

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
February 28, 2023
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-1-23

To consider the application of Bolla EM Realty, LLC, lessee, and Blue Hills Fuels, LLC, fee owner, for a Special Use Permit and Site Plan Approval on premises located at 285 North Broadway, Hicksville, New York. (M.D. 1/31/23 #13).

HEARING - Local Law

To consider a Local Law to Amend the Code of the Town of Oyster Bay, New York, Chapter 4 - Administration of Government to add Article XIX - Bureau of Administrative Adjudication. (M.D. 1/31/23 #28).

HEARING - Local Law

To consider a Local Law to Amend the Code of the Town of Oyster Bay, New York, to set forth penalties allowed to be assessed by the Bureau of Administrative Adjudication, amending Chapter 30 - Ethics, Chapter 82 - Alcoholic Beverages, Chapter 95 - Collection Bins, Chapter 103 - Animals, Chapter 107 - Electrical, Chapter 118 - Filming and Photography, Chapter 126 - Games of Chance, Chapter 128 - Graffiti Abatement, Chapter 130 - Handbills, Commercial Chapter 135 - Housing Standards, Chapter 139 - Junk and Junk Dealers, Chapter 143 - Landmarks Preservation, Chapter 145 - Landscaping, Chapter 156 - Noise, Chapter 164 - Oil, Storage and Handling of, Chapter 168 - Parks and Recreation, Chapter 173 - Peddling and Solicitation, Chapter 180 - Plumbing, Chapter 182 - Property Maintenance, Industrial and Commercial, Chapter 184 -Public Nuisances, Chapter 192 - Secondhand Dealers, Chapter 201 -Solid Waste, Chapter 205 - Streets and Sidewalks, Chapter 221 - Towing, Chapter 236 -Vehicles for Hire, and Chapter 246 - Zoning. (M.D. 1/31/23 #29).

HEARING - Fire Protection Contracts

To consider the 2023 Fire Protection Agreements with the Incorporated Village of Farmingdale, Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., Plainview Volunteer Fire Department, Inc. and the Wantagh Fire District; and the 2023-2025 Fire Protection Agreement for East Norwich Fire Protection District. (M.D. 1/31/23 #32).

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PERSONNEL RESOLUTION NO. P-5-23

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

TRANSFER OF FUNDS RESOLUTION No. TF-2-23

Resolution pertaining to Transfer of Funds within various departments accounts for the Year 2023.

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RESOLUTION NO. 113 - 2023

Resolution granting request from Saint Boniface Martyr Church for the use of Tappen Beach to hold their annual Feast by the Shore from May 18, 2023 through May 21, 2023, for a waiver of Town Ordinances 168-5B and 168-22, and for the use of various Town equipment for the event. (M.D. 1/31/23 #4).

RESOLUTION NO. 114 - 2023

Resolution authorizing Town of Oyster Bay Lifeguard employment age requirement to be lowered from the current minimum of 16 years of age to a minimum of 15 years of age, in accordance with Nassau County Civil Service Commission. (M.D. 1/31/23 #5).

RESOLUTION NO. 115 - 2023

Resolution authorizing the Supervisor, serving as Chief Elected Official (CEO), to sign the Workforce Innovation and Opportunity Act Memorandum of Understanding for the period July 1, 2020 to June 30, 2023. (M.D. 1/31/23 #7).

RESOLUTION NO. 116 - 2023

Resolution authorizing the property cleanup assessment of 1 South Elm Street, Hicksville, performed on October 31, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/31/23 #8).

RESOLUTION NO. 117 - 2023

Resolution authorizing the property cleanup assessment of 23 Post Street, Glen Head, performed on October 20, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/31/23 #9).

RESOLUTION NO. 118 - 2023

Resolution authorizing the property cleanup assessment of 28 High Street, Farmingdale, performed on October 18, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/31/23 #10).

RESOLUTION NO. 119 - 2023

Resolution authorizing the property cleanup assessment of 62 Alhambra Road, Massapequa, performed on October 6, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/31/23 #11).

RESOLUTION NO. 120 - 2023

Resolution authorizing the property cleanup assessment of 109 Arlyn Drive West, Massapequa, performed on October 27, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 1/31/23 #12).

RESOLUTION NO. 121 - 2023

Resolution pertaining to Contract No. PWC08-22, On-Call Engineering Services Relative to Mechanical Engineering in connection to mechanical and electrical design and coordinate with all trades and follow all schedules. Account No. DGS H 1997 20000 000 2310 001. (M.D. 1/31/23 #23).

RESOLUTION NO. 122 - 2023

Resolution authorizing renewal of memberships in the New York State Association for Solid Waste Management for the year 2023. Account No. SAN SR05 8160 47900 000 0000. (M.D. 1/31/23 #27).

RESOLUTION NO. 123 - 2023

Resolution authorizing a licensing agreement with the North Shore Community Youth Organization, Inc., to allow the organization to utilize a portion of the Glen Head Community Center for the period April 1, 2023 through March 31, 2024. (M.D. 2/7/23 #4).

RESOLUTION NO. 124 - 2023

Resolution pertaining to the decision for the 2023 Fire Protection Agreements with the Incorporated Village of Farmingdale, Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., Plainview Volunteer Fire Department, Inc. and the Wantagh Fire District; and the 2023-2025 Fire Protection Agreement for East Norwich Fire Protection District. Hearing held: February 28, 2023. (M.D. 1/31/23 #32).

RESOLUTION NO. 125 - 2023

Resolution pertaining to amended site plan review and approval for Excel at Woodbury, 8533 Jericho Turnpike, Woodbury, New York. (M.D. 2/7/23 #10).

RESOLUTION NO. 126 - 2023

Resolution authorizing the property cleanup assessment of 6 Hyman Drive, Farmingdale, performed on October 18, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/7/23 #15).

RESOLUTION NO. 127 - 2023

Resolution pertaining to Contract No. PWC23-22, On-Call Services Relative to Environmental Engineering in connection with asbestos inspection regarding Tappen Beach Restaurant. Account No. DGS H1997 20000 000 2310 001. (M.D. 2/7/23 #17).

RESOLUTION NO. 128 - 2023

Resolution authorizing issuance of a refund for a Tappen Marina Slip Rental fee to Robert Charde. Account No. PKS A 0001 02025 526 0000. (M.D. 2/14/23 #4).

RESOLUTION NO. 129 - 2023

Resolution authorizing implementation of the 2023 Summer Beach, Ramp and Joseph J. Saladino Memorial Marina at Tobay Operation and Fee Schedule. (M.D. 2/14/23 #5).

RESOLUTION NO. 130 - 2023

Resolution authorizing the Nassau County Police to berth a total of three marine enforcement boats, two at Harry Tappen and one at Theodore Roosevelt Marina during the 2023 summer season at no cost to the Nassau County Police. (M.D. 2/14/23 #6).

RESOLUTION NO. 131 - 2023

Resolution authorizing the 2023 Dune Stabilization Program at TOBAY Beach in conjunction with the Parks Department on March 25, 2023 at 10:00 a.m. (M.D. 2/14/23 #14).

RESOLUTION NO. 132 - 2023

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of Roundswamp Properties Inc., fee owner and 732 Old Bethpage Rd. Corp., lessee, for a Special Use Permit and Site Plan Approval on premises located at 728 Old Bethpage Road, Old Bethpage, New York. Hearing date: March 21, 2023. (M.D. 2/14/23 #15).

RESOLUTION NO. 133 - 2023

Resolution directing the Town Clerk to advertise a Notice of Hearing 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 date: March 21, 2023. (M.D. 2/14/23 #16).

RESOLUTION NO. 134 - 2023

Resolution authorizing the property cleanup assessment of 163 Massachusetts Avenue, Massapequa, performed on November 17, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #17).

RESOLUTION NO. 135 - 2023

Resolution authorizing the property cleanup assessment of 3 Crescent Street, Hicksville, performed on November 10, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #18).

RESOLUTION NO. 136 - 2023

Resolution authorizing the property board-up and property cleanup assessment of 50 Elizabeth Street, Massapequa, performed on multiple dates, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #19).

RESOLUTION NO. 137 - 2023

Resolution authorizing the property cleanup assessment of 3 Stafford Avenue, Woodbury, performed on November 14, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #20).

RESOLUTION NO. 138 - 2023

Resolution authorizing the property cleanup assessment of 107 Lawrence Street, Farmingdale, performed on November 15, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #21).

RESOLUTION NO. 139 - 2023

Resolution authorizing the property cleanup assessment of 195 South Broadway, Hicksville, performed on November 2, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #22).

RESOLUTION NO. 140 - 2023

Resolution authorizing the property cleanup assessment of Old Country Road and East Avenue, Hicksville, Section 45, Block 66, Lot 292, performed on November 10, 2022, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 2/14/23 #23).

RESOLUTION NO. 141 - 2023

Resolution authorizing Acceptance of the Design and Request to Enter Bid & Construction Phase under Contract No. DP23-245, Replacement of Existing Turf Field at Robbins Lane Community Park. (M.D. 2/14/23 #25).

RESOLUTION NO. 142 - 2023

Resolution authorizing Acceptance and Final Payment under Contract No. H21-220, Concrete Replacement at Various Locations throughout the Town of Oyster Bay. (M.D. 2/14/23 #26).

RESOLUTION NO. 143 - 2023

Resolution authorizing Bid & Construction Phases of Contract No. DPW23-264, Site Investigation at Bethpage Community Park. (M.D. 2/14/23 #27).

RESOLUTION NO. 144 - 2023

Resolution authorizing Bid & Construction Phases of Contract No. H23-261, Concrete Replacement at Various Locations throughout the Town of Oyster Bay. (M.D. 2/14/23 #28).

RESOLUTION NO. 145 - 2023

Resolution pertaining to Contract No. PWC07-22, On-Call Technical Assistance Relative to Civil Engineering in connection with field investigations and construction inspection regarding road and drainage improvements through Town requirements contracts. Account No. HWY H 5197 20000 000 2103 008. (M.D. 2/14/23 #29).

RESOLUTION NO. 146 - 2023

Resolution pertaining to Contract No. PWC17-22, On-Call Technical Assistance Relative to Laboratory Analysis in connection with air and groundwater samples required for ongoing monitoring efforts of the Old Bethpage Landfill. Account No. SAN SR05 8160 44800 000 0000. (M.D. 2/14/23 #30).

RESOLUTION NO. 147 - 2023

Resolution pertaining to Contract No. PWC31-22, On-Call Engineering Services Relative to Operation and Development of O.B.S.W.D.C. in connection with regulatory permitting tasks, vendor procurement and contracts oversight and for use of a sub-consultant. Account No. SAN SR05 8160 44800 000 0000. (CA) (M.D. 2/14/23 #31).

RESOLUTION NO. 148 - 2023

Resolution pertaining to Contract No. PWC31-22, On-Call Engineering Services Relative to Operation and Development of O.B.S.W.D.C. in connection with solid waste related tasks such as vendor procurement and oversight of existing contracts and facilities. Account No. SAN SR05 8160 44800 000 0000. (D&B) (M.D. 2/14/23 #32).

RESOLUTION NO. 149 - 2023

Resolution pertaining to Contract No. PWC31-22, On-Call Engineering Services Relative to Operation and Development of O.B.S.W.D.C. in connection with vendor procurement and oversight. Account No. SAN SR05 8160 44800 000 0000. (LKB) (M.D. 2/14/23 #33).

RESOLUTION NO. 150 - 2023

Resolution pertaining to Contract No. PWC10-22, On-Call Services Relative to Construction Management in connection with site investigation, site survey, design and bid document preparation. Account No. TWN A 1989 48940 545 0000. (M.D. 2/14/23 #34).

RESOLUTION NO. 151 - 2023

Resolution authorizing Change Order No. 1 under Contract No. DP22-232, Borella Field Synthetic Turf Fields Infield Installation, Plainview. Account No. PKS H 7197 20000 000 2202 001. (M.D. 2/14/23 #35).

RESOLUTION NO. 152 - 2023

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application on Vesta Acquisitions LLC, contract vendee, New York Institute of Technology, lessee, for a Special Use Permit and Modification of Restrictive Covenant for premises located at 120 Jericho Turnpike, Jericho, New York. Hearing date: March 21, 2023. (M.D. 2/14/23 #38).

RESOLUTION NO. 153 - 2023

Resolution granting request from the Bethpage Saint Patrick's Day Parade Committee for Town assistance in conducting their Saint Patrick's Day Parade on March 5, 2023, as well as the use of various Town equipment for the event. (M.D. 2/14/23 #39).

RESOLUTION NO. 154 - 2023

Resolution pertaining to the decision on the application of SPA 77 H L.P., fee owner and Hicksville QSR II, Inc., lessee, for a Special Use Permit for premises located at 538A S. Broadway, Hicksville, New York. Hearing held: 8/9/22 (M.D. 6/28/22 #29).

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 155 - 2023

Resolution authorizing an appraisal of Vacant Land, Old Country Road, Old Bethpage, New York, Section 47, Block E, Lots 750A, 750B and 750C. Account No. OTA A 1420 44800 000 0000. (M.D. 2/21/23 #36).

RESOLUTION NO. 156 - 2023

Resolution authorizing the Town's property insurance for the period December 31, 2022 through December 31, 2023. Account No. TWN AMS 1910 43030. (M.D. 2/21/23 #40).

RESOLUTION NO. 157 - 2023

Resolution granting request for easement by PSEGLI for property located at the intersection of Forest Avenue and Veterans Boulevard, Massapequa, Section 52, Block 265, P/O Lot 2573 and for the Supervisor, or his designee to execute said easement. (M.D. 2/21/23 #41).