

**TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
May 7, 2024
7:00 P.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.

* * * * *

HEARING - P-5-24

To consider 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)

HEARING - Local Law

To consider a Local Law entitled "A Local Law to Amend Chapter 221 - Towing, of the Code of the Town of Oyster Bay." (M.D. 3/26/24 #21)

* * * * *

PERSONNEL RESOLUTION NO. P-8-2024 and PA-8-2024

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

TRANSFER OF FUNDS RESOLUTION NO. TF-6-2024

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

* * * * *

RESOLUTION NO. 317 - 2024

Resolution authorizing a Spanish American War - WWI historical event on June 1, 2024 at Theodore Roosevelt Memorial Park & Beach in Oyster Bay, for the waiver of Section 168-22 and Section 82-3 and for the Supervisor, or his designee, to execute an agreement to provide entertainment for the event. Account No. CYS A 7020 47660 000 0000. (M.D. 4/2/24 #4)

RESOLUTION NO. 318 - 2024

Resolution authorizing retention of an instructor for ceramic classes for the 2024 Senior Citizens Services Summer Program on July 22, 2024, July 29, 2024 and August 5, 2024 at the North Massapequa Community Center. (M.D. 4/2/24 #5)

RESOLUTION NO. 319 - 2024

Resolution authorizing issuance of a refund for a golf non-resident membership fee to Michael Levy. Account No. PKS A 0001 02025 523 0000. (M.D. 4/2/24 #6)

RESOLUTION NO. 320 - 2024

Resolution granting request from Joseph Orlich, Flotilla Operations Officer of Oyster Bay Flotilla 22-05 to berth United State Coast Guard Operational Facility at Theodore Roosevelt Marina for the 2024 summer season at no cost. (M.D. 4/2/24 #7)

RESOLUTION NO. 321 - 2024

Resolution pertaining to application review and approval of South Farmingdale Fire District, 819 Main Street, Farmingdale, New York, in accordance with Chapter 246 of the Code of the Town of Oyster Bay. (M.D. 4/2/24 #16)

RESOLUTION NO. 322 - 2024

Resolution authorizing two (2), six (6) month extensions of time in connection with Resolution No. 270-2023, Petition of 1099 Old Country LLC, 1099 Old Country Road, Plainview, New York, from the current expiration date of April 18, 2024 to April 18, 2025. (M.D. 4/2/24 #17)

RESOLUTION NO. 323 - 2024

Resolution authorizing an extension of time under Contract No. DP23-262, The Honorable Joseph Colby Town of Oyster Bay Golf Course Tee Box Reconstruction for 49 calendar days to May 17, 2024, at no additional construction cost to the Town of Oyster Bay. (M.D. 4/2/24 #20)

RESOLUTION NO. 324 - 2024

Resolution authorizing acceptance and final payment for Contract No. H23-261, Concrete Replacement at Various Locations throughout the Town of Oyster Bay. (M.D. 4/2/24 #26)

RESOLUTION NO. 325 - 2024

Resolution amending Resolution No. 733-2022, to expand the Town of Oyster Bay sponsored tennis program to include ages through 15 and to initiate an adult program. Account No. PKS-A-0001-02001-510-0000. (M.D. 4/2/24 #27)

RESOLUTION NO. 326 - 2024

Resolution authorizing issuance of a refund for the Spring 2024 Ice Hockey House League 12U program to Joseph Andrews. Account No. PKS A 0001 02001 510 0000. (M.D. 4/9/24 #5)

RESOLUTION NO. 327 - 2024

Resolution authorizing acceptance of a donation of a Daktronics BA-2518 scoreboard from Long Island Hot Stove Baseball to be used at Gies Park in Hicksville. (M.D. 4/9/24 #6)

RESOLUTION NO. 328 - 2024

Resolution authorizing acceptance of a donation of a memorial plaque from Theresa Jankowski, to be placed on an existing bench at Ellsworth W. Allen Park in memory of Kayla Marie. (M.D. 4/9/24 #7)

RESOLUTION NO. 329 - 2024

Resolution authorizing the Nassau County Police Department to berth three (3) marine enforcement boats, two (2) at Harry Tappen Marina and one (1) at Theodore Roosevelt Marina for the 2024 summer season at no cost to Nassau County. (M.D. 4/9/24 #8)

RESOLUTION NO. 330 - 2024

Resolution authorizing renewal of membership in the Society of Human Resources Management for the period January 1, 2024 through December 31, 2024. Account No. DHR A 1430 47900 000 0000. (M.D. 4/9/24 #10)

RESOLUTION NO. 331 - 2024

Resolution authorizing issuance of a refund for the Spring 2024 Ice Hockey House League 12U program to Grazyna Komosinski. Account No. PKS A 0001 02001 510 0000. (M.D. 4/16/24 #4)

RESOLUTION NO. 332 - 2024

Resolution authorizing issuance of a refund for the Spring 2024 Ice Hockey House League 10U program to Blanka Oh. Account No. PKS A 0001 02001 510 0000. (M.D. 4/16/24 #5)

RESOLUTION NO. 333 - 2024

Resolution authorizing issuance of a refund for a Tappen Marina boat slip to Vanessa Gardianos. Account No. PKS A 0001 02025 526 0000. (M.D. 4/16/24 #6)

RESOLUTION NO. 334 - 2024

Resolution authorizing payment of membership dues for each Code Enforcement Official in the Building Inspectors Association of Nassau County (BIANCO) for the period May 1, 2024 through April 30, 2025. Account No. PAD B 3620 44140 000 0000. (M.D. 4/16/24 #7)

RESOLUTION NO. 335 - 2024

Resolution pertaining to amended Site Plan Approval for Extra Space Storage, 151 Sunnyside Blvd., Plainview, New York. (M.D. 4/16/24 #8)

RESOLUTION NO. 336 - 2024

Resolution authorizing acceptance of the design and request to enter bid and constructions phase under Contract No. DGS23-282, Elevator Modernization Town Hall South. (M.D. 4/16/24 #9)

RESOLUTION NO. 337 - 2024

Resolution authorizing acceptance of the design and request to enter bid and construction phase under Contract No. DS23-270 PH2, Old Bethpage Solid Waste Disposal Complex Demolition. (M.D. 4/16/24 #10)

RESOLUTION NO. 338 - 2024

Resolution authorizing award of Construction Contract No. H19-198PH3, Highway Improvements to the Southwood Circle Area Phase 3. Account No. DPW H5197 20000 000 2303 008. (M.D. 4/16/24 #11)

RESOLUTION NO. 339 - 2024

Resolution granting request from First Presbyterian Church for use of a roll-off container for their Spring Clean Up for the period May 7, 2024 through May 14, 2024. (M.D. 4/16/24 #12)

RESOLUTION NO. 340 - 2024

Resolution granting request from the Village of Bayville for use of a roll-off container for Earth Day for the period April 19, 2024 through April 22, 2024. (M.D. 4/16/24 #13)

RESOLUTION NO. 341 - 2024

Resolution authorizing an agreement to employ the services of a judge to adjudicate the Town of Oyster Bay's Independent Art Awards to be held on October 2, 2024 at the Plainview-Old Bethpage Public Library and for the Supervisor, or his designee, to execute said agreement. Account No. CYS A 7020 47660 000 0000. (4/23/24 #4)

RESOLUTION NO. 342 - 2024

Resolution authorizing reimbursement to Greg Kolodinsky, Greenskeeper of the Honorable Joseph Colby Town of Oyster Bay Golf Course, for the Long Island Golf Course Superintendents' Association (LIGCSA) annual dues. Account No. PKS A 7110 44900 000 0000. (4/23/24 #5)

RESOLUTION NO. 343 - 2024

Resolution authorizing the New York State Naval Militia to berth their patrol vessel at Tappen Marina during the 2024 summer season. (4/23/24 #6)

RESOLUTION NO. 344 - 2024

Resolution authorizing Operation Stop Polluting, Littering, and Save Harbors (S.P.L.A.S.H.) to berth their skiff at the public dock at John J. Burns Park from April 16, 2024 through November 16, 2024. (4/23/24 #7)

RESOLUTION NO. 345 - 2024

Resolution authorizing issuance of a refund for the Spring 2024 Ice Hockey House League 10U program to Adrian Ho. Account No. PKS A 0001 02001 510 0000. (4/23/24 #9)

RESOLUTION NO. 346 - 2024

Resolution authorizing membership in the Building Inspectors Association of Nassau County (BIANCO) for the period May 1, 2024 through April 30, 2025. Account No. IGA CD 8668 48250 732 CD22. (4/23/24 #11)

RESOLUTION NO. 347 - 2024

Resolution authorizing agreements for In-School Youth Services under the Workforce Innovation and Opportunity Act (WIOA) for the period July 1, 2024 through June 30, 2027 and for the Supervisor, or his designee, to execute said agreements. (4/23/24 #12)

RESOLUTION NO. 348 - 2024

Resolution authorizing professional services contracts under the Workforce Innovation and Opportunity Act (WIOA) with the listed providers for the period July 1, 2024 through June 30, 2027 and for the Supervisor, or his designee, to execute said agreements. (4/23/24 #13)

RESOLUTION NO. 349 - 2024

Resolution authorizing two (2), six (6) month extensions of time in connection with Resolution No. 314-2023, Petition of Bolla EM Realty, LLC, 285 North Broadway, Hicksville, from the current expiration date of May 9, 2024 to May 9, 2025. (4/23/24 #14)

RESOLUTION NO. 350 - 2024

Resolution authorizing the Town Clerk to publish a legal notice stating that the 2023 Annual Financial Report of the Town of Oyster Bay is on file for public inspection and copying. (4/23/24 #15)

RESOLUTION NO. 351 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing to consider the application of the Jericho Water District for Bond Financing. Hearing date: May 21, 2024. (4/23/24 #16)

RESOLUTION NO. 352 - 2024

Resolution pertaining to the decision on a Local Law to amend Chapter 233 - Traffic, of the Code of the Town of Oyster Bay. Hearing held: April 9, 2024. (M.D. 4/9/24 #4)

RESOLUTION NO. 353 - 2024

Resolution pertaining to Contract No. PWC16-24, On-Call Engineering Services Relative to Building Renovation Services in connection to replacement of the exterior stairs at the Sanitation Office and for use of a sub-consultant. Account No. DGS H 1997 20000 000 2410 001. (4/23/24 #20)

RESOLUTION NO. 354 - 2024

Resolution pertaining to Contract No. PWC16-24, On-Call Engineering Services Relative to Building Renovation Services in connection to engineering for exterior alterations and upgrades at the Town Animal Shelter and for use of a sub-consultant. Account No. DGS H 1997 20000 000 2410 001. (4/23/24 #21)

RESOLUTION NO. 355 - 2024

Resolution pertaining to the decision 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 held: February 27, 2024. (M.D. 2/27/24 #4)

RESOLUTION NO. 356 - 2024

Requesting Town Board authorization for the award of Construction Contract No. DP23-251R, Construction of Pickleball Courts throughout the Town of Oyster Bay. Account No. PKS H 7197 20000 000 2402 001. (4/23/24 #23)

RESOLUTION NO. 357 - 2024

Requesting Town Board approval of final acceptance, quantity decrease and final payment under Contract No. H19-197PH3, Construction of Highway & Drainage Improvements to the Intervale Avenue Area Phase 3. (4/23/24 #24)

RESOLUTION NO. 358 - 2024

Resolution authorizing renewal of membership in the National Safety Council which is required for the 2024 employees CPR/AED and First Aid Training. Account No. DPS A 3010 47800 000 0000 000. (4/23/24 #26)

RESOLUTION NO. 359 - 2024

Resolution granting request from the Mill River Rod & Gun Club in Bayville for use of a roll-off container for their Spring Clean-up for the period April 12, 2024 through April 15, 2024. (4/23/24 #27)

RESOLUTION NO. 360 - 2024

Resolution authorizing an agreement to provide Food and Beverage Services at Bethpage Community Park for the period May 1, 2024 through April 30, 2027 with an option for two (2), two (2) year extensions and for the Supervisor, or his designee, to execute said agreement. (4/23/24 #28)

RESOLUTION NO. 361 - 2024

Resolution authorizing an agreement to provide Food and Beverage Services at Theodore Roosevelt Memorial Park for the period May 1, 2024 through April 30, 2027 with an option for two (2), two (2) year extensions and for the Supervisor, or his designee, to execute said agreement. (4/23/24 #29)

RESOLUTION NO. 362 - 2024

Resolution authorizing an agreement to provide Food and Beverage Services at various parks and facilities for the period May 1, 2024 through April 30, 2027 with an option for two (2), two (2) year extensions and for the Supervisor, or his designee to execute said agreement. (4/23/24 #30)

RESOLUTION NO. 363 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of South Service Jericho Associates, L.P., fee owner, and The Swing, Golf Lounge Inc., lessee for a Special Use Permit at premises located at 33 S. Service Road, Jericho, New York. Hearing Date: June 11, 2024. (4/23/24 #31)

RESOLUTION NO. 364 - 2024

Resolution authorizing commencement of litigation against relevant parties and/or otherwise participate in any civil action in relation to the *Even-Year Election Law*. (4/23/24 #32)

RESOLUTION NO. 365 - 2024

Resolution pertaining to litigation counsel in relation to municipal, election and constitutionality issues regarding the new law to move elections to even-numbered years. Account No. OTA A 1420 44110 000 000. (4/23/24 #33)

RESOLUTION NO. 366 - 2024

Resolution amending Resolution No. 803-2023 to correct an account number in connection with an environmental review for acquisition of property located at 2 Walnut Street, Glen Head. Account No. OTA A 1420 44110 000 0000. (M.D. 4/23/24 #34)

RESOLUTION NO. 367 - 2024

Resolution amending Resolution No. 802-2023, to correct an account number in connection with acquisition of property located at Herzog Place, Hicksville. Account No. OTA A 1420 44110 000 0000. (M.D. 4/3/24 #35)

RESOLUTION NO. 368 - 2024

Resolution authorizing retention of counsel relative to a civil action, *Om Shiv Sai Guru, Ind. d/b/a Budget Inn Massapequa*. (M.D. 4/23/24 #36).

RESOLUTION NO. 369 - 2024

Resolution pertaining to the decision on 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. Hearing held: February 13, 2024 (M.D. 2/13/24 #4)

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 370 - 2024

Resolution authorizing the Town's Excess General Liability and Automobile Liability coverage for the policy year May 1, 2024 to May 1, 2025. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 4/30/24 #10)

RESOLUTION NO. 371 - 2024

Resolution authorizing payment of judgment for resolution of Claim - *Crown Castle Fiber, LLC v Town of Oyster Bay*. (M.D. 4/30/24 #11)

RESOLUTION NO. 372 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on a proposed Local Law entitled "A Local Law to Amend Chapter 196 - Shellfish and Marine Life, to Add New Definitions of Marine Management Area and Shellfish Sanctuary to Section 196-4, To Amend and Rename Section 196-18 Conservation Management Areas to Section 196-18 Marine Management Area; and Add Section 196-18.1 Shellfish Sanctuary, of the Code of the Town of Oyster Bay". Hearing Date: May 21, 2024 (M.D. 4/30/24 #12)

RESOLUTION NO. 373 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing as to the approval of the proposed tax-exempt lease/agreement for the Atlantic Steamer Fire Company #1, Inc. to acquire a new fire fighting vehicle. Hearing Date: May 21, 2024 (M.D. 4/30/24 #13)

RESOLUTION NO. 374 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on a proposed Local Law entitled "A Local Law to Amend Chapter 26 - Elections, of the Code of the Town of Oyster Bay". Hearing Date: May 21, 2024 (M.D. 4/30/24 #14)