

TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
April 9, 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 - Local Law**

To consider a Local Law to amend Chapter 233 - Traffic, of the Code of the Town of Oyster Bay. (M.D. 3/5/24 #15)

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**PERSONNEL RESOLUTION NO. P-7-2024**

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

**TRANSFER OF FUNDS RESOLUTION NO. TF-5-2024**

Resolution pertaining to Transfer of Funds within various department accounts for the Year 2024.

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**RESOLUTION NO. 245 - 2024**

Resolution authorizing Aquatic Classes for the Senior Citizen Program for the period July 8, 2024 to August 30, 2024. (M.D. 3/12/24 #4)

**RESOLUTION NO. 246 - 2024**

Resolution authorizing issuance of a refund for the 2024 Spring Ice Hockey League 12U to Mark Spencer. Account No. PKS A 0001 02001 510 0000. (M.D. 3/12/24 #5)

**RESOLUTION NO. 247 - 2024**

Resolution authorizing issuance of a refund for a Marjorie Post Park rink rental fee to Pete Galanoudis. Account No. PKS SP07 0001 02025 529 0000. (M.D. 3/12/24 #6)

**RESOLUTION NO. 248 - 2024**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from John Specce, to be placed in Theodore Roosevelt Memorial Park and Beach in memory of Marcella Specce. Account No. PKS A 0001 02705 000 0000. (M.D. 3/12/24 #7)

**RESOLUTION NO. 249 - 2024**

Resolution authorizing issuance of a refund for a building permit fee to Weiming Dong. Account No. PAD B 0001 02555 000 0000. (M.D. 3/12/24 #14)

**RESOLUTION NO. 250 - 2024**

Resolution accept the surrender of the Special Use Permits and terminate the listed Resolutions' Restrictive Covenants in connection to 449 W. John Street, Hicksville, New York. (M.D. 3/12/24 #15)

**RESOLUTION NO. 251 - 2024**

Resolution authorizing the property cleanup assessment of 12 Spruce Avenue, Bethpage, performed on December 28, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 3/12/24 #22)

**RESOLUTION NO. 252 - 2024**

Resolution authorizing the property cleanup assessment of 26 Roseanne Drive, Woodbury, performed on December 22, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 3/12/24 #23)

**RESOLUTION NO. 253 - 2024**

Resolution authorizing the property cleanup assessment of 65 McAlester Avenue, Hicksville, performed on January 3, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 3/12/24 #24)

**RESOLUTION NO. 254 - 2024**

Resolution authorizing the property cleanup assessment of 300 Broadway, Hicksville, performed on December 20, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 3/12/24 #25)

**RESOLUTION NO. 255 - 2024**

Resolution authorizing the property cleanup assessment of Newbridge Road, Hicksville, Section 45, Block 70, Lot 49, performed on October 12, 2023, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 3/12/24 #26)

**RESOLUTION NO. 256 - 2024**

Resolution authorizing a quantity increase under Contract No. DPW 22-234, Town Hall North Window Replacement. Account No. DGS H 1997 20000 000 2210 001. (M.D. 3/12/24 #27)

**RESOLUTION NO. 257 - 2024**

Resolution pertaining to the Dock Application of Catherine Danielowich, 104 Fairwater Avenue, Massapequa, New York. (M.D. 3/5/24 #12)

**RESOLUTION NO. 258 - 2024**

Resolution authorizing an agreement to provide one-on-one support services for the participants of the Group Activities Program's Summer Camp for the period June 1, 2024 through August 31, 2024 and for the Supervisor, or his designee, to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 3/19/24 #7)

**RESOLUTION NO. 259 - 2024**

Resolution authorizing a second one-year extension of a Licensing Agreement with the North Shore Community Youth Organization for the use of a portion of the Glen Head Community Center for the period April 1, 2024 through March 31, 2025. (M.D. 3/19/24 #8)

**RESOLUTION NO. 260 - 2024**

Resolution authorizing into an agreement to employ the services of a judge to adjudicate for the "Suburban Art League Annual Open Show" on May 1, 2024 and for the Supervisor, or his designee, to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 3/19/24 #9)

**RESOLUTION NO. 261 - 2024**

Resolution amending Resolution No. 887-2023 to allow payment to a pickleball instructor beginning with the November 28, 2023 class as part of the 2024 disciplines. (M.D. 3/19/24 #10)

**RESOLUTION NO. 262 - 2024**

Resolution authorizing issuance of a refund for the Spring 2024 Ice Hockey League 12U program to Deana Palermo. Account No. PKS A 0001 02001 510 0000. (M.D. 3/19/24 #11)

**RESOLUTION NO. 263 - 2024**

Resolution authorizing acceptance of a donation of a memorial plaque from Taylor Bowman, to be placed on an existing bench at John J. Burns Park in memory of Fallon Rae Brown. (M.D. 3/19/24 #12)

**RESOLUTION NO. 264 - 2024**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from Demetra Catalano, to be placed in Theodore Roosevelt Memorial Park and Beach in memory of Pietro Catalano. (M.D. 3/19/24 #13)

**RESOLUTION NO. 265 - 2024**

Resolution authorizing the Comptroller to pay costs incurred in connection with the 2024 BAN Sale Expenses. (M.D. 3/19/24 #22)

**RESOLUTION NO. 266 - 2024**

Resolution granting request from New York Solar Faire for Town assistance in conducting an event on June 22, 2024 (rain date June 29, 2024), for the utilization of Municipal Parking Field M-10 in Massapequa and for use of various Town equipment for the event. (M.D. 3/19/24 #30)

**RESOLUTION NO. 267 - 2024**

Resolution authorizing a Quantity Decrease, Acceptance and Final Payment under Contract No. DP21-218PH2, Replacement of the Synthetic Turf Fields at Field of Dreams Park - East Field. (M.D. 3/19/24 #31)

**RESOLUTION NO. 268 - 2024**

Resolution pertaining to Contract No. H19-196PH3, Highway Improvements to the Hicks Ave Area, Syosset, and for use of a sub-consultant for construction materials testing services. Account No. HWY H5197 20000 000 2203 008. (M.D. 3/19/24 #32)

**RESOLUTION NO. 269 - 2024**

Resolution authorizing renewal of membership for the listed employees in the Solid Waste Association of North America for the period June 1, 2024 through May 31, 2025. Account No. SAN SR05 8160 47900 000 0000. (M.D. 3/19/24 #37)

**RESOLUTION NO. 270 - 2024**

Resolution authorizing acceptance of a donation of tree saplings from both the Massapequa Park Lions Club and the Massapequa Lions Club to celebrate Arbor Day on April 26, 2024. (M.D. 3/26/24 #4)

**RESOLUTION NO. 271 - 2024**

Resolution authorizing agreements with the listed performers to provide entertainment for GAP Program participants for various dates and locations. Account No. CYS A 7020 47660 000 0000. (M.D. 3/26/24 #5)

**RESOLUTION NO. 272 - 2024**

Resolution authorizing issuance of a refund for a Roosevelt Marina slip rental to Patrick Hawkins. Account No. PKS A 0001 02025 526 0000. (M.D. 3/26/24 #6)

**RESOLUTION NO. 273 - 2024**

Resolution authorizing issuance of a refund for the 2024 Spring Ice Hockey League U10 to Melissa Loughran. Account No. PKS A 0001 02001 510 0000. (M.D. 3/26/24 #7)

**RESOLUTION NO. 274 - 2024**

Resolution authorizing acceptance of a donation of a memorial plaque from Cathy DiMarco, to be placed on an existing bench at M7, North Oak Street, North Massapequa, in memory of Una Guzzo. (M.D. 3/26/24 #9)

**RESOLUTION NO. 275 - 2024**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from Andrew McShane, to be placed at John J. Burns Park in memory of Anthony M. Cardillo. (M.D. 3/26/24 #10)

**RESOLUTION NO. 276 - 2024**

Resolution authorizing reimbursement to Greg Kolodinsky, Greenskeeper of the Honorable Joseph Colby Town of Oyster Bay Golf Course, for the New York State Turfgrass Association (NYSTA) Education Day. Account No. PKS A 7110 44900 000 0000. (M.D. 3/26/24 #11)

**RESOLUTION NO. 277 - 2024**

Resolution pertaining to expenditures for General Planning Services for the 2024 calendar year. Account No. PAD B 8020 44800 000 0000. (M.D. 3/26/24 #16)

**RESOLUTION NO. 278 - 2024**

Resolution recommending the property demolition consulting/legal costs of 19 Nevada Street, Hicksville, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 3/26/24 #19)

**RESOLUTION NO. 279 - 2024**

Resolution authorizing a Right-of-Entry Agreement with the U.S. Department of the Army, U.S. Army Corps of Engineers at Acre Lane Park, Hicksville, to enable the Army to access existing monitoring wells for a twelve-month period. (M.D. 3/26/24 #20)

**RESOLUTION NO. 280 - 2024**

Resolution directing the Town Clerk to advertise a Notice of Hearing to consider a proposed Local Law entitled "A Local Law to Amend Chapter 221 - Towing, of the Code of the Town of Oyster Bay." Hearing Date: May 7, 2024 (M.D. 3/26/24 #21)

**RESOLUTION NO. 281 - 2024**

Resolution granting request from the Bethpage-Central Park Kiwanis Club for Town assistance in hosting their Annual Street Fair on May 19, 2024 and for use of various Town equipment for the event. (M.D. 3/26/24 #23)

**RESOLUTION NO. 282 - 2024**

Resolution authorizing bid and construction phases under Contract No. HER24-288, Requirements Contract for Electrical Construction throughout the Town of Oyster Bay. (M.D. 3/26/24 #30)

**RESOLUTION NO. 283 - 2024**

Resolution authorizing bid and construction phases under Contract No. HVR24-289, Requirements Contract for Cleaning and Inspection of Storm Drainage Systems throughout the Town of Oyster Bay. (M.D. 3/26/24 #31)

**RESOLUTION NO. 284 - 2024**

Resolution pertaining to Contract No. PWC12-24, On-Call Engineering Services Relative to Environmental Science in connection to assistance with the Town's harbor management programs for 2024 and for use of a sub-consultant for assistance with field data collection and analysis. Account No. DER A 8090 44500 000 0000. (M.D. 3/26/24 #32)

**RESOLUTION NO. 285 - 2024**

Resolution pertaining to Contract No. PWC12-24, On-Call Engineering Services Relative to Environmental Science in connection to assistance with the Town's shellfish management programs for 2024 and for use of a sub-consultant for assistance with field data collection and analysis. Account No. DER A 8090 44500 000 0000. (M.D. 3/26/24 #33)

**RESOLUTION NO. 286 - 2024**

Resolution pertaining to Contract No. PWC12-24, On-Call Engineering Services Relative to Environmental Sciences in connection to MS4 general permit coverage, prepare interim progress certification SWMP annual report documents. Account No. HWY H5197 2000 000 2103 008. (M.D. 3/26/24 #34)

**RESOLUTION NO. 287 - 2024**

Resolution pertaining to Contract No. PWC19-24, On-Call Engineering Services Relative to Structural Engineering in connection to the trench drain girder reinforcement project at Hicksville Parking Facility. Account No. HWY H 5997 20000 000 2104 016. (M.D. 3/26/24 #35)

**RESOLUTION NO. 288 - 2024**

Resolution pertaining to Contract No. PWC19-24, On-Call Engineering Services Relative to Structural Engineering in connection to preparation of bid documents and bid and inspection services for the demolition of the incinerator complex buildings and for use of a sub-consultant for air monitoring services. Account No. DER H 8797 20000 000 2206 015. (M.D. 3/26/24 #36)

**RESOLUTION NO. 289 - 2024**

Resolution pertaining to Contract No. H19-198PH3, Highway Improvements to the Southwood Circle Phase 3, Syosset and for use of a sub-consultant for concrete laboratory testing services. Account No. H5197 20000 000 2203 008. (M.D. 3/26/24 #37)

**RESOLUTION NO. 290 - 2024**

Resolution authorizing the rebid of Contract No. DP23-253, Installation of Synthetic Turf at Syosset-Woodbury Community Park. (M.D. 3/26/24 #40)

**RESOLUTION NO. 291 - 2024**

Resolution authorizing payment to the Incorporated Village of Laurel Hollow to satisfy the Town of Oyster Bay's annual dues as a member of the Oyster Bay/Cold Spring Harbor Protection Committee for the period June 1, 2023 through May 31, 2024. Account No. DER A 8090 44900 000 0000. (M.D. 3/26/24 #42)

**RESOLUTION NO. 292 - 2024**

Resolution authorizing payment to the Village of Sea Cliff to satisfy the Town of Oyster Bay's annual dues as a member of the Hempstead Harbor Protection Committee for the calendar year 2024. Account No. DER A 8090 44900 000 0000. (M.D. 3/26/24 #43)

**RESOLUTION NO. 293 - 2024**

Resolution granting request from the Oyster Bay-East Norwich Chamber of Commerce for Town assistance in hosting Oyster Bay Day on May 4, 2024 on Audrey Avenue in Oyster Bay and to utilize Municipal Parking Field 0-8 and various Town equipment for the event 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. 3/26/24 #8 and #22)

**RESOLUTION NO. 294 - 2024**

Resolution authorizing Change Order No. 1, Extension of Time and Final Payment for Contract No. DP23-244, Centre Island Beach Synthetic Turf Replacement. (M.D. 3/26/24 #24 and 4/2/24 #21)

**RESOLUTION NO. 295 - 2024**

Resolution authorizing Change Order No. 1, Quantity Decrease, Extension of Time and Final Payment for Contract No. DP23-245, Replacement of Existing Turf Field at Robbins Lane Community Park. (M.D.3/26/24 #25 and 4/2/24 #22)

**RESOLUTION NO. 296 - 2024**

Resolution pertaining to Contract No. PWC22-24, On-Call Engineering Services relative to Architecture in connection with investigation of the source of roof leaks, construction coordination and observation and post construction analysis and reporting. Account No. PKS H 7197 20000 000 2402 001. (M.D.3/26/24 #26 and 4/2/24 #23)

**RESOLUTION NO. 297 - 2024**

Resolution authorizing award of Construction Contract No. HGR23-256R, Requirements Contract for General Reconstruction throughout the Town of Oyster Bay. (M.D.3/26/24 #27 and 4/2/24 #24)

**RESOLUTION NO. 298 - 2024**

Resolution authorizing award of Construction Contract No. H23-271, Oyster Bay Downtown Connectivity Improvements. Account No. HWY H 5197 20000 000 2203 008. (M.D.3/26/24 #28 and 4/2/24 #29)

**RESOLUTION NO. 299 - 2024**

Resolution authorizing award of Construction Contract No. H24-285, Concrete Replacement at various locations throughout the Town of Oyster Bay. Account No. HWY H5197 20000 000 2203008. (M.D.3/26/29 #29 and 4/2/24 #25)

**RESOLUTION NO. 300 - 2024**

Resolution authorizing acceptance of a donation of a tree and shrubs from National Grid to be planted at Ellsworth Allen Park, Farmingdale. (M.D. 3/26/24 #44)

**RESOLUTION NO. 301 - 2024**

Resolution authorizing the Supervisor, or his designee, to execute a No Cost Time Extension to State of New York Contract for Grants through June 1, 2026 in connection to Hicksville Downtown Revitalization Initiative. (M.D. 3/26/24 #45)

**RESOLUTION NO. 302 - 2024**

Resolution pertaining to the decision on a Local Law to Add Section 246-5.5.35 to Chapter 246 of the Code of the Town of Oyster Bay to Impose a Six (6) Month Moratorium on the Establishment of Battery Energy Storage Systems ("BESS") in the Town of Oyster Bay. Hearing held: February 27, 2024. (M.D. 2/27/24 #6).

**RESOLUTION NO. 303 - 2024**

Resolution pertaining to the decision for Eminent Domain over property at Herzog Place Hicksville, Vacant Lot, 14 Herzog Place Hicksville, 10-12 Herzog Place Hicksville, 30 Herzog Place, Hicksville and Three Jerusalem Avenue, Hicksville, designated as Section 11, Block 240, Lots 10, 11, 213 and 218 on the Land and Tax Map of Nassau County. Hearing held: January 23, 2024. (M.D. 1/23/24 #4)



**SUSPEND THE RULES AND ADD THE FOLLOWING:**

**RESOLUTION NO. 304 - 2024**

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of Multibrands Massapequa TIC Real Estate LLC, fee owner, and Rims Massapequa Real Estate LLC, fee owner, for a Modification of existing Declaration of Restrictive Covenants, Special Use Permit and Site Plan Approval on premises located at 5599 Merrick Road, Massapequa. Hearing Date: May 7, 2024. (M.D. 4/2/24 #28)

**RESOLUTION NO. 305 - 2024**

Resolution authorizing emergency procurement of Professional Geese Control to service all Town parks multiple times a day. (M.D. 4/2/24 #30)

**RESOLUTION NO. 306 - 2024**

Resolution granting request from the Syosset Fire District for Town assistance in conducting their Emergency Vehicle Operations Class at Department Headquarters on April 7, 2024 and April 14, 2024 and for the use of Municipal Parking Field S-1 in Syosset for the event. (M.D. 4/2/24 #31)

**RESOLUTION NO. 307 - 2024**

Resolution relating to the purchase of vacant land located at 2 Walnut Street, Glen Head and to authorize the Supervisor or his designee to execute a Purchase and Sale Agreement. Account No. TWN A 1940 20000 000 0000. (M.D. 4/2/24 #32)

**RESOLUTION NO. 308 - 2024**

Resolution authorizing a License Agreement to construct a second story addition onto the existing two-story concession stand and press box located at the baseball field in John J. Burns Park, Massapequa and for the Supervisor, or his designee, to execute said License Agreement. (M.D. 4/2/24 #33)

**RESOLUTION NO. 309 - 2024**

Resolution authorizing an Inter-Municipal Agreement with the Jericho Water District for fire hydrant repair and maintenance at various properties throughout the Town of Oyster Bay for the period April 1, 2024 through March 31, 2028 with one (1) renewal option of four (4) years and for the Supervisor, or his designee, to execute said Agreement. (M.D. 4/2/24 #34)

**RESOLUTION NO. 310 - 2024**

Resolution authorizing retention of counsel as to land use, zoning and development; Account No. OTA A 1420 44110 000 0000. (M.D. 4/2/24 #35)

**RESOLUTION NO. 311 - 2024**

Resolution authorizing the Supervisor, or his designee, to execute EMS Agency Participation and Hold Harmless Agreements with Nassau County Police Department Emergency Ambulance Bureau. (M.D. 4/2/24 #36)

**RESOLUTION NO. 312 - 2024**

Resolution authorizing an Inter-Municipal Agreement with the Incorporated Village of Old Westbury for the Old Westbury Police Department's use of the Town's fueling stations for the period April 15, 2024 through July 31, 2029 and for the Supervisor, or his designee, to execute said Agreement. (M.D. 4/2/24 #37)

**RESOLUTION NO. 313 - 2024**

Resolution authorizing an amendment to the License Agreement for the operation of a food and beverage concession service at TOBAY Beach and Marina. (M.D. 4/2/24 #38)

**RESOLUTION NO. 314 - 2024**

Resolution authorizing an Agreement with the County of Nassau for the prosecution and adjudication by the Nassau County Traffic and Parking Violations Agency of Traffic Infractions issued by the Town of Oyster Bay's School Bus Stop Arm Safety Program for the period through and including December 31, 2029 and for the Supervisor, or his designee, to execute said Agreement. (M.D. 4/2/24 #39)

**RESOLUTION NO. 315 - 2024**

Resolution pertaining to settlement of a negligence claim; Claimant: William Holecek v. Town of Oyster Bay, Nassau County Index No. 606350/2021, Matter ID No. 2020-7822. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 4/2/23 #40)