpose of refunding all or a portion of the $100,825,000 aggregate principal amount of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of interest payable on the Refunded Bonds to and including the dates on which the Refunded Bonds that are callable are to be called prior to their respective maturities in accordance with the Refunding Financial Plan (as hereinafter defined), (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the Refunding Financial Plan, as hereinafter defined, compensation to the Underwriter, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract, if applicable, and fees and charges of the escrow holder, as hereinafter mentioned, (iv) any redemption premiums to be paid on the Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding $102,000,000 refunding serial bonds of the Town pursuant to the provisions of Sections 90.00 or 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the aggregate amount of Refunding Bonds actually to be issued will be approximately $90,370,000, as provided in Section 5 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale into one or more refunding serial bond issues. The Refunding Bonds shall be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", including the year of issuance, and a series designation if appropriate, shall be dated May 11, 2022, or on such earlier or later date as shall hereafter be determined by the Supervisor pursuant to Section 5 hereof, shall be of the denomination of $5,000 each or any integral multiple thereof not exceeding the principal amount of each respective maturity, shall be numbered with the prefix "R-" followed by the last two digits of the year of issuance, a dash and

then from 1 upward, and shall mature annually in each of the years 2022 through 2031, inclusive, or on such other dates as the Supervisor shall hereafter determine pursuant to Section 5 hereof, bearing interest payable semi-annually on February 1 and August 1, commencing August 1, 2022, or such other dates as the Supervisor shall hereafter determine pursuant to Section 5 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the Supervisor. It is hereby further determined that the Refunding Bonds may be issued in one or more series, each having a separate maturity date and separate interest payment dates. The Supervisor shall determine the amortization of each series, and may employ level debt service as an alternate method of amortization, at the discretion of the Supervisor.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Supervisor shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Supervisor. Notice of such call for redemption shall be given by mailing such notice to the registered owners not more than sixty (60) days nor less than thirty (30) days prior to such date in accordance with the terms of the Refunded Bonds. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

Section 3. The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the

Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the Town shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in registered, certificated form of the denominations of $5,000 each or any integral multiple thereof not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Town Clerk as fiscal agent for the Refunding Bonds to the Depository Trust Company, New York, New York, or to its partnership nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds to the Town Clerk as fiscal agent for the Refunding Bonds.

In the event said Refunding Bonds are issued in registered, certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by a bank or trust company located or authorized to do business in the State of New York, as shall hereafter be designated by the Supervisor as fiscal agent of the Town for the Refunding Bonds (the "Fiscal Agent") to the registered owners of the Refunding Bonds as shown on the registration books of the Town maintained by the Fiscal Agent as of the close of business on the last business day or fifteenth day of the calendar month preceding each interest payment date, as appropriate. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of the Fiscal Agent.

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Supervisor, as chief fiscal officer of the Town, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as the Supervisor

shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company act, in connection with the Refunding Bonds, as the Fiscal Agent for said Town, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Town, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted, affixed or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk. In the event that the Refunding Bonds are issued in certificated form, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law or subdivision 4 of paragraph g of Section 90.00 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 4. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Sections 90.00 or 90.10 of the Local Finance Law, as applicable.

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of each of the Refunded Bonds and the objects or purposes for which such respective

Refunded Bonds were issued are as shown upon Exhibit A attached hereto and hereby made a part hereof.

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes, or the weighted average of the periods of probable usefulness of the objects or purposes for which the Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law or subdivision 1 of paragraph a of Section 90.00 of the Local Finance Law.

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Sections 90.00 or 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 5 hereof.

Section 5. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Exhibit B attached hereto and hereby made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of $90,370,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Exhibit B. This Town Board recognizes that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Town will likely differ from such assumptions and that the Refunding Financial Plan will also differ from that attached hereto as Exhibit B. The Supervisor is hereby authorized and directed to determine which Refunding Bonds are to be issued, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or

policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, and pursuant to subdivision 2 of paragraph f of Sections 90.00 or 90.10 of the Local Finance Law, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Supervisor; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Sections 90.00 or 90.10 of the Local Finance Law. The Supervisor shall file a copy of a certificate or certificates of the Supervisor determining the details of the Refunding Bonds and of the final Refunding Financial Plan with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 6. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue the Refunding Bonds having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 and in paragraph c of Section 90.10 or in paragraph b-1 of Section 90.00 of the Local Finance Law, is hereby delegated to the Supervisor. All other matters relating to said Refunding Bonds issued by said Town and having substantially level or declining annual debt service, are hereby delegated to the Supervisor.

Section 7. The Supervisor is hereby further delegated all powers of this Town Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 8. The Supervisor is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") if deemed necessary by the Supervisor, with a bank or trust company chosen by the Supervisor, located and authorized to do business in this State (the

"Escrow Holder"), for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Sections 90.00 or 90.10 of the Local Finance Law.

Section 9. The faith and credit of the Town are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such Refunding Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 10. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon and any amount applied by or on behalf of the Town on the date of delivery of the Refunding Bonds for costs of credit enhancement, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Any accrued interest on the Refunding Bonds shall be expended to pay interest on the Refunding Bonds on August 1, 2022, or such other first interest payment date as may be determined by the Supervisor in accordance with Section 5 hereof. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds for which such escrow deposit fund was established in accordance with Sections 90.00 or 90.10 of the Local Finance Law, and the holders, from time to time, of such Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of such Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in such escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and

lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

Section 11. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Town shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds, issued as tax-exempt bonds, to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the regulations promulgated by the United States Treasury Department thereunder, as then in effect.

Section 12. In accordance with the provisions of Section 53.00 and Section 90.00 or of paragraph h of Section 90.10, as applicable, of the Local Finance Law, the Town hereby elects to call in and redeem all the Refunded Bonds on August 1, 2022, or on such date or dates as shall be determined by the Supervisor in accordance with the final Refunding Financial Plan. The sum to be paid on such redemption dates shall be the par value of the called Refunded bonds, plus interest, without premium. The Escrow Holder for the Refunding Bonds is hereby authorized and directed to cause notice of such calls for redemption to be given in the name of the Town in the manner and within the times provided in each respective Refunded Bond Resolution. Such notice of redemption shall be in substantially the form to be attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance law, or any successor law thereto.

Section 13. The Refunding Bonds may be sold at private sale to Oppenheimer & Co., an underwriter designated by the Supervisor upon completion of the request for proposals procurement process (the "Underwriter"), for a purchase price to be determined by the Supervisor on the date of sale thereof, plus accrued interest from the date of the Refunding Bonds to the date

of the delivery of and payment for the Refunding Bonds, and all powers in connection with the sale of the Refunding Bonds to the Underwriter are hereby delegated to the Supervisor. Subject to the approval of the terms and conditions of such sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 or paragraph d of Section 90.00 of the Local Finance Law, the Supervisor is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Supervisor to the Underwriter in accordance with said purchase contract upon the receipt by the Town of said purchase price, including accrued interest.

Section 14. The Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 15. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Supervisor and all powers in connection thereof are hereby delegated to the Supervisor.

Section 16. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 17. A summary of this resolution, which takes effect immediately, shall be published in summary form in a newspaper to be designated for this purpose as the official

newspaper of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

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

The resolution was thereupon declared duly adopted.

* * * * * *

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on March 29, 2022, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matter therein referred to.

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

I FURTHER CERTIFY that, [please check one below]

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

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

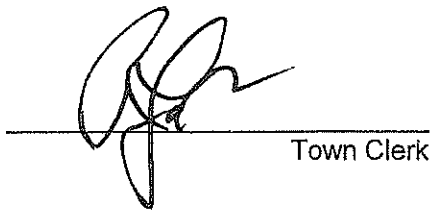
I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media	Date given
Various publications throughout the Town Of Oyster Bay	March 25, 2022

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

Designated Location(s) of posted notice	Date of Posting
Bulletin board, 1st floor, 54 Audrey Avenue Oyster Bay, New York 11771	March 25, 2022

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this March 30, 2022.



Town Clerk

(SEAL)

EXHIBIT A TO THE

REFUNDING BOND RESOLUTION

OBJECTS OR PURPOSES IN THE REFUNDED
BONDS AND THEIR MAXIMUM
PERIODS OF PROBABLE USEFULNESS

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
Consolidated Bond Principal Maturity Schedule
$170,430,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2014

Dated: August 6, 2014
Principal Due: August 1, 2015-2031
Interest Due: February 1, 2015 & semiannually thereafter

Principal Due August 1st	1 SEA Fund III	2 Reconst. Various Town Bldg.	3 Parks, Beaches & Conserv.	4 Reconst. Various Town Bldg.	5 Parks, Beaches & Conserv.	6 Parks, Beaches & Conserv.	7 Liberty Remediation	8 Reconst. Various Town Bldg.	9 Reconst. Various Town Bldg.	10 Parks, Beaches, & Conserv	Sub-Total Principal Payments
2015	286,000	78,000	53,000	130,000	230,000	76,000	196,000	76,000	47,000	317,000	1,678,000
2016	289,000	77,000	53,000	134,000	237,000	80,000	203,000	72,000	47,000	533,000	1,725,000
2017	300,000	79,000	55,000	138,000	244,000	82,000	209,000	74,000	49,000	848,000	1,778,000
2018	309,000	82,000	56,000	142,000	251,000	84,000	215,000	76,000	50,000	565,000	1,830,000
2019	319,000	84,000	58,000	146,000	259,000	87,000	221,000	79,000	52,000	582,000	1,887,000
2020	328,000	87,000	60,000	150,000	266,000	89,000	228,000	81,000	53,000	599,000	1,941,000
2021	338,000	89,000	62,000	155,000	274,000	92,000	235,000	83,000	55,000	617,000	2,000,000
2022	348,000	92,000	64,000	160,000	283,000	95,000	242,000	86,000	57,000	636,000	2,063,000
2023	359,000	95,000	65,000	164,000	291,000	98,000	249,000	88,000	58,000	655,000	2,122,000
2024	369,000	97,000	67,000	169,000	300,000	101,000	257,000	91,000	60,000	674,000	2,185,000
2025	378,000	100,000	69,000	173,000	306,000	103,000	262,000	93,000	61,000	690,000	2,233,000
2026	387,000	102,000	71,000	178,000	314,000	106,000	269,000	96,000	63,000	707,000	2,293,000
2027	397,000	105,000	72,000	182,000	321,000	108,000	276,000	98,000	64,000	725,000	2,349,000
2028	413,000	109,000	75,000	189,000	335,000	113,000	287,000	102,000	67,000	754,000	2,444,000
2029	429,000	113,000	78,000	197,000	349,000	117,000	298,000	106,000	70,000	784,000	2,541,000
2030	447,000	118,000	82,000	205,000	362,000	122,000	310,000	110,000	72,000	816,000	2,644,000
2031	464,000	123,000	85,000	213,000	377,000	127,000	323,000	115,000	75,000	848,000	2,750,000
TOTALS	$6,160,000	$1,625,000	$1,125,000	$2,825,000	$5,000,000	$1,680,000	$4,280,000	$1,520,000	$1,000,000	$11,250,000	$36,465,000
Resolution #:	721-07	220-09	219-09	289-10	290-10	691-10	1116-10	69-11	69-11	70-11	
P. of P. U.:	15 years	20 years	15 years	20 years	15 years	15 years	15 years	20 years	20 years	15 years	
1st BAN:	3/13/2009	8/17/2010	9/17/2009	8/17/2010	8/17/2010	11/19/2010	3/10/2011	8/12/2011	8/12/2011	8/12/2011	
1st BAN This Series:	8/12/2011	8/17/2010	8/17/2010	8/17/2010	8/17/2010	8/12/2011	8/12/2011	8/12/2011	8/8/2013	8/10/2012	
BAN this Series	$6,580,000	$1,750,000	$1,250,000	$2,950,000	$5,500,000	$1,840,000	$4,640,000	$1,610,000	$1,000,000	$11,500,000	$38,620,000
Prin. Pmts.: 2014	420,000.00	125,000.00	125,000.00	125,000.00	500,000.00	160,000.00	360,000.00	90,000.00	0.00	250,000.00	$2,155,000
Amt. to Bond:	6,160,000	1,625,000	1,125,000	2,825,000	5,000,000	1,680,000	4,280,000	1,520,000	1,000,000	11,250,000	$36,465,000

Prepared by:
FISCAL ADVISORS & MARKETING, INC.

69757346.3

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
Consolidated Bond Principal Maturity Schedule
$170,490,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2014

Dated: August 6, 2014
Principal Due: August 1, 2015-2031
Interest Due: February 1, 2015 & semiannually thereafter

Principal Due August 1st	11 Parks, Beaches, & Conserv	12 Reconst Various Town Bldg	13 Parks, Beaches, & Conserv	14 Various Highway Improvts	15 Various Highway Improvts	16 Various Highway Improvts	17 Various Highway Improvts	18 Various Highway Improvts	19 Public Lighting	Sub-Total Principal Payments
2015	115,000	47,000	230,000	42,000	466,000	629,000	230,000	737,000	7,000	2,503,000
2016	118,000	47,000	237,000	43,000	480,000	648,000	237,000	757,000	8,000	2,575,000
2017	122,000	49,000	244,000	43,000	495,000	668,000	244,000	780,000	7,000	2,652,000
2018	126,000	50,000	251,000	45,000	510,000	688,000	251,000	803,000	8,000	2,732,000
2019	129,000	52,000	259,000	47,000	525,000	709,000	259,000	828,000	8,000	2,816,000
2020	133,000	53,000	266,000	48,000	541,000	730,000	266,000	852,000	9,000	2,898,000
2021	137,000	55,000	274,000	49,000	557,000	752,000	274,000	878,000	9,000	2,985,000
2022	141,000	57,000	283,000	51,000	574,000	774,000	283,000	904,000	9,000	3,076,000
2023	146,000	58,000	291,000	52,000	591,000	798,000	291,000	931,000	9,000	3,167,000
2024	150,000	60,000	300,000	54,000	608,000	821,000	300,000	959,000	10,000	3,262,000
2025	153,000	61,000	306,000	55,000	622,000	840,000	306,000	981,000	10,000	3,334,000
2026	157,000	63,000	314,000	57,000	638,000	861,000	314,000	1,006,000	10,000	3,420,000
2027	161,000	64,000	322,000	58,000	654,000	883,000	322,000	1,031,000	10,000	3,505,000
2028	168,000	67,000	335,000	60,000	680,000	918,000	335,000	1,072,000	11,000	3,646,000
2029	174,000	70,000	349,000	63,000	708,000	955,000	349,000	1,116,000	11,000	3,794,000
2030	181,000	72,000	362,000	65,000	736,000	993,000	362,000	1,160,000	12,000	3,943,000
2031	189,000	75,000	377,000	68,000	765,000	1,033,000	377,000	1,206,000	12,000	4,102,000
TOTALS	$2,300,000	$1,000,000	$5,000,000	$900,000	$10,150,000	$13,700,000	$5,000,000	$16,000,000	$160,000	$56,410,000
Resolution #:	70A-11	163-12	158-12	218-09	291-10	71-11	166-12	101-13	254-06	
P. of P. U.:	15 years	20 years	15 years	15 years	15 years	15 years	15 years	15 years	30 years	
1st BAN:	8/12/2011	8/8/2013	8/10/2012	8/17/2009	8/17/2010	8/17/2010	8/12/2011	8/10/2012	8/8/2013	8/12/2011
1st BAN This Series:	8/10/2012	8/8/2013	8/10/2012	8/17/2010	8/17/2010	8/12/2011	8/10/2012	8/8/2013	8/12/2011	
BAN this Series	$2,500,000	$1,000,000	$5,000,000	$1,600,000	$11,075,000	$14,850,000	$5,000,000	$16,000,000	$180,000	$57,205,000
Prin. Pmts.: 2014	0.00	0.00	0.00	700,000.00	925,000.00	1,150,000.00	0.00	0.00	20,000.00	$2,795,000
Amt. to Bond:	2,500,000	1,000,000	5,000,000	900,000	10,150,000	13,700,000	5,000,000	16,000,000	160,000	$54,410,000

Prepared by:
FISCAL ADVISORS & MARKETING, INC.

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
Consolidated Bond Principal Maturity Schedule
$170,450,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2014

Dated: August 8, 2014
Principal Due: August 1, 2015-2031
Interest Due: February 1, 2015 & semiannually thereafter

Principal Due August 1st	20 Public Lighting	21 Public Parking	22 Various Park Districts	23 Solid Waste	24 Various Park Districts	25 Various Park Districts	26 Solid Waste	27 Various Park Districts	28 Various Park Districts	Sub-Total Principal Payments
2015	11,000	608,000	32,000	28,000	94,000	107,000	69,000	101,000	110,000	1,200,000
2016	11,000	625,000	33,000	80,000	97,000	109,000	62,000	106,000	114,000	1,235,000
2017	11,000	642,000	34,000	83,000	100,000	112,000	64,000	109,000	116,000	1,271,000
2018	11,000	663,000	35,000	85,000	103,000	115,000	65,000	110,000	120,000	1,307,000
2019	12,000	683,000	36,000	88,000	106,000	119,000	67,000	114,000	124,000	1,349,000
2020	12,000	703,000	37,000	91,000	109,000	122,000	69,000	117,000	128,000	1,388,000
2021	12,000	724,000	38,000	93,000	112,000	126,000	71,000	121,000	132,000	1,429,000
2022	13,000	746,000	40,000	96,000	116,000	130,000	73,000	124,000	136,000	1,474,000
2023	13,000	768,000	41,000	99,000	119,000	134,000	76,000	128,000	140,000	1,518,000
2024	13,000	791,000	42,000	102,000	123,000	138,000	78,000	132,000	144,000	1,563,000
2025	14,000	809,000	43,000	104,000	126,000	141,000	80,000	135,000	147,000	1,599,000
2026	14,000	830,000	44,000	107,000	129,000	145,000	82,000	138,000	151,000	1,640,000
2027	14,000	851,000	45,000	110,000	132,000	148,000	84,000	142,000	155,000	1,681,000
2028	15,000	885,000	47,000	114,000	137,000	154,000	87,000	147,000	161,000	1,747,000
2029	16,000	920,000	49,000	119,000	143,000	160,000	91,000	153,000	167,000	1,818,000
2030	16,000	957,000	51,000	123,000	149,000	167,000	94,000	159,000	174,000	1,890,000
2031	17,000	995,000	53,000	128,000	155,000	173,000	98,000	166,000	181,000	1,966,000
TOTALS	$225,000	$13,200,000	$700,000	$1,700,000	$2,050,000	$2,300,000	$1,300,000	$2,200,000	$2,400,000	$26,075,000
Resolution #:	152-07	726-08	320-09	319-09	491-10	120-11	121-11	247-12	160-13	
P. of P. U.:	30 years	30 years	15 years	25 years	15 years	15 years	25 years	15 years	15 years	
1st BAN:	9/18/2009	9/28/2008	9/18/2009	8/17/2010	8/17/2010	8/12/2011	8/12/2011	8/10/2012	8/8/2013	
1st BAN This Series:	8/10/2012	8/17/2010	8/17/2010	8/17/2010	8/17/2010	8/12/2011	8/12/2011	8/10/2012	8/8/2013	
BAN this Series	$225,000	$13,800,000	$800,000	$1,800,000	$2,200,000	$2,400,000	$1,350,000	$2,200,000	$2,400,000	$27,175,000
Prin. Pmts.: 2014	0.00	600,000.00	100,000.00	100,000.00	150,000.00	100,000.00	50,000.00	0.00	0.00	$1,100,000
Amt. to Bond:	225,000	13,200,000	700,000	1,700,000	2,050,000	2,300,000	1,300,000	2,200,000	2,400,000	$26,075,000

Prepared by:
FISCAL ADVISORS & MARKETING, INC.

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
Consolidated Bond Principal Maturity Schedule
$170,490,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2014

Dated: August 6, 2014
Principal Due: August 1, 2015-2031
Interest Due: February 1, 2015 & semiannually thereafter

Principal Due August 1st	29 South Farmingdale Water	30 Locust Valley Water District	31 South Farmingdale Water	32 Bethpage Water District	33 Jericho Water District	34 Plainview Water District	35 Plainview Water District	36 Massapequa Water District	37 Much, Apparatus & Imprvts	38 Much, Apparatus & Imprvts	Sub-Total Principal Payments
2015	78,000	85,000	277,000	462,000	220,000	246,000	109,000	92,000	16,000	2,000	1,581,000
2016	80,000	87,000	284,000	480,000	226,000	254,000	114,000	95,000	9,000	2,000	1,631,000
2017	83,000	90,000	292,000	492,000	233,000	262,000	117,000	97,000	10,000	2,000	1,678,000
2018	85,000	92,000	301,000	513,000	240,000	269,000	120,000	100,000	10,000	2,000	1,732,000
2019	88,000	95,000	310,000	524,000	247,000	277,000	124,000	103,000	10,000	2,000	1,780,000
2020	91,000	98,000	320,000	539,000	255,000	285,000	128,000	107,000	11,000	2,000	1,836,000
2021	93,000	101,000	329,000	560,000	262,000	294,000	132,000	110,000	11,000	2,000	1,894,000
2022	96,000	104,000	339,000	568,000	270,000	303,000	136,000	113,000	11,000	2,000	1,942,000
2023	99,000	107,000	349,000	591,000	278,000	312,000	140,000	116,000	12,000	2,000	2,006,000
2024	102,000	110,000	360,000	606,000	287,000	321,000	144,000	120,000	12,000	2,000	2,064,000
2025	104,000	113,000	368,000	620,000	295,000	329,000	147,000	123,000	12,000	2,000	2,115,000
2026	107,000	116,000	377,000	634,000	301,000	337,000	151,000	126,000	13,000	3,000	2,165,000
2027	110,000	119,000	387,000	649,000	308,000	345,000	155,000	129,000	13,000	3,000	2,218,000
2028	114,000	123,000	402,000	679,000	320,000	359,000	161,000	134,000	13,000	3,000	2,308,000
2029	119,000	128,000	418,000	706,000	333,000	374,000	167,000	139,000	14,000	3,000	2,401,000
2030	123,000	133,000	435,000	735,000	347,000	389,000	174,000	145,000	14,000	3,000	2,498,000
2031	128,000	139,000	452,000	762,000	360,000	404,000	181,000	151,000	15,000	3,000	2,595,000
	$1,700,000	$1,840,000	$6,000,000	$10,120,000	$4,780,000	$5,360,000	$2,400,000	$2,000,000	$200,000	$40,000	$34,440,000
Resolution #:	589-04	635-04	895-08	34-10	985-10	397-10	397-10	795-11	222-09	222-09	
P. of P. U.:	40 years	40 years	40 years	40 years	40 years	40 years	40 years	40 years	10 years	10 years	
1st BAN:	3/18/2005	11/19/2010	8/8/2013	8/17/2010	3/10/2011	3/10/2011	3/10/2011	8/10/2012	9/18/2009	8/12/2011	
1st BAN This Series:	8/17/2010	8/12/2011	8/8/2013	8/17/2010	8/12/2011	8/12/2011	8/8/2013	8/10/2012	8/12/2011	8/12/2011	
BAN this Series:	$1,800,000	$1,920,000	$6,000,000	$10,520,000	$4,890,000	$5,430,000	$2,400,000	$2,000,000	$250,000	$50,000	$35,280,000
Prin. Pmts.: 2014	100,000.00	80,000.00	0.00	400,000.00	110,000.00	70,000.00	0.00	0.00	50,000.00	10,000.00	$820,000
	1,700,000	1,840,000	6,000,000	10,120,000	4,780,000	5,360,000	2,400,000	2,000,000	200,000	40,000	$34,440,000

Prepared by:
FISCAL ADVISORS & MARKETING, INC.

69757346.3

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
Consolidated Bond Principal Maturity Schedule
$170,490,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2014

Dated: August 6, 2014
Principal Due: August 1, 2015-2031
Interest Due: February 1, 2015 & semiannually thereafter

Principal Due August 1st	39 Mach, Apparatus & Improvs	40 Mach, Apparatus & Improvs	41 Mach, Apparatus & Improvs	42 Mach, Apparatus & Improvs	43 Mach, Apparatus & Improvs	44 Mach, Apparatus & Improvs	45 Mach, Apparatus & Improvs	46 Mach, Apparatus & Improvs	47 Mach, Apparatus & Improvs	Sub-Total Principal Payments	GRAND TOTAL PRINCIPAL	Interest Rates	Total Level Debt Service Payments
2015	171,000	28,000	14,000	158,000	13,000	32,000	80,000	92,000	183,000	873,000	7,635,000	3.00%	13,511,951
2016	178,000	28,000	14,000	166,000	18,000	33,000	83,000	95,000	189,000	904,000	8,070,000	3.00%	13,624,475
2017	183,000	29,000	15,000	171,000	122,000	34,000	85,000	97,000	195,000	931,000	8,310,000	3.00%	13,622,375
2018	188,000	30,000	15,000	176,000	126,000	35,000	88,000	100,000	201,000	959,000	8,560,000	3.00%	13,623,075
2019	194,000	31,000	16,000	181,000	129,000	36,000	91,000	103,000	207,000	988,000	8,820,000	3.00%	13,626,275
2020	200,000	32,000	16,000	186,000	133,000	37,000	93,000	107,000	213,000	1,017,000	9,080,000	3.00%	13,621,675
2021	206,000	33,000	16,000	192,000	137,000	38,000	96,000	110,000	219,000	1,047,000	9,355,000	3.00%	13,624,275
2022	212,000	34,000	17,000	198,000	141,000	40,000	99,000	113,000	226,000	1,080,000	9,635,000	3.00%	13,623,625
2023	218,000	35,000	17,000	204,000	146,000	41,000	102,000	116,000	233,000	1,112,000	9,925,000	3.00%	13,624,375
2024	225,000	36,000	18,000	210,000	150,000	42,000	105,000	120,000	240,000	1,146,000	10,220,000	3.00%	13,621,825
2025	230,000	37,000	18,000	215,000	153,000	43,000	107,000	123,000	245,000	1,171,000	10,450,000	3.25%	13,545,225
2026	238,000	38,000	19,000	220,000	157,000	44,000	110,000	126,000	252,000	1,202,000	10,720,000	3.50%	13,475,600
2027	242,000	39,000	19,000	225,000	161,000	45,000	113,000	129,000	258,000	1,232,000	10,985,000	4.00%	13,365,400
2028	251,000	40,000	20,000	235,000	168,000	47,000	117,000	134,000	268,000	1,280,000	11,425,000	4.00%	13,366,000
2029	261,000	42,000	21,000	244,000	174,000	49,000	122,000	139,000	279,000	1,331,000	11,885,000	4.00%	13,369,000
2030	272,000	43,000	22,000	254,000	181,000	51,000	127,000	145,000	290,000	1,385,000	12,360,000	4.00%	13,368,600
2031	283,000	45,000	23,000	264,000	189,000	53,000	132,000	151,000	302,000	1,442,000	12,855,000	4.00%	13,369,200
	$3,750,000	$600,000	$300,000	$3,500,000	$2,500,000	$700,000	$1,750,000	$2,000,000	$4,000,000	$19,100,000	$170,490,000		
Resolution #:	222-09	288-10	287-10	73-11	72-11	1042A-11	1042D-11	1042D-11	1041-11		Avg. Life:	9.00 Yrs	
P. of P. U.:	10 years	5 years	10 years	10 years	5 years	10 years	10 years	10 years	5 years				
1st BAN:	8/17/2010	11/19/2010	8/12/2011	8/12/2011	8/12/2011	8/10/2012	8/10/2012	8/8/2013	8/8/2013				
1st BAN This Series:	8/17/2010	8/12/2011	8/12/2011	8/12/2011	8/12/2011	8/10/2012	8/10/2012	8/8/2013	8/8/2013				
BAN this Series	$4,500,000	$1,500,000	$350,000	$4,000,000	$3,750,000	$800,000	$2,000,000	$2,000,000	$4,000,000	$22,700,000	180,960,000.00		
Prin. Pmts.:													
2014	750,000.00	700,000.00	50,000.00	500,000.00	1,250,000.00	100,000.00	250,000.00	0.00	0.00	$3,600,000	10,470,000.00		
	3,750,000	600,000	300,000	3,500,000	2,500,000	700,000	1,750,000	2,000,000	4,000,000	$19,100,000	170,490,000.00		

Prepared by:
FISCAL ADVISORS & MARKETING, INC.

6/30/2014

EXHIBIT B

TO THE REFUNDING BOND RESOLUTION

PRELIMINARY REFUNDING FINANCIAL PLAN
OF
TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK

PREPARED BY
OPPENHEIMER & CO. INC.

Dated: March 18, 2022

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Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

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SOURCES AND USES OF FUNDS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Sources:	
Bond Proceeds:	
Par Amount	90,370,000.00
Premium	12,634,316.25
	103,004,316.25
Uses:	
Refunding Escrow Deposits:	
Cash Deposit	0.38
SLGS Purchases	102,578,544.00
	102,578,544.38
Delivery Date Expenses:	
Cost of Issuance	200,000.00
Underwriter's Discount	221,361.90
	421,361.90
Other Uses of Funds:	
Additional Proceeds	4,409.97
	103,004,316.25

SUMMARY OF REFUNDING RESULTS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Dated Date	05/11/2022
Delivery Date	05/11/2022
Arbitrage yield	2.252584%
Escrow yield	0.293297%
Value of Negative Arbitrage	442,844.03
Bond Par Amount	90,370,000.00
True Interest Cost	2.296625%
Net Interest Cost	2.506745%
Average Coupon	4.999545%
Average Life	5.510
Par amount of refunded bonds	100,825,000.00
Average coupon of refunded bonds	3.765877%
Average life of refunded bonds	5.438
PV of prior debt to 05/11/2022 @ 2.252584%	109,463,936.90
Net PV Savings	6,464,030.62
Percentage savings of refunded bonds	6.411139%
Percentage savings of refunding bonds	7.152850%

SUMMARY OF BONDS REFUNDED

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2014 General Obligation, 14GO:					
SERIAL	08/01/2023	3.250%	9,925,000.00	08/01/2022	100.000
	08/01/2024	3.250%	10,220,000.00	08/01/2022	100.000
	08/01/2025	3.250%	10,450,000.00	08/01/2022	100.000
	08/01/2026	3.250%	10,720,000.00	08/01/2022	100.000
	08/01/2027	3.250%	10,985,000.00	08/01/2022	100.000
	08/01/2028	4.000%	11,425,000.00	08/01/2022	100.000
	08/01/2029	4.000%	11,885,000.00	08/01/2022	100.000
	08/01/2030	4.000%	12,360,000.00	08/01/2022	100.000
	08/01/2031	4.000%	12,855,000.00	08/01/2022	100.000
			100,825,000.00		

SAVINGS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 05/11/2022 @ 2.2525837%
12/31/2022	1,820,375.00	1,341,844.44	478,530.56	476,154.47
12/31/2023	13,565,750.00	12,816,500.00	749,250.00	724,299.15
12/31/2024	13,538,187.50	12,790,750.00	747,437.50	707,030.07
12/31/2025	13,436,037.50	12,690,500.00	745,537.50	690,141.19
12/31/2026	13,366,412.50	12,618,500.00	747,912.50	677,590.33
12/31/2027	13,283,012.50	12,532,500.00	750,512.50	665,508.26
12/31/2028	13,366,000.00	12,617,250.00	748,750.00	649,886.15
12/31/2029	13,369,000.00	12,618,250.00	750,750.00	637,488.84
12/31/2030	13,368,600.00	12,618,250.00	750,350.00	623,361.18
12/31/2031	13,369,200.00	12,621,000.00	748,200.00	608,161.02
	122,482,575.00	115,265,344.44	7,217,230.56	6,459,620.65

Savings Summary

PV of savings from cash flow	6,459,620.65
Plus: Refunding funds on hand	4,409.97
Net PV Savings	6,464,030.62

BOND PRICING

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Premium (-Discount)
Bond Component:						
	08/01/2022	340,000	2.000%	1.350%	100.142	482.80
	08/01/2023	8,315,000	5.000%	1.450%	104.283	356,131.45
	08/01/2024	8,705,000	5.000%	1.730%	107.096	617,706.80
	08/01/2025	9,040,000	5.000%	1.900%	109.641	871,546.40
	08/01/2026	9,420,000	5.000%	2.030%	111.956	1,126,255.20
	08/01/2027	9,805,000	5.000%	2.160%	113.950	1,367,797.50
	08/01/2028	10,380,000	5.000%	2.250%	115.880	1,648,344.00
	08/01/2029	10,900,000	5.000%	2.330%	117.650	1,923,850.00
	08/01/2030	11,445,000	5.000%	2.390%	119.374	2,217,354.30
	08/01/2031	12,020,000	5.000%	2.460%	120.839	2,504,847.80
		90,370,000				12,634,316.25

Dated Date	05/11/2022	
Delivery Date	05/11/2022	
First Coupon	08/01/2022	
Par Amount	90,370,000.00	
Premium	12,634,316.25	
Production	103,004,316.25	113.980653%
Underwriter's Discount	-221,361.90	-0.244951%
Purchase Price	102,782,954.35	113.735703%
Accrued Interest		
Net Proceeds	102,782,954.35	

BOND SUMMARY STATISTICS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Dated Date	05/11/2022
Delivery Date	05/11/2022
Last Maturity	08/01/2031
Arbitrage Yield	2.252584%
True Interest Cost (TIC)	2.296625%
Net Interest Cost (NIC)	2.506745%
All-In TIC	2.336529%
Average Coupon	4.999545%
Average Life (years)	5.510
Duration of Issue (years)	4.939
Par Amount	90,370,000.00
Bond Proceeds	103,004,316.25
Total Interest	24,895,344.44
Net Interest	12,482,390.09
Total Debt Service	115,265,344.44
Maximum Annual Debt Service	12,816,500.00
Average Annual Debt Service	12,498,651.81
Underwriter's Fees (per $1000)	
Average Takedown	2.200000
Other Fee	0.249506
Total Underwriter's Discount	2.449506
Bid Price	113.735703

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	90,370,000.00	113.981	5.000%	5.510
	90,370,000.00			5.510

BOND SUMMARY STATISTICS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

	TIC	All-In TIC	Arbitrage Yield
Par Value	90,370,000.00	90,370,000.00	90,370,000.00
+ Accrued Interest			
+ Premium (Discount)	12,634,316.25	12,634,316.25	12,634,316.25
- Underwriter's Discount	-221,361.90	-221,361.90	
- Cost of Issuance Expense		-200,000.00	
- Other Amounts			
Target Value	102,782,954.35	102,582,954.35	103,004,316.25
Target Date	05/11/2022	05/11/2022	05/11/2022
Yield	2.296625%	2.336529%	2.252584%

BOND DEBT SERVICE

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
08/01/2022	340,000	2.000%	1,001,844.44	1,341,844.44	
12/31/2022					1,341,844.44
02/01/2023			2,250,750.00	2,250,750.00	
08/01/2023	8,315,000	5.000%	2,250,750.00	10,565,750.00	
12/31/2023					12,816,500.00
02/01/2024			2,042,875.00	2,042,875.00	
08/01/2024	8,705,000	5.000%	2,042,875.00	10,747,875.00	
12/31/2024					12,790,750.00
02/01/2025			1,825,250.00	1,825,250.00	
08/01/2025	9,040,000	5.000%	1,825,250.00	10,865,250.00	
12/31/2025					12,690,500.00
02/01/2026			1,599,250.00	1,599,250.00	
08/01/2026	9,420,000	5.000%	1,599,250.00	11,019,250.00	
12/31/2026					12,618,500.00
02/01/2027			1,363,750.00	1,363,750.00	
08/01/2027	9,805,000	5.000%	1,363,750.00	11,168,750.00	
12/31/2027					12,532,500.00
02/01/2028			1,118,625.00	1,118,625.00	
08/01/2028	10,380,000	5.000%	1,118,625.00	11,498,625.00	
12/31/2028					12,617,250.00
02/01/2029			859,125.00	859,125.00	
08/01/2029	10,900,000	5.000%	859,125.00	11,759,125.00	
12/31/2029					12,618,250.00
02/01/2030			586,625.00	586,625.00	
08/01/2030	11,445,000	5.000%	586,625.00	12,031,625.00	
12/31/2030					12,618,250.00
02/01/2031			300,500.00	300,500.00	
08/01/2031	12,020,000	5.000%	300,500.00	12,320,500.00	
12/31/2031					12,621,000.00
	90,370,000		24,895,344.44	115,265,344.44	115,265,344.44

ESCROW DESCRIPTIONS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

	Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
May 11, 2022:							
	SLGS	Certificate	08/01/2022	08/01/2022	102,578,544	0.290%	0.290%
					102,578,544		

SLGS Summary

SLGS Rates File	17MAR22
Total Certificates of Indebtedness	102,578,544.00

ESCROW COST

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Type of Security	Maturity Date	Par Amount	Rate	Total Cost
SLGS	08/01/2022	102,578,544	0.290%	102,578,544.00
		102,578,544		102,578,544.00

Purchase Date	Cost of Securities	Cash Deposit	Total Escrow Cost	Yield
05/11/2022	102,578,544	0.38	102,578,544.38	0.293297%
	102,578,544	0.38	102,578,544.38	

ESCROW CASH FLOW

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Date	Principal	Interest	Net Escrow Receipts	Present Value to 05/11/2022 @ 0.2932975%
08/01/2022	102,578,544.00	66,830.62	102,645,374.62	102,578,544.00
	102,578,544.00	66,830.62	102,645,374.62	102,578,544.00

Escrow Cost Summary

Purchase date	05/11/2022
Purchase cost of securities	102,578,544.00
Target for yield calculation	102,578,544.00

ESCROW SUFFICIENCY

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
05/11/2022		0.38	0.38	0.38
08/01/2022	102,645,375.00	102,645,374.62	-0.38	
	102,645,375.00	102,645,375.00	0.00	

ESCROW STATISTICS

Town of Oyster Bay
Proposed Refunding of Series 2014GO
(Market Conditions as of March 17, 2022)
For Discussion Purposes Only

	Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Global Proceeds Escrow:	102,578,544.38	0.222	0.293297%	0.293297%	102,135,700.35	442,844.03	
	102,578,544.38				102,135,700.35	442,844.03	0.00

Delivery date	05/11/2022
Arbitrage yield	2.252584%

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Town of Oyster Bay

Inter-Departmental Memo

March 14, 2022

To: Memorandum Docket

From: Rob Darienzo, Director of Finance

Subject: Bond Refunding Resolution – 2014 Serial Bonds

Town Board action is required to authorize the Supervisor to refinance the outstanding 2014 Town of Oyster Bay serial bonds through the issuance of refunding bonds. Bond Counsel will prepare authorizing resolution and forward same to the Office of the Town Attorney.

Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket refunding reso 2022

Reviewed By
Office of Town Attorney
Elizabeth O. Jaughan

WHEREAS, by Resolution No. 326-2019, adopted on May 21, 2019, the Town Board authorized the Supervisor, or his designee, to execute an agreement with Norton Rose Fulbright US, LLP, for bond counsel services, for a three (3) year period from May 23, 2019 through May 22, 2022, with an option for one (1) three-year extension, with all funds to be drawn from the applicable capital funds object .29999 Bonding and Finance Accounts; and

WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated March 8, 2022, requested and recommended that the agreement with Norton Rose Fulbright US, LLP, be extended for a final three (3) year period, from May 23, 2022 through May 22, 2025, with all funds to be drawn from the applicable capital authorizations with main account 29999, or other appropriate accounts; and

WHEREAS, the Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That upon the abovementioned recommendation, the agreement with Norton Rose Fulbright US, LLP, is hereby extended for a final three (3) year period, from May 23, 2022 through May 23, 2025, and the Supervisor, or his designee, is authorized and directed to enter into any such documentation with Norton Rose Fulbright US, LLP, to effectuate same, with all funds to be drawn from the applicable capital authorizations with main account 29999, or other appropriate accounts.

-#-

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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memo

March 8, 2022

To: **Memorandum Docket**

From: **Rob Darienzo, Director of Finance**

Subject: **Bond & Disclosure Counsel Extension**

As per resolution 326-2019 dated May 21, 2019, the Supervisor was authorized to enter into an agreement with Norton Rose Fulbright US, LLP to provide bond and disclosure counsel services for a three-year period with the option for one three-year extension.

The initial three-year period will end on May 22, 2022. It is recommended that the agreement with Norton Rose Fulbright US, LLP be extended for a final three-year period commencing on May 23, 2022 and concluding on May 22, 2025.

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

The value of Bond Counsel services would be contingent upon the type and amount of debt issued. Funds for this purpose are available in various capital authorizations with main account 29999, or other appropriate accounts.

Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/2022 bond counsel extension

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 9, 2021, authorized the Highway Department to clean up the premises located at 18 Cheryl Road, Massapequa, New York 11758, also known as Section 52, Block 389, Lot 4 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 10, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on June 15, 2021, in the total amount of $1,137.51, be referred to the County of Nassau for assessment,

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 10, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $1,137.51 may be assessed by the Legislature of the County of Nassau against the parcel known as 18 Cheryl Road, Massapequa, New York 11758, also known as Section 52, Block 389, Lot 4 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 10, 2022

SUBJECT: Property Cleanup Assessment
18 Cheryl Road, Massapequa, New York 11758
Section 52, Block 389, Lot 4

The Department of Planning and Development, by memorandum dated June 9, 2021, directed the Highway Department to clean the premises located at 18 Cheryl Road, Massapequa, New York 11758, also known as Section 52, Block 389, Lot 4 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated June 21, 2021, advised that the property was cleaned by a crew from the Highway Department on June 15, 2021. The cost incurred by the Town of Oyster Bay was $1,137.51.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 18 Cheryl Rd 3.10.2022.doc

2022-8441

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 9, 2021

To: JOHN BISHOP: DEPUTY COMMISIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 18 Cheryl Road, Massapequa, New York 11758
SBL: 52-389-4

Notice of Violation number 04681 was issued to the owner of the above-referenced premises on 06/04/21 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Chapter135, Section 54, I am directing that:

- **Cut lawn and vegetation in front, side, rear yards and utility strip.**

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

ELIZABETH L. MACCARONE
COMMISSIONER
BY:

MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME: ml
cc: Frank Scalera, Town Attorney

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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

June 9, 2021

Stacey D'Elia
18 Cheryl Road
Massapequa, NY 11758

RE: PREMISES: 18 Cheryl Road, Massapequa, New York 11758
SECTION 52 BLOCK 389 LOT 4

Dear Property Owner:

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

Please be advised that N.O.V. Number 04681 (copy attached) has been served on 06/04/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito
Code Enforcement Bureau

ELM:ME: ml
Enclosure

Administrator's Deed – Individual or Corporation (Single Sheet)

THIS INDENTURE, made the 1st day of June, in the year 2020

BETWEEN

[redacted]

party of the first part, and

Stacey D'Elia, With an address at 18 Cheryl Road, North Massapequa, NY 11758,

party of the second part,

WITNESSETH, that the party of the first part, to whom letters of administration for the Estate of Gerald Lennett were issued by the Surrogate's Court of the State of New York for the County of Nassau on November 23, 2015, and by virtue of the power and authority given by Article II of the Estates, Powers and Trusts Law, and in consideration of $10.00 dollars, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being commonly known as 18 Cheryl Road, North Massapequa, New York, Section 52, Block 389, Lot 4, and described as annexed hereto on Schedule "A"

See Annexed Schedule "A"

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the 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.

AND being and intended to be the same premises as conveyed by deed to decedent dated 12/7/06 recorded 02/7/07 in Liber 12230 page 136.

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.

AL

Town of Oyster Bay
Inter- Departmental Memo

June 21, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: **18 CHERYL ROAD, 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 **$1,137.51**.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-389-4) 18 CHERYL RD MASSAPEQUA 11758 **Date** Jun 15, 2021

Work Order # 84221

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
SALVATORE CECERE	General Maintenance	01:00	$54.46	00:00	0	$54.46
ANTHONY ORLOWSKI	General Maintenance	01:00	$23.78	00:00	0	$23.78
STEVEN KELLY	General Maintenance	01:00	$20.27	00:00	0	$20.27
					Total Labor	$98.51

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU440	PICK UP 2012 FORD F250 TAN (40 / 040)	$79.00	01:00	$79.00
TD728	POWER WAGON 2015 T-245	$105.00	01:00	$105.00
TD738	TRUCK DUMP 2016 DODGE RAM 3500 POWER WAGON (T-275)	$105.00	01:00	$105.00
			Total Equipment	$289.00

Materials

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

Grand Total $1137.51

Description of Work:
CLEAN UP 18 CHERYL ROAD MS

Signature: PB

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Jun 17, 2021

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 November 4, 2021, authorized the Highway Department to clean up the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 10, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on November 15, 2021, in the total amount of $1,702.88, be referred to the County of Nassau for assessment,

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 10, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $1,702.88 may be assessed by the Legislature of the County of Nassau against the parcel known as 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 10, 2022

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 November 4, 2021, directed the Highway Department to clean the premises located at 101 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 133, Lot 239 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated November 18, 2021, advised that the property was cleaned by a crew from the Highway Department on November 15, 2021. The cost incurred by the Town of Oyster Bay was $1,702.88.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 101 Clocks Blvd 3.10.2022.doc

2022-8443

TOWN OF OYSTER BAY

Inter-Departmental Memo

November 4, 2021

To: JOHN BISHOP: DEPUTY COMMISIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 101 Clocks Boulevard, Massapequa, New York 11758
SBL: 66-133-239

Notice of Violation number 005472 was issued to the owner of the above-referenced premises on 10/28/21 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Chapter135, Section 54, I am directing that:

- **Cut lawn on premises.**

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

ELIZABETH L. MACCARONE
COMMISSIONER

MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME:ml
cc: Frank Scalera, Town Attorney

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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

November 4, 2021

Geotom Properties, Inc.
12 Woodfield Lane
Glen Head, New York 11548

RE: PREMISES: 101 Clocks Boulevard, Massapequa, NY 11758
SECTION 66 BLOCK 133 LOT 239

Dear Property Owner:

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

Please be advised that Notice of Violation 005472 (copy attached) has been served on 10/28/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito
Code Enforcement Bureau

ELM:ME:ml
Enclosure

D01
3

SPECIAL WARRANTY DEED

THIS INDENTURE, made the 29th day of September, 2020

BETWEEN

DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee for INDYMAC INDX MORTGAGE LOAN TRUST 2007-AR5, MORTGAGE PASS-THROUGH CERTIFICATES Series 2007-AR5
[redacted]

party of the first part, and

Geotom Properties, Inc.
12 Woodfield Lane, Glen Head, NY 11548

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 Dollars ($10.00), lawful money of the United States, paid by the party of the second part, does hereby specially warrant unto the party of the second part, the heirs or successors and assigns of the party of the second part forever:

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

S66
B 133
L239

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;

AML

Town of Oyster Bay
Inter- Departmental Memo

November 18, 2021

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 **$1,702.88**.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

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

Date Nov 15, 2021

Work Order # 88855

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	01:00	$32.79	00:00	0	$32.79
DONALD CHANDLER	General Maintenance	01:00	$48.26	00:00	0	$48.26
JOSE NUNEZ	General Maintenance	01:00	$41.70	00:00	0	$41.70
MARK SCHLOSSER	General Maintenance	01:00	$44.57	00:00	0	$44.57
KEITH GALEOTTI	General Maintenance	01:00	$30.26	00:00	0	$30.26
MICHAEL F FITZPATRICK	General Maintenance	01:00	$23.03	00:00	0	$23.03
STEVEN KELLY	General Maintenance	01:00	$20.27	00:00	0	$20.27
PHILIP J MARCHESE	General Maintenance	01:00	$15.00	00:00	0	$15.00
					Total Labor	$255.88

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU471	2020 FORD F 250 PICK UP YW	$79.00	01:00	$79.00
TD618	TRUCK DUMP 2007 INTER 7300 YW (T-271 / T-272)- 6 Wheeler	$131.00	01:00	$131.00
TD719	TRUCK DUMP 2013 INTER 7300 YELLO (T-271)- 6 Wheeler	$131.00	01:00	$131.00
TD728	POWER WAGON 2015 T-245	$105.00	01:00	$105.00
TD767	2021 HV507 INTERNATIONAL 10 WHEEL DUMP	$93.00	01:00	$93.00
TO090	TRACTOR 2001 NEHO TN65 BLUE (LT-3 / LT3)	$158.00	01:00	$158.00
			Total Equipment	$697.00

Materials

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

Grand Total **$1702.88**

Description of Work:
CLEAN UP 101 CLOCKS BLVD. MS

Signature:
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Nov 18, 2021

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 October 6, 2021, authorized the Highway Department to clean up the premises located at 181 High Farms Road, Glen Head, New York 11545, also known as Section 22, Block FO1, Lot 298 on the Land and Tax Map of the County of Nassau; and

Reviewed By
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 10, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 14, 2021, in the total amount of $1,591.60, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 10, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $1,591.60 may be assessed by the Legislature of the County of Nassau against the parcel known as 181 High Farms Road, Glen Head, New York 11545, also known as Section 22, Block FO1, Lot 298 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 10, 2022

SUBJECT: Property Cleanup Assessment
181 High Farms Road, Glen Head, New York 11545
Section 22, Block FO1, Lot 298

The Department of Planning and Development, by memorandum dated October 6, 2021, directed the Highway Department to clean the premises located at 181 High Farms Road, Glen Head, New York 11545, also known as Section 22, Block FO1, Lot 298 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 19, 2021, advised that the property was cleaned by a crew from the Highway Department on October 14, 2021. The cost incurred by the Town of Oyster Bay was $1,591.60.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 181 High Farms Rd 3.10.2022.doc

2022-8440

TOWN OF OYSTER BAY

Inter-Departmental Memo

October 6, 2021

To: JOHN BISHOP: DEPUTY COMMISIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 181 High Farms Rd., Glen Head, New York 11545
SBL: 22-F01-298

Notice of Violation number 005447 was issued to the owner of the above-referenced premises on 09/27/21 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Chapter135, Section 54, I am directing that:

- **Cut all vegetation on premises.**

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

ELIZABETH L. MACCARONE
COMMISSIONER

MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME: ml
cc: Frank Scalera, Town Attorney
cc: Andrew Preston, Esq., BRFH&D Attorneys-at-Law

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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

October 6, 2021

John Kempski
98 Eckford Street
Brooklyn, NY11222

RE: PREMISES: 181 High Farms Rd., Glen Head, NY 11545
SECTION 22 BLOCK F01 LOT 298

Dear Property Owner:

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

Please be advised that Notice of Violation number 005447 (copy attached) has been served on 09/27/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito
Code Enforcement Bureau

ELM:ME: ml
Enclosure
cc: Andrew Preston, Esq., BRFH&D Attorneys-at-Law

AL

Town of Oyster Bay
Inter- Departmental Memo

October 19, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: **181 HIGH FARMS ROAD, GLEN HEAD**
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$1,591.60**.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (22-F01-298) 181 HIGH FARMS RD GLEN HEAD 11545 **Date** Oct 14, 2021

Work Order # 87894

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	01:00	$50.85	00:00	0	$50.85
ANDREW HOUGHTON	General Maintenance	01:00	$29.84	00:00	0	$29.84
PAUL LIZARDOS	General Maintenance	01:00	$25.03	00:00	0	$25.03
JAMES KOZIKOWSKI	General Maintenance	03:00	$30.96	00:00	0	$92.88
					Total Labor	$198.60

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU455	2019 FORD F350 YW	$79.00	01:00	$79.00
SK016	2021 TAKEU TL129 GY	$26.00	03:00	$78.00
TD749	2019 INTER 7300 6 WHEELER YW	$131.00	03:00	$393.00
TD767	2021 HV507 INTERNATIONAL 10 WHEEL DUMP	$93.00	01:00	$93.00
			Total Equipment	$643.00

Materials

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

Grand Total $1591.60

Description of Work:
CLEAN UP 181 HIGH FARMS ROAD GLEN HEAD

Signature: PB

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 19, 2021

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 30, 2021, authorized the Highway Department to clean up the premises located at 207 Birch Avenue, Farmingdale, New York 11735, also known as Section 49, Block 161, Lot 104 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 10, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on November 29, 2021, in the total amount of $1,706.90, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 10, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $1,706.90 may be assessed by the Legislature of the County of Nassau against the parcel known as 207 Birch Avenue, Farmingdale, New York 11735, also known as Section 49, Block 161, Lot 104 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 10, 2022

SUBJECT: Property Cleanup Assessment
207 Birch Avenue, Farmingdale, New York 11735
Section 49, Block 161, Lot 104

The Department of Planning and Development, by memorandum dated September 30, 2021, directed the Highway Department to clean the premises located at 207 Birch Avenue, Farmingdale, New York 11735, also known as Section 49, Block 161, Lot 104 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated December 18, 2021, advised that the property was cleaned by a crew from the Highway Department on November 29, 2021. The cost incurred by the Town of Oyster Bay was $1,706.90.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 207 Birch Ave 3.10.2022.doc

2022-8444

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 30, 2021

To: **JOHN BISHOP: DEPUTY COMMISIONER/HIGHWAY**

From: **MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**

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

Subject: **207 Birch Avenue, S. Farmingdale, New York 11735**
SBL: 49-161-104

Notice of Violation number 005391 was issued to the owner of the above-referenced premises on 9/22/21 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Chapter135, Section 54, I am directing that:

- **Cut and trim lawn and vegetation in front, side and rear yards.**

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

ELIZABETH L. MACCARONE
COMMISSIONER

MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME: ml
cc: Frank Scalera, Town Attorney

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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

October 1, 2021

Gail Genovese
207 Birch Avenue
S. Farmingdale, NY 11735

RE: PREMISES: 207 Birch Avenue, S. Farmingdale, New York 11735
SECTION 49 BLOCK 161 LOT 104

Dear Property Owner:

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

Please be advised that Notice of Violation Number 005391 (copy attached) has been served on 09/22/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito
Code Enforcement Bureau

ELM:ME: ml
Enclosure

Form 8307

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

THIS INDENTURE, made this 23rd day of April, in the year 2004

BETWEEN

[redacted]

as executrix of [redacted] the last will and testament of late of deceased,

Nassau County,
party of the first part, and

Gail Genovese, residing at 207 Birch Avenue, Farmingdale, New York 11735

party of the second part,

WITNESSETH, that the party of the first part by virtue of power and authority given in and by said last will and testament and in consideration of the satisfaction of the distributive share of the Grantee in the estate of Dorothy I. Genovese, and other good and valuable consideration,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Farmingdale, in the Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the parts of Lots Numbered 14 and 17 and all of Lots Numbered 15 and 16 in Block 21, on a certain map entitled, "Map of Farmingdale Estates, situate at Farmingdale, Nassau County, New York, Property of Farmingdale, Estates, Inc., Queens County, New York, Subdivided by C.F. Darling, Civil Engineer, Huntington, New York," and filed in the Nassau County Clerk's Office on 3/8/20 as Map No. 502, New Number 437, which parts of said lots and all of said lots, when taken together, are bounded and described as follows:

BEGINNING at a point on the Northerly side of Birch Avenue distant 164.46 feet easterly from the corner formed by the intersection of the Northerly side of Birch Avenue with the Easterly side of Main Street;

Running thence NORTH 28 degrees 20 minutes 50 seconds West, 100 feet;

Running thence NORTH 61 degrees 39 minutes 10 seconds East, 65.71 feet;

Running thence SOUTH 28 degrees 20 minutes 50 seconds East, 100 feet to the Northerly side of Birch Avenue; and

Running thence SOUTH 61 degrees 39 minutes 10 seconds West along the Northerly side of Birch Avenue 65.71 feet to the point or place of BEGINNING.

SAID PREMISES being known as and by 207 Birch Avenue, Farmingdale, New York 11735

Section 49, Block 161, Lot 104

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 line thereof; TOGETHER with the appurtenances and also all the estate which the said decedent had at the time of decedent' death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the 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

Gail Genovese, Executrix

AML

Town of Oyster Bay
Inter- Departmental Memo

December 18, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: **207 BIRCH AVENUE, FARMINGDALE**
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$1,706.90**.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-161-104) 207 BIRCH AVE FARMINGDALE 11735

Date Nov 29, 2021

Work Order # 87816

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	01:30	$32.79	00:00	0	$49.19
MARTIN LANG	General Maintenance	01:30	$52.31	00:00	0	$78.47
ANTHONY MODAFFERI	General Maintenance	01:30	$21.80	00:00	0	$32.70
STEVEN KELLY	General Maintenance	01:30	$20.27	00:00	0	$30.41
ROBERT F SPERO	General Maintenance	01:30	$15.00	00:00	0	$22.50
RYAN V DOYLE	General Maintenance	01:30	$15.00	00:00	0	$22.50
SEAN P MCCORMICK	General Maintenance	01:30	$15.00	00:00	0	$22.50
					Total Labor	$258.27

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU473	2020 F250 FORD PICK UP YELLOW	$79.00	01:30	$118.50
TD618	TRUCK DUMP 2007 INTER 7300 YW (T-271 / T-272)- 6 Wheeler	$131.00	01:30	$196.50
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	$105.00	01:30	$157.50
TD719	TRUCK DUMP 2013 INTER 7300 YELLO (T-271)- 6 Wheeler	$131.00	01:30	$196.50
			Total Equipment	$669.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	$750.00	1	$750.00
Temporary Snow Fence (50 Ft)	$51.98	0.57	$29.63
		Total Materials	$779.63

Grand Total $1706.90

Description of Work:

CLEAN UP 207 BIRCH AVENUE S. FARMINGDALE

Signature:

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Dec 18, 2021

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to secure the dwelling located at, 309 East Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 91, Lots 57 and 58 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 10, 2022, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 15, 2021, in the amount of $1,381.12, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 10, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $1,381.12 may be assessed by the Legislature of the County of Nassau against the parcel known as 309 East Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 91, Lots 57 and 58 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 10, 2022

SUBJECT: Property Cleanup Assessment
309 East Shore Drive, Massapequa, New York 11758
Section 66, Block 91, Lots 57 and 58

By the emergency powers granted to the Department of Planning and Development, the Highway Department vacated and secured the premises located at 309 East Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 91, Lots 57 and 58 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated December 28, 2021, advised that the property was secured by a crew from the Highway Department on September 15, 2021. The cost incurred by the Town of Oyster Bay was $1,381.12.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

S:\Attys\aml\Cleanup MD&Reso\MD 309 East Shore Dr Bdup 3.10.2022

2022-8442

309 East Shore Drive, Massapequa

From: Timothy R. Zike
Sent: 9/8/2021 11:42
To: John Bishop
Cc: Leslie Maccarone; Gregory Carman; Frank Scalera; Michael Esposito; Matthew Fernando; Laurie Scarpa; Justin McCaffrey; Nicholas Domingo

John,

Pursuant to Chapter 96 (Dangerous and Abandoned Buildings), Section 20 (Emergencies) of the Code of the Town of Oyster Bay, this Department has declared that the dwelling located at 309 East Shore Drive, Massapequa (Section 66, Block 91, Lot 57) is a "Dangerous Building" and therefore it is to be vacated and secured.

It is respectfully requested that the Town of Oyster Bay Highway Department have personnel immediately lock and secure all doors/windows on the dwelling located on the subject property.

If you have any questions, please contact me at extension 6267.

Timothy R. Zike
Deputy Commissioner
Town of Oyster Bay
Department of Planning and Development

Standard N.Y.B.T.U. Form 2002 — 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 9 th day of January 2004

BETWEEN [redacted]

40 Pinnies Cove Massapequa N.Y. 11758

party of the first part, and [redacted]

Sec 66 Lot 57/58 Block 91

party of the second part,

WITNESSETH, that the party of the first part, in consideration of the sum of Six Hundred and Seventy Five Thousand ($675,000.00) xxxxxxxxxxxxxxxxxxxx dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Amityville, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the Lots numbered 57 and 58 in Block 291 on a certain map entitled, "Map of Nassau Shores, Section #1", and filed in the office of the Clerk of the County of Nassau on May 8, 1926 as Old Map Number 603, New Number 914, being more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of East Shore Drive, where same is intersected by the division line between Lot Numbers 58 and 59, Block 291 on the aforesaid map and from said point of beginning;

RUNNING THENCE South 85 degrees 01 minutes 10 seconds West, along the division line between Lots 58 and 59, Block 291 on said map, 125.00 feet to the canal;

THENCE North 4 degrees 58 minutes 50 seconds West, along the Canal, 20.00 feet to a point;

THENCE Northerly still along the Canal, along the arc of a curve bearing left having a radius of 30.00 feet, a distance of 9.425 feet to the division line between Lots 57 and 56, Block 291, on said map;

THENCE North 67 degrees 01 minutes 10 seconds East, along the division line between Lots 57 and 56, Block 291 on said map, 125.00 feet to the westerly side of East Shore Drive;

THENCE Southerly along the westerly side of East Shore Drive, along the arc of a curve bearing right having a radius of 155.00 feet, a distance of 48.695 feet to a point;

THENCE South 4 degrees 58 minutes 50 seconds East still along the westerly side of East Shore Drive, 20.00 feet to the point or place of BEGINNING.

"Premises herein are the same as described in the deed to the Grantors herein, dated 9-6-78 recorded 9-12-78 in LIBER: 9138 OF: 508".

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:

AML

Town of Oyster Bay
Inter- Departmental Memo

December 28, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: **309 SHORE ROAD, 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 **$1,381.12**.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (66-91-57) 309 SHORE RD MASSAPEQUA 11758 **Date** Sep 15, 2021

Work Order # 89981

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
ALBERT MAZLIAH	General Maintenance	04:00	$25.03	00:00	0	$100.12
LOUIS CICCOLELLA	General Maintenance	04:00	$23.03	00:00	0	$92.12
					Total Labor	$192.24

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	$79.00	04:00	$316.00
			Total Equipment	$316.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	$750.00	1	$750.00
Hasps	$7.24	1	$7.24
Locks	$12.39	1	$12.39
Plywood 4'X8'X1/2"	$20.65	5	$103.25
		Total Materials	$872.88

Grand Total **$1381.12**

Description of Work:
BOARD UP 309 EAST SHORE DRIVE MS

Signature:
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Dec 28, 2021

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 10, 2022, advised that Lockwood, Kessler & Bartlett, Inc., by letter dated, February 15, 2022, informed the Department that it made a final inspection of the work performed pursuant to Contract No. H18-171-P5, Massapequa Flood Diversion and Control Project #5, Philadelphia Avenue and Atlantic Avenue, Massapequa, New York, and certified that the contractor, D.F. Stone Contracting Ltd., complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, final construction costs were in the amount of $577,223.83; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the Consulting Engineers that the Contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, work under this Contract was directed to proceed as of March 22, 2021, and to be completed within one hundred fifty (150) calendar days. Actual work was completed on August 11, 2021; and

WHEREAS, the Office of the Town Attorney, by memorandum dated March 3, 2022, and the Office of the Town Comptroller, by memoranda dated February 21, 2022, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, the Town Board hereby authorizes the acceptance of Contract No. H18-171-PH5, as being complete, at a final construction cost of $577,223.83, and final payment is to be made in accordance with the applicable terms and conditions of the Contract, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim, after audit.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 10, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE AND FINAL PAYMENT
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #5
PHILADELPHIA AVENUE & ATLANTIC AVENUE
MASSAPEQUA PARK, NEW YORK
CONTRACT NO.: H18-171-P5

Attached herewith is:

1. A letter dated February 15, 2022 from Lockwood, Kessler & Bartlett, Inc. recommending final acceptance by the Town of Oyster Bay.

2. The consultant's final engineer's certificate for D.F. Stone Contracting Ltd dated March 8, 2022.

3. A statement from the Town Attorney's office indicating there are no legal hindrances.

4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.

Work under this contract was directed to proceed as of March 22, 2021 to be completed within 150 calendar days on August 19, 2021. Actual work was completed on August 11, 2021.

Final construction costs amount to $577,223.83

We hereby concur with Lockwood, Kessler & Bartlett, Inc. that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

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

RWL/JCT/MR/DDM/nm
cc: Steven C. Ballas, Town Comptroller
Colin Bell, Office of the Supervisor

H18-171 P-5 Final Acceptance Docket

LKB ENGINEERING EXCELLENCE SINCE 1889
A VERTEX COMPANY

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

February 15, 2022
(LKB No. 2018-0029)

Richard W. Lenz
Commissioner
Town of Oyster Bay Dept. of Public Works
150 Miller Place
Syosset, NY 11791

Attn: Mr. Daniel Midgette

RE: MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT 5
PHILADELPHIA AVE. AND ATLANTIC AVE.
H18-171-P5

Enclosed please find the final acceptance for DF Stone for the above mentioned project.

The original contract had 46 items of work. There were 38 items with increases or decreases to the original contract quantities as discussed in the previous letter dated November 19, 2021. The total of all overruns equaled $31,008.64 and the total of all under runs equaled $304,157.34 for a net decrease of $273,148.70. With the increased cost of $28,831.00 from change order 1, the final construction amount is $577,223.83.

In closing, DF STONE, LLC has completed all contract work. Therefore, subject to the Town Attorney's approval of the various legal aspects of this project, we recommend final acceptance of this contract.

We trust that you will find the documentation is in order. However, if you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

Christopher Prunty, P.E.
Project Engineer

Encl.

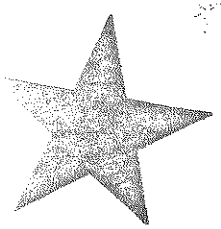
CONTINUATION SHEET

AIA DOCUMENT G703

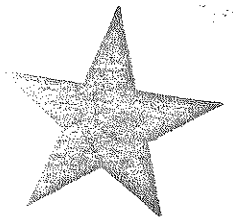
AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
Contractor's signed Certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 6 (FINAL)
APPLICATION DATE: 3/8/2022
PERIOD TO: 3/8/2022
ARCHITECT'S PROJECT NO: H18-171-P5 (PW037-20)

A	B	C				D		E		F	G		H	I
ITEM NO	DESCRIPTION OF WORK	SCHEDULED VALUE				WORK COMPLETED FROM PREVIOUS APPLICATIONS		WORK COMPLETED THIS PERIOD		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE 0%
		QTY	PER	UNIT PRICE	TOTAL	QTY		QTY						
1	CLEARING AND GRUBBING	1	LS	$ 3,520.00	$ 3,520.00	1	$ 3,520.00		$ -		$ 3,520.00	100%	$ -	$ -
2	UNCLASSIFIED EXCAVATION	600	CYD	$ 55.00	$ 33,000.00	864.5	$ 47,547.50		$ -		$ 47,547.50	144%	$ (14,547.50)	$ -
2S	SUMP EXCAVATION	6800	CYD	$ 33.00	$ 224,400.00	3727	$ 122,991.00		$ -		$ 122,991.00	55%	$ 101,409.00	$ -
2U**	UNDERCUT	200	CYD	$ 38.50	$ 7,700.00				$ -		$ -	0%	$ 7,700.00	$ -
4B	CEMENT CONCRETE STRUCTURE REMOVAL	20	CYD	$ 66.00	$ 1,320.00	20	$ 1,320.00		$ -		$ 1,320.00	100%	$ -	$ -
4B-P	REMOVE EXISTING PIPE	40	LF	$ 27.50	$ 1,100.00	40	$ 1,100.00		$ -		$ 1,100.00	100%	$ -	$ -
4D-1	SAWCUT AND SEAL BITUMINOUS CONCRETE PAVEMENT	200	LF	$ 13.20	$ 2,640.00	179.65	$ 2,371.38		$ -		$ 2,371.38	90%	$ 268.62	$ -
4E-1	FULL DEPTH SAWCUT OF CONCRETE SIDEWALK OR DRIVEWAY	65	LF	$ 11.00	$ 715.00	20.58	$ 226.38		$ -		$ 226.38	32%	$ 488.62	$ -
5B**	SELECT BORROW FILL	100	CYD	$ 33.00	$ 3,300.00				$ -		$ -	0%	$ 3,300.00	$ -
5T**	TRENCH BORROW FILL	100	CYD	$ 33.00	$ 3,300.00				$ -		$ -	0%	$ 3,300.00	$ -
7	FINE GRADING	3550	SQ YD	$ 1.43	$ 5,076.50	3548.79	$ 5,074.77		$ -		$ 5,074.77	100%	$ 1.73	$ -
10A	TRENCH SHEETING (TEMPORARY)	1500	SQ FT	$ 11.00	$ 16,500.00	988	$ 10,868.00		$ -		$ 10,868.00	66%	$ 5,632.00	$ -
12B	HEADWALL	1	EACH	$ 4,312.00	$ 4,312.00	1	$ 4,312.00		$ -		$ 4,312.00	100%	$ -	$ -
12B-16DIP	DUCTILE IRON PIPE	160	LF	$ 105.60	$ 16,896.00	147.5	$ 15,576.00		$ -		$ 15,576.00	92%	$ 1,320.00	$ -
13-D	CATCH BASIN - TYPE D	3	EACH	$ 6,937.70	$ 20,813.10	3	$ 20,813.10		$ -		$ 20,813.10	100%	$ -	$ -
13-DX	CATCH BASIN - TYPE DX	4	EACH	$ 5,555.00	$ 22,220.00	4	$ 22,220.00		$ -		$ 22,220.00	100%	$ -	$ -
155S-1	CHANGING ELEVATION OF MANHOLE CASTING - MINOR ADJ.	2	EACH	$ 550.00	$ 1,100.00	2	$ 1,100.00		$ -		$ 1,100.00	100%	$ -	$ -
26CG	BITUMINOUS DRIVEWAY AND DRIVEWAY APRONS	1900	LF	$ 36.31	$ 68,989.00	1557.92	$ 56,568.08		$ -		$ 56,568.08	82%	$ 12,420.92	$ -
27	CONCRETE SIDEWALKS AND RAMPS (5" THICK)	5450	SQ FT	$ 9.58	$ 51,791.00	2787.6	$ 26,704.25		$ -		$ 26,704.25	43%	$ 35,086.75	$ -
27DW	DETECTABLE WARNING SURFACE	40	SQ FT	$ 62.02	$ 2,480.80	62.66	$ 3,886.17		$ -		$ 3,886.17	157%	$ (1,405.37)	$ -
27SS-MW**	REMOVAL AND REPLACEMENT OF MASONRY SIDEWALK	20	SQ FT	$ 66.00	$ 1,320.00	26.98	$ 1,779.36		$ -		$ 1,779.36	135%	$ (459.36)	$ -
28	REINFORCED CEMENT CONCRETE DRIVEWAYS & APRONS (7")	1020	SQ FT	$ 12.23	$ 12,474.60	1273.59	$ 15,576.01		$ -		$ 15,576.01	125%	$ (3,101.41)	$ -
28A	BITUMINOUS DRIVEWAY AND DRIVEWAY APRONS	20	SQ YD	$ 66.00	$ 1,320.00	16.33	$ 1,077.78		$ -		$ 1,077.78	82%	$ 242.22	$ -



28-SS-MD	REM. & REPL. STONE/BRICK DWY & DWY APRONS	55	SF	$ 77.00	$ 4,235.00	7.37	$ 567.49		$ -		$ 567.49	13%	$ 3,667.51	$ -
36-2A-1W	BITUMINOUS MACADAM PLANT MIX, TYPE 2A (NC 1A TOP)	325	TON	$ 132.00	$ 42,900.00	328	$ 43,296.00		$ -		$ 43,296.00	101%	$ (396.00)	$ -
57-XX	RETROFIT EXT. CURB INLET CATCH BASINS WITH SURF./CURB IN	15	EACH	$ 2,530.00	$ 37,950.00				$ -		$ -	0%	$ 37,950.00	$ -
66	REMOVAL AND RE-ERECTION OF CHAIN LINK WIRE FENCE	125	LF	$ 77.00	$ 9,625.00	85	$ 6,545.00		$ -		$ 6,545.00	68%	$ 3,080.00	$ -
76	TOPSOIL AND SEEDING	5000	SQ YD	$ 8.25	$ 41,250.00	2000	$ 16,500.00		$ -		$ 16,500.00	40%	$ 24,750.00	$ -
98	MAINTENANCE & PROTECTION OF TRAFFIC	1	LS	$ 28,600.00	$ 28,600.00	1	$ 28,600.00		$ -		$ 28,600.00	100%	$ -	$ -
115	BUTT JOINTS	175	LF	$ 2.20	$ 385.00				$ -		$ -	0%	$ 385.00	$ -
366T	THERMOPLASTIC REFL. PVMT MARKINGS	365	LF	$ 4.40	$ 1,606.00	160	$ 704.00		$ -		$ 704.00	44%	$ 902.00	$ -
375	BITUMINOUS TACK COAT	3550	SQ YD	$ 0.94	$ 3,337.00				$ -		$ -	0%	$ 3,337.00	$ -
*386A	TREE REMOVAL OVER 4" TO 12" CALIPER INCLUSIVE	3	EACH	$ 550.00	$ 1,650.00				$ -		$ -	0%	$ 1,650.00	$ -
*386B	TREE REMOVAL OVER 12" CALIPER	2	EACH	$ 1,100.00	$ 2,200.00	2	$ 2,200.00		$ -		$ 2,200.00	100%	$ -	$ -
391	ASPHALT CONC. WEARING COURSE NC TYPE 1AC	350	TON	$ 132.00	$ 46,200.00	325.11	$ 42,914.52		$ -		$ 42,914.52	93%	$ 3,285.48	$ -
393**	TEST HOLES	5	EACH	$ 550.00	$ 2,750.00	2	$ 1,100.00		$ -		$ 1,100.00	40%	$ 1,650.00	$ -
395	PLANTING SOD - SUPPLIED	350	SQ YD	$ 16.50	$ 5,775.00	332.76	$ 5,490.54		$ -		$ 5,490.54	95%	$ 284.46	$ -
399	DENSE GRADED AGGREGATE BASE COURSE	400	CYD	$ 49.50	$ 19,800.00	568	$ 28,118.00		$ -		$ 28,118.00	142%	$ (8,318.00)	$ -
500	CLEAN EXISTING DRAINAGE SYSTEM	100	LF	$ 27.50	$ 2,750.00				$ -		$ -	0%	$ 2,750.00	$ -
502	FURNISH AND INSTALL 1-INCH I.D. P.V.C. CONDUIT	165	LF	$ 3.30	$ 544.50	175	$ 577.50		$ -		$ 577.50	106%	$ (33.00)	$ -
504	CHANGE ELEVATION OF WATER MAIN VALVE BOX	2	EACH	$ 550.00	$ 1,100.00	1	$ 550.00		$ -		$ 550.00	50%	$ 550.00	$ -
509**	REMOVE AND RESET ORNAMENTAL GARDEN	600	SQ FT	$ 3.30	$ 1,650.00				$ -		$ -	0%	$ 1,650.00	$ -
510**	REMOVE AND REPLACE OR RELOCATE SPRINKLER SYSTEM	100	LF	$ 27.50	$ 2,750.00	200	$ 5,500.00		$ -		$ 5,500.00	200%	$ (2,750.00)	$ -
514**	FURNISH SELF-PROPELLED STREET SWEEPER W/OPERATOR	24	HR	$ 275.00	$ 6,600.00				$ -		$ -	0%	$ 6,600.00	$ -
574	SILT PROTECTION FOR SURFACE INLETS	5	EACH	$ 220.00	$ 1,100.00				$ -		$ -	0%	$ 1,100.00	$ -
575	SILT PROTECTION FOR CURB INLETS	5	EACH	$ 275.00	$ 1,375.00	4	$ 1,100.00		$ -		$ 1,100.00	80%	$ 275.00	$ -
	ALLOWANCE FOR POTENTIAL INCREASES	1	LS	$ 39,121.03	$ 39,121.03				$ -		$ -	0%	$ 39,121.03	$ -
C/O #1	CHANGE ORDER #1	1	LS	$ 28,831.00	$ 28,831.00	1	$ 28,831.00		$ -		$ 28,831.00	100%	$ -	$ -
					$ 650,372.53		$ 577,223.83		$ -	$ -	$ 577,223.83	89%	$ 273,148.70	$ -



APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

TO (OWNER):
TOWN OF OYSTER BAY
54 AUDREY AVENUE
OYSTER BAY, NY 11771-1592

FROM (CONTRACTOR):
D.F. STONE CONTRACTING, LTD.
1230 STATION ROAD
MEDFORD, NEW YORK 11763

CONTRACT FOR:
MASSAPEQUA FLOOD DIVERSION & CONTROL PROJECT #5 (PHILADELPHIA AVENUE & ATLANTIC AVENUE, MASSAPEQUA PARK, NY)

PROJECT: MASSAPEQUA FLOOD DIVERSION & CONTROL PROJECT #5
PHILADELPHIA AVENUE & ATLANTIC AVENUE
MASSAPEQUA PARK, NY

VIA (ARCHITECT): LKB CONSULTING ENGINEERS
1 AERIAL WAY
SYOSSET, NY 11791

APPLICATION NO: 6 (FINAL)
PERIOD TO: 3/8/2022
ARCHITECT'S PROJECT NO: H18-171-P5 (PW037-20)
CONTRACT DATE: 12/8/2020

Distribution to:
__OWNER
__ARCHITECT
__CONTRACTOR
__
__

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY			ADDITIONS	DEDUCTIONS
Change Orders approved in Previous months by Owner				
TOTALS			$ 28,831.00	
Approved this month				
Number	Date Approved			
TOTALS			$ 28,831.00	$ -
Net change by Change Orders				$ 28,831.00

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM		$ 821,541.53
2. Net Change by Change Orders		$ 28,831.00
3. CONTRACT SUM TO DATE (Line 1 ± 2)		$ 850,372.53
4. TOTAL COMPLETED & STORED TO DATE (column G on G703)		$ 577,223.83
5. RETAINAGE:		
a. 0% of Completed Work (Column D+E on G703)	$ -	
b. 0% of Stored Material (Column F on G703)	$ -	
Total Retainage (Line 5a + 5b or Total in Column I of G703)		$ -
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)		$ 577,223.83
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from Prior Certificate)		$ 548,362.64
8. CURRENT PAYMENT DUE		$ 28,861.19
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)		$ 273,148.70

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:
By: GEORGE HEINLEIN - PRESIDENT Date: 03-08-22

State of: NY County of: Suffolk
Subscribed and sworn to before me this 8th day of March 2022
Notary Public: Michael Steven Arconi
My Commission Expires: April 26, 2022

MICHAEL STEVEN ARCONI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AR6220996
Qualified in Suffolk County
Commission Expires April 26, 2022

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED 28,861.19
(Attach explanation if amount certified differs from the amount applied for.)
ARCHITECT:
By: Date: 3/9/22

This Certificate is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: RICHARD W. LENZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

DATE: March 3, 2022

SUBJECT: FINAL ACCEPTANCE
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #5 PHILADELPHIA AVENUE & ATLANTIC AVENUE, MASSAPEQUA PARK, NEW YORK
CONTRACT NO. H18-171-P5

In reply to your memorandum of February 14, 2022, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

By copy of this memorandum, Maintenance Bond No. BND 929 88 702 is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY

By: _____
Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)

ST
DM

TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: RICHARD W. LENZ, COMMISSIONER OF PUBLIC WORKS/HIGHWAY

FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: FEBRUARY 21, 2022

SUBJECT: FINAL ACCEPTANCE – MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #5 PHILADELPHIA AVENUE & ATLANTIC AVENUE MASSAPEQUA PARK, NEW YORK
CONTRACT NO H18-171 P - 5

In response to your memo dated February 14, 2022, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/jjb:mj

cc: Town Attorney w/enclosure
Accounts Payable Division
Reading File

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on December 22, 2021, for Contract No. HVR21-219, Requirements Contract for Cleaning and Inspection of Storm Drainage Systems Throughout the Town of Oyster Bay, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 8, 2022, advised, that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. HVR21-219, were reviewed, the Department of Public Works recommended the award of Contract No. HVR21-219, to National Water Main Cleaning Company, which submitted the lowest responsive bid amongst four (4) bids received; and

WHEREAS, Commissioner Lenz, by said memorandum, recommended that Contract No. HVR21-219 be awarded to National Water Main Cleaning Company for the period of two years, at an estimated annual contract value of $100,000.00, with three (3) one-year extension options; and

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

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. HVR21-219 is awarded to National Water Main Cleaning Company, for a term of two years, in an amount not to exceed $160,895.00, in accordance with the provisions herein, and the Supervisor or his designee is hereby authorized and directed to execute documents accordingly.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 8, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT : RECOMMENDATION OF AWARD
REQUIREMENTS CONTRACT FOR CLEANING AND INSPECTION OF STORM DRAINAGE SYSTEMS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. HVR 21-219

On, December 22, 2021, the Division of Purchasing received bids for the subject project and the Division of Engineering reviewed the bids. National Water Main Cleaning Company,1806 Newark Turnpike, Kearney, N.J. 07032, Federal ID # [redacted] submitted the lowest responsive bid among four (4) in the amount of $160,895.00. This amount reflects the weighted total of all items within this Requirements Contract.

The initial low bidder for all items was National Water Main Cleaning Company. National Water Main Cleaning Company has not previously performed work for the Town of Oyster Bay. National Water Main Cleaning Company was able to provide references from municipal clients that would demonstrate their ability to perform work under this contract.

Based upon the anticipated scope of work and prior municipal contract work experience, the Department of Public Works is confident that National Water Main Cleaning Company is qualified to perform work under this contract. Requests for funding authorizations relative to this contract will be submitted by separate docket items.

The base term of the subject contract is two years from the date of award. At the Town's option this contract can be extended for up to three (3) individual one-year terms.

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

The Department of Public Works therefore recommends that this Requirements Contract for Cleaning and inspection of Storm Drainage Systems throughout the Town of Oyster Bay be awarded to National Water Main Cleaning Company for the initial base term of two years with an estimated annual contract value of $100,000.00.

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

RWL/JCT/MR/DDM/nm

cc: Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
John P. Bishop, Deputy Commissioner Highway

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 739-2021, adopted on December 7, 2021, the Town Board authorized LiRo Engineers, Inc., Three Aerial Way Syosset, New York 11791, to provide On-Call Engineering Services in connection with Contract No. PWC07-22, On-Call Engineering Services relative to Civil Engineering, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Michael A. Smith, P.E., Senior Vice-President & Engineering Division Leader, LiRo Engineers, Inc., by letter dated March 9, 2022, described the scope of work to be performed under Contract No. PWC07-22, irrigation system upgrades at the Honorable Joseph Colby Town of Oyster Bay Golf Course, including design and engineering services, construction documents and plumbing and electrical design and requested approval to utilize GeoMaps International Inc., 395 Central Avenue Bethpage, New York 11714, and C-Tech Solutions Inc., 4256 Hamilton Cleves Road Fairfield, Ohio 45014-5910 as sub-consultants for said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 11, 2022 requested Town Board authorization for LiRo Engineers, Inc., to provide the aforesaid On-Call Engineering Services under Contract PWC07-22, that GeoMaps International, Inc., and C-Tech Solutions, Inc., be approved as sub-consultants for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed $280,922.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2102 001, Project ID No. 2102PKSA-12; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and LiRo Engineers, Inc., is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC07-22, GeoMaps International, Inc., and C-Tech Solutions, Inc., are hereby authorized to be sub-consultants for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed $280,922.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2102 001, Project ID No. 2102PKSA-12.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 11, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO
CIVIL ENGINEERING – TOWN OF OYSTER BAY HONORABLE JOSEPH COLBY
GOLF COURSE
USE OF SUB-CONSULTANT
CONTRACT NO. PWC07-22
ACCOUNT NO.: PKS H 7197 20000 000 2102 001
PROJECT ID NO. 2102PKSA-12

The consultant, Liro Engineers, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-22 by Resolution No. 739-2021 for the subject project.

Attached is a letter dated March 9, 2022 from Liro Engineers, Inc., regarding the scope of work to be performed in an amount not to exceed $280,922.00. The following services are for design and engineering services, construction documents, plumbing and electrical design. Funds are required for a new irrigation system at the Town of Oyster Bay Honorable Joseph Colby Golf Course. In addition, it is requested that GeoMaps International, and C-Tech Solutions be approved as sub-consultant for said project.

Attached is an availability of funds in the amount of $280,922.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 2102 001.

The Office of the Inspector General has reviewed the proposed vendor's and sub-consultant disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize by Resolution, Liro Engineers, Inc., under Contract No. PWC07-22 for On-Call Engineering Services Relative to Civil Engineering and that GeoMaps International, and C-Tech Solutions be approved as sub-consultant 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/TLS/nm

Attachment

cc: Steve C. Ballas, Comptroller
Joesph G. Pinto, Commissioner/Parks

PWC07-22 Docket Liro 280922

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services Relative to Civil Engineering was issued in accordance with the specifications contained in Contract No. PWC07-22, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, in response to the aforementioned Request for Proposals, eighteen (18) responses were received by the Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 6 and 9 of the Town of Oyster Bay Procurement Policy and in conjunction with the current workload, the Department has selected N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023.

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

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

LiRo Engineers, Inc.
A LiRo Group Company
Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421 www.liro.com

March 9th, 2022

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

Re: Proposal for Engineering Services for
The Honorable Joseph Colby Golf Course (Town of Oyster Bay Golf Course)
Irrigation System Upgrades
Contract No. PWC 07-22
Civil Engineering

Mr. Lenz:

LiRo is pleased to submit a proposal for the above referenced opportunity for plumbing and electrical engineering design. We reviewed the site of the Honorable Joseph Colby golf course located at One South Woods Road. We are prepared to develop plans and specifications required to construct a new, state-of-the-art electronic landscape irrigation system within an expedited schedule.

The following information will define the scope of services to be undertaken and the relationships between LiRo and Oyster Bay.

Project Understanding:
The existing Town of Oyster Bay (TOBAY) Golf Course has an antiquated landscape irrigation that is in need of replacement. TOBAY is proposing to install a new landscape irrigation system to serve the Golf Course.

SCOPE OF SERVICES:
LiRo proposes to provide professional engineering and design services as required to produce construction documents, consisting of plans and specifications, of sufficient detail to solicit quotations from contractors and allow the project to be constructed by qualified contractors experienced in each trade.

These engineering services shall include the following:

1. Map of Topography utilizing Photogrammetry, supplemented by conventional ground survey methods. Datum as described below. Utilities located from record as-builts and observed field evidence. Approximate boundary lines shown by tax map data. Mapping prepared in ACAD at scale 1"=50' with contour intervals of 1'. LiRo will utilize GeoMaps International as a subcontractor to provide photogrammetric measurements and digital mapping of the golf course.

2. Provide plumbing engineering and design services as required to design the new irrigation system for the landscaped areas of this 121-acre golf course. These services will include a study of the potential sources of water, the location of the buried irrigation piping networks, the location of control devices including zone valves and boxes, location of sprinkler heads and types for specific areas within the course.

3. If required, LiRo shall design new, reduced pressure, zone, backflow prevention devices for all the new domestic water services that may be required, submit these designs and applications to the local water authority and the Nassau County Department of Health Services, as required for approval.

4. The electrical engineering department at LiRo will design all high and low voltage power and control systems, select the control components, including the electronics, the design of automatic cycling of the sprinkler heads, minimizing water consumption by adjusting flow rates in response to weather and soil conditions. We shall prepare drawings and specifications for all electrical services required for the complete landscape irrigation systems.

5. LiRo shall prepare construction documents, consisting of plans and specifications, of sufficient detail to allow the installation of the landscape irrigation system and the various components by experienced contractors for each trade. All these proposed services shall be in accordance with the current New York State Building Code requirements and following the guidelines published by such groups as the USGA and the GCSAA.

6. LiRo shall examine material submissions (shop drawings) prior to acceptance, purchasing or installation of any materials or components by the respective contractors.

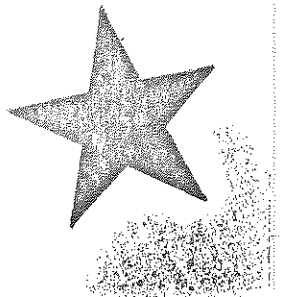
7. LiRo shall visit the site following substantial completion of the work and prepare a "punch list" of all items found to be incomplete and submit this list to the various contractors for their attention.

8. LiRo will utilize C-Tech Solutions as a subcontractor to perform an expert peer review of the design documents.

Expected Receivables from TOBAY to LiRo:

1. Copies of any **architectural, site, landscape** surveys of the property and all other pertinent information related to the site on electronic format, where available.

2. Assistance during the design phase to gain access to the site and personnel involved in the management of the course and maintenance of the grounds.



FEE STRUCTURE AND INVOICING:

LiRo is prepared to offer engineering and design services as specified in the Scope of Services for a not to exceed professional fee of two hundred eighty thousand, nine hundred twenty two dollars ($280,922).

LiRo includes up to six (6) meetings during the design phase of the project and six (6) meetings during the construction phases, as required, as a part of our not to exceed fee. All additional services, including meetings, can be request if needed and will be calculated to be charged to the client at cost in accordance with the LiRo hourly rate schedule.

Schedule of completion:

Investigation & Concepts.
Design & Construction documents.
Bidding & Procurement– 4 weeks
Construction Phase 1 – 6 holes (occurring Nov 1st thru December 20th 2022).

- Work M thru F
- Running piping, controls, startup, and testing.

Construction Phase 2 – 6 holes (occurring February 15th thru April 1st 2023).

- Work M thru F
- Running piping, controls, startup, and testing.

Construction Phase 3 – 6 holes (occurring April 1st thru July 15th 2023).

- 60day available work M thru F
- Running piping, controls, startup, and testing.

ADDITIONAL PROVISIONS:

1. Engineering and design efforts shall be performed under the guidance of accepted standards for golf course irrigation including USGA and the GCSAA and Penn State University.

2. This proposal excludes landscape design services except for those services required for the execution of this work. TOBAY will provide information related to the golf course including an accurate survey of the property.

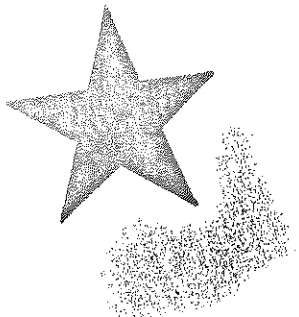
3. LiRo will include the supervision of the contractor(s) or their employees full time during the construction phase to ensure the project is constructed per the design intent. LiRo anticipates a construction schedule starting November 1st, 2022 and completing July 15th, 2023 with a total full time inspection period of 135 working days.

4. It is our intention to provide professional engineering services designed to provide an ecologically friendly, conservative irrigation system that will incorporate state-of-the-art components that will regulate the lawn irrigation flow rates in response to atmospheric conditions and moisture content of the soil and turf on greens, fairways, roughs, driving and other areas included in the 121 acre golf course.

We trust that this proposal for engineering services sufficiently describes the services to be performed and remain available to you for any questions and comments you may have.

Very truly yours,

Michael A. Smith, P.E.
Senior Vice President &
Engineering Division Leader
LiRo Engineers, Inc.



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

Requesting Division/Department: Parks

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

Contract Number: PWC 07-22

Contract Period: 01/01/2022 to 12/31/2023

Consultant/Contractor: LiRo Engineers, Inc.

Discipline: On Call Engineering Services Relative to Civil Engineering

Total Authorization: $450,475.00

Resolution No.: 739-2021 Date: 12/7/2021

Funded To Date: $169,553.00

Amount Requested: $280,922.00

Account To Be Used: PKS-H-7197-20000-000-2102-001 2102PKSA-12

If Capital Account, State The Related Contract Number: N/A

Description Of Work

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

Engineering Services / New Irrigation System Joseph Colby Golf Course

Work To Be Completed In Contract Period: Yes [x] No [ ]
A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes [x] No [ ]
A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [x]

Amount of Bond $ _____

Requesting Division/Department	DPW Approval
	Only To Be Executed By The Commissioner
Signature: [signature]	Signature: [signature]
Title: Commissioner / Parks	Title: Commissioner of Public Works
Date: 3/9/22	Date: 3/9/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 280,922.00

Unencumbered Balance: 1,598,221.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [x] No [ ]

Signature: [signature] Date: 3/10/22

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2022

Contract No. PWC07-22 Contract End 12/31/2023

Commencement Date _____

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

Vendor Name and Address

LIRo Engineers, Inc.

3 Aerial Way

Syosset, NY 11791

Requesting Town Department Parks

Contact _____ Phone _____

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

Engineering Services/ New Irrigtation Joseph Colby Golf Course

This work order shall not exceed $ 280,922.00

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

Requesting Division/Department

Signature _____

Title Commissioner / Parks

Date 3/9/22

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 3/9/22

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 10, 2022, advised that L. K. McLean Associates, P.C., by letter dated, February 18, 2022, informed the Department that it made a final inspection of the work performed pursuant to Contract No. H19-196, Road Improvements to the Hicks Avenue Area in Syosset, NY, and certified that the contractor, United Paving Corp., complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, advised further, that said Consulting Engineer informed the Department, by said letter, of an increase/decrease in quantities, relative to the Construction Phase of Contract No. H19-196, pursuant to Change Order No. 1 and Change Order No. 2, for a total net increase in the amounts of $231,127.71 and $15,973.65 respectively; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the increase/decrease in quantities relative to the Construction Phase of Contract No. H19-196, for a total net increase in the amount of $15,973.65;

WHEREAS, final construction costs were in the amount of $2,313,434.36; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the Consulting Engineers that the Contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, work under this Contract was directed to proceed as of April 12, 2021, and to be completed within one hundred eighty (180) calendar days. Actual work was completed on December 15, 2021; and

WHEREAS, the Office of the Town Attorney, by memoranda dated February 23, 2022, and the Office of the Comptroller, by memoranda dated February 22, 2022, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Highways, by memorandum dated March 1, 2022, concurred with the recommendation of final acceptance of this project,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby authorizes an increase/decrease in quantities, relative to the Construction Phase of Contract No. H19-196, pursuant to Change Order No. 1 and Change Order No. 2, for a net increase, in the amounts of $231,127.71 and $15,973.65 respectively; and be it further

RESOLVED, That upon the recommendations as hereinabove set forth, Contract No. H19-196, is hereby accepted as being complete, at a final construction cost of $2,313,434.36, and final payment is to be made in accordance with the applicable terms and conditions of the Contract, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim, after audit.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 10, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER NO. 2, QUANITY INCREASE/DECREASE AND FINAL ACCEPTANCE
ROAD IMPROVEMENTS TO THE HICKS AVENUE AREA IN SYOSSET, NY
CONTRACT NO.: H19-196

Attached is the final acceptance letter, with backup, from L.K. McLean Associates, P.C., dated February 18, 2022 concerning increases/decreases in quantities with a total net increase in the amount of $231,127.71 and a letter dated December 22, 2021 concerning Change Order No. 2 for a total net increases in the amount of $15,973.65. Said quantity increases and Change Order No. 2 net increase are explained by the consultant in this correspondence and further described as per the attached tabulations.

Attached herewith is also:

1. A letter dated February 18, 2022 from L.K. McLean Associates, P.C. recommending final acceptance by the Town of Oyster Bay.

2. The consultant's final engineer's certificate for United Paving Corp, dated January 27, 2022.

3. A statement from the Town Attorney's office indicating there are no legal hindrances.

4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.

5. A statement from the Department of Highway concurring with final acceptance.

Work under this contract was directed to proceed as of April 12, 2021 to be completed within 180 calendar days on December 15, 2021. Actual work was completed on December 15, 2021.

Final construction costs amount to $2,313,434.36.

We hereby concur with $2,313,434.36 that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

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

RWL/JCT/MR/SC/nm
Attachments

cc: Steven C. Ballas, Town Comptroller
John Bishop, Deputy Commisioner/Highway

H19-196_Hicks Ave_Final Acceptance

5.C.

Town of Oyster Bay

Inter-Departmental Memo

March 1, 2022

TO: Richard W. Lenz, Commissioner Department of Public Works/Highway

FROM: John P. Bishop, Deputy Commissioner Department Of Highways

SUBJECT: Final acceptance
Construction of highway & drainage improvements
to the Hicks Ave Area, Syosset New York
Contract # H19-196

The Highway Department has inspected the area and recommends that this project be accepted as complete.

John P. Bishop
Deputy Commissioner
Department Of Highways

JPB/SDJ

JT
S.C.

TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: RICHARD W. LENZ, COMMISSIONER OF PUBLIC WORKS/HIGHWAY

FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: FEBRUARY 22, 2022

SUBJECT: FINAL ACCEPTANCE – CONSTRUCTION OF HIGHWAY IMPROVEMENTS TO THE HICKS AVENUE AREA - SYOSSET, NEW YORK – CONTRACT NO H19-196

In response to your memo dated February 16, 2022, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/jjb:mj

cc: Town Attorney w/enclosure
Accounts Payable Division
Reading File

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: JOHN TASSONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

DATE: February 23, 2022

SUBJECT: FINAL ACCEPTANCE
CONSTRUCTION OF HIGHWAY IMPROVEMENTS TO THE HICKS AVENUE AREA – SYOSSET, NEW YORK
CONTRACT NO. H19-196

In reply to your memorandum of February 16, 2022, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

By copy of this memorandum, the contractor, United Paving Corp.'s Maintenance Bond is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY

By: _____
Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)

LKMA

L. K. McLean Associates, P.C.

❖ 437 South Country Road • Brookhaven • New York • 11719
❖ 25 Newbridge Road • Suite 212 • Hicksville • New York • 11801

(631) 286-8668 • FAX (631) 286-6314
https://www.lkma.com

RAYMOND G. DiBIASE, P.E., PTOE, PTP, PRESIDENT and CEO
ROBERT A. STEELE, P.E., EXECUTIVE VICE PRESIDENT
JAMES L. DeKONING, P.E., VICE PRESIDENT

Associates
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MATTHEW C. JEDLICKA, LEED AP
KEITH J. MASSERIA, P.E.
VINCENT A. CORRADO, P.E.
TAMARA L. STILLMAN, P.L.S.

February 18, 2022

Richard Lenz, P.E., Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791

Attn.: Sunita Chakraborti, Project Manager

Re: **Increase/Decrease Quantities No. 1 and Request for Final Approval & Contract Completion of Construction of Highway Improvements to the Hicks Avenue Area, Phase 1, Syosset, New York,**
TOB Contract No. H19-196PH1,
Bid No.: 026-21 LKMA Project No. 19067

Madam:

Please allow this letter to serve as L. K. McLean Associates, P.C.'s, recommendation of Final Approval and Request for Contract Completion for the Hicks Avenue Area Highway Improvements Project, Phase 1. The project started on April 12, 2021 and was completed on December 15, 2021.

The Final Payment Claim (Invoice #5), already submitted, includes work that was completed in June as part of Change Order #1, which was not approved prior to the work being completed. It

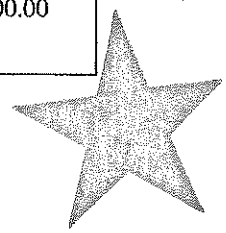
was agreed that the Contractor would be paid after the C.O. was officially approved by the Town. The Final Payment Claim also includes work that was completed during July and August as part of Change Order #2. This work was completed as force account work and is also finished. At this time, the project is now 100% complete.

As part of the project's close out the Final Claim (#5) includes adjustments to the various items within the Contract which have either increased or decreased due to field conditions. These adjustments will bring the tally of quantities and associated costs to their final amount and accurately reflect that work constructed and completed in the field. These recommended revisions to the Contract are as follows:

TASK 1 - REDUCE ITEMS

Reduced quantities of existing contract item(s) was required in order to meet field conditions encountered during the construction of curbs, sidewalks, roadways and storm drainage within the Hicks Avenue Area Highway Improvements Project, Phase 1, as follows:

ITEM NO.	DESCRIPTION	ORIGINAL QUANTITY	REDUCED QUANTITY	DIFFERENCE	UNIT COST	TOTAL COST
4A	Cement Concrete Pavement and Gutter Removal	8 C.Y.	0 C.Y.	8 C.Y.	$100.00/C.Y.	-$800.00
4B	Cement Concrete Structure Removal	28 C.Y.	0 C.Y.	28 C.Y.	$50.00 / C.Y.	-$1,400.00
4E-1X	Full Depth Sawcut of Cement Concrete Sidewalk	300 L.F.	294.67 L.F.	5.33 L.F.	$5.00 / L.F	-$26.65
5S	Select Borrow Fill	50 C.Y.	7.89 C.Y.	42.11 C.Y.	$10.00 / C.Y.	-$421.10
7	Preparing Fine Grade	635 S.Y.	0 S.Y.	635 S.Y.	$1.00 / S.Y.	-$635,00
8	Trimming Shoulders & Slopes	14,655 L.F.	12,948.50 L.F.	1,706.50 L.F.	$0.50 / L.F.	-$853.25
12B-15	Furnishing & Laying Pipe 15"	40 L.F.	22 L.F.	18 L.F.	$100.00/L.F.	-$1,800.00
12HX	Cleaning Existing Drainage System	250 L.F.	0 L.F.	250 L.F.	$5.00 / L.F.	-$1,250.00
13A-A	Catch Basins Type A	9 EA.	8 EA.	1 EA.	$5,500.00/EA	-$5,500.00
13MX	Catch Basins (Top Slab	2 EA.	0 EA.	2 EA.	$3,500.00 / EA.	-$7,000.00

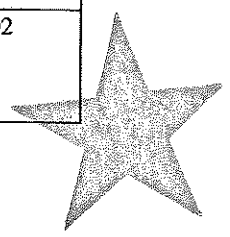


	Replacement Only)					
15DW	Furnish & Install 8' Dia. Diffusion Well	168 VLF	70 VLF.	98 VLF.	$75.00/VLF.	-$7,350.00
16	Changing Elevations of Manholes and Catch Basins	4 EA.	3 EA.	1 EA.	$350.00/EA.	-$350.00
27SS	Detectable Warning Surface	345 S.F.	324.50 S.F.	20.5 S.F.	$50.00 / S.F.	-$1,025.00
28A	Bituminous Driveways and Driveway Aprons	490 S.F.	229.07 S.F.	260.93 S.F.	$13.50 / S.F.	-$3,522.55
36-2A-1BX	Rut Avoidance Asphalt Concrete Type 1A (Intermediate Course)	2,985 TON	2,839.42 TON	145.58 TON	$88.00 / TON	-$12,811.04
115X	Butt Joint	245 L.F.	222 L.F.	23 L.F.	$15.00 / L.F.	-$345.00
121	Dense Graded Aggregate or Recycled Concrete Base Course	75 C.Y.	0 C.Y.	75 C.Y	$45.00 / C.Y.	-$3,375.00
175	Stabilized Mixed-In-Place Recycled Base Course	24,000 S.Y.	23,952.18 S.Y.	47.82 S.Y.	$10.25 / S.Y.	-$490.15
175AE	Asphalt Emulsion	48,000 Gal.	46,668.00 Gal.	1,332 Gal.	$3.50 / Gal.	-$4,662.00
375	Bituminous Tack Coat	5,075 Gal.	3,694.00 Gal.	1,381 Gal.	$0.50 / Gal.	-$690.50
514	Furnish Self-Propelled Street Sweeper Complete with Operator	80 Hr.	33 Hr.	47 Hr.	$100 / Hr.	-$4,700.00
					Total of REDUCE Items:	**($59,007.24)**

TASK 2 - INCREASE ITEMS

Increased quantities of existing contract item(s) were required in order to meet field conditions that were encountered during the construction of the Hicks Avenue Area Highway Improvements Project, Phase 1: The increased quantities are as follows:

ITEM NO.	DESCRIPTION	ORIGINAL QUANTITY	INCREASED QUANTITY	DIFFERENCE	UNIT COST	TOTAL COST
2	Unclassified Excavation	0 C.Y	2.65 C.Y	2.65 C.Y	$50.00 / C.Y.	$132.50
12B-18	Furnishing and Laying Pipe 18"	72 L.F.	176 L.F.	104 L.F.	$200 / L.F.	$20,800.00
13A-4	Catch Basins	3 EA.	4 EA.	1 EA.	$7,500.00/EA	$7,500.00
16SS-1X	Altering Elevation of Nassau County Sanitary Sewer Manhole (Minor Adjustment)	12 EA.	37 EA.	25 EA.	$1,000.00/EA.	$25,000.00
26B	Remove and Replace Block, Brick or Similar Mortared Curb	50 L.F.	171.37 L.F.	121.37 L.F.	$30.00 / L.F.	$3,641.10
26CG	Integral Concrete Curb & Gutter	14,655 L.F.	14,886.34 L.F.	234.34 L.F.	$35.00 / L.F.	$8,096.90
27	Cement Concrete Sidewalks and Ramps, 5" Thick	11,375 S.F.	14,119.10 S.F.	2,744.10 S.F.	$7.50 / S.F.	$20,580.75
28	Reinforced Cement Concrete Driveways and Aprons, 7" Thick	10,955 S.F.	14,670.78 S.F.	3,715.78 S.F.	$18.50 / S.F.	$68,741.93
36-2A-1WX	Rut Avoidance Asphalt Concrete Type 1A (Wearing Course)	2,239 TON	2,241.97 TON	2.97 TON	$92.00 / TON	$273.24
49E	Concrete Valley Gutter	40 C.Y.	80.25 C.Y.	40.25 C.Y.	$750.00 / C.Y.	$30,187.50
58AX	Saw Cutting Existing Non-Roadway Asphalt	245 L.F.	502.69 L.F.	257.69 L.F.	$4.00 / L.F.	$1,030.76
366T	Thermoplastic Striping – 4" Wide	515 L.F.	658.02 L.F.	143.02 L.F.	$1.00 / L.F.	$143.02



386 BX	Tree Removal & Grinding Existing Tree Stumps	6 EA.	11 EA.	5 EA.	$1,500.00/EA.	$7,500.00
396	Planting Sod – Supplied or Rehandled	1,700 S.Y.	4,408.13 S.Y.	2,708.13 S.Y.	$25.00 / S.Y.	$67,703.25
504X	Brick, Block or Stone Driveway Aprons	70 S.F.	358.04 S.F.	288.04 S.F.	$100.00 / S.F.	$28,804.00
					Total of INCREASE Items:	**$290,134.95**

TOTAL CHANGE TO CONTRACT (INCREASE): $231,127.71

FINAL PROJECT CONSTRUCTION COST: $2,313,434.36

All of the above being noted, L.K. McLean Associates' recommends that Final Approval of Construction of the Hicks Avenue Area Highway Improvement Project, Phase 1, be approved for the Final Amount of $2,313,434.36. Additionally, once United Paving Corp. has submitted the appropriate Maintenance Bond in the amount of 100% of the final contract amount, commencing for a period of one (1) year from the date of Final Approval from the Commissioner of Public Works, Retainage can be released along with the Final Payment.

Should you have any questions or concerns on these matters, please contact the undersigned at (631) 286-8668, ext. 268.

Very Truly Yours,

Gilbert Anderson, P.E.,
Senior Project Director

c. John C. Tassone, Deputy Commissioner, TOBDPW
Raymond DiBiase, PE, President/CEO, LKMA
Robert Steele, PE, Executive Vice President, LKMA
Michael Them, Vice President, United Paving Corp.

LKMA

L. K. McLean Associates, P.C.

❖ 437 South Country Road • Brookhaven • New York • 11719
❖ 25 Newbridge Road • Suite 212 • Hicksville • New York • 11801

(631) 286-8668 • FAX (631) 286-6314
https://www.lkma.com

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MATTHEW C. JEDLICKA, LEED AP
KEITH J. MASSERIA, P.E.
VINCENT A. CORRADO, P.E.
TAMARA L. STILLMAN, P.L.S.

December 22, 2021

Richard Lenz, P.E., Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791

Attn.: Sunita Chakraborti, Project Manager

Re: **Change Order No. 2 - Construction of Highway Improvements to the Hicks Avenue Area, Phase 1, Syosset, New York, TOB Contract No. H19-196PH1, Bid No.: 026-21 LKMA Project No. 19067**

Madam:

Please allow this letter to serve as L. K. McLean Associates, P.C.'s, recommendation to approve Change Order No. 2 for the Hicks Avenue Area Highway Improvements Project, Phase 1. Change Order No. 2 is attached for your review and consideration. This Change Order includes a new item, unanticipated during design of the project. These recommended revisions to the Contract are as follows:

TASK 1 - ADD ITEMS

New contract items will be created to allow for changes due to field conditions encountered during the construction of the referenced project, specifically Adjustment of Water Main Valves. This

work, normally completed by the utility owner, was refused to be done by the Syosset Water Company. As such, the work was undertaken on a Forced Account Basis, as follows:

NEW ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
387X	Adjust Water Main Valves	45 EA.	$354.97 / EA.	$15,973.65
			Total of ADD Items:	**$15,973.65**

TOTAL OF CHANGE ORDER NO. 2 (INCREASE): $15,973.65

All of the above being said, L.K. McLean Associates' recommends the above change order with a total increase to the contract with United Paving Corp. of $15,973.65 be approved.

A copy of the Contractors documentation is attached for your review and use. Also enclosed are eight (8) executed copies of Change Order No. 2 for your review and use. Please contact the undersigned if you have any questions or comments on these matters at (631) 286-8668, ext. 268.

Very Truly Yours,

Gilbert Anderson, P.E.,
Senior Project Director

c. John C. Tassone, Deputy Commissioner, TOBDPW
Raymond DiBiase, PE, President/CEO, LKMA
Robert Steele, PE, Executive Vice President, LKMA

United Paving Corp.
6316 Northern Blvd
East Norwich, NY 11732
Office (516)-922-3940
Fax (516)-922-4158

TOWN OF OYSTER BAY
RE: HIGHWAY IMPROVEMENT TO THE HICKS AVENUE AREA PHASE 1
CONTRACT NO. H19-196PH1
BID NO.PW 026-21

11/19/2021

Dear Sir or Madam: T&M Valve Boxes

ITEM	Tue 7/6	Wed 7/7	Thu 7/8	Mon 7/26	Tue 8/3
GRP 3 LABORER #1	8	8	8	8	8
GRP 3 LABORER #2	8	8	8	8	8
COMPRESSOR	8	8	8	8	8
PICK UP TRUCK	8	8	8	8	8

ITEM	QTY	UNIT	UNIT COST	COST
MISC. MATERAIL	1	EA	$2,148.57	$ 2,148.57
GRP 3 LABOR	80	HR	$114.31	$ 9,144.80
COMPRESSOR (first 20 hrs)	20	HR	$31.11 * 90%	$ 559.98
COMPRESSOR (second 20 hrs)	20	HR	$31.11 * 80%	$ 497.76
PICK UP TRUCK (first 20 hrs)	20	HR	$36.21 * 90%	$ 651.78
PICK UP TRUCK (second 20	20	HR	$36.21 * 80%	$ 579.36
			SUBTOTAL	**$ 13,582.25**
			OVER HEAD& PROFIT 15%	$ 2,037.34
			BONDS	$ 354.31
			GRAND TOTAL	**$ 15,973.90**

Regards,
Mike Them
Vice President

FERGUSON WATERWORKS

FERGUSON WATERWORKS #1052
700 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-4615

Ph: 516-829-2053 Fax: 516-000-0000

ACCEPT B/O - Y
SHOWROOM - N
SOURCE = SO%
DB FRT = N 0.0
DB SHP = N 0.0
07 JUL 2021 14:52:56

CUSTOMER SALES ORDER
*** C O D ***

ORDER NO.	REQUIRED DATE	SHIP WHS.	SELL WHS.
P23NSG	07/07/21	1052	052

WRITER	SALESMAN
NPS	576

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
4573	UNITEDPAV			07/07/21	

INSTRUCTIONS

OML CONTACT: William Sandora

VENDOR

VENDOR PO. NO.

SOLD TO
UNITED PAVING
2300 NORTHERN BLVD.
E MASSAPE, NY 11758

SHIP TO
COUNTER PICK UP
700 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-4615

SHIP VIA: CPU COUNTER PICK UP

ROUTE NO. | RUN NO. | DEPART

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE DESC.

CUSTOMER PO. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	BO QTY	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	PO. NO.	AISLE LOC
1	15	15	0	1VKBN14B	6" 2-WAY FLG RW RSP	7.921	EA	118.95		Y1
									8.2 lb	
2	10	10	0	2WBL70W	8-1/4" CI FLG RW CID RSP	12.632	EA	126.20		Y2
									8.6 lb	
				PAID 20.84 BY UNKNOWN Express COD RRXXXXXXXXXXXXXX ON 07/07/21						

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.

SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.

SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE
245.75	0.00	0.00	21.19	0.00	266.94

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS: CASH ON DELIVERY

CONTINUED

CUSTOMER COPY

FERGUSON
WATERWORKS

ORDER NO. | REQUIRED DATE | SHIP WHS. | SELL WHS.

WRITER	SALESMAN

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY

INSTRUCTIONS

OML CONTACT

VENDOR

VENDOR P.O. NO.

SOLD TO

SHIP TO

SHIP VIA

ROUTE NO.	RUN NO.	DEPART T

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE DESC.

CUSTOMER P.O. NO.	JOB NAME	ATTN:

SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	B.O.	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC

agree to pay the total amount of this purchase as noted below. I understand and authorize backordered products to be pre-authorized and charged to my credit card account upon shipment. If I use carry-over funds in my account, I agree to pay any unpaid balance.

on the MARKING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anywhere for human consumption. Products with "NL" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.	SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE
SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.						

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS:

CUSTOMER COPY

FERGUSON WATERWORKS

[illegible] WATERWORKS [illegible]
[illegible] ATLANTIC AVENUE
[illegible] PARK, NY [illegible]

[illegible]

ORDER NO. | REQUIRED DATE | SHIP WHS. | SELL WHS.

[illegible]

[illegible] SALES ORDER

[illegible]

ACCEPT B/O	Y
SHOWROOM	N
SOURCE	SOL
[illegible]	5.00
[illegible]	0.00
[illegible]	[illegible]

WRITER	SALESMAN
[illegible]	[illegible]

TAG PO. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
[illegible]	[illegible]			[illegible]	

INSTRUCTIONS

OML CONTACT: William Sandora

VENDOR

VENDOR P.O. NO.

SOLD TO
[illegible] PAVING
[illegible] SOUTHERN BLVD.
[illegible] NORWICH, NY [illegible]

SHIP TO
COUNTER PICK UP
200 ATLANTIC AVENUE
NEW HYDE PARK, NY [illegible]

SHIP VIA: CPU COUNTER PICK-UP

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE NO.	RUN NO.	DEPART T

ROUTE DESC.

CUSTOMER P.O. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	[illegible]	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
[illegible]	[illegible]	5	0	[illegible]	26 SLIP VLV [illegible] TOP SECT TOP FLG	54.480	EA	272.40		FY2
									36.0 lb	
[illegible]	10	10	0	[illegible]	5-1/4X1 VLV BX RSR	7.970	EA	79.70		Y1
									6.2 lb	
[illegible]	10	10	0	[illegible]	5-1/4X1-1/2 VLV BX RSR	11.960	EA	119.60		Y1
									7.0 lb	
[illegible]	5	5	0	[illegible]	[illegible] ONLY L/ CVR INP	25.530	EA	127.65		Y2
									20.0 lb	
[illegible]	5	5	0	[illegible]	5-1/4 CI VLV BX LID MTR	12.620	EA	63.10		Y2
									8.6 lb	
					PAID [illegible] BY American Express [illegible] ON 07/06/21					

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.
SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.

SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE
662.45	0.00	0.00	57.13	0.00	719.58

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS: [illegible]

CUSTOMER COPY

FERGUSON® WATERWORKS

FERGUSON WATERWORKS #1072
200 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

PH: 516-479-2063 FAX: 516-000-0000

CASH SALES ORDER
*** COD ***

ORDER NO.	REQUIRED DATE	SHIP WHS.	SELL WHS.
[illegible]	07/06/21	1672	1672

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
[illegible]	UNITEDPAY			07/06/21	

SOLD TO
UNITED PAYING
[illegible] NORTHERN BLVD.
[illegible] NORWICH, NY 11732

CUST PH: 516-922-3940

SHIP TO
COUNTER PICK UP
200 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

INSTRUCTIONS

SHIP VIA: CPU COUNTER PICK-UP

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

CUSTOMER P.O. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

ACCOUNT [illegible]
SHOWROOM = 0
SOURCE = SOL
IB FRT = 0 0.0[illegible]
OB SHP = 0 0.0[illegible]
06 JUL 2021 08:40:3[illegible]

WRITER	SALESMAN
WMS	578

TAG P.O. NO.

OML CONTACT: William Sandora

VENDOR

VENDOR P.O. NO.

ROUTE NO.	RUN NO.	DEPART T

ROUTE DESC.

LINE	ORDER QTY.	SHIP QTY.	BO QTY	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
	DATE			07/06/21						
	CARD TYPE			American Express						
	ACCT #			XXXXXXXXXXXX1008						
	AUTHORIZATION #			515132						
	AMOUNT			$719.50						

I agree to pay the total amount of this purchase. By signing below, I understand and authorize backordered products to be pre-authorized and charged to my credit card account upon shipment. If third party payer fails to pay for any reason, then I agree to pay any unpaid balance.

SEAN CALLAHAN

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.
SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.

SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS:

CUSTOMER COPY

FERGUSON WATERWORKS

FERGUSON WATERWORKS #1573
200 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

PH: 516-379-2952 FAX: 516-880-0800

ORDER NO. | REQUIRED DATE | SHIP WHS. | SELL WHS.

3025295 | 07/16/21 | 1572 | 1572

CPU SALES ORDER

*** C O D ***

RECEIPT # 0
SHOWROOM
SOURCE = SOL
TX FRT = N 8.0
TX SHP = N 0.0
06 JUL 2021 14:53:0

WRITER	SALESMAN
WPS	525

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
11511	UNITED PAV			7/16/21	

SOLD TO
UNITED PAVING
3345 NORTHERN BLVD.
E. NORWICH, NY 11732

CUST PH: 516-922-2940

SHIP TO
COUNTER PICK UP
200 ATLANTIC AVENUE
NEW HYDE PARK NY 11040-5057

INSTRUCTIONS

OML CONTACT: William Sanders

VENDOR

VENDOR P.O. NO.

SHIP VIA: CPU COUNTER PICK-UP

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE NO. | RUN NO. | DEPART

ROUTE DESC.

CUSTOMER P.O. NO. | JOB NAME | ATTN:

SHIP WT. | SHIP DATE | DELIVERED BY | PACKED BY | CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	B.O. QTY.	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
3	5	5	0	2480153875	24.38 DC VLV SL TOP JECT TOP CLG	54.480	EA	272.40		FY2
									36.0 16	
4	5	5	0	8VRSLPTFE12	RTFE-HOSE ONLY L/ C*P THP	25.530	EA	127.65		Y2
									20.0 16	
				PATH 436.05 BY Americas Express: CC# XXXXXXXXXXXX1000 ON 07/16/21						

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.	SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE
SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.	400.05	0.00	0.00	34.60	0.00	434.65

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS: CASH ON DEMAND

CONTINUED

CUSTOMER COPY

FERGUSON®
WATERWORKS

FERGUSON WATERWORKS #1672
200 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

PH: 516-470-2053 FAX: 516-000-0000

ACCEPT B/O = Y
SHOWROOM = N
SOURCE = SOG
IB FRT = N 0.0
OB SHP = N 0.0
06 JUL 2021 14:53:0

CASH SALES ORDER
*** COD ***

ORDER NO.	REQUIRED DATE	SHIP WHS.	SELL WHS.
XP253765	07/06/21	1672	1672

WRITER	SALESMAN
MPS	576

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
1471	UNITEDPAV			07/06/21	

INSTRUCTIONS

OML CONTACT: William Sandora

VENDOR

VENDOR P.O. NO.

SOLD TO:
UNITED PAVING
5316 NORTHERN BLVD.
E NORWICH, NY 11732

CUST PH: 516-922-3940

SHIP TO:
COUNTER PICK UP
200 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

SHIP VIA: CPU COUNTER PICK-UP

PCS.	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE NO.	RUN NO.	DEPART T

ROUTE DESC.

CUSTOMER P.O. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	BO QTY	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
	DATE			: 07/06/21						
	CARD TYPE			: American Express						
	ACCT #.			: XXXXXXXXXXXX1008						
	AUTHORIZATION #			: 553606						
	AMOUNT			: $434.55						

I agree to pay the total amount of this purchase. By signing below, I understand and authorize backordered products to be pre-authorized and charged to my credit card account upon shipment. If third party payer fails to pay for any reason, then I agree to pay any unpaid balance.

SEAN CALLAHAN

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are not lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.

SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.

SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE

CUSTOMER'S SIGNATURE: _____ DATE: _____ TERMS:

CUSTOMER COPY

FERGUSON WATERWORKS

[illegible]

[illegible]

PRINT [illegible]
SHOWROOM [illegible]
SOURCE [illegible]
ER PKT [illegible] 0.0
OR SHP [illegible] 0.0
01 JUL 2021 07:23:15

CASH SALES ORDER

[illegible]

ORDER NO.	REQUIRED DATE	SHIP WHS.	SELL WHS
[illegible]	[illegible]	[illegible]	[illegible]

WRITER	SALESMAN
MPS	575

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
[illegible]	UNITED [illegible]			7/01/21	

INSTRUCTIONS

OML CONTACT: William Sandora

VENDOR

VENDOR P.O. NO.

SOLD TO
[illegible]
[illegible]
[illegible]

SHIP TO
COUNTER PICK UP
200 [illegible]
NEW RIVER PARK, SC [illegible]

SHIP VIA: CFU COUNTER PICK-UP

ROUTE NO.	RUN NO.	DEPART

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE DESC.

CUSTOMER P.O. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	BO QTY.	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
Each	UOM	Left		Description of Article	Hazardous Packing Weight			Packaging Desc	Entire Whe	
Inward		Number		HAZMATs must contain proper shipping name, Class Group		(LBS)			Delivered	
1	EA	ITEM		LIMITED QUANTITY		2.000		X 50%		
				P20:032 - CRAYTON BLUE INT/EXT PAINT SQT						
Total Pieces: 2								Total Weight: 2.500		

I/we do hereby certify that the above named materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Shippers Ferguson Enterprises, LLC Date

Per

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.

SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.

SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE
669.40	0.00	0.00	57.70	0.00	727.60

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS: CASH OR RETURNED

CONTINUED

CUSTOMER COPY

FERGUSON WATERWORKS

FERGUSON WATERWORKS #1072
200A ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

PH: 516-478-3057 FAX: 516-600-1000

COIN BILLS DEPT
*** COD ***

ACCT# C.O.D. - Y
CUSTOMER - N
SOURCE - SOE
TO FRT - N 0.0
TO SHP - N 0.0
01 JUL 2021 07:43:25

ORDER NO.	REQUIRED DATE	SHIP WHS.	SELL WHS.
[illegible]	07/01/21	1072	1072

WRITER	SALESMAN
DPS	176

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
1474	WATERWORKS			07/01/21	

INSTRUCTIONS

OML CONTACT: William Sandora

VENDOR

VENDOR P.O. NO.

SOLD TO
UNITED PIPING
[illegible] NORTHERN BLVD.
E. NORWICH, NY 11732

SHIP TO
COIN BILLS DEPT
200 ATLANTIC AVENUE
NEW HYDE PARK, NY 11040-5057

Cust Ph: 516-[illegible]

SHIP VIA: UPS GROUND NEXT DAY

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE NO. | RUN NO. | DEPART T

ROUTE DESC.

CUSTOMER P.O. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.	B/O QTY.	ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
1	10	10	0	EVBR536D	6"-150 MJ X PE PSR	7.970	EA	79.70		Y1
									6.2 LB	
2	10	10	0	EVBR536J	6"-150-L-6.2 MJ X PE PSR	11.950	EA	119.50		Y1
									7.0 LB	
3	15	15	0	EVBR536M	6"-150 CL 90 MJ X PE LCP MTR	12.020	EA	180.30		Y2
									8.6 LB	
4	2	2	0	EVBR536LF	6" 150 MJ X PE FOR SLVT FOR FLG	54.480	EA	108.96		FY2
									36.0 LB	
5	1	1	0	EVSAT6FB	6x 5.5" MJ X FE TAP SLVT	34.650	EA	34.65		Y2
									30.0 LB	
6	5	5	0	EVBR536LBJ	BOLT WITH NUT Y L7 CVR COP	25.530	LB	127.65		Y2
									20.0 LB	
7	2	2	0	EJ8CWDP	CAUTION BLUE INV TRNK PAINT SOLV	5.050	EA	10.10		SFMS
									1.6 LB	
					PAID 727.80 BY American Express ##[illegible]1008 ON 07/01/21					

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES. SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.	SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE
	727.80	0.00	0.00	47.78	0.00	727.80

CUSTOMER'S SIGNATURE: _____ DATE: _____

TERMS: CASH ON DELIVERY

CONTINUED

CUSTOMER COPY

FERGUSON
WATERWORKS

ORDER NO.	REQUIRED DATE	SHIP WHS.	SELL WHS.
[illegible]	[illegible]	[illegible]	[illegible]

WRITER	SALESMAN
[illegible]	[illegible]

TAG P.O. NO.

CUSTOMER NO.	CUSTOMER ALPHA	CONTRACT NO.	BID NO.	ORDER DATE	ORDERED BY
[illegible]	[illegible]			[illegible]	

INSTRUCTIONS

OML CONTACT

VENDOR

VENDOR P.O. NO.

SOLD TO: [illegible]

SHIP TO: [illegible]

SHIP VIA: [illegible]

PCS	BAGS	BOXES	CRATES	LENGTHS	BUNDLES

ROUTE NO.	RUN NO.	DEPART T

ROUTE DESC.

CUSTOMER P.O. NO.	JOB NAME	ATTN:	SHIP WT.	SHIP DATE	DELIVERED BY	PACKED BY	CHECKED BY

LINE	ORDER QTY.	SHIP QTY.		ITEM CODE	DESCRIPTION	UNIT PRICE	U/M	TOTAL	P.O. NO.	AISLE LOC
	[illegible]			[illegible]						
	[illegible]			[illegible]						
	[illegible]			[illegible]						
	[illegible]			[illegible]						
	[illegible]			[illegible]						

[illegible]

[illegible] is illegal to install products that are not "lead free" in accordance with US Federal or other [illegible] in potable water systems anticipated for human consumption. Products with *NP in the description [illegible] can only be installed in non-potable applications. Buyer is solely responsible for product selection.

NO RETURNS ALLOWED WITHOUT PROPER AUTHORIZATION. RETURNED MATERIALS SUBJECT TO HANDLING CHARGES.

SEE REVERSE SIDE FOR IMPORTANT TERMS AND CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY.

SUBTOTAL	INBOUND FREIGHT	OUTBOUND SHIPPING	TAX	LESS DEPOSIT	TOTAL DUE

CUSTOMER'S SIGNATURE: ____________ DATE: ____________

TERMS:

CUSTOMER COPY

TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Construction of Highway Improvements to the Hicks Avenue Area
Syosset, NY
Contract No. H19-196 PH1; PW026-21
CHANGE ORDER NO. 2

To: United Paving Corp.
6316 Northern Blvd
East Norwich, NY 11732

From: L.K. McLean Associates, P.C.
437 South Country Road
Brookhaven, NY 11719

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

1. ADD ITEMS

Create new contract item to allow for design changes due to field conditions for the construction of the referenced project, specifically the Adjustment of Water Main Valves, normally done by the utility owner, was refused to be done by the Syosset Water Company. As such the work was undertaken and complete on a Forced Account Basis, as follows:

NEW ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL COST
387X	Adjust Water Main Valves	45 EA.	$354.97 / EA.	$15,973.65
			Total of ADD Items:	**$15,973.65**

TOTAL OF CHANGE ORDER NO. 2 (INCREASE): $15,973.65

The original Contract sum was:	$ 2,103,333.00
Net Change by previously authorized Change Orders:	$ ($37,000.00)
Total Contract sum prior to this Change Order:	$ 2,066,333.00
Change Order No. 2 **(INCREASE)**:	$ $15,973.65
New Contract sum including CHANGE ORDER NO. 2:	**$ 2,082,306.65**

The above work has been performed in accordance with the letter of recommendation to the Town of Oyster Bay Department of Public Works from L.K. McLean Associates, P.C., dated December 22, 2021 and will result in an **INCREASE** to the Town in the amount of **Fifteen Thousand, Nine Hundred Seventy-Three Dollars and Sixty-Five Cents.**

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

Recommended by:
L.K. McLean Associates, P.C.

by: _____
Gilbert Anderson, P.E.
Senior Project Director

Dated: _____

Accepted by:
United Paving Corp.

by: _____
Mike Them

Dated: _____

Sufficient funding for this Change Order is available within the Contract encumbrance:

by: _____
Robert Darienzo, Director of Finance

by: _____ 7/1/22
Steven Ballas, Comptroller

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

_____
Joseph S. Saladino, Town Supervisor

Dated: _____

Inspector General

Reviewed By
Office of Town Attorney
Ralph P. Healey

Meeting of March 29, 2022 Resolution No 236-2022

WHEREAS, by Resolution No. 514-1996, adopted on July 23, 1996, the Town Board authorized Lockwood Kessler & Bartlett, Inc., One Aerial Way Syosset, New York 11791, to provide engineering services relative to the Construction Phase of Contract No. DPW91-560A, Syosset Landfill, First Operable Unit Remediation, Capping and Closure Program; and

WHEREAS, Theresa C. Heneveld, P.E., Vice-President of Environmental Engineering, Lockwood, Kessler & Bartlett, by letter dated March 10, 2022, set forth a request for funding relative to Contract No. DPW91-560A, with regard to gas monitoring, groundwater monitoring reporting and inspection of the landfill cap and drainage system, reporting to the United States Environmental Protection Agency and the New York State Department of Environmental Conservation, as necessary, and oversight of any repairs and improvements necessary on or near the site, in accordance with the Town's Consent Decree No. CV-90-4183, in an amount not to exceed $80,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 14, 2022, requested Town Board authorization for the encumbrance of funds, in an amount not to exceed $80,000.00, for Lockwood, Kessler & Bartlett, Inc. to provide engineering services relative to Contract No. DPW91-560A; and

WHEREAS, Commissioner Lenz, by said memorandum, further requested that the Comptroller be authorized to make payment of said engineering costs in an amount not to exceed $80,000.00, with funds available in Account No. HWY-H-5197-20000-000-2103-008, Project ID No. 2103HWYDB-09; and

WHEREAS, the Office of the Inspector General reviewed the vendor's disclosure questionnaire and is satisfied the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Lockwood, Kessler & Bartlett, Inc., is hereby authorized to proceed with the aforementioned engineering services in connection with Contract No. DPW91-560A; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed $80,000.00, with funds to be drawn from Account No. HWY-H-5197-20000-2103-008, Project ID No. 2103HWYDB-09; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

MARCH 14, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT: CONTINUATION OF ENGINEERING SERVICES
SYOSSET LANDFILL REMEDIATION
CONTRACT NO. DPW91-560A
ACCOUNT NO. HWY H 5197 20000 2103 008
PROJECT ID NO. 2103 HWYDB-09

Town Board Resolution No. 514-96 authorized Lockwood, Kessler & Bartlett, Inc. to proceed with Engineering Services relative to the Construction Phase for the above-mentioned contract.

Attached is a letter from Lockwood, Kessler & Bartlett, Inc. dated March 10, 2022, concerning a funding authorization request in the amount of $80,000.00. As explained by the consultant, services to be performed include gas monitoring, groundwater monitoring reporting, and inspection of the landfill cap and drainage system, reporting to the United States Environmental Protection Agency and New York State Department of Environmental Conservation, as necessary, and oversight of any repairs and improvements necessary on or near the site, in accordance with the Town's Consent Decree No. CV-90-4183. The fees described in the attached letter will provide for services performed in the 2022 calendar year.

Funds are available for this purpose in Account No. HWY H 5197 20000 2103 008.

It is hereby requested that the Town Board approve, by Resolution, the above-noted authorization for the continuation of engineering services in the amount of $80,000.00 relative to Syosset Landfill Remediation, Contract No. DPW91-560A, and that the Office the Comptroller issue a new encumbrance for this purpose.

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

RWL/JGT/MR/lk
Attachments
cc: Steven Ballas, Comptroller
John Bishop, Deputy Commissioner

DPW91-560A DOCKET 2022 FEES

LKB ENGINEERING EXCELLENCE SINCE 1889
A VERTEX COMPANY

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

March 10, 2022
LKB No. 2021-0086

Richard W. Lenz, P.E., Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791

Attn: John Tassone, Deputy Commissioner
Division of Engineering

Re: Syosset Landfill Remediation
Contract No. DPW 91-560A

Dear Commissioner Lenz,

In accordance with previous conversations with the Department of Public Works (DPW), Lockwood, Kessler and Bartlett, Inc. (LKB) has prepared this letter to report on the Town's continued obligations required by the Syosset Landfill Consent Decree No. CV-90-4183 with the United States Environmental Protection Agency (USEPA) and to provide a fee estimate for the engineering services necessary to assist the Town in fulfilling these obligations in 2022.

The site's Consent Decree requires that the Town continue to perform the tasks identified under the Post-Closure Monitoring and Maintenance Operations Manual which was approved by the USEPA. The current USEPA and NYSDEC approved frequency for performing post-closure closure inspection and monitoring at the site requires inspection of the final cover and stormwater drainage systems semi-annually, and after major rainfall events, inspection and monitoring of the perimeter and property line passive gas vent wells semi-annually, and inspection and monitoring of the on-site and off-site post-closure groundwater monitoring well network once every five quarters so that monitoring will be performed once every season/quarter in a five-year review period.

The 2021 groundwater monitoring event was conducted during the fourth quarter of 2021. The 2021 Groundwater Monitoring Program Report will be completed and submitted to the USEPA and NYSDEC during 2022. The next groundwater monitoring event will be performed during the first quarter of 2023 in accordance with the post-closure monitoring schedule. LKB estimates the fee associated with the groundwater monitoring program during 2022 including the preparation of electronic data deliverables and report completion to be $16,000.

The effort for performing the 2022 semi-annual inspection and monitoring events (including after a major rainfall event, if necessary) for the landfill cover system, stormwater drainage system and landfill gas venting system, evaluating data and preparing summary documentation to be $22,000. Following the completion of these tasks, LKB will prepare the Annual 2022 Summary Report summarizing the monitoring and maintenance activities performed. LKB estimates the fee for preparing the Annual Summary Report to be $17,000.

In addition, LKB will continue to assist the Town with other issues related to the Town's obligations under the Consent Decree, review of various USEPA and NYSDEC correspondence and site documentation generated, the review of periodic USEPA oversight bills which the Town is required to pay in accordance with the requirements of the Consent Decree, as well as other ongoing issues related to site uses. LKB estimates the fee to provide services of this nature at $25,000.

In summary, LKB estimates our fee to perform the above-referenced engineering services related to the 2022 post-closure year to be $80,000. LKB therefore respectfully requests the Town consider an increase to our previous authorization under Town Board Resolution No. 281-2021 for Contract No. DPW 91-560A in the amount of $80,000 to perform the above referenced tasks. LKB will perform this work under our existing agreement for engineering services related to the Syosset Landfill Remediation.

We appreciate the opportunity to serve the Town on this project. Please contact our office if you need any further information.

Very truly yours,

LOCKWOOD, KESSLER & BARTLETT, INC.

Theresa C. Heneveld

Theresa C. Heneveld, P.E.
Vice President of Environmental Engineering

Cc: M. Russo, PE - TOBDPW

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 739-2021, adopted on December 7, 2021, the Town Board authorized the Department of Public Works to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Russell Z. Scott, P.E., Senior Partner, N & P Engineering, Architecture & Land Surveying, PLLC, by letter dated January 25, 2022, set forth a request for funding relative to Contract No. PWC07-22, with regard to engineering services for drainage review and analysis for the William Street Area, Glen Head, in an amount not to exceed $17,550.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 14, 2022, requested Town Board authorization for funds, in an amount not to exceed $17,550.00, for N & P Engineering, Architecture & Land Surveying, PLLC, to provide engineering services relative to Contract No. PWC07-22; and

WHEREAS, Commissioner Lenz, by said memorandum, requested further that the Comptroller be authorized to make payment of said engineering costs in an amount not to exceed $17,550.00, with funds available in Account No. HWY-H-5197-20000-000-1903-008, Project ID No. 1903HWYDB-09; and

WHEREAS, the Office of the Inspector General reviewed the vendor's disclosure questionnaire and is satisfied the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and N & P Engineering, Architecture & Land Surveying, PLLC, is hereby authorized to proceed with the aforementioned engineering services in connection with Contract No. PWC07-22; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed $17,550.00, with funds to be drawn from Account No. HWY-H-5197-20000-1903-008, Project ID No. 1903HWYDB-09; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 14, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC07-22
CIVIL ENGINEERING
ACCOUNT NO.: HWY-H-5197-20000-000-1903-008
PROJECT ID NO. 1903HWYDB-09

The consultant, N & P Engineering, Architecture & Land Surveying, PLLC has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC07-22 by Resolution No. 739-2021 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated January 25, 2022 from N & P Engineering, Architecture & Land Surveying, PLLC, regarding the scope of work to be performed in an amount not to exceed $17,550.00. Services to be provided include review and analysis of the drainage system in the William Street Area, Glen Head.

Attached is an availability of funds in the amount of $17,550.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. HWY-H-5197-20000-000-1903-008.

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

It is hereby requested that the Town Board authorize, by Resolution N & P Engineering, Architecture & Land Surveying, PLLC under Contract No. PWC07-22, On-Call Technical Assistance Relative to Civil Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

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

RWL/JCT/MR/nm

Attachment

cc: Steven Ballas, Comptroller

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

Requesting Division/Department: HIGHWAY

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

Contract Number: PWC07-22

Contract Period: 1/1/2022 - 12/31/2023

Consultant/Contractor: N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC

Discipline: CIVIL ENGINEERING

Total Authorization: $17,550.00

Resolution No.: 739-2021 Date: 12/7/2021

Funded To Date: $0

Amount Requested: $17,550.00

Account To Be Used: HWY H5197 20000 000 1903 0008 - 1903 HWY 06-09

If Capital Account, State The Related Contract Number: NA

Description Of Work

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

ENGINEERING SERVICES FOR DRAINAGE REVIEW AND ANALYSIS

WILLIAM STREET AREA, GLEN HEAD

Work To Be Completed In Contract Period: Yes [X] No [ ]

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

Required Insurances Are In Effect: Yes [X] No [ ]

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

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [X]

Amount of Bond $ _____

Requesting Division/Department	DPW Approval
	Only To Be Executed By The Commissioner
Signature: [signature]	Signature: [signature]
Title: DEPUTY COMMISSIONER OF HIGHWAYS	Title: Commissioner of Public Works
Date:	Date: 3/14/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 17,550.00

Unencumbered Balance: 42,113.64

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature: [signature] Date: 3/3/22

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2022

Contract No. PWC07-22 Contract End 12/31/2023

Commencement Date 1/1/2022

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

Vendor Name and Address

N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC

70 MAXESS ROAD

MELVILLE, NEW YORK 11747

Requesting Town Department HIGHWAY

Contact ENGINEERING Phone X - 5930

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

ENGINEERING SERVICES FOR DRAINAGE REVIEW AND ANALYSIS

WILLIAM STREET AREA, GLEN HEAD

This work order shall not exceed $ 17,550.00

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

Requesting Division/Department

Signature _____

DEPUTY COMMISSIONER OF HIGHWAYS

Date 3-3-2022

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 3/14/22

NELSON + POPE
engineers • architects • surveyors

January 25, 2022

Richard W. Lenz, P.E.
Commissioner of Public Works/Highway
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

Re: Scope & Fee for Professional Services for
William Street Area Drainage Review and Analysis
PWC 07-22 – "On-Call" Civil Engineering

Dear Commissioner Lenz:

In response to your request for a proposal to provide engineering services for the above referenced project, Nelson + Pope is pleased to provide the following scope of services and related cost breakdown. Our firm's commitment to quality along with our staff's professionalism will ensure the completed work product measures up to the Town's standards. For your ease of reference, the proposal is formatted as follows:

- Project Description
- Project Organization
- Project Rate Schedule
- Scope of Services
- Exhibit B – Manpower Table

We would like to take this opportunity to express our gratitude for your consideration and add that our technical ability will ensure a successful project. If you have any questions or would like to discuss the proposal, please do not hesitate to contact me.

Respectfully submitted,
NELSON + POPE

Russell Z. Scott, PE
Senior Partner

Project Description

Nelson + Pope will review the existing drainage infrastructure and previously completed improvements at the William Street Area in Glenwood Landing.

The scope of work as understood and described above is the basis of this proposal.

Project Organization

Joseph Deluca, PE will serve as the Project Manager for Nelson + Pope, with necessary oversight and quality assurance provided by Russell Z. Scott, PE.

Project Rate Schedule

The consultant fee for the services provided under this proposal will be billed at time rates based on Nelson + Pope's latest billing rate schedule per our On-Call Civil Engineering Contract (PWCO07-22) with the Town of Oyster Bay.

Scope of Services and Fees:

Nelson + Pope will review the previously prepared plans for the roadway and drainage improvements to the William and Waverly Street area located in Glenwood Landing. This review will include a cursory review of the drainage calculations and previous drainage design. Nelson + Pope will visit William Street and the surrounding roadways during a significant rain event to inventory and observe the conditions. Field staff will specifically review the areas in the vicinity of Houses 29 & 31 on William Street. Photographs will be taken to document the conditions. Nelson + Pope will provide the Town a memo summarize their findings.

Once the review of the existing conditions is completed, Nelson + Pope will prepare construction documents for any additional drainage structures that may need to be constructed to improve the collection of stormwater along the roadways. The Construction Plan will include the necessary items to be utilized with the applicable Town requirements contract. An approximate construction cost based on the applicable contract will be provided to the Town.

Nelson + Pope will attend the required meetings with Town and residents, assumes approximately 2 meetings.

Task Fee: Time Rates
Not to Exceed: $ 17,550.00

Meeting of December 7, 2021 Resolution No. 739-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services Relative to Civil Engineering was issued in accordance with the specifications contained in Contract No. PWC07-22, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, in response to the aforementioned Request for Proposals, eighteen (18) responses were received by the Division of Engineering; and

Reviewed By
Office of Town Attorney

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 6 and 9 of the Town of Oyster Bay Procurement Policy and in conjunction with the current workload, the Department has selected N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023.

#

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

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

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on February 14, 2022, for Contract No. H21-220, Concrete Replacement at Various Locations Throughout the Town of Oyster Bay, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 10, 2022, advised, that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. H21-220, were reviewed, the Division of Engineering recommended the award of Contract No. H21-220, to Valente Contracting Corp., which submitted the lowest responsive bid amongst the five (5) bids received, in the amount of $952,695.00; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that construction time for the completion of the contract is 120 calendar days and that funds for the aforementioned construction work are available for payment in Account No. HWY H 5197 20000 2203 008, Project ID 2203HWYDB-05; and

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

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. H21-220 is awarded to Valente Contracting Corp., in an amount not to exceed $952,695.00, and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. HWY H 5197 20000 2203 008, Project ID 2203HWYDB-05; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in a total amount not to exceed $952,695.00, upon presentation of a duly certified claim, after audit.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 10, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS THROUGHOUT
THE TOWN OF OYSTER BAY
CONTRACT NO. H21-220
ACCOUNT NO. HWY H 5197 20000 2203 008
PROJECT ID. 2203HWYDB-05

On December 22, 2021, the Division of Purchasing received bids for the subject project. The Division of Engineering reviewed the bids. Valente Contracting Corp., 77 Jackson Avenue, Mineola, New York 11501, Federal Id# [redacted] submitted the lowest responsive bid among five (5) in the amount of $952,695.00.

The Division of Engineering is recommending the award of this contract to Valente Contracting Corp. in the amount of $952,695.00.

The construction time for completion of the subject contract is 120 calendar days. Funds are available for the subject contract work in Account No. HWY H 5197 20000 2203 008.

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

The Division of Engineering, request that Contract No. H21-220 be awarded to Valente Contracting Corp. in the total bid amount of $952,695.00.

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

RWL/JCT/MR/TLS/nm
Attachments

cc: Steven Ballas, Comptroller

H21-220 AWARD CONCRETE VALENTE $952695

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.C., Commissioner, Department of Public Works Highways, by memorandum dated March 14, 2022, and Russell Scott, P.E. Partner, N&P Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated March 10, 2022, advised that it is necessary and essential to extend the completion date of Contract No. H18-171-P1, Massapequa Flood Diversion and Control Project #1 Outfalls 126 & 67 (Harbor Place/Cabot Road West), an additional two hundred sixty five (265) calendar days, beyond the current completion date to July 22, 2022, due to unexpected lead time as a result of the COVID-19 pandemic, material delays (rebar, wire, mesh & concrete), pre-cast fabrication delays, manhole casting delivery delays, unexpected lead time for check valves, and utility conflicts which led to delays from public utilities (National Grid, Massapequa Water District, New York American Water and the Nassau County Sewer District), and thus recommended such extension of time, in which to complete said Contract, at no additional construction cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and in connection with Contract No H18-171-PH1, Roadwork Ahead, Inc. is hereby granted an extension of time to July 22, 2022, in which to complete Contract No. H18-171-P1, at no additional construction cost to the Town.

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 14, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT : EXTENSION OF TIME
Massapequa Flood Diversion and Control Project #1
Outfalls 126 & 67 (Harbor Place/Cabot Road West)
CONTRACT NO. H18-171-P1

Attached is a copy of a letter dated March 10, 2022, from Roadwork Ahead, Inc. requesting an extension of time for this project at no additional construction cost to the Town of Oyster Bay.

The completion date was October 30, 2021, but work was delayed due to:

1. Unexpected lead time due to Covid -19 pandemic.
2. Material delays (rebar, wire mesh, concrete).
3. Pre-cast fabrication delays.
4. Manhole casting delivery delays.
5. Unexpected lead time for check valves.
6. Utility conflicts which lead to delays from public utilities (National Grid, Massapequa Water, New York American Water, & Nassau County Sewer).

In addition, attached is a letter from Nelson & Pope Engineering, Architecture and Land Surveying, PLLC dated March 10, 2022 recommending an extension of time for 265 calendar days beyond the current completion date of October 30, 2021. The new completion date will be July 22, 2022.

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

We, therefore, recommend and request that the contractor, Roadwork Ahead, Inc., be granted the above-indicated extension of time.

Richard W. Lenz

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

RWL/JET/MR/DM/nm

Attachments
C: Steven Ballas, Comptroller
Eric Tuman, Commissioner/General Services
H18-171-P1 RWA Extension of Time 2022

NELSON+POPE
engineers • architects • surveyors

March 10, 2022

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

Attention: Dan Midgette

Re: Massapequa Flood Diversion and Control / Project No. 1
Harbor / Cabot
No Cost Time Extension Review
Contract No. H18-171-P1
Nelson & Pope No. 18178

Dear Mr. Midgette:

Nelson + Pope has reviewed the request from Roadwork Ahead Inc. with reference to the request for contract extension at no additional cost from the original contract end date.

Notice to Proceed: *3/4/2021*
Contract Duration: *240 Days*
Original End Date: *10/30/2021*

Discontinuance: *3/24/2021*
Remobilization: *9/14/2021*
Adjusted End Date: *4/22/2022*

New Contract Extension Request: *July 22, 2022 (265 Days)*

The extension request is made for an additional 265 days, extending the contract from the previous Adjusted End Date of April 22, 2022 to on or about July 22, 2022. This extension is anticipated to provide adequate time to substantially complete all construction related field work to fulfil the contract scope and any current change orders. Nelson _ Pope has reviewed the letter and agrees with eh requests baed on the outlined reasons for delays, mostly pertaining to utility conflicts and associated relocation scheduling, material shortages fabrication delays, unexpected lead tiems and other limiting factors for construction due to the effects of the Covid 19 pandemic. See additional:

- Anticipated and unanticipated utility conflicts with respect to relocation scheduling; use of approved subcontractors by said utility company, schedule backup;
- Unexpected lead time for specific items such as check valves;
- Unexpected lead time for certain pre-cast drainage fabrication;
- Effects due to the Covid-19 pandemic for both supply and construction related delays.

Based on the information provided and our review, it is N+P's recommendation to approve the request for extension.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Respectfully submitted,
NELSON & POPE

Russell Scott, P.E
Partner

Roadwork Ahead, Inc.

180 Linden Avenue, Westbury, NY 11590
Phone: 516-280-8745 - 516-997-0505
Fax: 516-240-6978

March 10, 2022

Re: Nelson & Pope
Massapequa Flood Diversion and Control Project # 1
Outfalls 126 & 67 (Harbor Place/ Cabot Road West)
Contract No. H18-171-P1

ATTN: Joe Deluca

Dear Mr. Deluca:

The notice to proceed date for the above referenced project was March 4, 2021. The Project had a total contract period of 240 consecutive calendar days, and the original completion date was scheduled for October 30, 2021. After re-evaluating the project completion time, we will need to change our completion date to July 22, 2022. Please see delays below, this will not have additional cost to the contract.

- Unexpected lead time for inline Check Valve
- Unexpected Lead time for Vortech Box
- Utility Conflicts National Grid – Gas Mains needed to be relocated.
- Utility Conflicts Water Company – Water Mains needed to be relocated
- The Covid-19 pandemic has affected the lead times, and slowed multiple portions of the project as Materials, and Subcontractors

Thank you for your attention to this matter. Please do not hesitate to get into contact with us with further questions. Please contact our office at (516)997-0505

Regards,

Roadwork Ahead

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 14, 2022, advised that Russell Scott, P.E., Partner, N & P Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated January 7, 2022, advised his department that it is necessary and essential to authorize Change Order No. 1, relative to Contract No. H18-171-P3, Massapequa Flood Diversion Project #3, Brockmeyer/Clearwater/Iroquois (Outfalls 31, 114 & 129) in order to provide for the work mentioned therein, for a net increase in the amount of $701,094.44; and

WHEREAS, Commissioner Lenz, by said memorandum advised that the Consulting Engineers informed his department that the aforementioned change order resulted in a net decrease to the overall contract in the amount of $436,805.00, for an overall net increase to the final contract amount by $264,289.44; and

WHEREAS, Commissioner Lenz, by said memorandum advised that his department concurs with the Consulting Engineers and requests and recommends the aforementioned change order and quantity increase/decrease be accepted as completed, with funds available in Account No. IGA-CD-8689-27000-556,

NOW THEREFORE IT BE RESOLVED, That upon the recommendation as hereinabove set forth, Change Order No. 1 to Contract No. H18-171-P3 and the Quantity Increases/Decreases, as set forth hereinabove, are hereby approved, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to the contractor, in accordance with the applicable terms and provisions of this Contract, after the customary review of the engineer's certificate, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. IGA-CD-8689-27000-556; and be it further

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

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March14, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER NO. 1
QUANTITY DECREASE 1
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #3
BROCKMEYER/CLEARWATER/IROQUOIS (OUTFALLS 31, 114 & 129)
MASSAPEQUA, NEW YORK
CONTRACT NO. H18-171-P3

Attached is a letter from N & P Engineering, Architecture and Land Surveying, PLLC, dated January 7, 2022, concerning Change Order No. 1 for a total increase in the amount of $701,094.44.

The above-subject Change Order No.1 is due to the additional cost for items of work as well as for materials which were not originally included in the original contract. This change order is comprised of three items: Item 1 – Installation of underground drainage leaching galleys in the grass area surrounded by Brockmeyer Drive and Forest Avenue; Item 2 – Increase in the materials cost for check valves; and Item 3 – Installation of 36" RCP pipe and 6" DIP pipe. All necessary back up information regarding these items as it pertains to labor and materials are attached.

The Contractor, Pioneer Landscaping & Asphalt Paving, Inc., has submitted his price quote for the proposed work and the consultant, N & P Engineering, Architecture and Land Surveying, PLLC, reviewed the contractor's price and finds the price of $701,094.44 for additional work to be fair and reasonable.

Also attached is a letter with backup, from N & P Engineering, Architecture and Land Surveying, PLLC, dated January 7, 2022 concerning Quantity Increases/Decreases for the above subject project. The total of these items result in a net decrease of $436,805.00. The resulting overall decrease to the contract is attributed to a reduction of the items based on offset and removals from change order no.1.

In summary, the described Change Order No. 1 results in a net increase of $701,094.44 and item quantity increases and decreases result in a net decrease of $436,805.00 for an overall net increase to the final contract amount by $264,289.44.

Funding for this change order is provided through the Department of Intergovernmental Affairs Account No. IGA-CD-8689-27000-556.

The office of the Inspector General has reviewed both of the proposed vendors' disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

We hereby concur with N & P Engineering, Architecture and Land Surveying, PLLC. that the described Change Order No. 1 and Quantity Increase/Decrease be accepted as being completed and that payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

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

RWL/JCT/MR/DDM/nm
cc: Steven C. Ballas, Comptroller
Colin Bell, Office of the Supervisor
H18-171-P3 DOCKET Quantity Dec-Inc CO1

NELSON+POPE
engineers • architects • surveyors

January 7, 2022

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

Re: Change Order No. 1
Massapequa Flood Diversion and Control / Project No. 3
Brockmeyer/Clearwater/Iroquois (Outfalls 31, 114 & 129)
Contract No. H18-171-P3
Nelson & Pope No. 18180

Dear Commissioner Lenz:

Submitted herewith is Change Order No. 1 for the above referenced project. Nelson + Pope has reviewed the price data provided by the Contractor, Pioneer Landscaping & Asphalt Paving, Inc. for these items of work and has found no irregularities. This Change Order is required due to additional items of work as well as for materials which were not originally included in the Original Contract. This Change Order is comprised of three Items: Item 1 – Installation of underground drainage leaching galleys in the grass area surrounded by Brockmeyer Drive and Forest Avenue; Item 2 – Increase in the material cost for Check Valves; and Item 3 – Furnish and Installation of 36" RCP Pipe and 6" DIP pipe. All necessary backup regarding these items as it pertains to labor and material costs are attached. The following is a breakdown of these additional items.

ITEM 1
Installation of underground drainage leaching galleys in the grass area surrounded by Brockmeyer Drive and Forest Avenue. This work includes the items required for the excavation and installation of precast concrete leaching galleys, associated piping and other related materials, crushed stone and backfill in lieu of the original above ground bio-retention drainage area. The following breakdown of items for this work is as follows:

Item 12P-8 – Furnish & Install HDPE 8" Diameter Pipe
Qty: 100LF
Unit Price: $98.75/LF
Anticipated Cost: $9,875.00

Item 99-SS – Furnish & Install 2'-0" Height Leaching Galley
Qty: 100EA
Unit Price: $2,000.00/EA
Anticipated Cost: $200,000.00

Item 20 – Furnish & Install Broken Stone, Loose Measure
Qty: 200CY
Unit Price: $125.00
Anticipated Cost: $25,000.00

Item 158B – Furnish & Install Soil Stabilization Fabric
Qty: 4,700SY
Unit Price: $6.00
Anticipated Cost: $28,200.00

TOTAL OF ITEM 1: $263,075.00

ITEM 2

Increase in the material cost for required Check Valves. The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, yet at an increased price. The breakdown below is for the additional cost related to the item described from the original contract documents:

Item 506-12W – Inline Checkvalve – 12" Diameter
Qty: 3EA
Unit Price: $1,763.54
Anticipated Cost: $5,290.62

Item 506-15W – Inline Checkvalve – 12" Diameter
Qty: 1EA
Unit Price: $3,752.52
Anticipated Cost: $3,752.52

Item 506-18W – Inline Checkvalve – 18" Diameter
Qty: 2EA
Unit Price: $3,818.30
Anticipated Cost: $7,636.60

Item 506-48W – Inline Checkvalve – 48" Diameter
Qty: 1EA
Unit Price: $10,005.83
Anticipated Cost: $10,005.83

Item 506-19x30W – Inline Checkvalve – 19"x30" Elliptical
Qty: 1EA
Unit Price: $4,099.67
Anticipated Cost: $4,099.67

TOTAL OF ITEM 2: $30,785.24

ITEM 3

Furnish and Installation of 36" RCP Pipe to take place of the originally proposed 48" RCP Pipe due to in field utility conflicts with the existing sanitary sewer line house services. These conflicting existing house service crossings may require the replacement of Ductile Iron pipe where necessary; items to Furnished and Installed using 6" DIP Pipe for sanitary sewer connections will be necessary.

Item 12BX-36 – Furnish & Install 36" Diameter, Class IV RCP
Qty: 1,100LF
Unit Price: $312.69
Anticipated Cost: $343,959.00

Item 12DIP-6" – Furnish & Install 6" Diameter, Ductile Iron Pipe
(For Use in Sewer House Services Connections – Complete)
Qty: 160LF
Unit Price: $395.47/LF
Anticipated Cost: $63,275.20

TOTAL OF ITEM 3: $407,234.20

Total Increase Cost due for this Change Order is ***$701,094.44.***

In addition to the increase change order, there is an anticipated decrease in contract quantities due to offset and removals from the change order. Such decreases include but are not limited to:

Item 2X - Unclassified Excavation
Qty: 800CY
Unit Price: $68.00/CY
Anticipated Cost: $54,400.00

Item 12BX-48X – Furnish & Install 48" Diameter, Class IV RCP
Qty: 800LF
Unit Price: $203.00/LF
Anticipated Cost: $162,400.000

Item 361-A – Furnish & Install Trees 2" – 2.5" Caliper
Qty: 10EA
Unit Price: $1,000.00
Anticipated Cost: $10,000.00

Item 361-B – Furnish & Install Shrubs (#3 Container)
Qty: 345EA
Unit Price: $93.00
Anticipated Cost: $32,085.00

Item 361-C – Furnish & Install Perennials (#1 Container)
Qty: 3,090.00
Unit Price: $38.00
Anticipated Cost: $117,420.00

Item 506-12 – Inline Check Valve – 12" Diameter
Qty: 3EA
Unit Price: $5,500.00
Anticipated Cost: $16,500.00

Item 515 – Sand Compost Mix
Qty: 550CY
Unit Price: $80.00
Anticipated Cost: $44,000.00

Total Decrease Cost due to anticipated removals of contract quantities amounting to ***($436,805.00).***

The *net total Increase* of this change order will amount to **$264,289.44**. All prices have been negotiated with the Contractor. Our office has reviewed these prices and find them to be reasonable. It is our recommendation that Change Order No. 1 be accepted by the Town. We trust this information is sufficient for your records.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Respectfully submitted,
NELSON + POPE

Russell Scott, P.E
Partner

H18-171-P3 - MASSAPEQUA FLOOD DIVERSION PROJECT 3 - BROCKMEYER/CLEARWATER/IROQUOIS (OUTFALLS 31, 114 & 129)
TOWN OF OYSTER BAY
150 MILLER PLACE
SYOSSET, NY 11791

CONTRACTOR: PIONEER LANDSCAPING & ASPHALT PAVING
CLAIM NO.: Change Order No. 1 NET INC/DEC
DATE: AS OF 1/6/22
N+P #: 78180

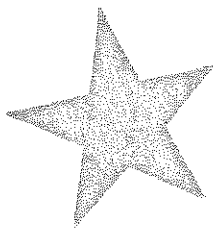
ITEM NO	ITEM DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT UNIT PRICE	CONTRACT TOTAL COST	INCREASE		DECREASE		AMOUNT
						QTY	COST	QTY	COST	NET COST
1X	CLEARING AND GRUBBING	LS	1	$2,000.00	$2,000.00		$0.00		$0.00	$0.00
1M	MOBILIZATION	LS	1	$126,000.00	$126,000.00		$0.00		$0.00	$0.00
2X	UNCLASSIFIED EXCAVATION	CY	1,775	$68.00	$120,700.00		$0.00	800.00	$54,400.00	-$54,400.00
4A	CEMENT CONCRETE PAVEMENT AND GUTTER REMOVAL	CY	170	$88.00	$14,960.00		$0.00		$0.00	$0.00
4BX	CEMENT CONCRETE STRUCTURE REMOVAL	CY	225	$80.00	$18,000.00		$0.00		$0.00	$0.00
4C	CEMENT CONCRETE SAWCUT	LF	565	$6.00	$3,390.00		$0.00		$0.00	$0.00
4D	BITUMINOUS CONCRETE SAWCUT	LF	9,150	$3.00	$27,450.00		$0.00		$0.00	$0.00
5SX	SELECT BORROW FILL	CY	35	$91.00	$3,185.00		$0.00		$0.00	$0.00
10AX	TEMPORARY SHEETING AND BRACING	SF	14,310	$1.10	$15,741.00		$0.00		$0.00	$0.00
12BX-12X	FURNISH AND INSTALL 12" DIAMETER, CLASS IV RCP	LF	540	$73.00	$39,420.00		$0.00		$0.00	$0.00
12BX-15X	FURNISH AND INSTALL 15" DIAMETER, CLASS IV RCP	LF	465	$60.00	$27,900.00		$0.00		$0.00	$0.00
12BX-18X	FURNISH AND INSTALL 18" DIAMETER, CLASS IV RCP	LF	820	$70.00	$57,400.00		$0.00		$0.00	$0.00
12BX-24X	FURNISH AND INSTALL 24" DIAMETER, CLASS IV RCP	LF	65	$113.00	$7,345.00		$0.00		$0.00	$0.00
12BX-30X	FURNISH AND INSTALL 30" DIAMETER, CLASS IV RCP	LF	1,225	$135.00	$165,375.00		$0.00		$0.00	$0.00
12BX-48X	FURNISH AND INSTALL 48" DIAMETER, CLASS IV RCP	LF	1,575	$203.00	$319,725.00		$0.00	800.00	$162,400.00	-$162,400.00
12BX-19X30	FURNISH AND INSTALL 19"x30" HORIZONTAL ELLIPTICAL, CLASS IV RCP	LF	1,270	$122.00	$154,940.00		$0.00		$0.00	$0.00
13-2	CATCH BASIN NASSAU COUNTY TYPE 2	VF	55	$1,200.00	$66,000.00		$0.00		$0.00	$0.00
13-13	CATCH BASIN NASSAU COUNTY TYPE 13	VF	5	$2,000.00	$10,000.00		$0.00		$0.00	$0.00
13-8	CATCH BASIN NASSAU COUNTY TYPE 8	VF	115	$1,600.00	$184,000.00		$0.00		$0.00	$0.00
15-3A	MANHOLES, TYPE 3 ALTERNATIVE 4' DIAMETER	VF	40	$1,450.00	$58,000.00		$0.00		$0.00	$0.00
15-3B	MANHOLES, TYPE 3 ALTERNATIVE 5' DIAMETER	VF	40	$1,600.00	$64,000.00		$0.00		$0.00	$0.00
15-3C	MANHOLES, TYPE 3 ALTERNATIVE 6' DIAMETER	VF	60	$1,100.00	$66,000.00		$0.00		$0.00	$0.00
15-4	MANHOLES, TYPE 4	VF	25	$2,300.00	$57,500.00		$0.00		$0.00	$0.00
15-5	MANHOLES, TYPE 5	VF	20	$2,200.00	$44,000.00		$0.00		$0.00	$0.00
15-6	MANHOLES, TYPE 6	VF	10	$2,800.00	$28,000.00		$0.00		$0.00	$0.00
26X	CEMENT CONCRETE CURB	LF	140	$55.00	$7,700.00		$0.00		$0.00	$0.00
26BGX	STONE, BLOCK, BRICK CURB & REINFORCED CEMENT CONCRETE GUTTER	LF	1,570	$45.00	$70,650.00		$0.00		$0.00	$0.00
26CG	INTEGRAL CEMENT CONCRETE CURB AND GUTTER	LF	925	$54.00	$49,950.00		$0.00		$0.00	$0.00
27X	CEMENT CONCRETE SIDEWALK AND RAMPS	SF	1,885	$12.00	$22,620.00		$0.00		$0.00	$0.00
27DW	DETECTABLE WARNING SURFACE	SF	30	$38.00	$1,140.00		$0.00		$0.00	$0.00
28X	REINFORCED CEMENT CONCRETE DRIVEWAY & APRONS (7" THICK)	SF	1,405	$21.00	$29,505.00		$0.00		$0.00	$0.00
28AX	BITUMINOUS DRIVEWAY & DRIVEWAY APRON	SY	20	$16.00	$320.00		$0.00		$0.00	$0.00
36-2A-1W	BITUMINOUS MACADAM PLANT MIX TYPE 2A WEARING COURSE	TONS	1,975	$103.00	$203,425.00		$0.00		$0.00	$0.00
36-2A-1B	BITUMINOUS MACADAM PLANT MIX TYPE 2A, BINDER COURSE	TONS	625	$225.00	$140,625.00		$0.00		$0.00	$0.00
49EX	CONCRETE VALLEY GUTTERS	SF	545	$25.00	$14,885.00		$0.00		$0.00	$0.00
61X	CHANGE ELEVATION OF HOUSE SERVICE CONNECTIONS TO WATER MAINS	LF	170	$60.00	$10,200.00		$0.00		$0.00	$0.00
61SX	CHANGE ELEVATION OF SANITARY SEWER HOUSE CONNECTIONS	LF	355	$63.00	$22,365.00		$0.00		$0.00	$0.00
74AX	REPLACE AND CONSTRUCT LOOSE FLAGSTONE, BRICK, BLOCK OR SIMILAR SIDEWALKS, DRIVEWAYS OR DRIVEWAY APRONS	SF	2,270	$29.00	$65,830.00		$0.00		$0.00	$0.00
76X	TOPSOIL AND SEEDING	SY	870	$25.00	$21,750.00		$0.00		$0.00	$0.00
98X	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	$67,000.00	$67,000.00		$0.00		$0.00	$0.00
99X	WATER MAIN RELOCATION	LF	860	$29.00	$24,940.00		$0.00		$0.00	$0.00
135S	SURVEY STAKE OUT	LS	1	$46,000.00	$46,000.00		$0.00		$0.00	$0.00
361-A	FURNISH AND INSTALL TREES 2" - 2 1/2" CALIPER	EA	15	$1,000.00	$15,000.00		$0.00	10.00	$10,000.00	-$10,000.00
361-B	FURNISH AND INSTALL SHRUBS (#3 CONTAINERS)	EA	345	$93.00	$32,085.00		$0.00	345.00	$32,085.00	-$32,085.00
361-C	FURNISH AND INSTALL PERENNIALS (#1 CONTAINERS)	EA	3,090	$38.00	$117,420.00		$0.00	3,090.00	$117,420.00	-$117,420.00
566T	THERMOPLASTIC REFLECTORIZED PAVEMENT MARKINGS	LF	2,405	$2.00	$4,810.00		$0.00		$0.00	$0.00
589G	METAL BEAM TYPE GUIDE RAILING	LF	30	$110.00	$3,300.00		$0.00		$0.00	$0.00
593X	TEST HOLES	EA	160	$528.00	$84,480.00		$0.00		$0.00	$0.00
594	TEMPORARY ASPHALT PAVEMENT	TONS	125	$32.00	$4,000.00		$0.00		$0.00	$0.00
598X	DENSE GRADED AGGREGATE BASE COURSE	CY	885	$63.00	$55,755.00		$0.00		$0.00	$0.00
500	CLEAN EXISTING DRAINAGE SYSTEM	LF	1,630	$3.00	$4,890.00		$0.00		$0.00	$0.00
501	MILLING ASPHALT PAVEMENT	SY	21,030	$6.50	$136,695.00		$0.00		$0.00	$0.00
502	TEMPORARY SEDIMENT FILTER BAGS FOR DRAINAGE STRUCTURES	EA	50	$82.00	$4,100.00		$0.00		$0.00	$0.00

ITEM NO	ITEM DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT UNIT PRICE	CONTRACT TOTAL COST	INCREASE		DECREASE		AMOUNT
						QTY	COST	QTY	COST	NET COST
503	SILT FENCE - TEMPORARY	LF	865	$6.00	$5,190.00		$0.00		$0.00	$0.00
504	REMOVE AND REPLACE OR RELOCATE SPRINKLER SYSTEM	LF	835	$16.00	$13,360.00		$0.00		$0.00	$0.00
505-1600	STORMWATER TREATMENT STRUCTURE - VORTECH 1600	EA	1	$78,000.00	$78,000.00		$0.00		$0.00	$0.00
505-CDS	STORMWATER TREATMENT STRUCTURE - CDS	EA	1	$45,000.00	$45,000.00		$0.00		$0.00	$0.00
506-12	INLINE CHECK VALVE - 12" DIAMETER	EA	3	$5,500.00	$16,500.00		$0.00	3.00	$16,500.00	$16,500.00
506-15	INLINE CHECK VALVE - 15" DIAMETER	EA	1	$7,400.00	$7,400.00		$0.00		$0.00	$0.00
506-18	INLINE CHECK VALVE - 18" DIAMETER	EA	2	$7,300.00	$14,600.00		$0.00		$0.00	$0.00
506-48	INLINE CHECK VALVE - 48" DIAMETER	EA	1	$38,000.00	$38,000.00		$0.00		$0.00	$0.00
506-19X30	INLINE CHECK VALVE 19"x30" HORIZONTAL ELLIPTICAL	EA	1	$22,000.00	$22,000.00		$0.00		$0.00	$0.00
507A	PERMANENT SEDIMENT FILTER BAGS FOR DRAINAGE STRUCTURES (TYPE A, B, C & D)	EA	4	$1,100.00	$4,400.00		$0.00		$0.00	$0.00
507B	PERMANENT SEDIMENT FILTER BAGS FOR DRAINAGE STRUCTURES (TYPE 1, 2, 3, & 4)	EA	4	$1,100.00	$4,400.00		$0.00		$0.00	$0.00
507C	PERMANENT SEDIMENT FILTER BAGS FOR DRAINAGE MANHOLES	EA	1	$1,100.00	$1,100.00		$0.00		$0.00	$0.00
508	CONCRETE DRAINAGE VAULT	EA	1	$29,000.00	$29,000.00		$0.00		$0.00	$0.00
509	DRAINAGE STRUCTURE ACCESS DOOR	EA	1	$5,200.00	$5,200.00		$0.00		$0.00	$0.00
512	PLUG PIPE	EA	16	$330.00	$5,280.00		$0.00		$0.00	$0.00
513	FURNISH AND INSTALL POST MOUNTED SIGNS	EA	1	$550.00	$550.00		$0.00		$0.00	$0.00
514	STONE FILLING (LIGHT)	CY	10	$165.00	$1,650.00		$0.00		$0.00	$0.00
515	SAND COMPOST MIX	CY	550	$80.00	$44,000.00		$0.00	550.00	$44,000.00	$44,000.00
516	CONCRETE COLLAR	EA	45	$750.00	$33,750.00		$0.00		$0.00	$0.00
900	TREE REMOVAL, 3" UP TO AND INCLUDING 12" DIAMETER	EA	13	$275.00	$3,575.00		$0.00		$0.00	$0.00
901	TREE REMOVAL, GREATER THAN 12" AND UP TO 24" DIAMETER	EA	5	$825.00	$4,125.00		$0.00		$0.00	$0.00
CHANGE ORDER CONTRACT ITEMS										
12P-8	POLYETHYLENE CORRUGATED PIPE - 8" DIAMETER	LF	100	$98.75	$9,875.00	100.00	$9,875.00		$0.00	$9,875.00
20	BROKEN STONE, LOOSE MEASURE	CY	200	$125.00	$25,000.00	200.00	$25,000.00		$0.00	$25,000.00
99-22	PRECAST CONCRETE LEACHING GALLEYS	EA	100	$2,000.00	$200,000.00	100	$200,000.00		$0.00	$200,000.00
1588	SOIL STABILIZATION FABRIC	SY	4,700	$6.00	$28,200.00	4,700.00	$28,200.00		$0.00	$28,200.00
506-12	INLINE CHECK VALVE - 12" DIAMETER (Add'l Cost)	EA	3	$1,763.54	$5,290.62	3.00	$5,290.62		$0.00	$5,290.62
506-15	INLINE CHECK VALVE - 15" DIAMETER (Add'l Cost)	EA	1	$3,752.52	$3,752.52	1.00	$3,752.52		$0.00	$3,752.52
506-18	INLINE CHECK VALVE - 18" DIAMETER (Add'l Cost)	EA	2	$3,818.30	$7,636.60	2.00	$7,636.60		$0.00	$7,636.60
506-48	INLINE CHECK VALVE - 48" DIAMETER (Add'l Cost)	EA	1	$10,005.83	$10,005.83	1.00	$10,005.83		$0.00	$10,005.83
506-19X30	INLINE CHECK VALVE 19"x30" HORIZONTAL ELLIPTICAL (Add'l Cost)	EA	1	$4,099.67	$4,099.67	1.00	$4,099.67		$0.00	$4,099.67
12BX-36	FURNISH & INSTALL 36" DIAMETER, CLASS IV RCP	LF	1,100	$312.69	$343,959.00	1,100.00	$343,959.00		$0.00	$343,959.00
12DIP-6"	FURNISH & INSTALL 6" DIAMETER, DUCTILE IRON PIPE (SEWER HOUSE CONN)	LF	160	$395.47	$63,275.20	160.00	$63,275.20		$0.00	$63,275.20
						INCREASE	$701,094.44	DECREASE	$436,805.00	$264,289.44
									CHANGE ORDER 1: NET INCREASE	$264,289.44

Town of Oyster Bay Department of Public Works
Massapequa Flood Diversion Control Project #3
(Brockmeyer/Clearwater/Iroquois)
Contract No. H181-171-P3

Change Order 1

Item 1
Leaching Galley



8/12/2021

Extra Work Proposal No. 1- Cost Breakdown

Town of Oyster Bay - Massapequa #3 Brockmeyer

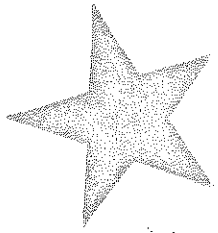
Description	Hours	Lab Rate	Equip Rate	Material Quan	Unit Price	Amount		
						Labor	Equip	Material
8"Ø Pipe								
Laborer	34.0	$ 107.50				$ 3,655.00		
Laborer Foreman	10.0	$ 118.75				$ 1,187.50		
Operator	12.0	$ 143.75				$ 1,725.00		
Excavator	12.0		$ 54.17				$ 975.00	
8"Ø ADS				120.0 LF	$ 6.39			$ 766.80
8"Ø Fittings				8.00	$ 56.16			$ 449.28
8"Ø End Cap				1.00	$ 12.45			$ 12.45
Broken Stone - Loose Measure								
Laborer (3)	22.0	$ 107.50				$ 2,365.00		
Laborer Foreman	8.0	$ 118.75				$ 950.00		
Operator (2)	16.0	$ 143.75				$ 2,300.00		
Loader - WA 500	8.0		$ 106.25				$ 850.00	
Skidsteer	8.0		$ 9.38				$ 75.04	
10 Wheel - Trucking	32.0		$ 150.00				$ 4,800.00	
Crushed Stone				250 CY	$ 45.00			$ 11,250.00
Precast Leaching Galleys								
Laborer (4)	478.0	$ 107.50				$ 51,385.00		
Laborer Foreman (1)	118.0	$ 118.75				$ 14,012.50		
Operator (2)	240.0	$ 143.75	$ 50.00			$ 34,500.00		
Excavator	120.0		$ 54.17				$ 12,750.00	
Skidsteer	120.0		$ 9.38				$ 1,125.00	
Leaching Galley				100 Ea	$ 560.00			$ 56,000.00
Castings - Solid Cover				13 Ea	$ 198.00			$ 2,574.00
Membrane				5.0 Roll	$ 225.00			$ 1,125.00
				3				
Soil Stabilization								
Laborer (4)	96.0	$ 107.50				$ 10,320.00		
Laborer Foreman (1)	24.0	$ 118.75				$ 2,850.00		
Operator (2)	24.0	$ 143.75				$ 3,450.00		
Skidsteer	24.0		$ 28.12				$ 675.00	
Filter Fabric				13 Rolls	$ 725.00			$ 9,396.00

Totals =	128,700.00	21,250.04	81,573.53

SUMMARY

	Labor =	$128,700.00
	Material =	81,573.53
	~~Equipment =~~	~~21,250.04~~
15%	Profit & Overhead =	31,541.03
	Equipment =	$21,250.04

Total Amount = $263,064.60 +/-



T. MINA SUPPLY, INC.

WATER AND SEWER CONSTRUCTION PRODUCTS

FLUSHING, NY Medford, NY

T. MINA SUPPLY INC
924 OLD MEDFORD AVENUE
MEDFORD, NY 11763
Phone 631-475-7400
Fax 631-475-7774

Acknowledgement

ORDER DATE	ORDER NUMBER
07/14/2021	S1413713

T. MINA SUPPLY INC
924 OLD MEDFORD AVENUE
MEDFORD, NY 11763
Phone 631-475-7400
Fax 631-475-7774

PAGE NO

SOLD TO:

PIONEER LANDSCAPING & ASPHALT INC.
168 TOWNLINE ROAD
KINGS PARK, NY 11754

SHIP TO:

PIONEER LANDSCAPING & ASPHALT INC.
168 TOWNLINE ROAD
KINGS PARK, NY 11754

CUSTOMER NUMBER	CUSTOMER PO NUMBER	ORDERED BY	SALESPERSON
4779	MASSAPEQUA3	JOHN	

WRITER	SHIP VIA	TERMS	SHIP DATE	
MICHAEL BRUNONE		NET	07/14/2021	

ORDER QTY	DESCRIPTION	
120ft	8" ADS WT PIPE 20'	$ 6.39/LF
	** Above not returnable ini __ **	
8ea	8" X 8" ADS ST TEE	$ 56.16/EA
40ft	12" ADS F2648 DWALL PERF PIPE 20'L	$ 9.91/LF
	** Above not returnable ini __ **	
1ea	8" ADS END CAP 0867AA	$ 12.45/EA
12ea	FX40HS FILTER FABRIC (500sy/roll)	$ 725.00/EA

Subtotal	
S&H Charges	
Tax	
Pymt & Disc	
Amount Due	

LONG ISLAND PRECAST

NPCA

PRICE QUOTE

To:	**Date:** 7/16/2021
Company:	**Job:** Pioneer Galley Project
Phone:	**Terms:**
Fax:	**Sales Rep:** Anthony D
	FOB Jobsite

Quantity	Description	Unit	Price
	Leaching Galleys		
100 ea	Nominal 8' x 4' x 2' Leaching Galley	560.00	56,000.00
13 ea	Imported 24" Dia Frame and Cover	198.00	2,574.00
			58,574.00
		Tax	5,052.01
		Total	$ 63,626.01

PRICES ARE FIRM FOR 30 DAYS
ALL MATERIALS ARE SUBJECT TO APPROVAL
25% RESTOCKING FEE ON ALL RETURNED MATERIALS
NO RETURNS ON ANY CUSTOM MADE STRUCTURES
QUOTE IS ONLY FOR MATERIAL LISTED ABOVE

20 Stiriz Road, Brookhaven, NY 11719 631-286-0240 Fax 631-286-6313

GREAT VALUES HAPPENING NOW. SHOP OUR SUMMER SAVINGS >

What are you looking for today?

Commack Lowe's Open until 10 PM >

Prices, Promotions, styles, and availability may vary. Our local stores do not honor online pricing. Prices and availability of products and services are subject to change without notice. Errors will be corrected where discovered, and Lowe's reserves the right to revoke any stated offer and to correct any errors, inaccuracies or omissions including after an order has been submitted.

Building Supplies Roofing Roofing Underlayment

$229.00

View Q&A

$217.55

Grace Ice & Water Shield 36-in x 66.6-ft 200-sq ft Rubber Roof Underlayment

Specifically designed to meet the challenges inherent in metal roof

Delivers all the advantages of Grace ice and water shield with Perma-

Store Pickup

Delivery

Grace Ice & Water Shield 36-in x 66.6-ft 200-sq ft Rubber Roof Underlayment

$229.00

Overview Specifications Reviews Questions & Answers Product Features

FLOOD DIVERSION CONTROL PROJECT 3 - OUTFALLS 31, 114 128
(BROCKMEYER DR., CLEARWATER DR.)
CONTRACT NO. H18-171-P3 PW035-20

CHANGE ORDER NO. 1

ITEM No.	APPROXIMATE VALUES		ITEMS WITH UNIT PRICE IN WORDS	CONTRACTOR'S UNIT BID PRICE		TOTAL COST	
	QUANTITY	UNIT		DOLLARS	CENTS	DOLLARS	CENTS
12P-8	100	LF	POLYETHYLENE CORRUGATED PIPE – 8" DIAMETER FOR: Ninety Eight (DOLLARS) Seventy five (CENTS)	98	75	9,875	00
99-22	100	EA	PRECAST CONCRETE LEACHING GALLEYS FOR: Two Thousand (DOLLARS) zero (CENTS)	2,000	00	200,000	00
20	200	CY	BROKEN STONE, LOOSE MEASURE FOR: One hundred twenty five (DOLLARS) zero (CENTS)	125	00	25,000	00
1588	4,700	SY	SOIL STABILIZATION FABRIC FOR: Six (DOLLARS) zero (CENTS)	6	00	28,200	00

TOTAL BASE BID (IN FIGURES): $ 263,075.00

TOTAL OR GROSS BASE BID MUST BE WRITTEN IN WORDS:

two Hundred Sixty three thousand Seventy five Dollars (DOLLARS) Zero Cents (CENTS)

Pioneer landscaping & Asphalt Paving Inc. (COMPANY NAME)

JReilly@PioneerAsphalt.NET (PHONE/EMAIL)

(SIGNATURE)

9/2/21 (DATE)

Town of Oyster Bay Department of Public Works
Massapequa Flood Diversion Control Project #3
(Brockmeyer/Clearwater/Iroquois)
Contract No. H181-171-P3

Change Order 1

Item 2
Check Valve Cost Increase

9/8/2021

Extra Work Proposal No. 3 - Cost Breakdown

Town of Oyster Bay - Massapequa Drainage #3

Description	Hours	Lab Rate	Equip Rate	Material Quan	Unit Price	Amount Labor	Amount Equip	Amount Material
WaPro Check Valves								
12"Ø				3 EA	3,373.40			10,120.21
15"Ø				1 EA	5,673.54			5,673.54
18"Ø				2 EA	7,124.86			14,249.71
48"Ø				1 EA	35,305.32			35,305.32
19" x 30" Elliptical				1 EA	10,398.94			10,398.94
Freight				1 EA	575.00			575.00
Tide Flex Check Valves								
12"Ø				3 EA	(1,911.76)			(5,735.28)
15"Ø				1 EA	(2,482.35)			(2,482.35)
18"Ø				2 EA	(3,876.47)			(7,752.94)
48"Ø				1 EA	(26,676.47)			(26,676.47)
19" x 30" Elliptical				1 EA	(6,905.88)			(6,905.88)
					Totals =			**26,769.80**

SUMMARY

Labor =

Material = 26,769.80

15% Profit & Overhead = 4,015.47

Total Amount = $30,785.27

HPS **HOLBROOK PIPE SUPPLY, INC.**
790 Grundy Ave. Holbrook, NY 11741
(631) 588-6880 - Fx (631) 588-6968
info@holbrookpipe.com

PRICE QUOTE

Phone 631-588-6880
Fax 631-588-6968

Printed 09/08/21 KC

Quoted

PIONEER LANDSCAP ASPHALT PAVNG
Attn: ACCOUNTS PAYABLE
168 TOWNLINE RD.
KINGS PARK NY 11754
Tel:631-269-4300 Fax:631-269-5827

Ship To

PIONEER MASSAPEQUA #3
Attn: JOE TRAVATO 917-440-8686
BROCKMEYER-CLEARWATER-IROQUOIS
OUTFALLS H18-171-P3
MASSAPEQUA NY 11758

Quote #	Quote Date	Exp Date	Customer #	Customer P/O #	Ship Via	Writer
Q213492	09/08/2021	09/15/2021	0007355		PICKUP	KC

Job ID	Customer Terms	Salesman
MASSAPEQUA	NET 30	KERI CRIANZA

Product	Description	UM	Quant	Unit Price	Extension
	********** * * * * **********				
WS290-S3-316	12 inch - WaStop Inline Check Valve NPS SS-316	EA	3	3373.4043	10120.21
WS370-S3-316	15 inch - WaStop Inline Check Valve NPS SS-316	EA	1	5673.5395	5673.54
WS440-S3-316	18 inch - WaStop Inline Check Valve NPS SS-316	EA	2	7124.8568	14249.71
WS1185-S3-316	48 inch - WaStop Inline Check Valve NPS SS-316	EA	1	35305.3191	35305.32
WS440-S3-316-SP	Special 18 inch - WaStop Inline Check Valve NPS SS-316 Elliptcal Flange for 19 x 30 Pipe, w/ Flange Gasket per drawing	EA	1	10398.9362	10398.94

X:_____
(Accepted by)

Sub Total	$75,747.72
Freight	$575.00
Misc Charges	$0.00
Tax Amount	$0.00
Total	**$76,322.72**

MESSAGE

** HOLBROOK PIPE IS A CERTIFIED WBE/DBE COMPANY
IF YOU WOULD LIKE WBE/DBE PARTICIPATION, PLEASE
CALL 631-588-6880 or email info@worldpipeinc.com

TERMS

ALL QUOTES GOOD FOR 30 DAYS UNLESS OTHERWISE
SPECIFIED. WE LOOK FORWARD TO WORKING WITH YOU!!
** QUANTITIES ARE ESTIMATES ONLY. EACH CONTRACTOR
IS RESPONSIBLE FOR OWN TAKE-OFF!!!**

** Bid **

Serviced By:

Bid #: S1393775
P/O # : MASSAPEQUA FLOOD
Release#:
Page #: 1

T. MINA SUPPLY INC
17 EXPRESSWAY DRIVE NORTH
MEDFORD, NY 11763
Phone # : 631-475-7400

Bid:
PIONEER LANDSCAPING & ASPHALT INC.
168 TOWNLINE ROAD
KINGS PARK, NY 11754

Ship:
PIONEER LANDSCAPING & ASPHALT INC.
MASSAPEQUA FLOOD DIVERSION
D264325 T/O OYSTER BAY PW035-20
MASSAPEQUA, NY 11758

Bid-Date	Expr-Date	Writer	Ship Via	Ordered By
07/09/21	09/17/21	ANN MONACO Salesman	TL TRAILER	JOE TROVATO

Bid Qty	Product Description	Unit Price	
	********* Shipping Instructions **********		
	* JOE TROVATO 917-440-8686 *		
	* ALL TAKEOFFS AND FINAL QUANTITIES ARE *		
	* THE CONTRACTORS RESPONSIBILTY *		
	**********		
	**********		
	**********		
	POSSIBLE FREIGHT CHARGES ON RCP NOT INCLUDED		
	**********		
288ft	15" RCP CLASS 5 O'RING 8'		
	** Above not returnable ini __ **		
416ft	18" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
72ft	24" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
160ft	30" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
16ft	36" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
928ft	34" X 53" ELLIPTICAL RCP CLASS 4		
	** Above not returnable ini __ **		
992ft	38" X 60" ELLIPTICAL RCP CLASS 3 CLASS 4		
	** Above not returnable ini __ **		
51ea	ROLL OF BUTYL JOINT SEALANT		
	** Above not returnable ini __ **		
1pc	15" RED VALVE CHECKMATE IN-LINE CHECK VALVE	2482.35ea	2482.35
	** Above not returnable ini __ **		
1ea	NONSTOCK ITEM	3876.47ea	3876.47

*** Continued on Next Page ***

NOTE: Special material is non-cancelable.

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** Bid **

Serviced By:

Bid #: S1393775
P/O #: MASSAPEQUA FLOOD
Release#:

T. MINA SUPPLY INC
17 EXPRESSWAY DRIVE NORTH
MEDFORD, NY 11763
Phone # : 631-475-7400

Bid:
PIONEER LANDSCAPING & ASPHALT INC.
168 TOWNLINE ROAD
KINGS PARK, NY 11754

Ship:
PIONEER LANDSCAPING & ASPHALT INC.
MASSAPEQUA FLOOD DIVERSION
D264325 T/O OYSTER BAY PW035-20
MASSAPEQUA, NY 11758

Bid-Date	Expr-Date	Writer	Ship Via	Ordered By
07/09/21	09/17/21	ANN MONACO Salesman	TL TRAILER	JOE TROVATO

Bid Qty	Product Description	Unit Price	
	18" RED VALVE CHECK VALVE		
	** Above not returnable ini __ **		
1ea	NONSTOCK ITEM	10135.29ea	10135.29
	30 RED VALVE CHECK VALVE		
	** Above not returnable ini __ **		
1ea	NONSTOCK ITEM	12235.29ea	12235.29
	36" RED VALVE CHECK VALVE		
	** Above not returnable ini __ **		

	Subtotal -------		
	PROJECT 3- OUTFALLS 21, 114 128		
	BROCKMEYER DR, CLEARWATER AVE		
	IROQUOIS PL		
	CONTRACT H18-17-P3 PW035-20		
544ft	15" RCP CLASS 5 O'RING 8'		
	NO 12" AVAILABLE AT THIS TIME.		
	** Above not returnable ini __ **		
472ft	15" RCP CLASS 5 O'RING 8'		
	** Above not returnable ini __ **		
824ft	18" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
72ft	24" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
1232ft	30" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
1576ft	48" RCP CLASS 4 O-RING 8'		
	** Above not returnable ini __ **		
1272ft	19" X 30" ELLIPTICAL RCP CLASS 4		
	** Above not returnable ini __ **		
19ea	ROLL OF BUTYL JOINT SEALANT		
	** Above not returnable ini __ **		

*** Continued on Next Page ***

NOTE: Special material is non-cancelable.
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** Bid **

Serviced By:

Bid #: S1393775
P/O #: MASSAPEQUA FLOOD
Release#:
Page #: 3

T. MINA SUPPLY INC
17 EXPRESSWAY DRIVE NORTH
MEDFORD, NY 11763
Phone # : 631-475-7400

Bid:
PIONEER LANDSCAPING & ASPHALT INC.
168 TOWNLINE ROAD
KINGS PARK, NY 11754

Ship:
PIONEER LANDSCAPING & ASPHALT INC.
MASSAPEQUA FLOOD DIVERSION
D264325 T/O OYSTER BAY PW035-20
MASSAPEQUA, NY 11758

Bid-Date	Expr-Date	Writer	Ship Via	Ordered By
07/09/21	09/17/21	ANN MONACO Salesman	TL TRAILER	JOE TROVATO

Bid Qty	Product Description	Unit Price	
3pc	12" RED VALVE CHECKMATE IN-LINE CHECK VALVE ** Above not returnable ini __ **	1911.76ea	5735.28
1pc	15" RED VALVE CHECKMATE IN-LINE CHECK VALVE ** Above not returnable ini __ **	2482.35ea	2482.35
2ea	NONSTOCK ITEM 18" RED VALVE CHECK VALVE ** Above not returnable ini __ **	3876.47ea	7752.94
1ea	NONSTOCK ITEM 48" RED VALVE CHECK VALVE ** Above not returnable ini __ **	26676.47ea	26676.47
	Subtotal -------		
	PROJECT 4 - OUTFALL 38 DIVISION AVE H18-171-P4 PW03-20		
1256ft	14" X 23" ELLIPTICAL RCP CLASS 4 ** Above not returnable ini __ **		
192ft	19" X 30" ELLIPTICAL RCP CLASS 4 ** Above not returnable ini __ **		
376ft	24" X 38" ELLIPTICAL RCP CLASS 4 ** Above not returnable ini __ **		
152ft	29" X 45" ELLIPTICAL RCP CLASS 4 ** Above not returnable ini __ **		
360ft	15" RCP CLASS 4 O-RING 8' ** Above not returnable ini __ **		
40ft	36" RCP CLASS 4 O-RING 8' ** Above not returnable ini __ **		
18ea	ROLL OF BUTYL JOINT SEALANT ** Above not returnable ini __ **		
1ea	NONSTOCK ITEM	12235.29ea	12235.29

*** Continued on Next Page ***

NOTE: Special material is non-cancelable.

.. Reprint .. Reprint .. Reprint .. Reprint ..

** Bid **

Serviced By:

Bid #: S1393775
P/O #: MASSAPEQUA FLOOD
Release#:
Page #: 4

T. MINA SUPPLY INC
17 EXPRESSWAY DRIVE NORTH
MEDFORD, NY 11763
Phone # : 631-475-7400

Bid:
PIONEER LANDSCAPING & ASPHALT INC.
168 TOWNLINE ROAD
KINGS PARK, NY 11754

Ship:
PIONEER LANDSCAPING & ASPHALT INC.
MASSAPEQUA FLOOD DIVERSION
D264325 T/O OYSTER BAY PW035-20
MASSAPEQUA, NY 11758

Bid-Date	Expr-Date	Writer	Ship Via	Ordered By
07/09/21	09/17/21	ANN MONACO Salesman	TL TRAILER	JOE TROVATO

Bid Qty	Product Description	Unit Price	
1ea	36" RED VALVE CHECK VALVE ** Above not returnable ini __ ** NONSTOCK ITEM 19" X 30" TIDEFLEX CHECKMATE ULTRAFLEX ELLIPTICAL SLIP IN CHECK VALVE. ** Above not returnable ini __ ** PLEASE ADVISE OF PIPE ID AND BACK PRESSURE WHEN ORDERING. POSSIBLE FREIGHT NOT INCLUDED, 12 WEEK LEAD TIME ON CHECK VALVES	6905.88ea	6905.88

Total

NOTE: Special material is non-cancelable.

.. Reprint .. Reprint .. Reprint .. Reprint ..

Town of Oyster Bay Department of Public Works
Massapequa Flood Diversion Control Project #3
(Brockmeyer/Clearwater/Iroquois)
Contract No. H181-171-P3

Change Order 1

Item 3
Piping

10/7/2021

Extra Work Proposal No. - Cost Breakdown

Massapequa #3 Flood Diversion and Control- Contract No. H18-171-P3
36" RCP Pipe

Description	Hours	Lab Rate	Equip Rate	Material Quan	Unit Price	Amount Labor	Amount Equip	Amount Material
Furnish & Install 36" RCP Pipe								
1 Labor Foreman	8.0	$ 126.28				$ 1,010.24	$ -	$ -
3 Laborers	8.0	$ 95.00				$ 2,280.00	$ -	$ -
2 Equip Oper	8.0	$ 131.00				$ 2,096.00	$ -	$ -
1 Payloader	8.0		$ 20.00			$ -	$ 160.00	$ -
1 Excavator	8.0		$ 25.00			$ -	$ 200.00	$ -
1 Forman Tool Truck	8.0		$ 10.00			$ -	$ 80.00	$ -
1 10 Wheel Dump Truck	8.0		$ 137.50			$ -	$ 1,100.00	$ -
						$ -	$ -	$ -
Materials	**QTY**							
								$ -
36" RCP Pipe	40.00			$ - FT	$ 82.25			$ 3,290.00
RCA	20.00			$ - CY	$ 20.00			$ 400.00
Dumping	32.00			$ - CY	$ 33.00			$ 1,056.00
					Totals =	$ 5,386.24	$ 1,540.00	$ 4,746.00

Estimate based on installing 40 LF of Pipe per day

SUMMARY

	Labor =	$5,386.24
	Material =	4,746.00
15%	Profit & Overhead =	1,519.84
	Equipment =	1,540.00
	Total Amount =	$13,192.08 $ 329.80 Per LF

48" Pipe

850 LF @ $203/LF = $172,550

1,090 LF @ $203/LF = $221,270

36" Pipe

850 LF @ $329.80 = $280,330 NET + $107,780

1,090 LF @ $329.80 = $359,482 NET + $138,212

CO

10/7/2021

Extra Work Proposal No. - Cost Breakdown

Massapequa #3 Flood Diversion and Control- Contract No. H18-171-P3
42" RCP Pipe

Description	Hours	Lab Rate	Equip Rate	Material Quan	Unit Price	Amount Labor	Amount Equip	Amount Material
Furnish & Install 42" RCP Pipe								
1 Labor Foreman	8.0	$ 126.00				$ 1,008.00	$ -	$ -
3 Laborers	8.0	$ 96.00				$ 2,304.00	$ -	$ -
2 Equip Oper	8.0	$ 131.00				$ 2,096.00	$ -	$ -
1 Payloader	8.0		$ 20.00			$ -	$ 160.00	$ -
1 Excavator	8.0		$ 25.00			$ -	$ 200.00	$ -
1 Forman Tool Truck	8.0		$ 10.00			$ -	$ 80.00	$ -
1 10 Wheel Dump Truck	8.0		$ 137.50			$ -	$ 1,100.00	$ -
						$ -	$ -	$ -
Materials	**QTY**							$ -
42" RCP Pipe	40.00			$ - FT	$ 113.33			$ 4,533.20
RCA	20.00			$ - CY	$ 20.00			$ 400.00
Dumping	32.00			$ - CY	$ 33.00			$ 1,056.00
					Totals =	$ 5,408.00	$ 1,540.00	$ 5,989.20

Estimate based on installing 40
LF of Pipe per day

SUMMARY

	Labor =	$5,408.00
	Material =	5,989.20
15%	Profit & Overhead =	1,709.58
	Equipment =	1,540.00
	Total Amount =	**$14,646.78** $ 366.17 Per LF

P:\Projects\20-055 - E20-1247 - Town of Oyster Bay - Massapequa Flood Div 3\Change Orders\Massapequa #3 Change Order 42 inch RCP Pipe Installation

10/7/2021

Extra Work Proposal No. - Cost Breakdown

Massapequa #3 Flood Diversion and Control- Contract No. H18-171-P3
6" Sanitary Sewer Connection

Description	Hours	Lab Rate	Equip Rate	Material Quan	Unit Price	Amount Labor	Amount Equip	Amount Material
Furnish & Install 6" Sanitary								
1 Labor Foreman	8.0	$ 126.00				$ 1,008.00	$ -	$ -
2 Laborers	8.0	$ 96.00				$ 1,536.00	$ -	$ -
1 Equip Oper	8.0	$ 131.00				$ 1,048.00	$ -	$ -
1 Excavator	8.0		$ 25.00			$ -	$ 200.00	$ -
1 Forman Tool Truck	8.0		$ 10.00			$ -	$ 80.00	$ -
1 10 Wheel Dump Truck	8.0		$ 137.50			$ -	$ 1,100.00	$ -
Materials	**QTY**							$ -
6" DIP Pipe				18.00 FT	$ 26.00			$ 468.00
6" DIP Fittings				2.00 FT	$ 108.00			$ 216.00
6" Accy PK W/Gland				8.00 EA	$ 47.00			$ 376.00
6" Furnco Fittings				1.00 EA	$ 68.00			$ 68.00
RCA				6.00 CY	$ 20.00			$ 120.00
Dumping				6.00 CY	$ 25.00			$ 150.00
					Totals =	$ 3,592.00	$ 1,380.00	$ 1,398.00

Estimate is based on doing 2 sanitary connections per day based on 16' LF installed.

SUMMARY

	Labor =	$3,592.00
	Material =	1,398.00
15%	Profit & Overhead =	748.50
	Equipment =	1,380.00
	Total Amount =	**$7,118.50** $ 444.91 Per LF

HPS HOLBROOK PIPE SUPPLY, INC.
790 Grundy Ave. Holbrook, NY 11741
(631) 588-6880 - Fx (631) 588-6968
info@holbrookpipe.com

PRICE QUOTE

Phone 631-588-6880
Fax 631-588-6968

Printed 10/05/21 KC

Quoted

PIONEER LANDSCAP ASPHALT PAVNG
Attn: ACCOUNTS PAYABLE
168 TOWNLINE RD.
KINGS PARK NY 11754
Tel:631-269-4300 Fax:631-269-5827

Ship To

PIONEER LANDSCAP ASPHALT PAVNG
168 TOWNLINE RD.
KINGS PARK NY 11754

Quote #	Quote Date	Exp Date	Customer #	Customer P/O #	Ship Via	Writer
0213825	10/04/2021	10/11/2021	0007355	MASSAPEQUA OUTFA	FACTORY DIRECT	KC

Job ID	Customer Terms	Salesman
MASSAPEQUA OUTFALL 31,114,128	NET 30	KERI CRIANZA

Product	Description	UM	Quant	Unit Price	Extension
	**********				
	* *				
	* *				
	**********				
36-RCP4	36 RCP CLASS 4 O-RING (8FT)	FT	456	82.1889	37478.14
42-RCP4	42 RCP CLASS 4 O-RING (8FT)	FT	456	113.33	51678.48

X: _____
(Accepted by)

Sub Total	$89,156.62
Freight	$0.00
Misc Charges	$0.00
Tax Amount	$0.00
Total	**$89,156.62**

MESSAGE

** HOLBROOK PIPE IS A CERTIFIED WBE/DBE COMPANY
IF YOU WOULD LIKE WBE/DBE PARTICIPATION, PLEASE
CALL 631-588-6880 or email info@worldpipeinc.com

TERMS

ALL QUOTES GOOD FOR 30 DAYS UNLESS OTHERWISE SPECIFIED. WE LOOK FORWARD TO WORKING WITH YOU!!
** QUANTITIES ARE ESTIMATES ONLY. EACH CONTRACTOR IS RESPONSIBLE FOR OWN TAKE-OFF!!! **

TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #3 (BROCKMEYER/CLEARWATER/IROQUOIS)
Contract No. H181-171-P3
CHANGE ORDER NO. 1

To: Pioneer Landscaping & Asphalt Paving, Inc.
168 Townline Road
Kings Park, New York 11754

From: Russell Z. Scott, PE
Nelson + Pope
70 Maxess Road
Melville, New York 11747

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

ITEM 1
Installation of underground drainage leaching galleys in the grass area surrounded by Brockmeyer Drive and Forest Avenue. This work includes the items required for the excavation and installation of precast concrete leaching galleys, associated piping and other related materials, crushed stone and backfill in lieu of the original above ground bio-retention drainage area. The following breakdown of items for this work is as follows:

Item 12P-8 – Furnish & Install HDPE 8" Diameter Pipe
Qty: 100LF
Unit Price: $98.75/LF
Anticipated Cost: $9,875.00

Item 99-SS – Furnish & Install 2'-0" Height Leaching Galley
Qty: 100EA
Unit Price: $2,000.00/EA
Anticipated Cost: $200,000.00

Item 20 – Furnish & Install Broken Stone, Loose Measure
Qty: 200CY
Unit Price: $125.00
Anticipated Cost: $25,000.00

Item 158B – Furnish & Install Soil Stabilization Fabric
Qty: 4,700SY
Unit Price: $6.00
Anticipated Cost: $28,200.00

TOTAL OF ITEM 1: $263,075.00

ITEM 2
Increase in the material cost for required Check Valves. The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, yet at an increased price. The breakdown below is for the additional cost related to the item described from the original contract documents:

Item 506-12W – Inline Checkvalve – 12" Diameter
Qty: 3EA
Unit Price: $1,763.54
Anticipated Cost: $5,290.62

Item 506-15W – Inline Checkvalve – 12" Diameter
Qty: 1EA
Unit Price: $3,752.52
Anticipated Cost: $3,752.52

Item 506-18W – Inline Checkvalve – 18" Diameter
Qty: 2EA
Unit Price: $3,818.30
Anticipated Cost: $7,636.60

Item 506-48W – Inline Checkvalve – 48" Diameter
Qty: 1EA
Unit Price: $10,005.83
Anticipated Cost: $10,005.83

Item 506-19x30W – Inline Checkvalve – 19"x30" Elliptical
Qty: 1EA
Unit Price: $4,099.67
Anticipated Cost: $4,099.67

TOTAL OF ITEM 2: $30,785.24

ITEM 3
Furnish and Installation of 36" RCP Pipe to take place of the originally proposed 48" DIP Pipe due to in field utility conflicts with the existing sanitary sewer line house services. These conflicting existing house service crossings may require the replacement of Ductile Iron pipe where necessary; items to Furnished and Installed using 6" DIP Pipe for sanitary sewer connections will be necessary.

Item 12BX-36 – Furnish & Install 36" Diameter, Class IV RCP
Qty: 1,100LF
Unit Price: $312.69
Anticipated Cost: $343,959.00

Item 12DIP-6" – Furnish & Install 6" Diameter, Ductile Iron Pipe
(For Use in Sewer House Services Connections – Complete)
Qty: 160LF
Unit Price: $395.47/LF
Anticipated Cost: $63,275.20

TOTAL OF ITEM 3: $407,234.20

TOTAL OF CHANGE ORDER NO. 1: $701,094.44

The original Contract sum was:	$ 3,319,501.00
Net Change by previously authorized Change Orders:	$ 0.00
Total Contract sum prior to this Change Order:	$ 3,319,501.00
Change Order No. 1:	$ 701,094.44
New Contract sum including CHANGE ORDER NO. 1:	**$ 4,020,595.44**

The above work is to be performed in accordance with the letters from Nelson + Pope (N+P Engineering, Architecture and Land Surveying PLLC) dated December __, 2021 and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of **seven hundred and one thousand, ninety-four dollars and forty-four cents.**

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

Recommended by:
Nelson + Pope

by: _____
Title: Partner

Dated: 1/6/22

Accepted by:
Pioneer Landscaping & Asphalt Paving, Inc.

by: _____
Title: VP

Dated: 1/3/22

PL Job 200555

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

by: _____
Robert Darienzo, Director of Finance

by: _____ 3/14/22
Steven Ballas, Comptroller

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

_____
Joseph S. Saladino, Town Supervisor

Dated: _____

_____
Brian Nevin, Inspector General

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 743-2021, adopted on December 7, 2021, the Town Board authorized Cashin Associates, P.C., to provide On-Call Engineering Services in connection with Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science, for a two (2) year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Gregory T. Greene, P.G., Director of Environmental Programs, Cashin Associates, P.C., by letter dated January 13, 2022, described the scope of work to be performed under Contract No. PWC12-22, relative to Engineering Services for Harbor Management Programs 2022, including technical assistance to the Department of Environmental Resources, and requested approval to utilize Bay Environmental Consulting, LLC, 123 Bay Avenue Bayport, New York 11705, as a sub-consultant for said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 14, 2022, requested Town Board authorization for Cashin Associates, P.C., to provide the aforesaid On-Call Engineering Services under Contract PWC12-22, that Bay Environmental Consulting, LLC, be approved as a sub-consultant for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed $100,000.00 for this purpose, with funds available for payment in Account No. DER A 8090 44500 000 0000; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Cashin Associates, P.C., is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC12-22, Bay Environmental Consulting, LLC, is hereby authorized to be a sub-consultant for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed $100,000.00 for this purpose, with funds available for payment in Account No. DER A 8090 44500 000 0000; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

MARCH 14, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ENVIRONMENTAL SCIENCE
AND USE OF SUB-CONSULTANT
CONTRACT NO. PWC12-22
ACCOUNT NO.: DER A 8090 44500 000 0000

The consultant, Cashin Associates, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC12-22 by Resolution No. 743-2021 for the subject project.

As requested by the Department of Environmental Resources, attached is a letter dated January 13, 2022 from Cashin Associates, P.C. regarding the scope of work to be performed in an amount not to exceed $100,000.00. Services to be performed include technical assistance to the Department of Environmental Resources with various harbor management programs.

Attached is an availability of funds in the amount of $100,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER A 8090 44500 000 0000.

Also, the office of Cashin Associates, P.C. requests to utilize, as a sub-consultant, Bay Environmental Consulting, LLC for testing and analysis services relative to this assignment.

The Office of the Inspector General has reviewed the proposed vendors and sub-consultant disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution, Cashin Associates, P.C. under Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and to authorize, as sub-consultant, Bay Environmental Consulting, LLC.

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

RWL/JCT/MR/lk

Attachment

cc: Steve C. Ballas, Comptroller
Louis Savinetti, Commissioner/Environmental Resources

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 PWC 12-22

Contract Period JANUARY 1, 2022 - DECEMBER 31, 2023

Consultant/Contractor CASHIN ASSOCIATES, P.C.

Discipline ENVIRONMENTAL SCIENCE

Total Authorization $100,000.00

Resolution No. 743-2021 Date 12/7/2021

Funded To Date $0.00

Amount Requested $100,000.00

Account To Be Used DER A 8090 44500 000 0000

If Capital Account, State The Related Contract Number: N/A

Description Of Work

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

ENGINEERING SERVICES FOR HARBOR MANAGEMENT PROGRAMS - 2022

Work To Be Completed In Contract Period: Yes [X] No [ ]

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

Required Insurances Are In Effect: Yes [X] No [ ]

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

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [X]

Amount of Bond $ _____

Requesting Division/Department	DPW Approval
	Only To Be Executed By The Commissioner
Signature	Signature
Title DEPUTY COMMISSIONER	Title Commissioner of Public Works
Date MARCH 11, 2022	Date 3/14/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 100,000.00

Unemcumbered Balance 238,000.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature _____ Date 3/14/22

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2022

Contract No. PWC12-22 Contract End 12/31/2023

Commencement Date 1/1/2022

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

Vendor Name and Address

CASHIN ASSOCIATES, P.C.

1200 VETERANS MEMORIAL HIGHWAY

HAUPPAUGE, NEW YORK 11788

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact GEORGE BAPTISTA Phone 516-677-5712

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

ENGINEERING SERVICES FOR HARBOR MANAGEMENT PROGRAMS - 2022

This work order shall not exceed $ 100,000.00

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

Requesting Division/Department

Signature _____

Title DEPUTY COMMISSIONER

Date MARCH 11, 2022

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 3/14/22

Cashin Associates, P.C.
ENGINEERING – PLANNING – CONSTRUCTION MANAGEMENT

January 13, 2022

Louis G. Savinetti, Commissioner
Town of Oyster Bay
Department of Environmental Resources
150 Mille Place
Syosset, NY 11791

Attention: George Baptista, Department of Environmental Resources

RE: Request for Authorization for 2022: Contract PWC 12-22
On-Call Engineering Services Relative to Environmental Science –
Harbor Management Program for 2022

Dear Commissioner Savinetti:

Cashin Associates, P.C. (CA) is submitting this proposal at the request of the Department of Environmental Resources to provide on-call services relating to the Town's harbor management program. This proposal will also provide for the services of a qualified subconsultant, Bay Environmental Consulting, LLC, for technical assistance relating to marine field work, data analysis and other technical work. Services covered by this proposal will provide for a continuation of the harbor management assistance that CA provided in 2021 and prior years, including the development of a harbor and shellfish restoration plan. CA has assisted with issues relating to multiple uses of the harbor, development of a Request for Proposal (RFP) for use of underwater lands, development of an aquaculture licensing program, water quality improvements, navigation/mooring issues, NYSDEC and USEPA regulatory issues, and similar harbor use concerns. The harbor is an extremely important resource to the residents and businesses in the Town, and protection and restoration of harbor resources are important objectives of the Town.

The waterfront and harbor areas are utilized by a number of different user groups, and potential conflicts may arise among the groups with regard to navigational needs, shoreline access, water uses in the area, and safety/regulatory requirements. The implementation of harbor management protocols will help to resolve conflicts and safely accommodate multiple activities in the Town's coastal areas, while simultaneously protecting water quality and marine resources.

The specific tasks to be performed as part of this proposal in 2022 are as follows:

- Continued work on a draft shellfish restoration and management plan for Oyster Bay Harbor / Cold Spring Harbor, and the initiation of plan development for South Oyster Bay and Hempstead Harbor.
- Assistance with the development of aquaculture licensing operations on underwater lands in Oyster Bay/Cold Spring Harbor in a manner that protects and enhances environmental protection of the harbor and its resources, including finalization of the environmental assessment for aquaculture licensing.
- Assistance with development of a shellfish aquaculture licensing program in South Oyster Bay, including field studies to identify appropriate locations for such a project, and consultation with NYSDEC regarding program requirements.
- Technical consultation regarding the management of existing leased lands in Oyster Bay Harbor and Cold Spring Harbor.
- Assistance in identification of pollution sources to waterfront areas, and development of recommendations to mitigate such pollution.
- Research on nitrogen-removal technologies available for use by the Town.
- Research into bay management programs in other regions for possible applications to Oyster Bay coastal areas.
- Meeting with the Town representatives to obtain input on the Town's objectives for the waterfront areas.
- Collection of physical data needed for preparation of harbor management maps, including a bathymetric map utilizing sonar and GPS equipment.
- Identification of regulatory permits that will be required including any state and federal approvals, and completion of permit applications as appropriate.
- Assistance with harbor management for South Oyster Bay and Hempstead Harbor as requested by the Town.
- Research on possible grant opportunities relating to harbor management for the Town.
- Meetings on bay management as requested by the Town.

Many of the tasks requested by the Town during 2021 and prior years were related to issues that were unanticipated because of unforeseen changes in harbor conditions or other expected events, such as water quality incidents, major storms and other circumstances. Services covered by the proposal are flexible so that unexpected issues can be addressed with needed expertise in a timely manner. The scope of this proposal will also be flexible so that unexpected problems can be addressed in 2022.

CA is requesting a budget of $100,000 for the services described above for 2022. CA understands that the Town will identify specific assignments for CA to address as they arise during the year. A breakdown of this fee by professional labor categories is given in Table 1, attached.

We appreciate the opportunity to submit our proposal, and we would welcome the opportunity to continue to assist your department with effective management and protection of the Town's coastal water resources.

Please do not hesitate to contact me if you have any questions or require additional information.

Very truly yours,
CASHIN ASSOCIATES, P.C.

Gregory T. Greene, P.G.
Director of Environmental Programs

GTG/lak

I:\PROPOSALS\Proposals\Proposals and Quals\Town of Oyster Bay DPW\2020 Proposals\2020-009 Harbor Mgmt Program 2020\2020-009 Lonz Proposal Ltr-Harbor Mgmt Program.doc

Request for Authorization for 2022:
On-Call Engineering Services Relative to Environmental Science

Harbor Management Program for 2022

BREAKDOWN BY PERSONNEL/HOURS

Title	Billing Rate	Total Hours	Fee
Principal	$ 175.00	200	$ 35,000.00
Senior Environmental Scientist	$ 150.00	100	$ 15,000.00
Senior Engineer	$ 150.00	40	$ 6,000.00
Engineer	$ 125.00	80	$ 10,000.00
GIS Specialist	$ 140.00	100	$ 14,000.00
Environmental Technician	$ 80.00	50	$ 4,000.00
Environmental Planner	$ 120.00	50	$ 6,000.00
TOTAL		**620**	**$ 90,000.00**

Subconsultant Expenses: $ 10,000.00

*Subconsultant- **Bay Environmental Consulting L.L.C**.- Technical support for water quality and wetland issues. Sampling equipment, boat supplies, sample analyses and technical support as needed depending on project requirements.*

Total Budget: $ 100,000.00

Meeting of December 7, 2021 Resolution No. 743-2021

WHEREAS Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services Relative to Environmental Science, was issued in accordance with the terms and specifications contained in Contract No. PWC12-22, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

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

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations, performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department selected D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Services, with D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering & Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP., for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, the Office of the Inspector General reviewed the Request For Proposals and the proposed vendors' disclosure questionnaires, and is satisfied that the Town of Oyster Bay Procurement Policy was fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science, with D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering & Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023.

-#-

Approved By
Office of Town Attorney
Ralph P. Heaney

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

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

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 743-2021, adopted on December 7, 2021, the Town Board authorized Cashin Associates, P.C., to provide On-Call Engineering Services in connection with Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science, for a two (2) year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Gregory T. Greene, P.G., Director of Environmental Programs, Cashin Associates, P.C., by letter dated January 13, 2022, described the scope of work to be performed under Contract No. PWC12-22, relative to Engineering Services for Shellfish Management Programs 2022, including technical assistance to the Department of Environmental Resources, and requested approval to utilize Bay Environmental Consulting, LLC, 123 Bay Avenue Bayport, New York 11705, as a sub-consultant for said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 14, 2022, requested Town Board authorization for Cashin Associates, P.C., to provide the aforesaid On-Call Engineering Services under Contract PWC12-22, that Bay Environmental Consulting, LLC, be approved as a sub-consultant for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed $115,000.00 for this purpose, with funds available for payment in Account No. DER A 8090 44500 000 0000; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Cashin Associates, P.C., is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC12-22, Bay Environmental Consulting, LLC, is hereby authorized to be a sub-consultant for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed $115,000.00 for this purpose, with funds available for payment in Account No. DER A 8090 44500 000 0000; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

MARCH 14, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO ENVIRONMENTAL SCIENCE
AND USE OF SUB-CONSULTANT
CONTRACT NO. PWC12-22
ACCOUNT NO.: DER A 8090 44500 000 0000

The consultant, Cashin Associates, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC12-22 by Resolution No. 743-2021 for the subject project.

As requested by the Department of Environmental Resources, attached is a letter dated January 13, 2022 from Cashin Associates, P.C. regarding the scope of work to be performed in an amount not to exceed $115,000.00. Services to be performed include technical assistance to the Department of Environmental Resources with various shellfish management programs.

Attached is an availability of funds in the amount of $115,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER A 8090 44500 000 0000.

Also, the office of Cashin Associates, P.C. requests to utilize, as a sub-consultant, Bay Environmental Consulting, LLC for testing and analysis services relative to this assignment.

The Office of the Inspector General has reviewed the proposed vendors, and sub-consultants disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution, Cashin Associates, P.C. under Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and to authorize, as sub-consultant, Bay Environmental Consulting, LLC.

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

RWL/JCT/MR/lk

Attachment

cc: Steve C. Ballas, Comptroller
Louis Savinetti, Commissioner/Environmental Resources

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: PWC 12-22

Contract Period: JANUARY 1, 2022 - DECEMBER 31, 2023

Consultant/Contractor: CASHIN ASSOCIATES, P.C.

Discipline: ENVIRONMENTAL SCIENCE

Total Authorization: $215,000.00

Resolution No. 743-2021 Date 12/7/2021

Funded To Date: $100,000.00

Amount Requested: $115,000.00

Account To Be Used: DER A 8090 44500 000 0000

If Capital Account, State The Related Contract Number: N/A

Description Of Work

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

ENGINEERING SERVICES FOR SHELLFISH MANAGEMENT PROGRAMS - 2022

Work To Be Completed In Contract Period: Yes [X] No [ ]

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

Required Insurances Are In Effect: Yes [X] No [ ]

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

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [X]

Amount of Bond $ _____

Requesting Division/Department

Signature _____

Title DEPUTY COMMISSIONER

Date MARCH 11, 2022

DPW Approval

Only To Be Executed By The Commissioner

Signature _____

Title Commissioner of Public Works

Date 3/14/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 115,000.00

Unemcumbered Balance 238,000.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature _____ Date 3/14/22

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2022

Contract No. PWC12-22 Contract End 12/31/2023

Commencement Date 1/1/2022

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

Vendor Name and Address

CASHIN ASSOCIATES, P.C.

1200 VETERANS MEMORIAL HIGHWAY

HAUPPAUGE, NEW YORK 11788

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact GEORGE BAPTISTA Phone 516-677-5712

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

ENGINEERING SERVICES FOR SHELLFISH MANAGEMENT PROGRAMS - 2022

This work order shall not exceed $ 115,000.00

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

Requesting Division/Department

Signature _____

Title DEPUTY COMMISSIONER

Date MARCH 14, 2022

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 3/14/22

Cashin Associates, P.C.
ENGINEERING – PLANNING – CONSTRUCTION MANAGEMENT

January 13, 2022

Louis G. Savinetti, Commissioner
Town of Oyster Bay
Department of Environmental Resources
150 Miller Place
Syosset, New York 11791

Attention: George Baptista, Department of Environmental Resources

RE: Request for Authorization for 2022: DPW Contract PWC 12-22
On-Call Engineering Services Relative to Environmental Science –
Shellfish Management for 2022

Dear Commissioner Savinetti:

Cashin Associates, P.C. (CA) is submitting this proposal to provide technical assistance to the Department of Environmental Resources relative to the Town's shellfish management program for 2022. This request will include participation by a subconsultant (Bay Environmental Consulting, LLC) for assistance with field sampling, statistical data analyses and other technical input.

As part of our services during 2021 and prior years, CA assisted the Town with shellfish management and related marine resource issues. This work included sediment and benthic community investigation/mapping, shellfish surveys, water quality investigations and development of shellfish resource management recommendations for Oyster Bay Harbor/Cold Spring Harbor, South Oyster Bay, and Hempstead Harbor. This authorization will provide for a continuation of services relating to shellfish management for the Town, and specifically the continuation of the shellfish stock assessments, sediment condition mapping and shellfish resource assessments initiated in prior years. Additional tasks will be included in the 2022 services as required by the Town.

Background Information

Oyster Bay Harbor/Cold Spring Harbor – Oyster Bay Harbor/Cold Spring Harbor contains important hard clam and oyster resources that support a substantial fishery on public and leased grounds. The Town is committed to protecting and enhancing the long-term viability of the resource and, to that end, has developed and implemented bay management programs to preserve water quality and ecological resources in the harbor complex. The shellfish resources of the Harbor are not only important to commercial and recreational

shellfishing, but they also play an important ecological role in the health of the Harbor by providing filtering capacity, nitrogen removal, food for waterfowl and other species, and other ecological benefits. The services provided by CA in 2021 were directed at providing the technical data and recommendations required by the Town to manage and protect the harbor and its shellfish resources, as well as other technical support as needed during the course of the year.

Shellfish population surveys of the harbor have been performed by CA in 1999, 2007, 2011, 2013, and 2018. The surveys provided data on the distribution and abundance of hard clams and other shellfish, and were utilized to assess the health of the shellfish populations. In 2014, CA completed a detailed study of the Town's Bay Management Area, and in 2015 performed an investigation of sediment type/condition in the inner harbor areas. The prior surveys have provided data to monitor long-term trends in shellfish abundance, and to estimate sustainable yields for the resource. Analysis of shellfish population health and estimated sustainable yield has enabled the Town to assess the effect of harvesting pressure on the resource, and determine the number of commercial shellfish permits that should be issued. The shellfish data also provided information useful to the harbor seeding programs and other habitat enhancement projects. Periodic shellfish surveys are important to ensure that the data are available to the Town for monitoring the status of the resource and the harvesting pressure that can be sustained. These surveys are especially important now given the apparent serious decline in the standing stock of shellfish over the last few years.

The data collected in 2015 through 2021 enabled the identification of underwater lands that are optimal for shellfish growth and survival, and provided a scientific basis for selecting areas for shellfish seeding programs and sanctuary placement. Work in 2019-2021 expanded on the use of sediment mapping to identify optimal shellfish habitat in the harbor. Establishment of sanctuary areas can not only help sustain shellfish resources in the bay, but also have benefits for water quality by providing filtering and removal of contaminants. CA also assisted the Town with recommendations on the suitable locations for planting of seed clams and oysters. Work in 2021 also included initial assistance to the Town in establishing new bay management and sanctuary areas.

South Oyster Bay – CA's work in South Oyster Bay over the past 20 years has included: shellfish stock survey, eelgrass field assessment, brown tide monitoring, wetland condition assessment, water quality investigations, and other studies relevant to shellfish resources. CA has also assisted in providing field data for shellfish seeding initiatives.

Hempstead Harbor – CA has assisted with shellfish management in Hempstead Harbor by conducting shellfish and benthic surveys and related water quality investigations. Hempstead Harbor also has commercially important shellfish resources, especially considering the certification for shellfishing that has occurred after initiatives were implemented to improve water quality in the Harbor.

Scope of Services for 2022

Based on the above considerations and discussion with the Town, services to be provided during 2022 may include the following:

1. Analysis of the sediment data collected in prior years, on both public and leased grounds in Oyster Bay/Cold Spring Harbor, to identify optimal clam and oyster habitat areas. This task will utilize the sediment and benthic maps of key areas of Oyster Bay Harbor and Cold Spring Harbor, to be used to identify potential sanctuary, seeding and aquaculture areas based on scientific analysis, and to assess the quality of sediments in the harbor. The sediment mapping will be useful for interpreting data obtained from studies of suspended sediment and siltation to be performed in the harbor.
2. Completion of shellfish surveys to obtain information on the current status of the stock and estimates of sustainable yield, or the analysis of existing survey data to assess standing stock, harvest limits and management objectives. Shellfish surveys in Oyster Bay Harbor / Cold Spring Harbor and South Oyster Bay are recommended.
3. Technical assistance with the proper placement of seed clams and oysters to ensure that they are placed on lands favorable to growth and survival, based on the data collected under item 1 above.
4. Technical advice as to the best location for possible shellfish sanctuaries and bay management areas, including possible establishment of areas providing shellfish filtering to improve water quality.
5. Any follow-up technical consulting relating to pending, past or future legal actions involving shellfisheries, including the actions contesting the legality of the shellfish leases.
6. Utilization of the sediment data collected under tasks 1 and 2 above, to identify possible areas to locate shellfish reserves that can improve water quality in deteriorated areas of the harbor.
7. Attendance at shellfish management meetings, other hearings or public meetings as deemed appropriate by the Department.
8. Sampling of clams to help investigate possible causes of stress and mortality of clams in the harbor, including investigation of shellfish predator abundance.
9. Technical assistance with ways to best utilize the newly established bay management areas to enhance shellfish populations and environmental conditions in the harbor.

10. Review of shellfish landing data provided by NYSDEC to examine trends in harvest.
11. Research into effects of mechanical and hydraulic dredging on shellfish populations and harbor ecology.
12. Additional technical assistance as deemed necessary by the Town.

Many of the tasks requested by the Town during 2021 and prior years were related to issues that were unanticipated and arose thoughout the year (e.g. shellfish die-off reports, clam transplant and seeding issues, conditional opening changes). Services covered by this proposal are flexible so that unexpected issues can be addressed with needed expertise in a timely manner. The scope of this proposal will also be flexible so that unexpected issues can be addressed in 2022.

CA recommends that a budget of **$115,000** be established for this work. This includes an amount for Bay Environmental Consulting, LLC as a subconsultant, and for direct expenses associated with field work (e.g. boat costs and sampling equipment). CA understands that the Town will identify specific assignments to be undertaken by CA during the year.

CA's projected breakdown of the fee is given in the attached table.

Please do not hesitate to call me if you have any questions.

Very truly yours,
CASHIN ASSOCIATES, P.C.

Gregory T. Greene, P.G
Director of Environmental Programs

GTG/lak

F:\PROPOSALS\Proposals\Proposals and Quals\Town of Oyster Bay DPW\2021 Proposals\2021-007-Shellfish Mgmt 2020\2021-007 Lena Proposal Ltr-Shellfish Mgmt.doc

Request for Authorization for 2022:
On-Call Engineering Services Relative to Environmental Science

Shellfish Management for 2022

BREAKDOWN BY PERSONNEL/HOURS

Title	Rate	Total Hours	Fee
Principal	$ 175.00	200	$ 35,000.00
GIS Specialist	$ 140.00	100	$ 14,000.00
Environmental Scientist	$ 125.00	200	$ 25,000.00
Asst. Biologist/Ecologist	$ 100.00	100	$ 10,000.00
Environmental Technician	$ 80.00	200	$ 16,000.00
TOTALS		**800**	**$ 100,000.00**

Subconsultant Expenses: $ 10,000.00

Subconsultant- ***Bay Environmental Consulting L.L.C*** *.- Technical support services related to shellfish sampling and research*

Direct Expenses *- Sampling Equipment, Boat Rental* **$ 5,000.00**

Total Budget: $ 115,000.00

Meeting of December 7, 2021 Resolution No. 743-2021

WHEREAS Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services Relative to Environmental Science, was issued in accordance with the terms and specifications contained in Contract No. PWC12-22, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

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

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations, performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department selected D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Services, with D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering & Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP., for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, the Office of the Inspector General reviewed the Request For Proposals and the proposed vendors' disclosure questionnaires, and is satisfied that the Town of Oyster Bay Procurement Policy was fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC12-22, On-Call Engineering Services Relative to Environmental Science, with D & B Engineers and Architects, DPC, Lockwood, Kessler & Bartlett, Inc., N & P Engineering & Architecture & Land Surveying, PLLC, P.W. Grosser, Consulting Engineers, RTP Environmental Associates, Inc., Cashin Associates, P.C. and Cameron Engineering & Associates, LLP, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023.

-#-

Reviewed By
Office of Town Attorney
Ralph P. Healey

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

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

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 230-2018, adopted April 10, 2018, the Town Board awarded Contract No. HFR18-172, Requirements Contract for Fence Replacement Throughout the Town of Oyster Bay, to LandTek Group, Inc., 105 Sweeneydale Avenue, Bayshore, New York 11706, for the initial contract period of April 10, 2018 through April 9, 2019, with an option for four (4) one (1) year extensions upon the same terms of the original contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/ Highway, by memorandum dated March 14, 2022, requested Town Board authorization to extend the contract for the fourth and final one-year extension option from April 10, 2022 through April 9, 2023, upon the same prices, conditions and terms, provided for in the original contract; and

WHEREAS, Commissioner Lenz, by said memorandum, further requested Town Board authorization in an amount of $500,000.00 for the use of the above subject contract at various locations within the Town of Oyster Bay as per the contract specifications, with funds available for this purpose as per Town Board Resolution No. 627A-2021; and

WHEREAS, The Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and Contract No. HFR18-172 with LandTek Group, Inc. is hereby extended for the period from April 10, 2022 through April 9, 2023, upon the same prices, conditions, and terms as provided in the original contract and the Town Board has authorized the use of $500,000.00 for said requirements contract with funds available for this purpose as per Town Board Resolution No. 627A-2021; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

March 14, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: REQUEST APPROVAL FOR EXTENSION
FENCE REPLACEMENT REQUIREMENTS CONTRACT HFR18-172
LANDTEK GROUP, INC.

The Highway Department has reviewed the work performed by LandTek Group, Inc. with respect to Fence Replacement Requirements Contract under contract number HFR18-172 which was extended by Town Board Resolution Number 227-2021 on April 20, 2021.

The work performed by LandTek Group, Inc. was satisfactory and completed in a timely manner. Therefore, it is hereby requested by the Highway Department contract HFR18-172 be extended from April 10, 2022 through April 9, 2023. This will be the fourth and final extension of a four year extension option.

In addition, it is hereby requested the amount of $500,000.00 to be authorized for the use of the above subject contract at various locations within the town of Oyster Bay. Also funds are available for this purpose as per Town Board Resolution No. 627A-2021 for the Highway Department to use these funds for the Highway Department Requirement Contracts as needed throughout the year within the Town of Oyster Bay.

The Office of the Inspector General has reviewed the vendors' disclosure questionnaire and is satisfied that the Procurement policy has been fulfilled.

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

RWL/lb
Cc: John P. Bishop, Deputy Commissioner/HWY
Grace Santamaria, Highway Administration

105 SWEENEYDALE AVENUE, BAY SHORE, NY 11706
OFFICE (631) 691-2381 • FAX (631) 598-8280

March 1, 2022

Town of Oyster Bay
74 Audrey Ave
Oyster Bay, New York 11771
Parks/Department/Division of Engineering
John Tassone
Deputy Commissioner

RE: Requirements Contract for Fencing Replacement throughout the Town of Oyster Bay – HFR18-172 (PW004-18)

Dear Mr. Tassone,

The LandTek Group, Inc. is herby requesting to extend the above referenced contract. Under the same terms, conditions and pricing as awarded in the original contract

Fed ID: [redacted]

Sincerely,

Michael Ryan, President

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No 244-2022

WHEREAS, by Resolution No. 162-2018, adopted March 13, 2018, the Town Board awarded Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal Throughout the Town of Oyster Bay, to Looks Great Services, Inc., 200 East 2nd Street, Huntington Station, New York 11746, for the initial contract period of March 13, 2018 through March 12, 2019, with an option for four (4) one (1) year extensions upon the same terms of the original contract; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/ Highway, by memorandum dated March 14, 2022, requested Town Board authorization to extend the contract for the fourth and final one-year extension option, *nunc pro tunc*, from March 13, 2022 through March 12, 2023, upon the same prices, conditions and terms, provided for in the original contract; and

WHEREAS, Commissioner Lenz, by said memorandum, further requested Town Board authorization in an amount of $1,000,000.00 for the use of the above subject contract at various locations within the Town of Oyster Bay as per the contract specifications, with funds available for this purpose as per Town Board Resolution No. 627A-2021; and

WHEREAS, The Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and Contract No. HTR17-163 with Looks Great Services, Inc. is hereby extended, *nunc pro tunc*, for the period from March 13, 2022 through March 12, 2023, upon the same prices, conditions, and terms as provided in the original contract and the Town Board has authorized the use of $1,000,000.00 for said requirements contract with funds available for this purpose as per Town Board Resolution No. 627A-2021; and be it further

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

-#-

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

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

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

March 14, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: REQUEST APPROVAL FOR EXTENSION
NUNC-PRO-TUNC
TREE REMOVAL REQUIREMENTS CONTRACT HTR17-163
LOOKS GREAT SERVICES, INC.

The Highway Department has reviewed the work performed by Looks Great Services, Inc. with respect to Tree Removal Requirements Contract under contract number HTR17-163 which was extended by Town Board Resolution Number 364-2021 on June 29, 2021. This will be the fourth and final extension of a four year extension option.

The work performed by Looks Great Services, Inc. was satisfactory and completed in a timely manner. Therefore, it is hereby requested by the Highway Department contract HTR17-163 be extended, Nunc-Pro-Tunc from March 13, 2022 through March 12, 2023.

In addition, it is hereby requested an amount of $1,000,000.00 be authorized for the use of the above subject contract at various locations within the town of Oyster Bay as per the contract specification. Also funds are available for this purpose as per Town Board Resolution No. 627A-2021 for the Highway Department to use these funds for the Highway Department Requirement Contracts as needed throughout the year within the Town of Oyster Bay.

The Office of the Inspector General has reviewed the vendors' disclosure questionnaire and is satisfied that the Procurement policy has been fulfilled.

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

RWL/lb
Cc: John P. Bishop, Deputy Commissioner/HWY
Grace Santamaria, Highway Administration

John C. Tassone
Deputy Commissioner
Department of Public Works
150 Miller Pl. Syosset, NY 11791
(516) 677-5722
Jtassone@oysterbay-ny.gov

March 3rd 2022

RE: TREE TRIMMING AND TREE REMOVAL
THROUGHOUT THE TOWN OF OYSTER BAY, NASSAU COUNTY, NY
CONTRACT NO. HTR17-163

Dear Mr. Tassone:

We are requesting an extension of the requirements contract (NO. HTR 17-163). We will honor the same terms and conditions from last year. Thank you for working with us and we look forward to our partnership.

Sincerely,

Kristian Agoglia
President
Looks Great Services, Inc.
200 E 2nd Street Unit #28
Huntington Station NY 11746
kristian@looksgreatservices.com
(631) 367-2200

Looks Great Services Inc
200E 2nd Street Huntington Station NY 11746

245

DRAFT

Reviewed By
Office of Town Attorney

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 12th day of April, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of PSI ATLANTIC MASSAPEQUA NY, LLC, contract vendee, and KASPER PROPERTIES NY, LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for demolition of an existing one (1) story masonry building and construction of a three (3) story building with a proposed floor area of approximately 110,660 square feet for operation as a self-storage facility, with associated site improvements, on premises located in a General Business ("GB") District, at 5660 Old Sunrise Highway, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block 40, Lots 11, 13, 15-30, and 35 on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

-#-

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Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : March 15, 2022

SUBJECT: PSI ATLANTIC MASSAPEQUA NY, LLC, Contract Vendee
KASPER PROPERTIES NY LLC, fee owner
Special Use Permit and Site Plan Approval
Premises: 5660 Old Sunrise Highway, Massapequa, New York
Section 53, Block 40, Lots 11, 13, 15-30, and 35

It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on April 12, 2022, at 10:00 am, in connection with the above referenced matter.

Kindly place this matter on the docket so that the attached Resolution pertaining to this matter can be heard at the March 29, 2022 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8084

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, April 12, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from PSI ATLANTIC MASSAPEQUA NY, LLC, contract vendee, and KASPER PROPERTIES NY, LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for demolition of an existing one (1) story masonry building and construction of a three (3) story building with a proposed floor area of approximately 110,660 square feet for operation as a self-storage facility, with associated site improvements, on premises located in a General Business ("GB") District, at 5660 Old Sunrise Highway, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block 40, Lots 11, 13, 15-30, and 35 on the Land and Tax Map of Nassau County.

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

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

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

Dated: March 29, 2022, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No 245-2022

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 12th day of April, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of PSI ATLANTIC MASSAPEQUA NY, LLC, contract vendee, and KASPER PROPERTIES NY, LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for demolition of an existing one (1) story masonry building and construction of a three (3) story building with a proposed floor area of approximately 110,660 square feet for operation as a self-storage facility, with associated site improvements, on premises located in a General Business ("GB") District, at 5660 Old Sunrise Highway, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block 40, Lots 11, 13, 15-30, and 35 on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

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

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

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, April 12, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from PSI ATLANTIC MASSAPEQUA NY, LLC, contract vendee, and KASPER PROPERTIES NY, LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for demolition of an existing one (1) story masonry building and construction of a three (3) story building with a proposed floor area of approximately 110,660 square feet for operation as a self-storage facility, with associated site improvements, on premises located in a General Business ("GB") District, at 5660 Old Sunrise Highway, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block 40, Lots 11, 13, 15-30, and 35 on the Land and Tax Map of Nassau County.

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The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

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

Dated: March 29, 2022, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No 246-2022

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 12th day of April, 2022, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 71 W. MAIN LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for the alteration of the existing office building on the premises to accommodate three (3) residential dwelling unit on the second story, with associated site improvements, on premises located in a General Business ("GB") District, at 71 W. Main Street, Oyster Bay, Town of Oyster Bay, County of Nassau, State of New York and described as Section 27, Block 6, Lot 110 on the Land and Tax Map of Nassau County.; and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

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

246

Town of Oyster Bay
Inter-Departmental Memo

45

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : March 15, 2022

SUBJECT: 71 W. MAIN LLC, fee owner
Special Use Permit and Site Plan Approval
Premises: 71 West Main Street, Oyster Bay, New York
Section 27, Block 6, Lot 110

It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on April 12, 2022, at 10:00 am, in connection with the above referenced matter.

Kindly place this matter on the docket so that the attached Resolution pertaining to this matter can be heard at the March 29, 2022 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8178

Domenica Walfe

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, April 12, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 71 W. MAIN LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for the alteration of the existing office building on the premises to accommodate three (3) residential dwelling unit on the second story, with associated site improvements, on premises located in a General Business ("GB") District, at 71 W. Main Street, Oyster Bay, Town of Oyster Bay, County of Nassau, State of New York and described as Section 27, Block 6, Lot 110 on the Land and Tax Map of Nassau County.

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

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

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

Dated: March 29, 2022, Oyster Bay, New York.

Reviewed By Office of Town Attorney

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

WHEREAS, S.A.F.E, LLC/Gaelle Charles brought a claim against the Town as a result of a motor vehicle accident that occurred on September 17, 2017 on Sunrise Highway, Massapequa, New York, wherein claimant's insured suffered personal injuries, when a Town driver failed to yield the right-of-way; and

WHEREAS, Frank M. Scalera, Town Attorney, and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated March 15, 2022, have advised that binding Arbitration of said claim on September 7, 2021, resulted in an award of $17,369.39 payable to S.A.F.E., LLC/Gaelle Charles for Loss Transfer reimbursement for medical expenses paid pursuant to Section 5105 of the New York State Insurance Law; and

WHEREAS, Town Attorney Scalera, and Deputy Town Attorney Dennis Sheehan, in said memorandum, recommend Town Board authorization for payment of the Arbitration Award to S.A.F.E., LLC/Gaelle Charles in the amount of $17,369.39, with funds available for payment in Account No. TWN AMS 1910 43020 602 0000 000,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the sum of $17,369.39 is hereby authorized and approved by the Town Board as payment of the Arbitration Award of September 7, 2021, to claimant, S.A.F.E., LLC/Gaelle Charles, with regard its Loss Transfer reimbursement for medical expenses paid pursuant to Section 5105 of the New York State Insurance Law; and be it further

RESOLVED, That 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 "S.A.F.E. LLC/Gaelle Charles", in the amount of $17,369.39, with funds for such payment to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

-#-

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

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

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247

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 15, 2022

SUBJECT: SETTLEMENT OF NEGLIGENCE CLAIM
Claimant: S.A.F.E., LLC/Gaelle Charles
Claim No.: 2021-8368

The above referenced claim arose as a result of a motor vehicle accident that occurred on September 12, 2017, on Sunrise Highway, Massapequa, New York. Claimant's insured suffered personal injuries, when a Town driver failed to yield the right-of-way. The claim is for Loss Transfer reimbursement for paid medical expenses for their insured, pursuant to Section 5105 of the New York State Insurance Law. Binding Arbitration on September 7, 2021, resulted in an award of $17,369.39, payable to S.A.F.E., LLC/Gaelle Charles.

Accordingly, we have attached a resolution authorizing payment of $17,369.39, together with a General Release executed by the claimant on February 9, 2022. Funds for payment of the Arbitration Award are available in Account No. TWN AMS 1910 43020 602 0000 000.

FRANK M. SCALERA
TOWN ATTORNEY

Dennis P. Sheehan
Deputy Town Attorney

DPS:ba
Attachments

HAMBERGER & WEISS LLP

MARK W. HAMBERGER
RONALD E. WEISS
SUSAN R. DUFFY
DAVID E. SNYDER
F. DANIEL BOWERS
RINEE E. HATTOER
RUSSELL D. HALL
JANICE M. ATWOOD
RICHARD L. HOLSTEIN
KARIN M. DARLING
MELANIE M. WOJCIK

COLLEEN L. WILLIS
VAN M. THAI
JOSEPH P. DEPOLINSKY
JOHN A. TERZULLI
JOHN M. GORDON, JR.
NICOLE GRACE
STEPHEN P. WYDER, JR.
CORY L. LOLDENSLAGER
SUSAN B. PARZYMUSO
JOHN M. COYLE
KELLY ANOCHE-HEPWORTH

ATTORNEYS AT LAW
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350 MAIN STREET
BUFFALO, NEW YORK 14202
Tel. 716-852-5200 Fax 716-852-0003
www.hambergerandweiss.com
E-Mail: buffalo@hwcomp.com

ELLEN SHANAHAN BECKER
LYNN A. FORTH
CARYN A. MARKERT
BRAM S. LEHMAN
SPECIAL COUNSEL

JOHN KHEN BELRA
MATTHEW HOFFMAN
BRIAN B. SCHAEDLER
JOHN D. LAND
DAVID J. MARELLO
MAILA M. HAZEN

KRISTEN DOMBROSKI
BRITTANY N. VANSCOOTER
ASHLEY E. LEWIS
VICTORIA L. HALEN
THOMAS S. VIDEON IV
KATHRYN E. CORNELL

DAVID F. DAVIS PETER M. KAPLAN
RETIRED

February 9, 2022

VIA EMAIL - DSHEEHAN@OYSTERBAY-NY.GOV

Town of Oyster Bay
Attn: Mr. Dennis Sheehan, Esq.
54 Audrey Ave
Oyster Bay, NY 11771

RE: ***Gaelle Charles v. ABA Transportation Holding CO.***
Carrier Case No.: 2017-ABA0070
WCB Case No.: G2056738
D/A: 8/12/2017
Our File No.: LF372336-1
Oyster Bay's Insured: Town of Oyster Bay, John Lamendola
Oyster Bay's File No: 2018-6341

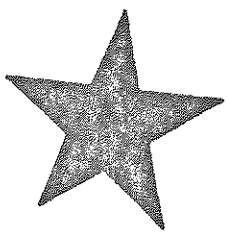
Dear Mr. Sheehan:

Please recall, we represent S.A.F.E. LLC, with respect to the above captioned matter.

Pursuant to your request, please allow this to serve to confirm that S.A.F.E., LLC releases the Town of Oyster Bay/John Lamendola from its Loss Transfer obligations under Article 51 of the New York State Insurance Law relating to the 9/12/2017 accident solely as it relates to our client's rights for payments made in lieu of No-Fault benefits to Gaelle Charles up to 07/12/2021. Please be advised that as our client is under an ongoing direction to pay for potential causally related benefits, and since we have not yet hit the $50,000.00 cap in No-Fault benefits, our client may have further claims for payments in connection with this claim. Our last payment ledger was calculated on 07/12/2021, and this partial release shall serve to release the Town of Oyster Bay/John Lamendola for all payments made by our client in lieu of No-Fault benefits up to 07/12/2021. Please be further advised that this partially release is solely relating to the Loss Transfer claim. This Loss Transfer release becomes effective once the $17,369.39 payment has been received by our office, made payable to S.A.F.E., LLC.

Aside from our signature, pursuant to your request we are having this release executed by a representative of S.A.F.E. LLC and notarized as well. Please note that David J. Marello's signature is not notarized, but rather just the signature of Shannon Linaberry.

Please issue a check payable to S.A.F.E., LLC in the amount of $17,369.39, sent directly to our office. Thank you in advance for your time and response. Please do not hesitate to contact us with any questions or concerns in the interim.



Shannon Linaberry

Sworn to and subscribed to before me this
9 day of February, 2022.

Notary Public

PAYTON NICOLETTE RICKER
STATE OF NEW YORK
NOTARY PUBLIC
Qualified in Onondaga County
01RI6390724
MY COMMISSION EXPIRES 04/03/2023

Very truly yours,

HAMBERGER & WEISS LLP

By David J. Marello

David J. Marello
dmarello@hwcomp.com
716-852-5200 x 322

ARBITRATION FORUMS, INC.
Membership driven. Innovation focused.

PIP DECISION

DOCKET NUMBER: I068-09524-20-00
PUBLICATION DATE: 09/08/2021

CASE INFORMATION

Date Filed: 09/01/2020
Date of Loss/Accident: 09/12/2017
Place of Loss/Accident: OYSTER BAY, NY
Injured Party: GAELLE CHARLES

Total Company Claim Amount: $ 17,369.39
Deductible Paid By Insured: $ 0.00
Legal Fees Sought: $ 0.00

Party	Subsidiary	Representative	File Number/Remit Addr	Insured Name
App	ACME BUS CO PO BOX 2249 SYRACUSE, NY 13220-2249	CHRISTINA HEWITT 315-453-8731	1290WC170500070 PO BOX 2249 SYRACUSE, NY 13220-2249	BAUMANN BUS
Rsp 01	TOWN OF OYSTER BAY 54 AUDREY AVE OYSTER BAY, NY 11771-1504	DENNIS SHEEHAN 516-624-7898	20186341	TOWN OF OYSTER BAY

Arbitrator(s) considered the following in rendering the decision (Hearing Representation Information):

Applicant — APPLICATION, CONTENTIONS, ALL LISTED EVIDENCE RECEIVED
Respondent 1 — RESPONSE, CONTENTIONS, ALL LISTED EVIDENCE RECEIVED

AFFIRMATIVE DEFENSE / DEFERMENT FINDINGS

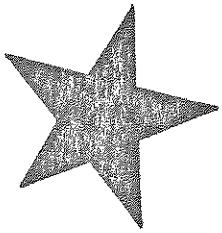
Summary: Affirmative Defense (Other) raised by Respondent 1
Ruling Date: 09/07/2021 Arbitrator(s): 2000203584, 2000444984, 2000569544
Ruling: Denied for Respondent 1
Comments: NYVTL 1140 and NYVTL1144 are liability areguments not affirmative defenses.

DECISION INFORMATION

Arbitrator #1: CHRISTOPHER MASON
Arbitrator #2: AMANDA BROWN
Arbitrator #3: LAUREN HERNANDEZ

Date Closed: 09/07/2021

Note: Above Arbitrator(s) have acknowledged the AF Neutrality Statement.



ARBITRATION FORUMS, INC.
Membership driven. Innovation focused.

PIP DECISION

DOCKET NUMBER: I068-09524-20-00
PUBLICATION DATE: 09/08/2021

Summary of Dispute

Acme Bus Co Contends Acme was traveling straight on Sunrise Hwy through a solid green light when Respondent vehicle made a right turn at a red light and struck their vehicle. The Town of Oyster Bay Contends Acme failed to yield the right of way to their vehicle that was already well into the intersection and they violated NYVTL Section 1144-a which shifts the burden to avoid the accident to the Acme.

Liability Decision - Liability Decision

Respondent #01 - TOWN OF OYSTER BAY admits 0% liability.

Applicant proved 100% liability against Respondent #01 - TOWN OF OYSTER BAY based on: the town of oyster bay failing to yield the right of way and having the last chance to avoid the loss and not doing so.

Damages Decision

Applicant ACME BUS CO proved ALL damages. Damages Proven: $ 17,369.39

Respondent(s) indicate that they are not disputing damages.

What evidence caused you to render this decision and why?

The police report lists the town of oyster bay with failing to yield the right of way. Also the police report shows the damage to the Acme bus as the right rear and left front for the Town of Oyster Bay. The acme bus was already established in the intersection when the loss occurred.

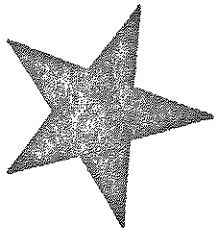
Award

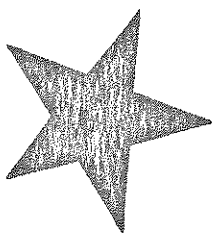
State Negligence Law applied to award calculations: Pure Comparative

Rsp #	Damages Award Against (not including Deductible)	Insured Paid Deductible Award Against	Legal Fees Award Against	Credit for Prior Payment	Total Award Against
01	$ 17,369.39	$ 0.00	$ 0.00	$0.00	$ 17,369.39
TOTAL	**$ 17,369.39**	**$ 0.00**	**$ 0.00**	**$0.00**	**$ 17,369.39**

Please send payment to Remittance Address listed in the Case Information Section.

If you have any questions about this decision, please call our Member Service Center at (866) 977-3434.





WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 16, 2021, authorized the Highway Department to clean up the premises located at 15 Southwick Court N., Plainview, New York 11803, also known as Section 13, Block 108, Lot 6 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 8, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 29, 2021, in the total amount of $2,342.16, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 8, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of $2,342.16 may be assessed by the Legislature of the County of Nassau against the parcel known as 15 Southwick Court N., Plainview, New York 11803, also known as Section 13, Block 108, Lot 6 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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Town of Oyster Bay
Inter-Departmental Memo

248

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 8, 2022

SUBJECT: Property Cleanup Assessment
15 Southwick Court N., Plainview, New York 11803
Section 13, Block 108, Lot 6

The Department of Planning and Development, by memorandum dated September 16, 2021, directed the Highway Department to clean the premises located at 15 Southwick Court N., Plainview, New York 11803, also known as Section 13, Block 108, Lot 6 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 6, 2021, advised that the property was cleaned by a crew from the Highway Department on September 29, 2021. The cost incurred by the Town of Oyster Bay was $2,342.16.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Special Counsel

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 15 Southwick Ct N 3.8.2022.doc

2022-8418

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 16, 2021

To: JOHN BISHOP: DEPUTY COMMISIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 15 Southwick Court N., Plainview, New York 11803
SBL: 13-108-6

Notice of Violation number 005407 was issued to the owner of the above-referenced premises on 09/08/21 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Chapter135, Section 54, I am directing that:

- **Cut lawn and vegetation on premises.**
- **Remove broken tree branches from premises.**

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

ELIZABETH L. MACCARONE
COMMISSIONER

MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME:ml
cc: Frank Scalera, Town Attorney

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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

September 16, 2021

Lawrence Dobroff
15 Southwick Court N.
Plainview, New York 11803

RE: PREMISES: 15 Southwick Court N. Plainview, NY 11803
SECTION 13 BLOCK 108 LOT 6

Dear Property Owner:

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

Please be advised that Notice of Violation number 005407 (copy attached) has been served on 09/08/21. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito
Code Enforcement Bureau

ELM:ME:ml
Enclosure

THIS INDENTURE, made the 23rd day of August, 2004,

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 Plainview, Town of Oyster Bay, County of Nassau and State of New York, and more particularly known and designated at Lot No. 6 in Block 108 on a certain map entitled "Map of Colonial Woods," which map was filed in the Nassau County Clerk's Office on August 16, 1966, as Map No. 8012.

Said premises being known as 15 Southwick Court, Plainview, New York.

Known as Section 13, Block 108, Lot 6, on the Nassau County Land and Tax Map.

Being and intended to be the same premises described in a Deed to the party of the first part dated June 17, 1985, and recorded in the Office of the Clerk of the County of Nassau on June 28, 1985, in Liber 9648, Pages 572 - 573.

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:

Witness:

[redacted]

AL

Town of Oyster Bay
Inter- Departmental Memo

October 6, 2021

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: **15 SOUTHWICK COURT, PLAINVIEW**
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$2,342.16**.

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

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (13-108-6) 15 SOUTHWICK CT PLAINVIEW 11803

Date Sep 29, 2021

Work Order # 87435

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
JAMES AJAMIAN	General Maintenance	02:30	$48.08	00:00	0	$120.20
MICHAEL CALAMIA	General Maintenance	02:30	$28.21	00:00	0	$70.53
OSCAR GUEVARA	General Maintenance	02:30	$26.30	00:00	0	$65.75
DANIEL MCQUAID	General Maintenance	02:30	$20.27	00:00	0	$50.68
MICHAEL R MOLLOY	General Maintenance	02:30	$15.00	00:00	0	$37.50
					Total Labor	$344.66

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU458	2020 FORD F350 PICK UP YW	$79.00	02:30	$197.50
TD571	TRUCK DUMP 2005 FORD F-350 YW (T-185) - Power Wagons	$105.00	02:30	$262.50
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	$105.00	02:30	$262.50
TD744	2019 FORD F450 YW POWER WAGON	$105.00	02:30	$262.50
TR204	TRAILER 2017 FELLI FT30 BL	$105.00	02:30	$262.50
			Total Equipment	$1247.50

Materials

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

Grand Total $2342.16

Description of Work:
CLEAN UP 15 SOUTHWICK COURT N. PLAINVIEW

Signature: PBR

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 6, 2021

Meeting of March 29, 2022 Resolution No. 249-2022

Reviewed By
Office of Town Attorney

WHEREAS, in accordance with the provisions of Chapter 30 – Ethics, of the Code of the Town of Oyster Bay and regulations promulgated thereunder, the Town Board must make an annual determination regarding which elected officials, officers and employees must file a financial disclosure form for that year, and such determination must be filed with the Town of Oyster Bay Board of Ethics; and

WHEREAS, Steven Leventhal, Esq., Counsel to the Board of Ethics, by letter dated March 7, 2021, requested that the Town Board consider the following list of individuals file financial disclosure forms for the year ended December 31, 2021:

ELECTED OFFICIALS
Joseph S. Saladino, Town Supervisor
Michele M. Johnson, Esq., Councilwoman
Louis B. Imbroto, Esq., Councilman
Thomas P. Hand, Councilman
Steven L. Labriola, Councilman
Laura L. Maier, Councilwoman
Vicki Walsh, Councilwoman
Richard LaMarca, Town Clerk
Jeffrey P. Pravato, Receiver of Taxes

OFFICE OF THE EXECUTIVE
Gregory W. Carman, Jr., Esq., Deputy Supervisor
Robert Darienzo
Erin Smith-Kelly
Ronald Scaglia
Roy Seter
Elizabeth Tarpinian
Kevin DeLury
Andrew Rothstein

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Gregory Skupinsky, Deputy Commissioner

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BOARD OF ETHICS
Alfred C. Constants III, Esq.
Margaret Eaton
Rabbi Perry Raphael Rank

NOW, THEREFORE, BE IT RESOLVED, That this Town Board does hereby determine that all individuals contained in the abovementioned list shall complete a Statement of Financial Disclosure for the 2021 calendar year, and file same with the Town of Oyster Bay Board of Ethics on or before May 15, 2022; and be it further

RESOLVED, That the Department of Human Resources is hereby directed to supply the title, social security number, and office address for each individual in the abovementioned list, and forward the completed list to the Town of Oyster Bay Board of Ethics.

-#-

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

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

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TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Thomas M. Sabellico, Special Counsel
Office of the Town Attorney

DATE : March 16, 2022

SUBJECT: Annual Financial Disclosure 2022

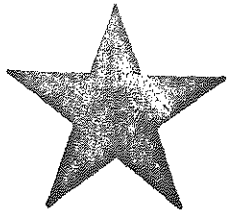
Our office is in receipt of a memorandum from Steven G. Leventhal, Esq., Counsel, Board of Ethics, requesting that the Town Board adopt a resolution setting forth the names of those individuals required to file an Annual Financial Disclosure Form for the year ended December 31, 2021, said form to be filed on or before May 15, 2022.

Accordingly, please place this matter on the docket for a resolution, to be prepared by this office, to appear on the March 29, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico (eap)
Special Counsel

TMS:nb



Reviewed By
Office of Town Attorney
Elizabeth A. Vaughan

WHEREAS, Steven C. Ballas, Comptroller, by memoranda dated March 15, 2022 and March 18, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was placed on the Town of Oyster Bay website and was sent to seven (7) firms, seeking proposals from firms interested in providing services regarding the Town's Microsoft AX Dynamics application for the upgrade and implementation of additional modules, to the Town for a one (1) year term beginning April 15, 2022 through and including April 14, 2023, with three (3), one-year extension options, if mutually agreeable; and

WHEREAS, the Office of the Comptroller received three (3) responses by the response due date; and

WHEREAS, the evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy and an RFP review committee was formed with five (5) employees from three departments within the Town to review and rate each of the three (3) responses received; and

WHEREAS, following a review and evaluation of the three (3) responses, Ellipse Solutions, LLC, 7917 Washington Woods Drive, Dayton, Ohio, 45459, was determined to be the best qualified, and Comptroller Ballas, by said memorandum, requested that the Town Board authorize the Supervisor, or his designee to execute a contract with Ellipse Solutions, LLC to provide services regarding the Town's Microsoft AX Dynamics application for the upgrade and implementation of additional modules for a one (1) year term beginning April 15, 2022 through and including April 14, 2023, with three (3), one-year extension options, if mutually agreeable; and

WHEREAS, the Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town is hereby authorized to enter into a contract with Ellipse Solutions, to provide services relating to the upgrade of and implementation of additional modules into the Town's Microsoft AX Dynamics application for a one (1) year term beginning April 15, 2022 through and including April 14, 2023, with three (3), one-year extension options, if mutually agreeable; and it be further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to Ellipse Solutions, LLC, in an amount not to exceed $780,000.00 from Account Nos. CMP A 1680 46410 000 0000, Project ID 2207TWNTWN-15, and CMP H 1997 26000 000 2207 001, upon submission of a duly certified claim, after audit.

-#-

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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memo

MARCH 18, 2022

To: MEMORANDUM DOCKET

From: STEVEN C. BALLAS, COMPTROLLER

Subject: AWARD OF MICROSOFT AX DYNAMICS UPGRADE AND IMPLEMENTATION OF ADDITIONAL MODULES
SUPPLEMENTAL MEMO MD OF MARCH 15, 2022 #43

Pursuant to the Town of Oyster Bay Procurement Policy, Resolution No. 154-2021, the Office of the Comptroller solicited Requests for Proposals (RFPs) from seven (7) firms interested in providing services to the Town's Microsoft AX Dynamics application for the upgrade and implementation of additional modules. Services would be for a one (1) year period with the provision of three (3), one-year extension options, if mutually agreeable. In addition, the RFP was posted on the Town's website.

In 2014, the Town upgraded its financial systems to Microsoft AX Dynamics from its legacy system. Its implementation was to the Accounts Payable, General Ledger and Purchasing modules with limited functionality in the Project Management and Budgeting modules. At this point in time, the application requires a mandatory upgrade as our current version is end of life and additional functionality is necessary.

Of the seven (7) firms, three (3) firms responded by the response due date. The evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy. A RFP Review Committee was formed with five (5) employees from three departments within the Town. Each of the three (3) responses were reviewed, evaluated and rated in detail by the RFP Review Committee.

Of the three (3) firms reviewed and evaluated, Ellipse Solutions, LLC., 7917 Washington Woods Drive, Dayton, Ohio, 45459 was the highest ranked qualified firm.

Accordingly, the Office of the Comptroller respectfully requests Town Board authorization for the Town to enter into an agreement to be negotiated by the Office of the Comptroller and approved by the Office of the Town Attorney. Authorization is further requested for the Supervisor or his designee to execute said agreement for providing services for the Microsoft AX Dynamics upgrade and implementation of additional modules to the Town for a period from April 15, 2022 through and including April 14, 2023 with the option of three (3) one-year extensions if mutually agreeable.

The Office of the Inspector General has reviewed the disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

Funds are available in account CMP A 1680 46410 000 0000 and Project ID 2207TWNTWN-15, CMP H 1997 26000 000 2207 001. Funds to be allocated in an amount of $780,000.00 for the upgrade and implementation of additional modules.

S. Ballas

STEVEN C. BALLAS
COMPTROLLER

SCB:cmw/mj

cc: Reading File

TOWN OF OYSTER BAY

Inter-Departmental Memo

March 15, 2022

To: **MEMORANDUM DOCKET**

From: **STEVEN C. BALLAS, COMPTROLLER**

Subject: **AWARD OF MICROSOFT AX DYNAMICS UPGRADE AND IMPLEMENTATION OF ADDITIONAL MODULES**

SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum to follow for the award of services to the Town's Microsoft AX Dynamics application for the upgrade and implementation of additional modules.

Therefore, we recommend and request that a space be reserved at the next Town Board meeting on March 29, 2022.

STEVEN C. BALLAS
COMPTROLLER

SCB:rpp

cc: IT Division
Reading File

Reviewed By
Office of Town Attorney
Elizabeth A. Vaughan

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memoranda dated March 11, 2022 and March 21, 2022, advised that, pursuant to the Town of Oyster Bay Procurement Policy, a Request for Proposals ("RFP") for Harry Tappen Beach Food Concession Services was posted on the Town of Oyster Bay website, posted at Town Hall North, Town Hall South and the Town of Oyster Bay Ice Skating Center at Bethpage Community Park, as well as sent to nineteen (19) known service providers; and

WHEREAS, the Department of Parks received two (2) responses by the March 11, 2022 response date; and

WHEREAS, pursuant to Guideline 7 of the Town of Oyster Bay Procurement Policy, by memorandum dated March 21, 2022, Thomas M. Sabellico, Special Counsel, Office of the Town Attorney, advised that the Department of Parks was in compliance with the Town of Oyster Bay Procurement Policy, and an RFP review committee was formed to review and rate both of the responses received; and

WHEREAS, Commissioner Pinto, by said memoranda, advised that the RFP review committee determined that the proposal submitted by J & T Beach Corp., 39 Doane Ave., Bellport, N.Y. 11713, most effectively met the criteria outlined in the RFP, with base annual revenue of $30,500.00 with an additional six (6%) percent of gross revenue receipts for the 2022 operating season, and increased base annual revenue of $31,000.00, with an additional six (6%) percent of gross revenue receipts for the 2023 operating season. Commissioner Pinto further advised that any capital construction, undertaken at the sole expense of the proposer, would provide permanent improvements to the Town's concession building; and

WHEREAS, Commissioner Pinto, by said memoranda, requested that the Town Board, pursuant to the RFP, authorize the Town to enter into an agreement with J & T Beach Corp., 39 Doane Ave., Bellport, N.Y. 11713, to operate the Harry Tappen Beach Food Concession Services for the two (2) year period *nunc pro tunc*, January 1, 2022 through December 31, 2023, with the understanding that due to the seasonal nature of the concession operation, J & T Beach Corp. will have access to operate the facility from April 1, through October 31, for each year of the agreement, and the Supervisor or his designee be authorized to execute an agreement effectuating same; and

WHEREAS, the Office of the Inspector General has reviewed the vendor disclosure questionnaire and is satisfied the Town's Procurement Policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Town is authorized, pursuant to the RFP, to enter into a agreement with J & T Beach Corp., 39 Doane Ave., Bellport, N.Y. 11713, to operate the Harry Tappen Beach Food Concession Services for the two (2) year period *nunc pro tunc*, January 1,

2022 through December 31, 2023, with the understanding that due to the seasonal nature of the concession operation, J & T Beach Corp. will have access to operate the facility from April 1, through October 31, for each year of the agreement; and be it further

RESOLVED, that the Supervisor or his designee be authorized to execute an agreement effectuating same.

-#-

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

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

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TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: MARCH 21, 2022

SUBJECT: HARRY TAPPEN BEACH FOOD CONCESSION SERVICES RFP REISSUE: CONTRACT AWARD SUPPLEMENTAL MEMO – MD 31522 #5

Pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request For Proposals ("RFP") for Harry Tappen Beach Food Concession Services. This Department published the RFP on the Town website, e-mailed the RFP to nineteen (19) known service providers, and posted the RFP at Town Hall North, Town Hall South and the Town of Oyster Bay Ice Skating Center. A copy of the RFP is attached.

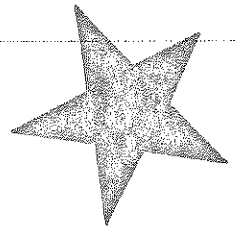
Prior to the expiration of the March 11, 2022 deadline, the Town received two (2) responses to the RFP (see attached). In accordance with Guideline 7 of the Town Procurement Policy, the Office of the Town Attorney, in a memorandum dated March 21, 2022 (see attached), determined that the Department of Parks complied with the Procurement Policy.

In accordance with the Town's Procurement Policy, a committee designated by the Commissioner of Parks, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by J & T Beach Corp. most effectively met the criteria outlined in the RFP.

The proposal provides $30,500 base annual revenue and an additional six (6) percent of gross revenue receipts for the 2022 operating season. For the 2023 operating season, the proposal provides $31,000 base annual revenue and an additional six (6) percent of gross revenue receipts. In addition, any capital construction, undertaken at the sole expense of this proposer, will provide permanent improvements to the Town concession building.

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

The Department of Parks requests Town Board authorization for the Town to enter into a contract with J & T Beach Corp. to operate the Harry Tappen Beach Food Concession Services for a two (2) year period, the period beginning January 1, 2022, nunc pro tunc, through December 31, 2023, with a provision for an additional three (3), one (1) year extensions. Due to the seasonal nature of this concession operation, access will be granted to operate the facility from April 1, through October 31, for each year of the contract agreement.



It is further requested that the Supervisor or his designee be authorized to execute the agreement, which will be drafted and prepared by the Office of the Town Attorney upon the Town Board's action.

for JOSEPH G. PINTO
COMMISSIONER OF PARKS

JGP/kc
Attachments

Town of Oyster Bay
Inter-Departmental Memorandum

TO : JOSEPH G. PINTO, Commissioner
Department of Parks

FROM : Thomas M. Sabellico, Special Counsel
Office of the Town Attorney

DATE : March 21, 2022

SUBJECT: Procurement – Concession Services Harry Tappen Beach

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We are in receipt of your memorandum dated March 15, 2022, requesting the opinion of this office with respect to compliance with the Town's procurement policy regarding the procurement of a vendor to provide food concession services at Harry Tappen Beach.

In response to your inquiry with respect to the above referenced matter, based upon the efforts you made to obtain proposals, including posting in Newsday, posting of the RFP on the Town's website, posting notices at Town Hall South, Town Hall North and Town Ice Skating Center, and sending same to nineteen (19) food service providers specializing in public food service and catering, it is the opinion of this office that you are in compliance with the Town's Procurement Policy despite having only received two responses, and that you may proceed to evaluate the responses without the need to solicit any further proposals.

Office of the Town Attorney

Thomas M. Sabellico
Thomas M. Sabellico
Special Counsel

TMS:/nb
cc: Brian Noone, Inspector General
Frank Scalera, Town Attorney

The Edge, LLC

Town of Oyster Bay
Nassau County, New York

Request for Proposals
Concession Services
Harry Tappen Beach Concession Facility
Glenwood Landing, New York

Revised March 11, 2022

March 11, 2022

Mr. Greg Skupinsky
Deputy Commissioner
Department of Parks
Town Hall South
977 Hicksville Road
Massapequa, New York 11758

Dear Mr. Skupinsky:

The Edge, LLC (The Edge) appreciates the opportunity to submit this Request for Proposals to support the Concession Services at Harry Tappen Beach Concession Facility. The Edge seeks to develop more than a concession services business over time, with a vision to create a contemporary and lively experience that will attract new patrons to this unique and currently under-utilized beach setting on "The Edge." The Edge looks forward to collaborating with the Town of Oyster Bay on this exciting opportunity.

SECTION A: INTRODUCTORY STATEMENT

Marketed under a new name, "The Edge," Harry Tappen Beach will become a premier destination for beach, pool, marina, casual dining and entertainment for Long Island patrons starting Summer of 2022. The Edge will attract a family friendly clientele during the day and early evening and transforming to an outdoor entertainment venue at night. The Edge will create a contemporary beach casual restaurant and menu serving breakfast, lunch, dinner and Sunday beach brunch. Over time, a full calendar of scheduled events with leading bands and DJs will provide live entertainment throughout the season. Currently, no other beach venue on the North Shore of Nassau County that has developed this full service capability.

SECTION B: QUALIFICATIONS AND APPROPRIATENESS OF PROPOSED STAFF

The Edge team combines complementary skill sets from leaders of multiple industries that will seek to develop this venue into a premier seasonal destination for Long Island residents. Experts in restaurant and catering, entertainment and event planning industry and well business strategy and finance will collectively execute this plan successfully. While this is a 5 year opportunity and a short timeframe to set up for the 2022 season, The Edge team is prepared to start production.

Randi Mednick, General Partner, has 30 years of health care management expertise in strategy, operations, program development and finance and has developed close to $1 billion in new hospital inpatient and ambulatory capital projects throughout her career. Ms. Mednick holds a Masters in Health Administration from Cornell University. Ms. Mednick currently serves as the Vice President of Strategic Planning for Catholic Health. As resident of Nassau County and the Town of Oyster Bay for over 20 years, she frequents the town parks and understands the needs of the clientele for this venue. Ms. Mednick demonstrates service excellence for her health care clients and will continue to create that same environment at The Edge.

Martin Schackner, Chief Financial Officer, has over 30 years of accounting and real estate experience in the commercial and residential industry, including asset and property management and fiscal management. He is a Certified Public Accountant licensed in the State of New York. He is also a licensed Real Estate Broker in the State of New York and holds a Masters in Business Administration from St. John's University. Under the direction of Mr. Schackner, Smith & DeGroat Real Estate managed Nassau County's Landmark Portfolio located in the various parks and reserves from 2006 through 2020. In addition, he led the renovation and management of Nassau County's Mitchell Field Veteran Housing Complex.

Bruno Di Carlo, Director Food & Beverage Services, has over 15 years of experience in the restaurant management business. For the last 8 years, he has owned and operated La Bottega of Plainview located in the Town of Oyster Bay. Mr. DiCarlo infuses his love of culture and food from around the world, having grown up in Brazil and traveled throughout Europe. Mr. DiCarlo is recognized for his passion, menu creativity and his hospitable approach to his customers and staff. At La Bottega of Plainview, Mr. DiCarlo has brought his appreciation of fresh ingredients and rich flavors to offer an authentic Italian experience of food, love and family. Mr. DiCarlo has successfully demonstrated his expertise in operating the seasonal restaurant at Piquet Lane Swim and Tennis Club, also in the Town of Oyster Bay for the last 4 years. Mr. DiCarlo understands the pressure to deliver exceptional service to his clientele during peak times of the day. With his expertise, Mr. DiCarlo will help to create and promote the new vision for The Edge.

Salvo D'Aguanno, Manager Food & Beverage Services, has over 30 years of experience in restaurant management and food distribution. Mr. D'Aguanno has progressive experience in restaurant management, inventory, distribution and sales in the hospitality industry. As a talented chef, Mr. D'Aguanno will also bring his creativity and experience to the menu at The Edge. Mr. D'Aguanno has demonstrated significant experience in both front of the house (FOH) and back of the house (BOH) management in high touch restaurant environments. He is NYC food protection certified with proven results in implementing policies and best practices to ensure compliance with company and department of health (DOH) regulations while maintaining an efficient daily restaurant flow and providing customer satisfaction. Mr. D'Aguanno has successfully operated and managed diverse groups in multi-site establishments while increasing revenue and profitability. Mr. D'Auganno is skilled in vendor management to streamline the purchasing process and negotiate inventory cost with Deep knowledge of Profit and Loss (P&L), forecasting and cost analysis.

Laurie Laybourne, Director of Entertainment and Marketing, has over 25 years of extensive experience and expertise in event planning and operations. Ms. Laybourne understands the development process of creating a new business, customer service relations, vendor management, booking entertainment and marketing events using multiple platforms and social media. She has demonstrated ability to execute events successfully and will bring her knowledge and experience to The Edge. Ms. Laybourne will collaborate with Richard Schwartz, a Production Equipment Specialist who has served the Long Island and NYC market for over 30 years as well to bring the most contemporary sound and lighting system and operations to The Edge.

SECTION C: APPROPRIATENESS AND QUALITY OF PROPOSER'S EXPERIENCE
As evidenced by The Edge team, their collective unique and complementary expertise across multiple industries will transform this under-utilized beach venue into a new, contemporary lively

experience for Long Islanders to enjoy. While this is a 5 year opportunity and a short timeframe to set up for the 2022 season, the Edge team is prepared to ramp up production.

SECTION D: PROPOSED MANAGEMENT & OPERATING STRATEGY

1. Sales Strategy – While The Edge events and restaurant will be marketed and promoted through many platforms and vehicles, including social media and direct to consumer marketing, future years will provide more lead time than the current 2022 season. However, in 2022, the Edge team will establish its vision for the venue and build the foundation for the robust years ahead. The Edge team is committed to establishing a new websits and marketing platforms to promote the activities at Harry Tappan Beach working jointly with the Town of Oyster Bay. The Edge team also seek to attract business sponsorships to further market and support the growth of the venue.

2. Food and Beverage operations for The Edge will be directed by Bruno DiCarlo. The restaurant will be adapted to a contemporary casual beach venue that will be newly marketed to Long Island patrons. The Edge will serve an American casual style menu for breakfast, lunch and dinner and include late night snacks. The Edge intends to operate a relaxed beachfront Sunday brunch throughout the season. The Edge will also provide "Take it to the Beach" to go orders for those guests who prefer to eat outside the restaurant and offer catering for events and parties on The Edge. Restaurant tables will accommodate small and larger parties as well as high top bar stations throughout the restaurant with an occupancy of 88 individuals, Mr. DiCarlo will be responsible for souring all local ingredients to support the daily menu and will oversee the three shifts of staff along with two Assistant Managers.

   The Edge Bar service will be staffed to serve non-alcoholic soft drinks and alcoholic beverages for those of appropriate age. The Edge Bar will develop Happy Hour specials weekly with a fresh and innovative specialty drink menu.

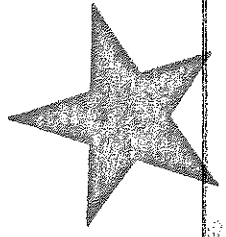
3. Entertainment operations will be managed by Laurie Laybourne. Ms. Laybourne will be responsible for marketing, promoting and scheduling live entertainment throughout the season. The addition of live music and entertainment at The Edge will attract incremental business to both the beach and the restaurant to maximize revenue for the facility and town.

SECTION E & F: FINANCIAL AND OTHER INFORMATION & FINANCIAL PROPOSAL

In consideration for the award of the concession and operating rights, The Edge, LLC proposes the following financial schedule to the Town of Oyster Bay.

Annual Rent:

1) Year 1 - $7,000
2) Year 2 - $9,000
3) Year 3 - $10,000
4) Year 4 - $11,000
5) Year 5 - $12,000



In addition to the annual rent, the Edge proposes to offer 10% of net profits of the operation to the Town of Oyster Bay.

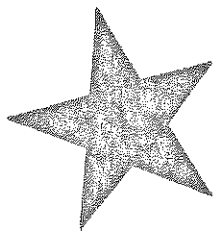
Based on the success of Year 1, The Edge, LLC is prepared to make longer term capital investments to improve the ambiance and experience of the venue. These proposed investments include the following:

1) Deck Expansion
2) Permanent Stage System
3) Resort Style Outdoor Lounge Experience

Again, the Edge, LLC appreciates this unique opportunity to submit this proposal. If you have any further questions, please feel free to reach me at 516-578-4414

Sincerely,

Randi Mednick
The Edge, LLC



March 11, 2022

Mr. Greg Skupinsky
Deputy Commissioner
Department of Parks
Town Hall South
977 Hicksville Road
Massapequa, New York 11758

Dear Mr. Skupinsky:

Please find this letter and subsequent revised Request for Proposals by The Edge, LLC for the Concession Services at Harry Tappan Beach as a replacement to RAC Hospitality Group's proposal.

RAC Hospitality Group is not a partner in The Edge, LLC for this project.

Thank you,

Richard A. Carozza
RAC Hospitality Group, LLC

J & T Beach Corp

Beach Bar at Blu Iguana

39 Doane Ave.
Bellport, NY 11713
Phone (631) 872-6840
FAX (631) 286-3855

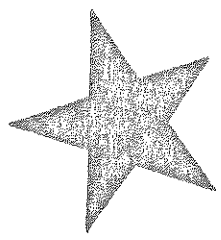
PROPOSAL

Concession Services

Harry Tappen Beach Concession Facility

Glenwood Landing, NY

Original



J & T Beach Corp
Beach Bar at Blu Iguana
39 Doane Ave.
Bellport, NY 11713
Phone (631) 872- 6840
FAX *(631) 286-3855*

Section A. Introductory Statement

To Mr. Greg Skupinsky,

I would like to express my interest to continue servicing the Town of Oyster Bay as Owner/Manager at the Harry Tappen Beach Concession. For the past four years Beach Bar Grill at Blu Iguana has provided a family-oriented restaurant with spectacular views of Hempstead harbor. When we receive a citation from the Town of Oyster Bay for providing needed employment and opportunities to the local residence, we knew we were on the right path. We are very proud of what we've been able to accomplished and that we were able to bring a sense of normalcy to the locals and their families during COVID by providing them with delicious food, weekly specials, and a place to feel comfortable. Our vision is to continue servicing the residence of Seacliff and its surrounding area with employment, casual dining, delicious food, and a family-fun environment that embrace the beautiful views of the harbor where families can gather, have fun, and be entertained.

Thank you very much for the opportunity.

Roy Monaco
J & T Beach Corp.

Section B. Qualifications and Appropriateness of Proposed Staff

Roy Monaco

39 Doane Ave.
Bellport, NY 11713
631.872.6840

EXPERIENCE

Beach Bar at Blu Iquana Restaurant – 2018, 2019, 2020, 2021
494 Prospect Ave.
Sea Cliff, NY 11579

Owner and Operator at Beach Bar at Blu Iguana restaurant located in Sea Cliff, NY. Leased, renovated, supplied, furnished, decorated, and managed a waterfront bar and grill seasonal restaurant. Duties include but are not limited to:

- Recruiting, interviewing, hiring, training and managing staff members on customer service skills, food & beverage knowledge, and health & safety standards to ensure compliance with restaurant policies, regulations, and food safety guidelines.
- Prepare schedule assignments and work shifts
- Plan and coordinated menus with Blu Iguana Chef
- Monitor and adhered to food safety regulations and observe the preparation and serving of food
- Supervise kitchen, wait staff and provide assistance when needed
- Negotiate vendor contracts and control inventory costs
- Managed licenses, permit renewals, expense reports, payroll distribution, inventories and purchases of liquor, food, and stock as needed
- Ensure customer satisfaction and health & safety standards are met through employee in-service training and weekly meetings
- Perform restaurant walk-throughs to assess hygiene standards, safety, neatness, and cleanliness in kitchen and restaurant areas during various shifts

SKILLS

- Revenue Generation
- Financial Oversight
- Inventory Control
- Setting Budgets
- POS System
- Develop/maintain Website & Social Media Platforms
- MS Word
- Staff Recruitment
- Team Building / Staff Training
- Customer Service / Employee Relations
- Purchasing and Inventory Management
- Organize Promotional Events

LICENCES

- Summer O.P. Food & Beverage

Section B. Qualifications and Appropriateness of Proposed Staff

David Murano

54 Jefferson Ave.
Deer Park, NY
(516) 360-7115

Education

1998	Nassau Community College
2000	CW Post

Work Experience

2020, 2021 **Manager**
Beach Bar Grill at Blu Iguana – Sea Cliff, NY

- Supervise kitchen & wait staff and provide assistance as needed
- Prepare shifts schedules
- Prepared cash drawer and petty cash as required
- Assessed and maintained sanitation and cleanliness in kitchen, restroom and restaurant areas
- Planned and coordinated menus
- Checked stock levels and order supplies
- Complete restaurant opening and closing procedures
- Responsible for opening and closing the restaurant
- Purchase and replenish stock as needed
- Staff training

2018 to 2020 **Owner Operator**
Magic Chef Consulting - Deer Park, NY

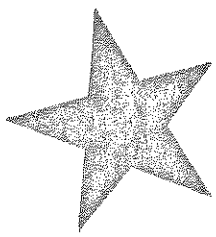
- Consultant for cooking and food cost
- Staff training

2016 to 2018 **Owner Operator**
Little Italy Restaurant - Melbourne, Florida

- Hire, train, and oversee employee work in front and back of house
- Supervise kitchen & wait staff and provide assistance as needed
- Prepare shifts schedules
- Planned and coordinated menus
- Inventoried and purchase liquor, food, and stock as needed
- Assessed and maintained sanitation and cleanliness in kitchen, restroom and restaurant areas
- Prepared cash drawer, petty cash and managed deposits
- Responsible for opening and closing the restaurant
- Organize events
- Conduct weekly meetings with employees

2015 to 2016 **Manager**
Ciao Baby The Beach – Montauk, NY

- Supervise kitchen & wait staff and provide assistance as needed
- Prepare shifts schedules
- Prepared cash drawer and petty cash as required
- Assessed and maintained sanitation and cleanliness in kitchen, restroom and restaurant areas
- Planned and coordinated menus
- Checked stock levels and order supplies
- Complete restaurant opening and closing procedures
- Responsible for opening and closing the restaurant
- Purchase and replenish stock as needed



Section B. Qualifications and Appropriateness of Proposed Staff

2012 to 2015 **Owner/Operator**
Don Lorenzos Restaurant – Glen Cove, NY

- Hire, train, and oversee employee work in front and back of house
- Supervise kitchen & wait staff and provide assistance as needed
- Prepare shifts schedules
- Planned and coordinated menus
- Inventoried and purchase liquor, food, and stock as needed
- Assessed and maintained sanitation and cleanliness in kitchen, restroom and restaurant areas
- Prepared cash drawer, petty cash and managed deposits
- Responsible for opening and closing the restaurant
- Organize events
- Conduct weekly meetings with employees

2011 to 2013 **Owner/Operator**
Phatsos Cheese Steak Restaurant - Seaford/Hempstead

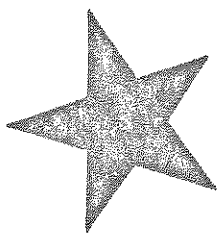
- Hire, train, and oversee employee work in front and back of house
- Supervise kitchen & wait staff and provide assistance as needed
- Prepare shifts schedules
- Planned and coordinated menus
- Inventoried and purchase liquor, food, and stock as needed
- Assessed and maintained sanitation and cleanliness in kitchen, restroom and restaurant areas
- Prepared cash drawer, petty cash and managed deposits
- Responsible for opening and closing the restaurant
- Organize events
- Conduct weekly meetings with employees

2003 to 2011 **Partner/Manager**
Ciao Baby – Massapequa, NY

- Hire, train, and oversee employee work in front and back of house
- Supervise kitchen & wait staff and provide assistance as needed
- Prepare shifts schedules
- Planned and coordinated menus
- Inventoried and purchase liquor, food, and stock as needed
- Assessed and maintained sanitation and cleanliness in kitchen, restroom and restaurant areas
- Prepared cash drawer, petty cash and managed deposits
- Responsible for opening and closing the restaurant
- Organize events
- Conduct weekly meetings with employees

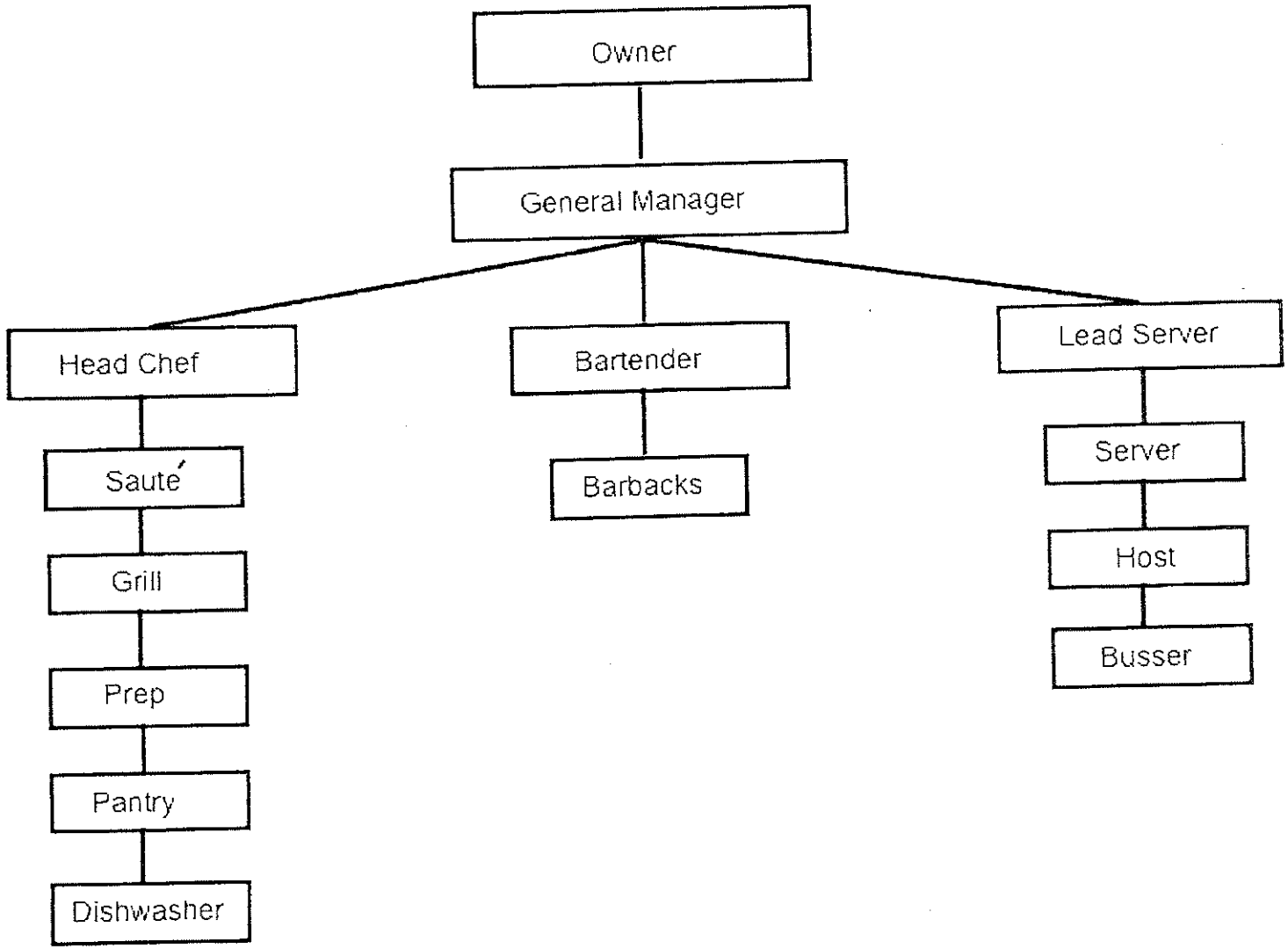
2000 to 2003 **Server**
Ciao Baby – Massapequa, NY

- Greeted guests
- Took and kept track of food and drink orders
- Delivered food & drinks to guests
- Provide customer service by answering questions and providing insight on different dishes on the menu
- Handled cash from sales
- Clean tables
- Prepared food
- Stocked shelves



Section B. Qualifications and Appropriateness of Proposed Staff

Organization Chart Beach Bar Grill at Blu Iguana



J & T Beach Corp
Beach Bar at Blu Iguana
39 Doane Ave.
Bellport, NY 11713
Phone (631) 872- 6840
FAX *(631) 286-3855*

Section C. Appropriateness and Quality of Proposer's Experience
#1.

To Mr. Greg Skupinsky,

Four years ago my desire for this beautiful piece of real estate on the beach was to offer the residents of Oyster Bay Town and surrounding area a place to relax, unwind, have a good meal and enjoy the beautiful view of Hempstead harbor. Beach Bar Grill has helped developed the quality of the town by providing summertime employment, a place where locals can come as a family to watch the sunset on the harbor, enjoy delicious food, and experience a fun-casual dining atmosphere. At the Beach Bar we will continue to offer our American food menu with appetizers such as Jumbo Pretzel Stix, Chicken Fingers, and Homemade Jumbo Mozzarella Stix, a variety of Salads, Sandwiches, Burgers, Fish, and Pasta entrees with daily specials. We will continue to bring the energy of the restaurant as a place where you bring your friends and family for a fun-filled dining experience, a quiet get together, or a place to celebrate special occasions. We are humbled by the overwhelming support and kindness from our patrons and local residence expressing their pleasure of our food and friendly atmosphere on social media platforms such as Facebook, Instagram and Google reviews. It is our goal is to continue to give the residence in the Town Oyster Bay a place to relax, unwind, and celebrate with good food and great atmosphere.

Respectfully,

Roy Monaco
J & T Beach Corp.

J & T Beach Corp

Beach Bar at Blu Iguana

39 Doane Ave.

Bellport, NY 11713

Phone (631) 872- 6840

FAX *(631) 286-3855*

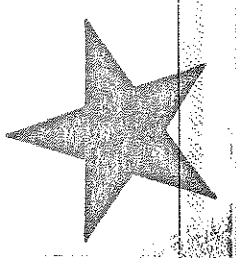
Section C. Appropriateness and Quality of Proposer's Experience
#2.

References

Lenny Oliva
(516) 769-0928
Owner/Operator
Prato – Commack, N.Y.
Bar Grazie – Massapequa, N.Y.

Frank Cammarata
(516) 510-7367
Owner/Operator
Brixx & Barley – Long Beach, N.Y.
RC Dugans – East Meadow, N.Y.
Publicans – Manhasset, N.Y.

Scott Cambell
(631) 219-8858
Owner/Operator
Dublin Deck – Patchogue, N.Y.
Perabell – Patchogue, N.Y.



J & T Beach Corp
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FAX *(631) 286-3855*

Section D. Proposed Management and Operating Strategy

Our proposed management and operating strategy is to continue to bring the energy of the restaurant as a place where locals can come as a family to watch the sunset on the harbor, enjoy delicious food, and experience a fun-casual dining atmosphere. Our strategies listed will help the Beach Bar to continue growth in revenue for the business and the town of Oyster Bay.

Operating Strategies: Installation of additional safety cameras to provide a safe environment for patrons, employees, and business structure. And adding additional canopy to provide shade for patrons.

Management Strategies: Provide positive feedback to employees ensuring staff feels valued for work performed. Offering Employee of the Month bonus for exceptional work performed. Revamping the menu by using local farms to create farm to table meals. Train staff to respond to menu modifications and dietary restrictions by in-servicing once a week. In-service employees weekly on health, safety, and cleaning procedures.

Marketing Strategies: Beach Bar will continue to promoted its business via Social Media such as Facebook, Instagram, Google, radio advertisement as well as utilizing the local newspapers. In addition, Beach Bar will host Special Events such as Battle of the Bands, Christmas in July, and run monthly raffles. We will also promote Beach Bar by using user-generated content of food and drink pictures by running a social media contest. In addition, Beach Bar will continue to provide daily music, Jazz night and a dog friendly environment.

Sales Strategies: Beach Bar will offer catering for private and office party events. Host charity and community events. Employ local bands to perform for patrons. Sell Beach Bar tee shirts. Partner with popular delivery services such as Door-Dash, Seamless, and GrubHub. Organize a specialty workshop for example the art of making pretzels, and participate in the summer restaurant week by offering prix-fixe selections for lunch and dinner.

Potential Issues/problems with appliance, electrical, and/or plumbing will be addressed by Electricians and plumbers on call. All issues will be repaired and upgraded as needed.

Respectfully,

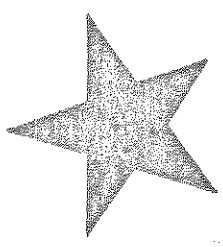
Roy Monaco
J & T Beach Corp.

J & T Beach Corp
Beach Bar at Blu Iguana
39 Doane Ave.
Bellport, NY 11713
Phone (631) 872- 6840
FAX *(631) 286-3855*

Section E. Financial and Other Information

Attached
Roy Monaco
J & T Beach Corp 2020 Income Tax Return

Roy Monaco
Bellport Landwork 2020 Income Tax Return



TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK

REQUEST FOR PROPOSALS

RE-ISSUE

CONCESSION SERVICES
HARRY TAPPEN BEACH CONCESSION FACILITY
GLENWOOD LANDING, NEW YORK

REISSUE: **Submission Deadline: Friday, March 11, 2022**

AUTHORIZED CONTACT PERSON

Prospective firms are advised that the authorized Town of Oyster Bay contact person for all matters concerning this RFP is:

GREG SKUPINSKY
Deputy Commissioner
Department of Parks
Town Hall South
977 Hicksville Road
Massapequa, New York 11758
(516) 797-4142
gskupinsky@oysterbay-ny.gov

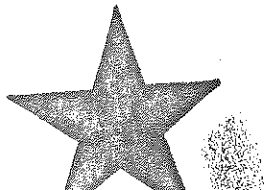
INTRODUCTION

Pursuant to General Municipal Law § 104-b and the written Procurement Policy presently in effect in the Town of Oyster Bay (the "Town"), the Town of Oyster Bay Department of Parks hereby solicits your proposal to provide the Food and Beverage Service Concession at the Town of Oyster Bay Harry Tappen Beach Concession Facility located on the north shore of Oyster Bayalong the North Hempstead Harbor (the "Facility"). The term of the contemplated Concession License Agreement will be for a two (2) year term beginning on January 1, 2022, and shall continue to and until December 31, 2023, unless extended in accordance with the terms of the License Agreement. The License Agreement will also include three (3) one (1) year options to renew the License Agreement at the discretion of the Department of Parks, at a cost increase to be determined by the parties.

However, although the term of the License Agreement is a full calendar year, access to operate the Facility will be granted only for the period beginning April 1, 2022through, and until, October 31, 2023. Consequently, the Town expects payment for those months that the concessionaire has access to operate the Facility.

The intent of this RFP is to obtain the most qualified concessionaire to provide food and beverage service at the Facility. The operation should emphasize informal family dining in a casual beach atmosphere. As set forth below, selection will be based upon consideration of the overall qualifications, experience, financial status, and benefit to the Town, the type, mode and features of proposed operations and management, and the proposer's recommendations for any capital additions or improvements to the Facility.

The Town reserves the right to negotiate with any and all proposers, to decline any and all proposals, and to select the proposer which, in the Town's sole judgment, will best serve the needs of the Town and its residents.



SITE DESCRIPTION

The Town of Oyster Bay Harry Tappen Beach is located on the north shore of Oyster Bay along North Hempstead Harbor. The Facility has a marina, swimming pool, picnic area and playgrounds. There is also a concession facility located on the Facility which is across from the main entrance, surrounded by a beach. The beach and pool is maintained and manned with lifeguards from the Town of Oyster Bay from Memorial Day to Labor Day. Marina Summer Seasonal dates are approximately mid-April through mid-November of each year. The concession facility is primarily operated from Memorial Day through the second week of October; hours of operation are approximately from 11:00 a.m. to 10:00 p.m. The concession facility has restrooms, Men and Women, which shall be cleaned and maintained by the Concessionaire.

No vending machines shall be permitted except upon the concession facility premises.

Please be advised that the occupancy of the concession facility is presently limited to 88 persons due to existing septic system limitations. The Town is currently engaged in the repair/replacement of the existing septic system, but it makes no representation regarding the work progress and anticipated completion. Please be advised that the Town may elect to extend the term of the License Agreement based upon the work's progress.

FORM OF PROPOSAL

Proposers must submit ten (10) hard copies (one signed original and nine copies) and **one** (1) **electronic copy** of each proposal with additional relevant information. Proposals should be organized as described in Attachment No. 1 herein. The submission of extraneous or voluminous additional materials not expressly required pursuant to this Request for Proposals is not welcome and may be rejected and returned to the proposer.

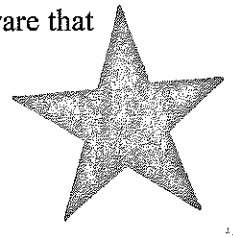
SCHEDULE FOR PROPOSALS

The Town reserves the right, at its sole option, to conduct personal interviews of one or more of the proposers prior to selection. The dates and times for such personal interviews shall be scheduled for the mutual convenience of the Town and selected proposers.

Proposals must be submitted in hard copy to the attention of the Authorized Contact Person identified above by Friday March 11, no later than 11:00 a.m. Email or facsimile responseswill not be considered. In the interest of fairness to all participants, no extensions or exceptions will be permitted, unless issued as an Addendum to this RFP and applicable to all proposers.

QUESTIONS AND CLARIFICATIONS

Any questions or requests for clarification of this RFP must be submitted in writing on or before Wednesday, March2, 2022, no later than 12:30 p.m. to the Authorized Contact Person identified above. Questions must be submitted by email. Responses will be issued by the Town in the form of an Addendum to this RFP prior to the submission deadline. As such, be aware that all questions (and answers) will be shared amongst all parties.



All communications during the RFP process must be directed solely to the Authorized Contact Person identified above. Communication, whether in writing or verbally, with any Town elected officials, employees or any member of the Town Evaluation Committee may be cause for disqualification from the RFP process.

QUALIFICATION BASED SELECTION PROCESS

The Town, after receipt and review of responses to this RFP, reserves the right to reject all proposals based upon the information provided by the proposers in their proposal, any other source of reliable information concerning the proposers, and based upon subsequent negotiations between the Town and proposer firms. The review process of the RFPs submitted are described under the section entitled: "CRITERIA FOR EVALUATION AND AWARD."

CRITERIA FOR EVALUATION AND AWARD

The process and criteria to be used by the Town in evaluating these proposals shall be the following:

a. **Evaluation Committee:** A Town Evaluation Committee will make the final recommendation to the Town Board of the Concessionaire, based upon rating criteria described in paragraph b below. The Town reserves the right to make changes in the Town Evaluation Committee at any time in its sole discretion. The Town may invite proposers to make presentations to the Evaluation Committee to demonstrate their qualifications and approach to the project. The final selection shall be made by the Town Board.

b. **Award Criteria:** The Award Criteria to be considered by the Town Evaluation Committee shall include all of the following:

i. **General Qualifications**

Proposer's experience and expertise in providing similar services, with emphasis on similar municipal concession and restaurant facilities on Long Island, and references reflecting similar work and related experiences.

ii. **Proposed Services/Products**

Responsiveness of proposed operating and management strategy, recognition of potential issues and problems, and effective, innovative and creative strategies for addressing same.

iii **Financial Strength and Resources**

Proposer's demonstrated financial strength and resources and ability to fulfill the financial commitments and requirements of the RFP, including proposer's ability to finance and complete construction of any capital modifications or improvements to the Facility accepted by the Town.

iv. **Financial Proposal**

The financial benefit to the Town of the proposer's financial proposal over the term and duration of the License Agreement.

USE OF SUBCONTRACTORS AND OTHER SUBORDINATE ENTITIES

Prospective firms are advised that the Town will entertain proposals that include the use of subcontractors and/or other subordinate entities. In such event, the proposal must clearly state the extent and nature of the work proposed to be delegated to the proposed subcontractor or other subordinate entity. The same information required by this RFP to be provided by the proposer shall also be provided for each proposed subcontractor or other subordinate entity.

FAMILIARIZATION WITH CURRENT PROGRAMS, FACILITIES AND DOCUMENTS

The Town makes no representation or warranty concerning the current status or condition of the Facility or the accurateness or completeness of any information provided as part of the RFP process.

It is the sole responsibility of the proposers to familiarize themselves with the Facility and any other information which is necessary and relevant to the scope of this RFP and proposer's proposal hereunder.

ATTACHMENT NUMBER 1

FORMAT OF PROPOSAL

Proposals should be organized as shown below with tab dividers between sections and should include all the information indicated. Note that elaborate brochures or other presentations beyond those sufficient to present a complete and extensive response to this solicitation are not desired.

SECTION A. INTRODUCTORY STATEMENT

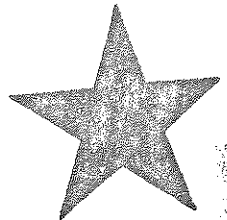
The Proposal should set forth an "executive summary" of the fundamental aspects of the proposal, including, without limitation, a description of the Proposer's vision for the Facility.

SECTION B. QUALIFICATIONS AND APPROPRIATENESS OF PROPOSED STAFF

Provide names and resumes of key personnel proposed for this project. The Proposal should also include an organizational chart for the operation of the food and beverage service.

SECTION C. APPROPRIATENESS AND QUALITY OF PROPOSER'S EXPERIENCE

1. Proposer's experience and expertise in providing similar food, beverage and concession services, with emphasis on similar municipal concession and food service facilities on Long Island.



2. Minimum of five (5) references with contact information, reflecting similar work and related experience.

SECTION D. PROPOSED MANAGEMENT AND OPERATING STRATEGY

Proposed operating, management and marketing and sales strategy, recognition of potential issues and problems, and effective, innovative and creative strategies for addressing same. The response in this section should emphasize any and all ways that the proposer intends to deliver services in a manner that is consistent with the family atmosphere at the Facility while,at the same time, maximizing the potential profit to the Town.

SECTION E. FINANCIAL AND OTHER INFORMATION

Disclosure of Conflicts

The successful proposer will be required to complete a disclosure questionnaire which will be e-mailed by and processed through the Town's vendor monitoring system.

SECTION F. FINANCIAL PROPOSAL

Proposer shall provide a detailed financial proposal describing the form and amount of the proposed license fee and any other type of financial remuneration to be paid to the Town by the proposer in consideration of the award of the concession and operating rights to the proposer **for each of the two (2) contract years**. Said proposal must include a statement of a proposed monthly concession license fee to be paid to the Town, subject to the escalations set forth in the annexed form of license agreement (Appendix "A."). Proposer may also, at its discretion, propose any other form of alternative, additional or supplemental consideration it would like the Town to consider.

SECTION H. SUPPLEMENTAL INFORMATION

Proposer may provide any additional information relevant to the proposer's qualifications or proposal for this project at the proposer's sole option.

Be advised that unless and until the Town Board accepts and approves a proposal, and authorizes the execution of a license agreement, the evaluation committee's recommendation does not form an enforceable agreement between the Town and the proposer. Under no circumstances shall the Town be held liable for any costs or damages incurred by the proposer as a part of this RFP process.

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Town of Oyster Bay
Inter-Departmental Memorandum

TO : JOSEPH G. PINTO, Commissioner
Department of Parks

FROM : Thomas M. Sabellico, Special Counsel
Office of the Town Attorney

DATE : March 21, 2022

SUBJECT: Procurement – Concession Services Harry Tappen Beach

---

We are in receipt of your memorandum dated March 15, 2022, requesting the opinion of this office with respect to compliance with the Town's procurement policy regarding the procurement of a vendor to provide food concession services at Harry Tappen Beach.

In response to your inquiry with respect to the above referenced matter, based upon the efforts you made to obtain proposals, including posting in Newsday, posting of the RFP on the Town's website, posting notices at Town Hall South, Town Hall North and Town Ice Skating Center, and sending same to nineteen (19) food service providers specializing in public food service and catering, it is the opinion of this office that you are in compliance with the Town's Procurement Policy despite having only received two responses, and that you may proceed to evaluate the responses without the need to solicit any further proposals.

Office of the Town Attorney

Thomas M. Sabellico

Thomas M. Sabellico
Special Counsel

TMS:/nb
cc: Brian Noone, Inspector General
Frank Scalera, Town Attorney

5

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE : MARCH 11, 2022

SUBJECT : HARRY TAPPEN BEACH FOOD CONCESSION SERVICES
RFP - REISSUE CONTRACT AWARD

The Department of Parks will submit a formal request to authorize a contract agreement for the Operation of Food Concession Services at the Harry Tappen Beach, in a supplemental memorandum. Therefore, we recommend and request that a space be reserved at the next Town Board meeting to be held on March 29, 2022.

JOSEPH G. PINTO
COMMISSIONER OF PARKS

JGP/kc

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memoranda dated March 16, 2022 and March 21, 2022, requested that the Town Board authorize the Supervisor, or his designee, to execute a license agreement, prepared by the Office of the Town Attorney, with North Shore Community Youth Organization, Inc., 8 Underhill Road, Glen Head, New York 11545, to utilize a portion of the Town of Oyster Bay Glen Head Community Center, for administrative office work and use as a gathering area associated with its a not-for-profit corporation's youth programs and activities, with no license fee charged to North Shore Community Youth Organization, Inc. in consideration thereof, for a one-year term from April 1, 2022 through March 31, 2023, with four (4) one-year renewal options, at the discretion of the Town; and

REVIEWED BY
OFFICE OF TOWN ATTORNEY

WHEREAS, this corporation has been vetted through the Exiger System, and the Office of the Inspector General has reviewed the Vendor's Disclosure Questionnaire and is satisfied that the Town Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, is authorized to execute a license agreement, prepared by the Office of the Town Attorney, with North Shore Community Youth Organization, Inc., 8 Underhill Road, Glen Head, New York 11545, to utilize a portion of the Town of Oyster Bay Glen Head Community Center, for administrative office work and use as a gathering area associated with its a not-for-profit corporation's youth programs and activities, with no license fee charged to North Shore Community Youth Organization, Inc. in consideration thereof, for a one-year term from April 1, 2022 through March 31, 2023, with four (4) one-year renewal options, at the discretion of the Town.

-#-

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

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

4

252

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

March 21, 2022

TO: Memorandum Docket

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

SUBJECT: Supplemental Memo to Item # 48, on the Docket Calendar of 3/15/22

The Department of Community and Youth Services requests Town Board authorization to enter into a licensing agreement with the North Shore Community Youth Organization, Inc. to allow the organization, which is a not-for-profit corporation, to utilize a portion of the Glen Head Community Center.

The licensing agreement will be for a one-year period beginning April 1, 2022 and ending March 31, 2023, with an option for four (4) additional one-year renewals at the discretion of the Town. The agreement has been prepared by the Office of the Town Attorney.

The North Shore Community Youth Organization, Inc. has been vetted through the Exiger System and the Inspector General is satisfied that the requirements of the Town's Procurement Policy have been fulfilled.

Therefore, it is respectfully requested that the Town Board authorize the Supervisor, or his designee, to execute the attached license agreement with North Shore Community Youth Organization, Inc., for a one-year period beginning April 1, 2022 and ending March 31, 2023, with an option for four (4) additional one-year renewals at the discretion of the Town.

Maureen A. Fitzgerald
Commissioner

MAF:iw
Attachment

48

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

March 16, 2022

TO: Memorandum Docket

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

SUBJECT: Agreement with North Shore Community Youth Organization, Inc.

Please be advised that the Office of the Town Atttorney is currently working on the above referenced topic. Kindly reserve a space on the docket. Additional information will be provided by way of a supplemental memorandum docket.

Thank you.

Maureen A. Fitzgerald
Commissioner

MAF:lw

LICENSE AGREEMENT

DATED: , 2022

PARTIES: TOWN OF OYSTER BAY, a municipal corporation of the State of New York, having its principal office at Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, and hereinafter referred to as the "TOWN", acting for and on behalf of the DEPARTMENT OF COMMUNITY AND YOUTH SERVICES, and hereinafter referred to as the "DEPARTMENT";

NORTH SHORE COMMUNITY YOUTH ORGANIZATION, INC., a New York not-for-profit corporation, located at 8 Underhill Road, Glen Head, New York 11545, and hereinafter referred to as the "ORGANIZATION".

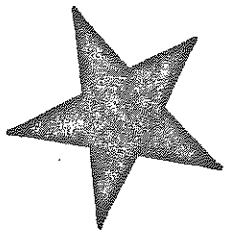
WITNESSETH:

WHEREAS, it is the general intent and purpose of this Agreement for ORGANIZATION to utilize a portion of the TOWN's Glen Head Community Center (the "FACILITY"), for administrative office work and use as a gathering area associated with its not-for-profit corporation's youth programs and activities, and

WHEREAS, the Town Board deems it in the best interest of the TOWN to enter into an agreement with ORGANIZATION, with no license fee charged to ORGANIZATION in consideration of the above,

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. The TOWN hereby grants a license to ORGANIZATION to occupy and use the premises allocated to it, which shall consist of the two office rooms, the two large gathering rooms and adjacent bathroom, each located in the southeast corner of the community center



building, of the main floor of the FACILITY, located at 200 Glen Head Road, Glen Head, New York 11545 hereinafter referred to as the "AREA", for no other purpose than intended.

PURPOSE

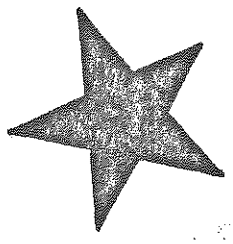
2. The space allocated to ORGANIZATION pursuant to this Agreement shall be used for administrative office purposes and as a gathering area associated with the administration of ORGANIZATION's programs only, and for no purpose other than these stated purposes. Under no circumstances shall ORGANIZATION utilize any other space in the FACILITY other than the space allocated to ORGANIZATION for these purposes. Under no circumstances shall ORGANIZATION's administrative office work and use as a gathering area associated with administration of ORGANIZATION's programs, interfere with any scheduled events or other functions of the TOWN at the FACILITY. ORGANIZATION shall coordinate all administrative office work and use of the FACILITY as a gathering area associated with administration of ORGANIZATION's programs, with the TOWN to avoid such interference.

MAINTENANCE AND IMPROVEMENTS

3. a. Any improvements or alterations to the building will require written approval of the TOWN and will become the property of the TOWN once constructed or implemented.

b. Improvements, alterations, use and occupancy must comply with all state, federal and local laws and regulations and are subject to review by the DEPARTMENT.

c. The TOWN shall be responsible for repairs and replacement of major mechanical systems to include HVAC, water heaters, electrical systems, plumbing systems, and structural elements of the building as required.



d. ORGANIZATION shall be responsible for the cleaning of the AREA.

e. The TOWN shall be responsible for all utility charges at the FACILITY, except for telephone, cable and internet service.

f. ORGANIZATION shall pay for its own telephone, cable and internet service used in the conduct of its business.

SCHEDULING

4. ORGANIZATION may use the two office rooms, the two large gathering rooms and adjacent bathroom, each located in the southeast corner of the community center building, of the main floor of the FACILITY, on weekdays, between the hours of 9:00 a.m. and 10:00 p.m. (the "Operating Hours"). Additional use of the community room(s) located at the FACILITY is subject to availability. All requests for said use shall be made to the Commissioner of the DEPARTMENT.

LICENSES AND PERMITS

5. ORGANIZATION agrees to procure, at its own cost and expense, all permits or licenses necessary for the operation of any of its administrative work and use as a gathering space associated with administration of ORGANIZATION's programs, described above pursuant to this Agreement.

6. ORGANIZATION assumes all risk in the operation of any of its administrative work use as a gathering space associated with administration of ORGANIZATION's programs, described above and agrees to comply with all federal, state and local regulations, and all rules, regulations and ordinances of the TOWN, as well as rules and regulations of the DEPARTMENT.

POSSESSION

7. It is expressly understood and agreed that no building space or equipment is leased to ORGANIZATION. During the term of this Agreement, ORGANIZATION shall have use of the AREA as described hereinabove as designated by the DEPARTMENT.

TITLE TO EQUIPMENT

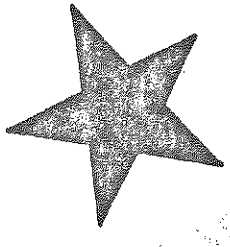
8. Title to all equipment provided by ORGANIZATION shall remain with, and such equipment shall be removed by ORGANIZATION at the termination of this Agreement. Should any property remain in the premises after such expiration or termination, the TOWN shall notify ORGANIZATION to remove such property within ten (10) days from the date of such writing, and if ORGANIZATION should fail to remove such property, the TOWN may deal with such as though same had been abandoned, and charge all cost and expenses incurred in the removal thereof to ORGANIZATION. ORGANIZATION's obligation to observe and perform all the terms, covenants, and conditions of this Agreement shall survive the expiration or other termination thereof. If ORGANIZATION's equipment is removed, ORGANIZATION shall return all premises to their original condition to the satisfaction of the TOWN.

BAILMENT

9. ORGANIZATION shall agree to be responsible for loss or damage to property turned over to it by its patrons, if damage or loss occurs by reason of the fault or negligence of ORGANIZATION, its patrons, employees or agents.

WAIVER OF CLAIMS

10. ORGANIZATION waives any and all claims for compensation for any and



all loss or damage sustained by reason of any defect, deficiency or impairment of the water supply systems, drainage systems, gas mains, electrical apparatus or wires furnished for the premises, except to the extent such loss or damage was caused in whole or in part by the negligence of the TOWN, or by reason of any loss of any gas supplies, water supplies, heat or current which may occur from time to time from any cause, or for any loss or damage resulting from fire, water, tornado, civil commotion or riot, or any other reasons whatsoever. ORGANIZATION releases and discharges the TOWN and its agents from any and all demands, claims, actions and causes of action arising from any of the causes aforesaid, except to whatever extent such loss or damage was caused, in whole or in part, by the TOWN's own negligence. ORGANIZATION further waives any and all claims for compensation, refund of its investment, if any, or any other payments whatsoever in the event this Agreement is terminated by the TOWN sooner than the fixed term, except to the extent set forth below.

INSURANCE AND WORKER'S COMPENSATION

11. a. ORGANIZATION agrees to obtain from an insurance company, authorized to do business in the State of New York and keep in force during the term of this contract, a policy of comprehensive general liability and products liability insurance on which ORGANIZATION and the TOWN are each named insured, including, but not limited to, the torts and negligence of ORGANIZATION's personnel, with a policy providing $1,000,000.00 per occurrence/ $2,000,000.00 in the aggregate and Property Damage Insurance in an amount of not less than $500,000.00; and

b. ORGANIZATION shall comply with all provisions of the Workers' Compensation Law, and shall furnish a certificate showing evidence of current coverage upon request; and

c. All insurance coverage as stipulated herein shall be subject to the approval of the Town Attorney of the TOWN; and

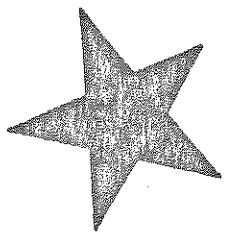
d. Such policies shall be issued in the name ORGANIZATION, with the TOWN being named as an additional insured. Copies of the aforementioned insurance, and an endorsement from the insurance company evidencing the TOWN's additional insured status, must be filed with the TOWN. No such insurance policy shall be cancelled without thirty (30) days prior written notice to the TOWN. The failure of ORGANIZATION to maintain such insurance policies, and to furnish such policies and/or certificates, may automatically terminate this Agreement. All such insurance shall be kept in full force and effect during the term of this Agreement and any renewals or extensions thereof.

INDEMNIFICATION

12. a. ORGANIZATION shall be responsible for and shall indemnify and hold harmless the TOWN, its officers, employees and agents from and against any and all liabilities, losses, costs, expenses (including, without limitation, attorney's fees and disbursement) and damages, arising out of or in connection with any of ORGANIZATION's negligent acts or omissions.

b. The TOWN shall be responsible for and shall indemnify and hold harmless ORGANIZATION, its officers, employees and agents from and against any and all liabilities, losses, costs, expenses (including, without limitation, attorney's fees and disbursement) and damages, arising out of or in connection with any of the TOWN's negligent acts or omissions.

c. The indemnity and hold harmless provisions herein shall survive the termination of this Agreement and be of full force and effect notwithstanding any lapse in insurance



coverage required herein.

TERMINATION OF AGREEMENT

13. a. Termination For Convenience.

This Agreement may be cancelled at any time by either party giving to the other not less than ninety (90) days written notice that on or after a date certain, the Agreement shall be deemed terminated and cancelled.

b. Termination For Cause.

Subject to the dispute resolution procedures set forth below, the TOWN has the right to terminate the Agreement if:

i. ORGANIZATION, after written notice from the Commissioner of the DEPARTMENT, does not furnish adequate skilled personnel or proper materials;

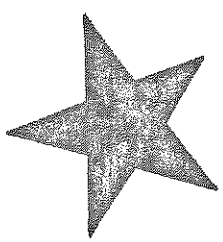
ii. ORGANIZATION fails to fulfill its obligations, or any part thereof, with diligence;

iii. ORGANIZATION does not comply with all laws, ordinances, rules, or provisions governing this Agreement, or the instructions of the Commissioner of the DEPARTMENT, or is otherwise in violation of any provisions of the Agreement; or

iv. ORGANIZATION is in violation of any law, rule, regulation or judicial Order, which unreasonably affects the faithful performance of this Agreement;

v The AREA is sublet by ORGANIZATION except as otherwise permitted herein;

vi. The Agreement or any claim under it is assigned by ORGANIZATION without the approval of the TOWN.

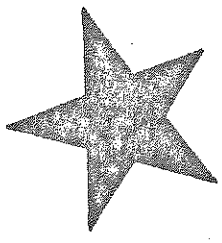


In the event ORGANIZATION breaches this Agreement for any of the reasons set forth in "i" through "vi" above, the TOWN shall give written notice of said breach to ORGANIZATION at the address first written above. ORGANIZATION shall then have thirty (30) days within which to cure said breach, in which case the Agreement shall continue to remain in effect. If, after such period, ORGANIZATION has failed to cure or has not commenced to cure said breach with reasonable diligence, the TOWN may seek to terminate this Agreement and remove ORGANIZATION from the FACILITY through an action brought in a court of competent jurisdiction. The respective rights and obligations of the parties shall be determined in accordance with the ruling of the court, and/or any appeals therefrom.

NOTICES

14. Notices required under this Agreement shall be made in writing and sent to the following addresses:

To ORGANIZATION:	North Shore Community Youth Organization, Inc. 8 Underhill Road Glen Head, New York 11545
To the TOWN:	Commissioner of Community & Youth Services, Town of Oyster Bay Town Hall South 977 Hicksville Road Massapequa, New York 11758
With Copies to:	Oyster Bay Town Clerk 54 Audrey Avenue Oyster Bay, New York 11771
And:	Oyster Bay Town Attorney 54 Audrey Avenue Oyster Bay, New York 11771



MODIFICATION

15. This Agreement may be modified from time to time by agreement, in writing, duly executed by the TOWN and ORGANIZATION, but no modification of this Agreement shall be effected until the same has been agreed to in writing, and duly executed by the TOWN supervisor or his designee, and approved by the Town Board

TRANSFER OR ASSIGNMENT

16. ORGANIZATION shall not sell, mortgage, or parcel out this Agreement, or any interest herein. or consent, allow or permit any other person or party to use any part of the premises, buildings, or space except as provided by this Agreement, nor shall this Agreement be transferred by operation of law; it being the purpose and spirit of the instrument to be issued to grant the Agreement and privilege solely to ORGANIZATION

LICENSEE

17. ORGANIZATION agrees that it is, and shall at all times be deemed to be a licensee, and it shall not, in any manner whatsoever, by its actions or deeds, commit the TOWN to any obligation irrespective of the nature thereof, and it shall not, at any time or for any purpose, be deemed an employee of the TOWN. It is further understood and agreed that no agent, servant or employee of ORGANIZATION shall, at any time, or under any circumstances, be deemed to be an agent, servant or employee of TOWN.

LOSS OF BUSINESS

18. No damages. compensation or claim shall be payable by the TOWN for inconvenience, loss of business or annoyance arising from any repair or restoration of any portion of the FACILITY. The TOWN shall use reasonable efforts to effect such repair or restoration promptly and in such manner as not reasonable to interfere with

ORGANIZATION's use and occupancy.

TERM

19. Unless sooner terminated or extended as herein provided, the terms of this Agreement shall consist of one (1) one-year period, from April 1, 2022 through and including March 31, 2023, with four (4) separate one-year renewals, at the sole option of the TOWN.

PAYMENT

20. There shall be no license fee to be paid by ORGANIZATION, in consideration of the above mentioned use of a portion of the FACILITY, for administrative office work.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers or signatories on the dates opposite their signatures below.

TOWN OF OYSTER BAY

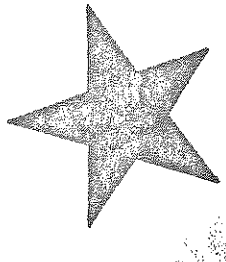
Date: _____

By: _____
Supervisor

NORTH SHORE COMMUNITY
YOUTH ORGANIZATION, INC.

Date: _____

By: _____



NORTH SHORE COMMUNITY YOUTH ORGANIZATION, INC. AGREEMENT

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

On the day of , in the year 2022, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

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

On the day of , in the year 2022, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

Meeting of March 29, 2022

Resolution No 253-2022

Reviewed By
Office of Town Attorney

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 12th day of April, 2022, at 10:00 o'clock a.m., prevailing time on that day, or as soon thereafter as possible and on any properly adjourned date therefrom, to consider an amendment to the Declaration of Restrictive Covenants executed by JP OPTIONEE LLC, and G&I IX JERICHO PLAZA JV LLC, as required by Town Board Resolution No. 486-2021, adopted on August 17, 2021, which granted the application for a Change of Zoning District Classification from an Office Building District to create a new lot zoned General Business and for a Special Use Permit and Site Plan Approval to allow for the construction of a 178,920 square foot, four-story, 182 room hotel with associated site improvements, on property located on the north side of North Marginal Road and the south side of Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York, which property is a subdivided portion of the property described as Section 11, Block 355 Lots 31 and 32, on the Land and Tax Map of Nassau County, and has not yet been designated a new Lot number; and be it further

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

newspapers of general circulation within the Town of Oyster Bay.

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

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

253

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : March 21, 2022

SUBJECT: Notice of Hearing to Amend Declaration of Restrictive Covenants
Southern side of Jericho Turnpike, Jericho, New York
Section 11, Block 355, Part of Lots 31 and 32

It is requested that at the March 29, 2022 Town Board meeting the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on April 12, 2022, in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the Town Board action calendar for the meeting of March 29, 2022.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:nb

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, April 12, 2022, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, for the purpose of considering an amendment to the Declaration of Restrictive Covenants executed by JP OPTIONEE LLC, and G&I IX JERICHO PLAZA JV LLC, as required by Town Board Resolution No. 486-2021, adopted on August 17, 2021, which granted the application for a Change of Zoning District Classification from an Office Building District to create a new lot zoned General Business and for a Special Use Permit and Site Plan Approval to allow for the construction of a 178,920 square foot, four-story, 182 room hotel with associated site improvements, on property located on the north side of North Marginal Road and the south side of Jericho Turnpike, Jericho, Town of Oyster Bay, County of Nassau, State of New York, which property is a subdivided portion of the property described as Section 11, Block 355 Lots 31 and 32, on the Land and Tax Map of Nassau County, and has not yet been designated a new Lot number. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

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

Dated: March 29, 2022, Oyster Bay, New York.

Meeting of March 29, 2022 Resolution No. 254-2022

Reviewed By
Office of Town Attorney

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

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

WHEREAS, Frank M. Scalera, Town Attorney, and Matthew D. Fernando, Deputy Town Attorney, by memorandum dated March 21, 2022, have advised that claimant suffered extensive property damage, when a Town driver lost control of their vehicle, and drove through claimant's fence, bushes, and yard, located at 1 Regina Lane, Old Brookville, NY 11545; and

WHEREAS, said matter can be settled for $17,877.38,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the sum of $17,877.38 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to claimants, Armand & Laura Asadourian, with regard to Claim No. 2021-8270, and the Comptroller is hereby authorized and directed to make payment therefor, in the amount of $17,877.38; and be it further

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

-#-

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

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

254

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 21, 2022

SUBJECT: SETTLEMENT OF NEGLIGENCE CLAIM
Claimant: Armand & Laura Asadourian
Claim No.: 2021-8270

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

The above referenced claim arose as a result of an accident that occurred on July 26, 2021. Claimant suffered extensive property damage, when a Town driver lost control of their vehicle, and drove through claimant's fence, bushes, and yard.

This matter can be settled for $17,877.38. Funds for settlement are available in Account No. TWN AMS 1910 43020 602 0000 000.

Accordingly, we have attached a resolution authorizing payment of $17,877.38, together with a General Release executed by the claimant on March 18, 2022.

Kindly suspend the rules and place this matter on the March 29, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Matthew D. Fernando
Assistant Town Attorney

MDF:ba
Attachments

General Release

BE IT KNOWN, that Armand & Laura Asadourian
1 Regina Lane
Old Brookville, New York 11545 as **RELEASOR(S)**

in consideration of the sum of

SEVENTEEN THOUSAND EIGHT HUNDRED SEVENTY-SEVEN 38/100-dollars $ 17,877.38

received from **THE TOWN OF OYSTER BAY** as **RELEASEE**,

the receipt of which is hereby acknowledged, releases and forever discharges

TOWN OF OYSTER BAY,

the RELEASEE, its officers, employees, agents, successors and assigns, of and from all manner of actions, causes of action, suits, debts, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands whatsoever, in law or in equity, which the RELEASOR, its successors, assigns, heirs, executors, and administrators ever had, now have, or hereafter may have, against the RELEASEE, by reason of any matter, cause, or thing whatsoever, from the beginning of time to the date of this release.

It is further understood and agreed that this document contains the entire contents and terms of the settlement being entered into.

LAURA ASADOURIAN — Laura Asadourian — 3/18/2022
RELEASOR (print name) Signature Date

ACKNOWLEDGMENT

State of New York **, County of** Nassau ss.:

On this 18th day of March, 2022, before me, the undersigned personally appeared Laura Lynn Asadourian, 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)

CHRISTABELLO RESCIGNO
Notary Public - State of New York
NO. 01RE6281047
Qualified in Nassau County
My Commission Expires May 13, 2025

Meeting of March 29, 2022 Resolution No. 255-2022

Reviewed By
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated March 24, 2022 advised that the Office of the Town Attorney issued a Request for Proposals from law firms and to serve as Special Counsel to the Town of Oyster Bay's Board of Ethics and to provide counsel to the Town Board on matters of municipal ethics; and

WHEREAS, requests for proposals were forwarded to eight (8) firms located on Long Island, who all specialize in the area of municipal ethics, a highly specialized area of practice, and was posted on the Town website and six (6) responses were timely received; and

WHEREAS, the Office of the Town Attorney, upon completion of the review and rating of the six (6) responding law firms and based on compliance with Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, by said memorandum, recommended that the Town of Oyster Bay retain the firm of Leventhal, Mullaney & Blinkoff, LLP, 15 Remson Avenue, Roslyn, New York 11576 to provide services as the Town's ethics counsel for the period of April 1, 2022 through March 31, 2023 with an option for two (2) one (1) year extensions, in an amount not to exceed $50,000.00 per year; and

WHEREAS, by said memorandum, the Office of the Town Attorney requests that the Town Board authorize the Town Supervisor to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remson Avenue, Roslyn, New York 11576 to provide services as the Town's ethics counsel as per the terms set forth above; and

WHEREAS, the Inspector General has reviewed the proposed vendor's disclosure, and is satisfied that the Procurement Policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted and approved, and the Town Board authorizes the Town Supervisor to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remson Avenue, Roslyn, New York 11576, to provide services as the Town's ethics counsel for the period of April 1, 2022 through March 31, 2023, with an option for two (2) one (1) year extensions, in an amount not to exceed $50,000.00 per year; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

255

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 24, 2022

SUBJECT: Ethics Counsel

The Office of the Town Attorney has requested proposals from various qualified law firms to provide the following services:

1. To serve as Special Counsel to the Town of Oyster Bay's Board of Ethics; and
2. To provide counsel to the Town Board on matters of municipal ethics.

Requests for proposals were forwarded to eight (8) firms located on Long Island who all specialize in the area of municipal ethics, a highly specialized area of practice, and was posted on the Town website.

We received and reviewed six (6) proposals. Based upon the limited number of firms who specialize in this area of practice, it is the opinion of the Office of the Town Attorney under Guidelines 6 & 9 of the Procurement Policy, that the Town has complied with the provisions of the Town's Procurement Policy. Upon completion of the review and rating of the proposals pursuant to the Town's Procurement Policy, it is the recommendation of the Office of the Town Attorney that the Town of Oyster Bay retain the firm of Leventhal, Mullaney & Blinkoff, LLP, 15 Remson Avenue, Roslyn, New York 11576.

It is hereby requested that the Town Board authorize the Town Supervisor to enter into an agreement with the above-named firm, effective April 1, 2022 through March 31, 2023 with an option to continue for an additional second and third year at the Town's request.

The total cost for the services is not to exceed $50,000.00 per year and is to be billed at the rates set forth in their proposal. Funds will be available from Account OTA A 1420 44110 000 0000.

The Inspector General has reviewed the proposed vendor's disclosure, and is satisfied that the Procurement Policy has been satisfied.

Kindly suspend the rules and include this matter on the March 29, 2022 Town Board Action Calendar. A draft resolution is attached.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:dw
Attachment

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No. 256-2022

WHEREAS, pursuant to the Ethics Code adopted by the Town Board (Chapter 30 of the Code of the Town of Oyster Bay) the Ethics Board shall consist of five (5) members appointed by the Town Board, who shall receive no compensation, and who shall have staggered terms; and

WHEREAS, there are presently two (2) vacancies on the Ethics Board which need to be filled and the term of Alfred C. Constants, III, Esq., a sitting member, expired on February 27, 2022; and

WHEREAS, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated March 24, 2022, recommended that the Town Board re-appoint Alfred C. Constants III, Esq. to serve on the Board of Ethics for a term expiring December 31, 2027; and

WHEREAS, Town Attorney Scalera and Special Counsel Sabellico, by said memorandum, further recommended that the following individuals be appointed to serve on the Ethics Board of the Town of Oyster Bay for the terms set forth opposite their respective names:

Theodore Kopcynski, Jr. — Term ending December 31, 2026
25 7th Avenue
Sea Cliff NY 11579

Matthew J. Vitucci, Esq. — Term ending December 31, 2025
12 Woodland Avenue
Syosset, NY 11791

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Town Board hereby appoints Theodore Kopcynski, Jr. for a term expiring December 31, 2026, and Matthew J. Vitucci, Esq., for a term expiring December 31, 2025, and reappoints Alfred C. Constants III, Esq., for a term expiring December 31, 2027, to serve as a members of the Town of Oyster Bay Board of Ethics.

-#-

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

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

256

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 24, 2022

SUBJECT: Ethics Board

Pursuant to the Ethics Code adopted by the Town Board (Chapter 30 of the Code of the Town of Oyster Bay) the Ethics Board shall consist of five (5) members appointed by the Town Board, who shall receive no compensation, and who shall have staggered terms. There are presently two (2) vacancies on the Ethics Board which need to be filled, and the term of Alfred Constants III, Esq. a sitting member, expired on February 27, 2022.

The Office of the Town Attorney recommends that the Town Board re-appoint Alfred C. Constants III, Esq. to serve on the Ethics Board for a term expiring December 31, 2027.

The Office of the Town Attorney further recommends that the following individuals be appointed to serve on the Ethics Board of the Town of Oyster Bay for the terms set forth opposite their respective names:

Theodore Kopcynski, Jr.
25 7th Avenue
Sea Cliff NY 11579

Term ending December 31, 2026

Matthew J. Vitucci, Esq.
12 Woodland Avenue
Syosset, NY 11791

Term ending December 31, 2025

Kindly suspend the rules and include this matter on the March 29, 2022 Town Board Action Calendar. A draft resolution is attached.

FRANK M. SCALERA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:dw
Attachment
2017-5838

Meeting of March 29, 2022 Resolution No 257-2022

WHEREAS, in 2021, the Town of Oyster Bay entered into a Hold Harmless Agreement with Cascelta Company, LLC., (hereinafter referred to as "CASCELTA") to utilize a portion of the property known as 250 Crossways Park Drive, Woodbury, NY 11797, (hereinafter referred to as "The Property") as an access and egress point in order to efficiently manage the flow of traffic in connection with the Town's summer camp program held at the Syosset Woodbury Park; and

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated March 23, 2022, reported that the Town and CASCELTA entered into a new Hold Harmless Agreement, similar to the previously executed agreement, in order for the Town to utilize The Property for the efficient management of traffic flow on Monday, March 28, 2022, between the hours of 3:00 p.m. and 9:00 p.m. for the purpose of summer camp registration; and

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by said memorandum, recommended and requested that the Town Board ratify the execution of the Hold Harmless Agreement with respect to the Town's utilization of The Property on Monday, March 28, 2022, between the hours of 3:00 p.m. and 9:00 p.m., for the efficient management of traffic flow for the purpose of summer camp registration,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth is accepted and approved, and the Town Board hereby ratifies the execution of the Hold Harmless Agreement with CASCELTA, with respect to the Town's utilization of The Property on Monday, March 28, 2022, between the hours of 3:00 p.m. and 9:00 p.m., for the efficient management of traffic flow for the purpose of summer camp registration.

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

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

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 23, 2022

SUBJECT: Hold Harmless Agreement with Cascelta Company, LLC

Last year, the Town entered into a Hold Harmless Agreement with Cascelta Company, LLC., (hereinafter referred to as "CASCELTA") to utilize a portion of the property known as 250 Crossways Park Drive, Woodbury, NY 11797 (hereinafter referred to as "The Property") and designated on Exhibit "A" of the Hold Harmless Agreement. The Property was used as an access and egress point in order to efficiently manage the flow of traffic in connection with the Town's summer camp program held at the Syosset-Woodbury Community Park.

The attached Hold Harmless Agreement, which is similar to the previously executed Hold Harmless Agreement, was entered into between the Town and CASCELTA in order for the Town to utilize The Property for the efficient management of traffic flow on Monday, March 28, 2022 between the hours of 3:00 p.m. and 9:00 p.m. for the purpose of summer camp registration.

This Office requests and recommends that the Town Board ratify the execution of the attached Hold Harmless Agreement on behalf of the Town. A draft resolution ratifying same accompanies this memo. Kindly suspend the rules and place this matter on the Town Board action calendar for March 29, 2022.

FRANK M. SCALERA
TOWN ATTORNEY

Elizabeth A. Faughnan

Elizabeth A. Faughnan
Deputy Town Attorney

EFA:ba
Attachment

Hold Harmless Agreement

Between the Town of Oyster Bay and CASCELTA Company LLC.

WHEREAS, CASCELTA Company LLC, (hereinafter "CASCELTA") owns the land and buildings located on 250 Crossways Park Drive, Woodbury, NY 11797 (hereinafter, the "Property") and has agreed to grant the Town of Oyster Bay permission to utilize the portion of the Property designated on Exhibit A attached hereto as access and egress for the Town's summer camp registration on Monday, March 28th from 3pm-9pm.

1.). The Town of Oyster Bay agrees to conduct its activities in connection with CASCELTA'S property so as not to (i) endanger any person or property or (ii) interfere with CASCELTA's, CASCELTA'S tenants and/or CASCELTA'S or CASCELTA'S tenants' agents, employees, guests, patrons or invitees access to and use of the Property.

2.) The Town of Oyster Bay agrees to indemnify and hold harmless CASCELTA, its agents, officers and employees against any and all claims, demands, causes of action including claims for personal injury and/or death, damages (including damages to CASCELTA'S property), costs or expenses (including reasonable attorneys' fees) and liabilities ,at law or in equity, of every kind and nature whatsoever, directly or proximately resulting from, arising out of or caused by the acts or omissions of the Town of Oyster Bay, its officers, agents, employees, guests, patrons, or invitees.

3.) The Town of Oyster shall be obligated to defend CASCELTA in any action brought on as a result of any claims as a result of the Town of Oyster Bay's use of the Property.

4.) The Town of Oyster Bay represents that it is self-insured for the first $1,250,000.00 of any alleged loss and, thereafter, is insured under an excess policy issued by Vantapro Specialty Insurance Company with coverage limit of $10,000,000.00

DATED: March 21, 2022

By: Gregory W. Carman Jr.
Deputy Supervisor
Town of Oyster Bay
54 Audrey Avenue,
Oyster Bay, N.Y. 11771

AGREED AND CONSENTED TO:

3/21/2022

BY: CASCELTA Company LLC.

Eugene Cordi

Reviewed By
Office of Town Attorney
Domenica Wolfe

WHEREAS, by Resolution No. 583-2018, adopted on September 18, 2018, the Town Board authorized the Town to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, New York, to provide services as the Town's ethics counsel, in an amount not to exceed $50,000.00 per year, effective August 1, 2018 through July 31, 2019, with two (2), one (1) year extension options; and

WHEREAS, by Resolution No. 414-2019, adopted on July 9, 2019, the Town Board authorized the exercise of the first one (1) year extension of the agreement with Leventhal, Mullaney & Blinkoff, LLP, to provide services as the Town's ethics counsel, for an amount not to exceed $50,000.00, for the period through July 31, 2020; and

WHEREAS, Resolution No. 752-2020, adopted on December 8, 2020, Resolution No. 752-2020, adopted on December 8, 2020, authorized the Office of the Town Attorney to utilize the professional services of Leventhal, Mullaney & Blinkoff, LLP through December 31, 2021. Leventhal, Mullaney & Blinkoff, LLP, has continued to provide services to the Town as Ethics Counsel to date, and a balance in the amount of $9,600.00 for these services through March 24, 2022, is currently due and owing; and

WHEREAS, Frank M. Scalera, Town Attorney, and Domenica Wolfe, Deputy Town Attorney, by memorandum dated March 24, 2022, recommended and requested that the Town Board ratify the Office of the Town Attorney's utilization of the firm of Leventhal, Mullaney & Blinkoff, LLP, for the period of January 1, 2022 through March 31, 2022, and authorize payment to the firm for the balance owed for these services, in the amount of $9,600.00, with funds available from Account OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby accepted and approved, and the Town Board hereby ratifies Office of the Town Attorney's utilization of the firm of Leventhal, Mullaney & Blinkoff, LLP, for the period of January 1, 2022 through March 31, 2022, and authorize payment to the firm for the balance owed for these services, in the amount of $9,600.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of duly certified claims, after audit, with funds from Account No. OTA A 1420 44110 000 0000.

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

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

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Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 24, 2022

SUBJECT: Ethics Counsel – Past Term and Fees

By Resolution No. 583-2018, adopted on September 18, 2018, Leventhal, Mullaney & Blinkoff, LLP, was retained by the Town Board as Ethics Counsel, effective August 1, 2018 through July 31, 2019, with two (2) one (1) year extension options, in an amount not to exceed $50,000.00 per year.

The first one (1) year extension was exercised, and approved by Resolution No. 414-2019, adopted on July 9, 2019, for the period of August 1, 2019 through July 31, 2020. Resolution No. 752-2020, adopted on December 8, 2020, authorized the Office of the Town Attorney to utilize the professional services of Leventhal, Mullaney & Blinkoff, LLP through December 31, 2021. Leventhal, Mullaney & Blinkoff, LLP, has continued to provide services to the Town as Ethics Counsel to date. A balance in the amount of $9,600.00 for these services through March 24, 2022, is currently due and owing.

It is the recommendation and request of the Office of the Town Attorney that the Town Board ratify the Office of the Town Attorney's utilization of the firm of Leventhal, Mullaney & Blinkoff, LLP, for the period of January 1, 2022 through March 31, 2022, and authorize payment to the firm for the balance owed in the amount of $9,600.00. Funds are available from Account OTA A 1420 44110 000 0000.

Kindly suspend the rules and include this matter on the March 29, 2022 Town Board Action Calendar. A draft resolution is attached.

FRANK M. SCALERA
TOWN ATTORNEY

Domenica Wolfe

Domenica Wolfe
Deputy Town Attorney

DW:ba
Attachment

Meeting of July 9, 2019 Resolution No. 414-2019

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 583-2018, adopted on September 18, 2018, this Town Board authorized the Town to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed $50,000.00 per year, through July 31, 2019, with two (2), one (1) year extension options; and

WHEREAS, Joseph Nocella, Town Attorney, and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated June 13, 2019, recommend Town Board authorization to exercise the first, one (1) year extension option of said agreement through July 31 2020, in an amount not to exceed $50,000.00,

NOW, THEREFORE BE IT RESOLVED, That the abovementioned recommendation is hereby approved, and the Town Board hereby ratifies the exercise of the first, one (1) year extension option of the agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed $50,000.00, through July 31, 2020, 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 funds for said payment are to be drawn from Account No. OTA A 1420 44110 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 Musearella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

Meeting of September 18, 2018 Resolution No. 583-2018

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, Joseph Nocella, Town Attorney and Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated August 30, 2018, requested Town Board authorization for the Town Attorney to enter into an agreement with Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed $50,000.00 per year, effective August 1, 2018 through July 31, 2019, nunc pro tunc, with two (2), one (1) year extension options; and

WHEREAS, said services include, but are not limited to, to serve as Special Counsel to the Town of Oyster Bay's Board of Ethics, to provide counsel to the Town Board on matters of municipal ethics, and to review Chapter 30 of the Code of the Town of Oyster Bay – Code of Ethics, and other various matters; and

WHEREAS, Joseph Nocella, Town Attorney and Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated August 30, 2018, requested Town Board ratification of the decision of the Office of the Town Attorney to utilize the firm of Leventhal, Mullaney & Blinkoff, LLP, as Ethics Counsel, for the period of January 1, 2018 through July 31, 2018, pending the issuance of the Request for Proposals, and the receipt and review of responses, and also requested authorization of payment to the firm in the amount of $13,350.00,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Town Attorney is hereby authorized to enter into an agreement with the aforementioned firm to provide the above services as the Town's ethics counsel, in an amount not to exceed $50,000.00 per year, effective August 1, 2018 through July 31, 2019, nunc pro tunc, with two (2), one (1) year extension options, 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 abovementioned request is hereby accepted and approved, and the Town Board hereby ratifies the decision of the Office of the Town Attorney to utilize the firm of Leventhal, Mullaney & Blinkoff, LLP, as Ethics Counsel, for the period of January 1, 2018 through July 31, 2018, and the Comptroller is hereby authorized and directed to make payment to the firm in the amount of $13,350.00, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. OTA A 1420 44110 000 0000, or any other appropriate account.

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

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

cc: Supervisor
Town Attorney
Comptroller

Meeting of December 8, 2020

Corrected Copy
Resolution No. 752-2020

WHEREAS, pursuant to Resolution No. 603A-2020, adopted on October 27, 2020, the Town Board authorized and allocated funds in the 2021 Budget for the purpose of payment to outside counsel to the Office of the Town Attorney; and

WHEREAS, Frank M. Scalera, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated December 4, 2020, requested Town Board authorization to utilize the professional services of the following law firms in 2021 up to an amount not to exceed $1,400,000 as approved in the 2020 Budget, with funds to be drawn from Account No. OTA A 1420 44110 000 0000:

Reviewed By
Office of Town Attorney

Law Firm	Procuring Resolution
Bee Ready Fishbein Hatter and Donovan, LLP	515-2017 and 520-2018
Berkman Henoch Peterson Peddy & Fenchel, PC	297-2017 and 341-2019
Devitt Spellman Barrett LLP	520-2018
Jackson Lewis, PC	54-2018, 55-2018, and 557-2018
Kendric Law Group PC	447-2018
Kushnick Pallaci PLLC	254-2017
Leventhal, Cursio, Mullaney & Blinkoff, LLP	326-2015
Margolin Besunder LLP	569-2018
Milber Makris Plousadis & Seiden, LLP	708-2016
Miranda Sambursky, et al.	423-2018
Quinn Emanuel Urquhart & Sullivan, LLP	517-2015
Rosenberg, Calica & Birney, LLP	432-2020
Schiff Hardin LLP	334-2018
Sokoloff Stern, LLP	735-2019
Theodore Firetog, Esq.	47-2018 and 363-2019; and

WHEREAS, the Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Town Attorney is authorized to utilize the professional services of the law firms herein listed in 2021 up to an amount not to exceed $1,400,000, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly

Reviewed By
Office of Town Attorney

Meeting of March 29, 2022 Resolution No 259-2022

WHEREAS, the "Water Authority of the North Shore Act" was signed into Law on November 3, 2021, and became effective ninety (90) days thereafter, on February 1, 2022, and;

WHEREAS, the Water Authority of the North Shore is governed by a Board of Directors consisting of six (6) members, serving for two (2) year terms, without compensation for their services, three of whom are appointed by the governing boards of the Incorporated Village of Old Brookville, Sea Cliff and Roslyn Harbor, with each village governing board appointing one (1) member, the City Council of the City of Glen Cove, with the City Council appointing one (1) member, and the Town Board of the Town of Oyster Bay, with the Town Board appointing two (2) members; and

WHEREAS, pursuant to the aforementioned state legislation, the Town Board director-appointees must represent the residents of the unincorporated hamlets of Glen Head and Glenwood Landing who will be serviced by said Water Authority; and

WHEREAS, Frank M. Scalera, Town Attorney, recommends Town Board authorization to appoint George Pombar and Richard Arena, both of Glen Head, to serve as members of the Board of Directors to the Water Authority of the North Shore, each for the balance of the initial two (2) year term, commencing on March 30, 2022 through January 31, 2024,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted and approved, and George Pombar and Richard Arena, both of Glen Head, are hereby appointed by the Town Board of the Town of Oyster Bay to serve as members of the Board of Directors of the Water Authority of the North Shore, each for the balance of the initial two (2) year term, commencing on March 30, 2022 through January 31, 2024; and be it further

RESOLVED, That pursuant to New York State Legislation, the Town Supervisor shall file Certificates of Appointment with the New York Secretary of State within thirty (30) days of the date of the appointment of aforementioned individuals.

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

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

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Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : March 24, 2022

SUBJECT: Town Appointments to the Water Authority of the North Shore

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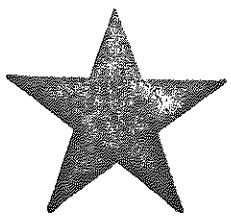
On November 3, 2021, Governor Hochul signed into law, Chapter 577 of the New York State Session Laws of 2021, otherwise known as the "the Water Authority of the North Shore Act" (the Act). The Act's purpose was to establish a public benefit corporation to operate and govern the water supply of the northwest area of Nassau County, administered previously by the New York American Water Corporation. The Act became effective on February 1, 2022.

The Act specifies that the Authority is to be governed by a board of six (6) directors. The directors are appointed by the applicable local municipalities for two (2) year terms, and serve without compensation for their services. Specifically, the governing boards of the Incorporated Villages of Old Brookville, Sea Cliff and Roslyn Harbor, and the City of Glen Cove each appoint one (1) director, and the Oyster Bay Town Board appoints the remaining two (2) directors. Furthermore, the Act states that the Town Board director-appointees must represent the residents of the unincorporated hamlets of Glenwood Landing and Glen Head, who will be serviced by the Authority.

As part of the appointing process, an *ad hoc* advisory committee was formed consisting of: the Honorable Thomas P. Hand, Councilman, former Water Commissioner of the Massapequa Water District and Past President of the Nassau-Suffolk Water Commissioners Association; Robert J. McEvoy, Commissioner of the Oyster Bay Water District, Board Member of the Long Island Water Conference, Past President of the Nassau-Suffolk Water Commissioners Association, and former Town Comptroller; Thomas M. Sabellico, Esq., Special Counsel, former Counsel to Atlantic Steamer Fire Company No. 1 and a practicing attorney for 45 years; Richard P. Niznik, long-time Commissioner of the Oyster Bay Water District and a former Assistant Superintendent of Highways for the Nassau County Department of Public Works; and Harold B. Mayer, Jr., Deputy Town Attorney, former General Counsel to several consulting and engineering firms and practicing attorney for 44 years.

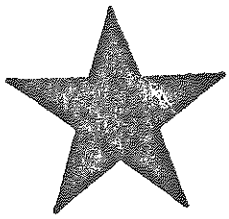
The committee met on March 24, 2022. It was the consensus of the committee that George Pombar and Richard Arena, both of Glen Head, be recommended to the Town Board for appointment.

This Office respectfully requests and recommends that the Town Board appoint George Pombar and Richard Arena, both of Glen Head, to serve as members of the Board of Directors of the Authority. The terms of the appointments shall commence on March 30, 2022 and expire on January 31, 2024. Pursuant to the Act, the Town Supervisor must file Certificates of Appointment with the New York State Secretary of State within thirty (30) days of the date that the Town Board approves the appointments.



Kindly suspend the rules and place this matter on the March 29, 2022 Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey
Special Counsel

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Attachment