

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
August 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-3-24

To consider the application of FP 750 Massapequa LLC, fee owner, for a Special Use Permit at premises located at 750 Hicksville Road, Massapequa. Hearing adjourned from March 5, 2024. (M.D. 7/16/24 #23)

HEARING - P-8-24

To consider the application of RG Crossways Owner LLC, fee owner, for a Special Use Permit, Site Plan Approval and Revocation of Covenants and Restrictions at premises located at 1 Media Crossways, Woodbury. (M.D. 7/16/24 #25)

HEARING - Local Law

To consider a local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, AMENDING CHAPTER 183 PUBLIC ASSEMBLY, PLACES OF, TO SET FORTH PENALTIES ALLOWED TO BE ASSESSED BY THE BUREAU OF ADMINISTRATIVE ADJUDICATION." (M.D. 7/16/24 #26)

HEARING - Local Law

To consider a local law entitled "A LOCAL LAW TO ADD SECTION 196-24 TO CHAPTER 196 OF THE CODE OF THE TOWN OF OYSTER BAY TO IMPOSE A MORATORIUM ON SHELLFISH HARVEST IN THE FORMERLY LEASED UNDERWATER LANDS IN OYSTER BAY HARBOR AND COLD SPRING HARBOR." (M.D. 7/16/24 #33)

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PERSONNEL RESOLUTION NO. P-13-2024

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

TRANSFER OF FUNDS RESOLUTION NO. TF-11-2024

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

RESOLUTION NO. 573 - 2024

Resolution authorizing an Agreement to provide a "music" bingo caller for the Senior Citizens Services Summer Program on July 31, 2024 at the North Massapequa Community Center and for the Supervisor, or his designee, to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 7/16/24 #4)

RESOLUTION NO. 574 - 2024

Resolution authorizing partnership with the Nassau County Office for the Aging to distribute produce coupons to income eligible seniors through the Senior Summer Program on August 8, 2024 and August 12, 2024, at no cost to the Town. (M.D. 7/16/24 #5)

RESOLUTION NO. 575 - 2024

Resolution authorizing the 2024 September 11th Memorial and Walls of Honor Ceremony on September 9, 2024 at TOBAY Beach (bay side). Account No. CYS A 7020 41800 000 0000 and CYS A 7020 45100 000 0000 and CYS A 7020 47660 000 0000. (M.D. 7/16/24 #6)

RESOLUTION NO. 576 - 2024

Resolution authorizing acceptance of a donation of a memorial plaque from Ann Ajana, to be placed on an existing bench at Alhambra Beach (M-60) in memory of Gladys and Carl Knoblauch. (M.D. 7/16/24 #7)

RESOLUTION NO. 577 - 2024

Resolution authorizing acceptance of a donation of a memorial plaque and bench from Raymond Birney, to be placed in John J. Burns Park in memory of Kevin Birney. (M.D. 7/16/24 #8)

RESOLUTION NO. 578 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Nerraj Jhaveri. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #9)

RESOLUTION NO. 579 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Kristen Connelly. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #10)

RESOLUTION NO. 580 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Nur Dean. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #11)

RESOLUTION NO. 581 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Michelle Farlese. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #12)

RESOLUTION NO. 582 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Francesco Oliva. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #13)

RESOLUTION NO. 583 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Yohanna Reyes. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #14)

RESOLUTION NO. 584 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Meghan Terracciano. Account No. PKS A 0001 02001 510 0000. (M.D. 7/16/24 #15)

RESOLUTION NO. 585 - 2024

Resolution granting a request from Rocco's Voice for Autism for use of the Tobay Beach Spray Park on August 28, 2024 for children with Autism and their families. (M.D. 7/16/24 #16)

RESOLUTION NO. 586 - 2024

Resolution pertaining to Contract No. PWC07-24, On-Call Engineering Services Relative to Civil Engineering in connection to construction administration for the Haypath Park Synthetic Turf Field Installation. Account No. PKS H 7197 20000 000 2302 001. (M.D. 7/16/24 #21)

RESOLUTION NO. 587 - 2024

Resolution pertaining to Contract No. PWC 15-24, On-Call Engineering Services Relative to Transportation Engineering in connection to construction materials testing services relative to improvements to East Lincoln Avenue, Riverdale Avenue and Pirates Cove, Massapequa for the use a sub-consultant. Account No. DPW H 5197 20000 000 2303 008. (M.D. 7/16/24 #22)

RESOLUTION NO. 588 - 2024

Resolution authorizing issuance of a refund for the Ice Hockey League 14/16U to Sue Cominski. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #7)

RESOLUTION NO. 589 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Jennifer Campbell. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #8)

RESOLUTION NO. 590 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Jennifer DiCristina. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #9)

RESOLUTION NO. 591 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Jennifer DiCristina. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #10)

RESOLUTION NO. 592 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Revathi Hariharan. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #11)

RESOLUTION NO. 593 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Plainview-Old Bethpage Park to Minati Shah. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #12)

RESOLUTION NO. 594 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Pinkiben Suthar. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #13)

RESOLUTION NO. 595 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Virginia Whyte. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #14)

RESOLUTION NO. 596 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Regina Farlese. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #15)

RESOLUTION NO. 597 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Jenny Walters. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #16)

RESOLUTION NO. 598 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to See Man Lee. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #17)

RESOLUTION NO. 599 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Jarmila Salzer. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #18)

RESOLUTION NO. 600 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Zhe Xu. Account No. PKS A 0001 02001 510 0000. (M.D. 7/23/24 #19)

RESOLUTION NO. 601 - 2024

Resolution authorizing acceptance of a donation of a memorial plaque from Giovanna Furfari-Venturino, to be placed on an existing bench at Philip Healey Beach at Florence Avenue, in memory of Frank Spadaro. (M.D. 7/23/24 #20)

RESOLUTION NO. 602 - 2024

Resolution authorizing Training Agreements with training providers registered on the New York State Department of Labor's Eligible Training Provider List, for the delivery of occupational training services, as mandated under the Workforce Innovation and Opportunity Act, and for the Supervisor, or his designee, to execute said Agreements. Account No. IGA-CD-6293-48010-000-CW23. (M.D. 7/23/24 #25)

RESOLUTION NO. 603 - 2024

Resolution authorizing Award of Design, Bid and Construction Phase Engineering Services under Contract No. H24-290, Highway Improvements to the Marginal Road Area, Bethpage and for the use of sub-consultants for pavement profile investigation and environmental permitting. Account No. HWY H5197 20000 000 2203 008. (M.D. 7/30/24 #32 & 8/6/24 #24)

RESOLUTION NO. 604 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Johnathan Salinas. Account No. PKS A 0001 02001 510 0000. (M.D. 7/30/24 #4)

RESOLUTION NO. 605 - 2024

Resolution authorizing issuance a refund for the 2024 Summer Recreation Program at Marjorie Post Park to Kassandra Acuna. Account No. PKS A 0001 02001 510 0000. (M.D. 7/30/24 #5)

RESOLUTION NO. 606 - 2024

Resolution authorizing issuance a refund for the 2024 Summer Recreation Program at Syosset-Woodbury Park to Tarun Dangi. Account No. PKS A 0001 02001 510 0000. (M.D. 7/30/24 #6)

RESOLUTION NO. 607 - 2024

Resolution authorizing acceptance of a donation of a memorial plaque and bench from Nicole Kent, to be placed in Theodore Roosevelt Memorial Park and Beach in memory of Palma Monaco Douglas. (M.D. 7/30/24 #7)

RESOLUTION NO. 608 - 2024

Resolution to amend Resolution No. 887-2023, to add additional Yoga instructors due to program demand. (M.D. 7/30/24 #8)

RESOLUTION NO. 609 - 2024

Resolution authorizing the 2024 Autism Awareness event with Fay J. Center at Advantage Care Health Centers to be held on September 28, 2024 at Bethpage Community Park. (M.D. 7/30/24 #9)

RESOLUTION NO. 610 - 2024

Resolution authorizing award of contract for Cloud Based Communications. Account No. DGS H 1997 20000 000 2410. (M.D. 7/30/24 #10)

RESOLUTION NO. 611 - 2024

Resolution authorizing publication of a legal notice pertaining to the 2024-2025 School Tax. Account No. ROT A 1330 44100 000 0000. (M.D. 7/30/24 #11)

RESOLUTION NO. 612 - 2024

Resolution authorizing the property cleanup assessment of 1 Vin Court, Farmingdale, New York, performed on May 29, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/24 #14)

RESOLUTION NO. 613 - 2024

Resolution authorizing the property cleanup assessment of 2 Leona Place, Locust Valley, New York, performed on May 21, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/24 #15)

RESOLUTION NO. 614 - 2024

Resolution authorizing the property cleanup assessment of 23 Ann Drive, Syosset, New York, performed on May 30, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/24 #16)

RESOLUTION NO. 615 - 2024

Resolution authorizing the property cleanup assessment of 47 Thirteenth Street, Locust Valley, New York, performed on May 13, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/24 #17)

RESOLUTION NO. 616 - 2024

Resolution authorizing the property cleanup assessment of 4699 Merrick Road, Massapequa, New York, performed on May 28, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/24 #18)

RESOLUTION NO. 617 - 2024

Resolution authorizing the property cleanup assessment of Old Country Road and East Avenue, Hicksville, New York, Section 45, Block 66, Lot 292, performed on May 28, 2024, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/24 #19)

RESOLUTION NO. 618 - 2024

Resolution amending Resolution No. 84-2024 to include language required for the sale of a portion of William Street, Hicksville. (M.D. 7/30/24 #22)

RESOLUTION NO. 619 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing to address the proposed renewal agreement for Cable Television Franchise with the Town of Oyster Bay. Hearing date: September 10, 2024. (M.D. 7/30/24 #23)

RESOLUTION NO. 620 - 2024

Resolution granting request from the Holy Trinity Greek Orthodox Church for Town assistance in conducting their annual Grecian Festival on September 6, 2024 through September 8, 2024 and for use of various Town equipment for the event. (M.D. 7/30/24 #24)

RESOLUTION NO. 621 - 2024

Resolution authorizing a "Free Adoption Month" at the Town of Oyster Bay Animal Shelter during the month of September, 2024. (M.D. 7/30/24 #25)

RESOLUTION NO. 622 - 2024

Resolution authorizing a "Free Rabies Clinic" on September 14, 2024, which provides residents with an opportunity to receive a rabies inoculation for their dogs, cats or ferrets free of charge. (M.D. 7/30/24 #26)

RESOLUTION NO. 623 - 2024

Resolution authorizing extension of time, acceptance and final payment under Contract No. DP23-262, The Honorable Joseph Colby Town of Oyster Bay Golf Course Tee Box Reconstruction. (M.D. 7/30/24 #27)

RESOLUTION NO. 624 - 2024

Resolution authorizing acceptance of the design and request to enter bid under Contract No. DP24-291, Burns Park 90ft Baseball Turf Field Installation. (M.D. 7/30/24 #28)

RESOLUTION NO. 625 - 2024

Resolution pertaining to Contract No. PWC12-20 and PWC12-22, On-Call Engineering Services Relative to Environmental Science in connection with a noise investigation of the Town shellfish hatchery located at Roosevelt Memorial Park Marina. Account No. DER A 8090 44900 000 0000. (M.D. 7/30/24 #33)

RESOLUTION NO. 626 - 2024

Resolution pertaining to Contract No. PWC07-24, On-Call Engineering Services Relative to Civil Engineering in connection to the update and revisions to existing Town stormwater system mapping to satisfy New York State Department of Environmental Conservation requirements for the municipal separate stormwater sewer systems (MS4) permit. Account No. DPW H 5197 20000 000 2303 008. (M.D. 7/30/24 #34)

RESOLUTION NO. 627 - 2024

Resolution to utilize Coronavirus State and Local Recovery Funding through the American Rescue Plan Act to be applied to the purchase of shellfish seed as part of the Department of Environmental Resources annual shellfish restoration program. (M.D. 7/30/24 #39 & 8/6/24 #25)

RESOLUTION NO. 628 - 2024

Resolution granting request from Syosset Fire District for use of two roll-off containers for Fire Prevention Day for the period October 4, 2024 through October 7, 2024. (M.D. 7/30/24 #38)

RESOLUTION NO. 629 - 2024

Resolution authorizing issuance of a refund for the 2024 Summer Ice Hockey House League 8U to Stacie Nickola. Account No. PKS A 0001 02001 510 0000. (M.D. 7/30/24 #40)

RESOLUTION NO. 630 - 2024

Resolution amending Resolution No. 757-2023 to reflect the correct contract period of two (2) years, from January 1, 2024 through December 31, 2025. (M.D. 7/30/24 #41)

RESOLUTION NO. 631 - 2024

Resolution authorizing re-appointment of a Commissioner to the Town of Oyster Bay Housing Authority. (M.D. 7/30/24 #42)

RESOLUTION NO. 632 - 2024

Resolution authorizing appointments of two Tenant Commissioners to the Town of Oyster Bay Housing Authority. (M.D. 7/30/24 #43)

RESOLUTION NO. 633 - 2024

Resolution granting a request from IDP USA Inc. for Town assistance in conducting their India Day Parade in Hicksville on August 25, 2024 and for use of parking field H-17 in Hicksville as well as use of various Town equipment for the event. (M.D. 7/30/24 #29 & 8/6/24 #20)

RESOLUTION NO. 634 - 2024

Resolution granting request from Living Hope Fellowship Baptist Church for Town assistance in conducting their Vacation Bible School Block Party Event from August 21, 2024 through August 23, 2024 and for use of various Town equipment for the event. (M.D. 7/30/24 #30 & 8/6/24 #21)

RESOLUTION NO. 635 - 2024

Resolution amending Resolution 502-2024, Transfer, Haul and Disposal of Municipal Solid Waste from the Town of Oyster Bay Solid Waste Disposal District under Contract No. DPW09-999 to reflect the correct company that will fulfill the contract obligations. (M.D. 7/30/24 #44)

RESOLUTION NO. 636 - 2024

Resolution pertaining to the decision on a Local Law entitled "A Local Law to Amend Chapter 221 - Towing, of the Code of the Town of Oyster Bay." Hearing held: May 7, 2024. (M.D. 5/7/24 #5)

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 637 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on a Proposed Local Law entitled "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 114 - EXPLOSIVES AND FIREARMS, CHAPTER 231 - UNMANNED AIRCRAFT, CHAPTER 233-VEHICLES AND TRAFFIC." Hearing Date: September 10, 2024. (M.D. 8/6/24 #34)

RESOLUTION NO. 638 - 2024

Resolution directing the Town Clerk to advertise a Notice of Hearing on the application of 62-61 Northern Boulevard Corporation, fee owner, for a Special Use Permit at premises located at 62-61 Northern Boulevard, East Norwich. Hearing Date: September 10, 2024. (M.D. 8/6/24 #35)

RESOLUTION NO. 639 - 2024

Resolution authorizing the Supervisor, or his designee, execute a Contract of Sale authorizing the sale of vacant land located directing to the south of the property located at 50 Cold Spring Road, Syosset, New York, Section 15, Block B, Lot p/o 9. (M.D. 8/6/24 #37).

RESOLUTION NO. 640 - 2024

Resolution authorizing the Town of Oyster Bay 2024-2025 Underground Storage Tank Third Party Liability Insurance coverage for the period commencing July 31, 2024, to July 31, 2025. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 8/6/24 #19)

RESOLUTION NO. 641 - 2024

Resolution authorizing Stipulation of Settlement in *Laser Industries, Inc. v. Town of Oyster Bay et al.*, Supreme Court of the State of New York, County of Nassau, Index No. 607594/2024. (M.D. 8/6/24 #36)

RESOLUTION NO. 642 - 2024

Resolution authorizing settlement of a negligence claim; Claimant: *Barry Saltsberg v. Town of Oyster Bay*, Nassau County Index No. 613505/2018. Account No. TWN AMS 1910 43010 602 0000 000. (M.D, 8/6/24 #27)

RESOLUTION NO. 643 - 2024

Resolution authorizing the Supervisor, or his designee, to execute the Right-of-Way Agreement between the U.S. Department of the Army, U.S. Army Corps of Engineers and Town of Oyster Bay at TOBAY Beach. (M.D, 8/6/24 #28)

RESOLUTION NO. 644 - 2024

Resolution to amend Resolution No. 382-2024 to re-schedule the "First Responder's Night" and the Marshall Tucker Band to August 21, 2024 and for the Supervisor, or his designee, to execute the agreement to provide the concert. Account No. CYS A 7020 47660 000 0000. (M.D, 8/6/24 #29)

RESOLUTION NO. 645 - 2024

Resolution authorizing the Second Annual Town of Oyster Bay Snapper Derby at Theodore Roosevelt Memorial Park on September 15, 2024. Account Nos. TWN TA 0000 00085 474 0000 and PKS A 7110 44900 000 0000. (M.D. 8/6/24 #30)

RESOLUTION NO. 646 - 2024

Resolution authorizing the Town of Oyster Bay Thirty-Eighth Annual Bluefish Tournament at Theodore Roosevelt Memorial Park on September 15, 2024, with fees, regulations and conditions unchanged. Account Nos. TWN TA 0000 00085 474 0000 and PKS A 7110 44900 000 0000. (M.D. 8/6/24 #31)

RESOLUTION NO. 647 - 2024

Requesting Town Board approval for the settlement of a negligence claim; Claimant: *Logan Colavita v. Town of Oyster Bay*, Nassau County Index No. 603459/2018, Matter ID No. 2017-6285. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 8/6/24 #32)

RESOLUTION NO. 648 - 2024

Resolution requesting Town Board approval to Amend Resolution No. 50-2024 in connection with increased litigation costs for additional court and trial activities. Account Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS 1910 43020 602 0000 000. (M.D. 8/6/24 #33)