

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
February 13, 2024
10:00 A.M.

NOTE:

ANYONE WISHING TO ADDRESS THE TOWN BOARD ON ANY PUBLIC HEARING AND/OR RESOLUTION ON THE ACTION CALENDAR IS REQUIRED TO FILL OUT A "PERSON INTENDING TO SPEAK" FORM, WHICH MAY BE OBTAINED FROM THE TOWN CLERK. PLEASE RETURN COMPLETED FORM TO THE TOWN CLERK.

AT THE CONCLUSION OF THE PUBLIC HEARINGS, THE TOWN BOARD WILL CONSIDER THE ACTION CALENDAR. AT THE CONCLUSION OF THE ACTION CALENDAR, THE TOWN BOARD MAY CONSIDER PUBLIC COMMENT.

DURING PUBLIC COMMENT ANYONE MAY ADDRESS THE TOWN BOARD RELATED TO ANY MATTER UPON FILLING OUT A "PERSON INTENDING TO SPEAK" FORM, WHICH MAY BE OBTAINED FROM THE TOWN CLERK. PLEASE RETURN COMPLETED FORM TO THE TOWN CLERK AND YOU WILL BE CALLED AT THE APPROPRIATE TIME.

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HEARING - P-1-24

To consider the application of Sunrise Mass, LLC, fee owner, for a Special Use Permit to allow for the construction and operation of a Starbucks facility with drive-thru services on premises located at 5500 Sunrise Highway, Massapequa. (M.D. 1/9/24 #35).

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PERSONNEL RESOLUTION NOS. P-4-2024

Resolution pertaining to personnel of various departments within the Town of Oyster Bay.

TRANSFER OF FUNDS

No transfer activity.

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RESOLUTION NO. 87 - 2024

Resolution authorizing the 2024 Town of Oyster Bay and Greater Long Island Running Club Sponsored Races on the listed dates. Account No. PKS A 7110 44900 000 0000.(1/16/24 #4).

RESOLUTION NO. 88 - 2024

Resolution authorizing issuance of a refund for a Marjorie Post Park Rink Rental to William Bodine. Account No. PKS SP07 0001 02025 529 0000. (M.D. 1/16/24 #5)

RESOLUTION NO. 89 - 2024

Resolution authorizing renewal of membership in the New York State Association for Solid Waste Management for the year 2024. Account No. SAN SR05 8160 47900 000 0000. (M.D. 1/16/24 #17).

RESOLUTION NO. 90 - 2024

Resolution amending Resolution No. 882-2023, professional sound equipment and services, to add additional funding and account numbers in order that the services may be utilized by other Town Departments. Account Nos. CYS A 7020 47660 000 0000, DGS A 1620 46300 000 0000 and PKS A 7110 47670 000 0000. (M.D. 1/23/24 #8).

RESOLUTION NO. 91 - 2024

Resolution authorizing the first option for extension of the License Agreement for the TOBAY Beach Food & Beverage Concession Services at the same terms provided for in the current Agreement for the period May 13, 2024 through May 13, 2029. (M.D. 1/23/24 #9).

RESOLUTION NO. 92 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Hicksville Teenage Council, Inc./Hicksville Boys and Girls Club, Inc., for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 744 CD24. (M.D. 1/23/24 #19).

RESOLUTION NO. 93 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Boys & Girls Club of Oyster Bay/East Norwich, Inc., for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 741 CD24. (M.D. 1/23/24 #20).

RESOLUTION NO. 94 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Doubleday Babcock Senior Center, Inc., d/b/a The Life Enrichment Center, for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 740 CD24. (M.D. 1/23/24 #21).

RESOLUTION NO. 95 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Greater Long Island Running Club, Inc., for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 750 CD24. (M.D. 1/23/24 #22).

RESOLUTION NO. 96 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with the Grenville Baker Boys and Girls Club, Inc., for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 743 CD24. (M.D. 1/23/24 #23).

RESOLUTION NO. 97 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Island Harvest, LTD, for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 754 CD24. (M.D. 1/23/24 #24).

RESOLUTION NO. 98 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Mid-Island Y JCC, for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 755 CD24. (M.D. 1/23/24 #25).

RESOLUTION NO. 99 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Community Development Public Service Contract Agreement with Plainedge Senior Citizens, Inc., for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 748 CD24. (M.D. 1/23/24 #26).

RESOLUTION NO. 100 - 2024

Resolution authorizing the Supervisor, or his designee, to enter into a Public Service Contract Agreement with YES Community Counseling Center, Inc., relating to funding for youth counseling, addressing family and peer pressures and substance abuse, for the period January 1, 2024 through December 31, 2024. Account No. IGA CD 8676 48280 745 CD24. (M.D. 1/23/24 #27).

RESOLUTION NO. 101 - 2024

Resolution authorizing the Supervisor, or his designee, to sign the Subrecipient Agreement with the New York State Department of Labor in order to administer the New York Systems Change and Inclusive Opportunities Network (SCION) program for the period January 1, 2024 through December 31, 2024. (M.D. 1/23/24 #28).

RESOLUTION NO. 102 - 2024

Resolution authorizing issuance of a refund for a building permit to Blue Diamond Contracting, Inc. Account No. PAD B 0001 02555 000 0000. (M.D. 1/23/24 #29).

RESOLUTION NO. 103 - 2024

Resolution pertaining to the legal services rendered to the Zoning Board of Appeals relating to zoning and land use matters. Account No. PAD B 8010 44800 000 0000. (M.D. 1/23/24 #30).

RESOLUTION NO. 104 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of Martesjam Holdings LLC, fee co-owner, Vitrano Holdings LLC, fee co-owner and Ink Properties, LLC, contract vendee, for a Special Use Permit on premises located at 506 W. Old Country Road, Hicksville, New York. Hearing Date: February 27, 2024. (M.D. 1/23/24 #32).

RESOLUTION NO. 105 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of FP 750 Massapequa LLC, fee owner for a Special Use Permit on premises located at 750 Hicksville Road, Massapequa, New York. Hearing Date: March 5, 2024. (M.D. 1/23/24 #34).

RESOLUTION NO. 106 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of Dr. Michael Amoashiy and Sofia Amoashiy, fee owners, for a Modification of Restrictive Covenants on premises located at 346 South Oyster Bay Road, Syosset, New York. Hearing Date: March 19, 2024. (M.D. 1/30/24 #29).

RESOLUTION NO. 107 - 2024

Resolution authorizing the property cleanup assessment of 1 Vin Court, Farmingdale, performed on September 14, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #36).

RESOLUTION NO. 108 - 2024

Resolution authorizing the property cleanup assessment of 5 Relda Street, Plainview, performed on October 10, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #37).

RESOLUTION NO. 109 - 2024

Resolution authorizing the property cleanup assessment of 12 Deepwater Avenue, Massapequa, performed on October 18, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #38).

RESOLUTION NO. 110 - 2024

Resolution authorizing the property cleanup assessment of 15 Southwick Court North, Plainview, performed on November 1, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #39).

RESOLUTION NO. 111 - 2024

Resolution authorizing the property cleanup assessment of 25 Maple Place, Hicksville, secured on August 9, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #40).

RESOLUTION NO. 112 - 2024

Resolution authorizing the property cleanup assessment of 45 Carman Mill Road, Massapequa, performed on September 18, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #41).

RESOLUTION NO. 113 - 2024

Resolution authorizing the property cleanup assessment of 181 High Farms Road, Glen Head, performed on October 25, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/23/24 #42).

RESOLUTION NO. 114 - 2024

Resolution authorizing reimbursement of funds paid by Julia Schneider for Certified Professional in Erosion and Sediment Control (CPESC) Certification, American Institute of Certified Planners Certification renewal and Hazardous Waste Operations and Emergency Response (HAZWOPER) training fees. Account No. DER A 8090 44140 000 0000. (M.D. 1/23/24 #43).

RESOLUTION NO. 115 - 2024

Resolution authorizing final acceptance, quantity increase/decrease & Change Order No. 1, final payment for Contract No. H19-187PH2, Construction of Highway & Drainage Improvements to the Southwood Circle Area Phase 2. (M.D. 1/23/24 #44).

RESOLUTION NO. 116 - 2024

Resolution authorizing an Agreement to provide entertainment for GAP Program participants on March 1, 2024, and for the Supervisor, or his designee, to execute said Agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 1/30/24 #4).

RESOLUTION NO. 117 - 2024

Resolution authorizing two Town of Oyster Bay Car Show Long Island events to be held at TOBAY Beach on April 28, 2024, with a rain date of May 4, 2024, and September 22, 2024, with a rain date of September 29, 2024, for the waiver of Section 168-22, Alcoholic Beverages for the events and to employ the services of a dedicated judging staff to adjudicate for the two car shows. Account Nos. TWN A 0001 02770 590 0000, TWN TA 0000 00085 438 0000. (M.D. 1/30/24 #5).

RESOLUTION NO. 118 - 2024

Resolution authorizing a "Hometown Heroes Program" in recognition and appreciation of all Town of Oyster Bay veterans and active duty personnel who have served in the United States Armed Forces or National Guard, and for the addition of sponsors for the program. Account Nos. TWN 0000 00085 436 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #6).

RESOLUTION NO. 119 - 2024

Resolution authorizing the Town of Oyster Bay Special Olympics "Polar Plunge" in cooperation with Special Olympics NY on March 23, 2024 at Tobay Beach. Account Nos. TWN A 0001 02770 590 0000 and PKS A 7110 47670 000 0000. (M.D. 1/30/24 #7).

RESOLUTION NO. 120 - 2024

Resolution authorizing the Town of Oyster Bay Armed Forces Appreciation Day to be held on May 17, 2024 (rain date May 24, 2024) at Syosset-Woodbury Community Park, to employ musicians and to use DJ and/or audio services for the event. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #8).

RESOLUTION NO. 121 - 2024

Resolution authorizing the Town of Oyster Bay Long Island Blues Ice Hockey Tournament at the Town of Oyster Bay Skating Center at Bethpage Community Park on March 9, 2024. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #9).

RESOLUTION NO. 122 - 2024

Resolution authorizing the "Empire State Ride Long Island" at Theodore Roosevelt Memorial Park in cooperation with the Roswell Park Alliance Foundation on June 8, 2024 (rain date June 9, 2024), for the utilization of the railroad station parking field in Oyster Bay and for use of DJ and/or audio services. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 000. (M.D. 1/30/24 #10).

RESOLUTION NO. 123 - 2024

Resolution authorizing the Town of Oyster Bay Holiday Ice Skating Show in cooperation with The Rinx at the Town of Oyster Bay Ice Skating Center at Bethpage Community Park to be held on December 7, 2024. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #11).

RESOLUTION NO. 124 - 2024

Resolution authorizing the Town of Oyster Bay Summer Pool Safety Class on July 8, 2024 at the Marjorie Post Community Park Pool in Massapequa in cooperation with Catholic Health and to waive all pool fees for the event. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #12).

RESOLUTION NO. 125 - 2024

Resolution authorizing the "Shootout for Soldiers" lacrosse event at John J. Burns Park, Massapequa, in cooperation with USA Lacrosse on July 11, 2024 and July 12, 2024 and for the use of DJ and/or audio services for the event. Account Nos. TWN A 0001 02770 590 0000 and PKS A 7110 47670 000 0000. (M.D. 1/30/24 #13).

RESOLUTION NO. 126 - 2024

Resolution authorizing the Town of Oyster Bay Special Olympics Spring Games in cooperation with Special Olympics NY, on May 4, 2024 (rain date May 5, 2024) at Plainedge High School, North Massapequa and for use of DJ and/or audio services for the event. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #14).

RESOLUTION NO. 127 - 2024

Resolution authorizing a holiday toy drive in cooperation with the United States Marine Corp "Toys for Tots" holiday toy drive on December 7, 2024 (rain date December 8, 2024) at John J. Burns Park, Massapequa. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 1/30/24 #15).

RESOLUTION NO. 128 - 2024

Resolution authorizing the Town of Oyster Bay Waterfront Festival and Marine Expo to be held on September 8, 2024 (rain date September 15, 2024) at Tobay Marina. Account Nos. TWN A 0001 02770 590 0000 and PKS A 7110 47670 000 0000. (M.D. 1/30/24 #16).

RESOLUTION NO. 129 - 2024

Resolution authorizing a Public Service Contract with YES Community Counseling Center, Inc. relating to adolescents and adults who have been affected by domestic violence and/or abuse, for the period January 1, 2024 through December 31, 2024, and for the Supervisor, and/or his designee, to execute said Agreement. Account No. IGA A 8686 47630 000 0000. (M.D. 1/30/24 #21).

RESOLUTION NO. 130 - 2024

Resolution directing the Town Clerk to publish a Notice of Hearing in connection with the Community Development's 50th Program Year 2024-2025, scheduled to be held February 21, 2024. Account No. IGA CD 8686 44100 000 CD 23. (M.D. 1/30/24 #22).

RESOLUTION NO. 131 - 2024

Resolution authorizing the second one-year extension option for Labor Counsel Services with the listed firms for the period January 1, 2024 through December 31, 2024. Account No. TWN AMW 9040 84040 000 0000 000. (M.D. 1/30/24 #27).

RESOLUTION NO. 132 - 2024

Resolution authorizing additional funds for the Employee Physical Examination Program for the 2023 calendar year due to an increased number of employees opting to receive the preventative rabies vaccination. Account No. DHR A 1430 44130 000 0000. (M.D. 1/30/24 #28),

RESOLUTION NO. 133 - 2024

Resolution authorizing the property cleanup assessment of 29 Ninth Street, Hicksville, New York, demolished on December 22, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/30/24 #30).

RESOLUTION NO. 134 - 2024

Resolution authorizing the property cleanup assessment of 15 Marshall Street, Massapequa, New York, performed on October 31, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/30/24 #31).

RESOLUTION NO. 135 - 2024

Resolution authorizing a first one-year extension of the agreement for Stenographic Services for Town Board hearings, the same price, conditions and terms provided in the current agreement, for the period January 1, 2024 through December 31, 2024. Account No. OTC A 1410 44120 000 0000. (M.D. 1/30/24 #32).

RESOLUTION NO. 136 - 2024

Resolution authorizing bid and construction phases under Contract No. H24-285, Concrete Replacement at Various Locations Throughout the Town of Oyster Bay. (M.D. 1/30/24 #33).

RESOLUTION NO. 137 - 2024

Resolution pertaining to Contract No. PWC08-24, On-Call Engineering Services Relative to Mechanical Engineering in connection with field investigation, survey, design and cost estimating services related to mechanical, electrical and plumbing construction of a new permanent Shellfish Hatchery Building at Charles Ransom Beach, Bayville, and for use of sub-consultants for the project. Account No. TWN A 1989 48940 547 0000. (M.D. 1/30/24 #34).

RESOLUTION NO. 138 - 2024

Resolution pertaining to Contract No. PWC07-24, On-Call Engineering Services Relative to Civil Engineering in connection with site investigation and conceptual design for the Shellfish Hatchery at Charles Ransom Beach, Bayville, and for use of sub-consultants for the project. Account No. TWN A 1989 48940 547 0000. (M.D. 1/30/24 #35).

RESOLUTION NO. 139 - 2024

Resolution granting request from Wonderland Tree Care and Landscapes for Town assistance in conducting their Christmas Tree Recycling event on January 6 and 7, 2024, and to utilize Parking Field LV-4 and for use of various Town equipment for the event. (M.D. 1/30/24 #38).

RESOLUTION NO. 140 - 2024

Resolution authorizing a requirement for both existing and prospective consultants to execute a Standard Consultant Agreement. (M.D. 1/30/24 #40).

RESOLUTION NO. 141 - 2024

Resolution to secure the Town's Public Officials Liability Insurance Policy for the period January 28, 2024 through January 28, 2025. Account No. TWM AMS 1910 43010 603 0000 000. (M.D. 1/30/24 #41).

RESOLUTION NO. 142 - 2024

Resolution pertaining to quantity increase/decrease, acceptance and final payment for Contract No. DER22-255, Rehabilitation of Landfill Gas Control and Drainage Systems. (M.D. 1/30/24 #36 & 2/6/24 #11).

RESOLUTION NO. 143 - 2024

Resolution authorizing award of Construction Contract No. PWC17-24, On-Call Engineering Services Relative to Laboratory Analysis for the period January 1, 2024 through December 31, 2025. (M.D. 1/30/24 #37 & 2/6/24 #16).

RESOLUTION NO. 144 - 2024

Resolution authorizing acceptance of a donation of spat-on-shell oyster seed from the Hempstead Harbor Protection Committee during the 2024, 2025 and 2026 calendar years and authorize the Town's donation of spat-on-shell oyster seed to the Oyster Bay/Cold Spring Harbor Protection Committee during the 2024, 2025 and 2026 calendar years. (M.D. 1/30/24 #39 & 2/6/24 #17).

RESOLUTION NO. 145 - 2024

Resolution pertaining to the decision on the application of 321 Partners LLC, fee owner and Starbucks Corporation, lessee, for a Special Use Permit and Revocation of Declaration of Restrictive Covenants on premises located at 321 Jericho Turnpike, Syosset, New York. Hearing held: March 21, 2023. (M.D. 3/21/23 #6).

RESOLUTION NO. 146 - 2024

Resolution pertaining to the decision on the application of Harbour Green Shore Club, Inc., fee owner, for a Modification of the Conditions of a Special Use Permit for premises located at 38 Riviera Drive East, Massapequa, New York. Hearing held: February 11, 2020. (M.D. 2/11/20 #5)

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 147 - 2024

Resolution authorizing an Inter-Municipal Agreement with the Incorporated Village of Muttontown for use of the Town's Fueling Stations for the period February 15, 2024 through July 31, 2029 and for the Supervisor, or his designee, to execute said Agreement. (M.D. 2/6/2024 #18).