

TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
April 20, 2021  
10:00 A.M.  
BY TELECONFERENCE

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**HEARING - P-3-21**

To consider the application of F and Q Properties, LLC, fee owner, for a Special Use Permit to allow operation of a day care facility at premises located at 208 Merritts Road, Farmingdale, New York. (M.D. 3/9/21 #15).

**HEARING - Local Law**

To consider a Local Law entitled: "A Local Law to Amend Chapter 103 - Dogs and Other Animals, Article IV, of the Code of the Town of Oyster Bay". (M.D. 3/9/21 #42).

**HEARING - Local Law**

To consider a Local Law entitled: "A Local Law to Amend Chapter 246 - Zoning, Section 246-5.5.16, of the Code of the Town of Oyster Bay". (M.D. 3/9/21 #43).

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**PERSONNEL RESOLUTION NO. P-7-21**

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

**TRANSFER OF FUNDS RESOLUTION NO. TF-5-21**

Resolution pertaining to transfer of funds within various departments' accounts for the Year 2021.

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**RESOLUTION NO. 196 - 2021**

Resolution authorizing the 2021 Town of Oyster Bay and Greater Long Island Running Club Sponsored Races on various dates. Account No. PKS A 7110 44900 000 0000. (M.D. 3/16/21 #4).

**RESOLUTION NO. 197 - 2021**

Requesting Town Board authorization to employ umpire services for the Town's Senior Citizen Softball Teams for the 2021 season. Account No. PKS A 7110 44900 000 0000. (M.D. 3/16/21 #5).

**RESOLUTION NO. 198 - 2021**

Resolution authorizing entrance into a State of New York Master Contract with the New York State Department of Conservation in connection with the 2018 Household Hazardous Waste Assistance Program, and for the Supervisor, or his designee, execute said Contract. (M.D. 3/16/21 #10).

**RESOLUTION NO. 199 - 2021**

Resolution pertaining to Contract No. H20-210, Highway Improvements to the Crescent Drive Area, Old Bethpage, and for use of sub-consultants for surveying services, soil investigations and construction materials testing; Account No. HWY H 5197 20000 000 2103 008. (M.D. 3/16/21 #12).

**RESOLUTION NO. 200 - 2021**

Resolution authorizing an agreement to employ entertainment for the Group Activities Program (GAP) on April 24, 2021, and for the Supervisor, or his designee, or the Commissioner of Community & Youth Services to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 3/23/21 #5).

**RESOLUTION NO. 201 - 2021**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from J. DeMayo, to be placed in John J. Burns Park in memory of Bill and Tommy Bernard. (M.D. 3/23/21 #6).

**RESOLUTION NO. 202 - 2021**

Resolution granting request from Joseph Orlich, Flotilla Operations Officer, Oyster Bay Flotilla 22-05, to have fees waived for the use of one slip at Theodore Roosevelt Marina for the 2021 summer season for the United States Coast Guard Operational Facility 221722, N.Y. (M.D. 3/23/21 #7).

**RESOLUTION NO. 203 - 2021**

Resolution authorizing the issuance of a refund to Friendly Investors Group Inc. for a building permit fee as the property owner decided not to follow through with the project as outlined in the permit. Account No. PAD B 0001 02555 000 0000. (M.D. 3/23/21 #15).

**RESOLUTION NO. 204 - 2021**

Resolution pertaining to Contract No. PWC23-20, On-call Engineering Services Relative to Environmental Engineering, in connection with the investigation and repairing of the TOBAY Well No. 4. Account No. PKS H 7197 20000 000 2002 001. (M.D. 3/23/21 #16).

**RESOLUTION NO. 205 - 2021**

Resolution authorizing payment for the Town of Oyster Bay's Annual Contribution for the 2021 Hempstead Harbor Protection Committee (HHPC) dues. Account No. DER A 8090 44900 000 0000. (M.D. 3/23/21 #18).

**RESOLUTION NO. 206 - 2021**

Resolution authorizing Revocation of Previous Site Plan Amendment and Submission of a Proposed Amendment to Site Plan in connection with Petition of Cedar Realty Trust, Inc., 941 Carmans Road, Massapequa. (M.D. 3/30/21 #12).

**RESOLUTION NO. 207 - 2021**

Resolution authorizing a two six-month extension of time in connection with resolution No. 432-2019, Petition of LSC Development, LLC, 550 West Old Country Road, Hicksville, for a Special Use Permit and Approved Site Plan, from the current expiration date of July 9, 2020 to July 9, 2021. (M.D. 3/30/21 #13).

**RESOLUTION NO. 208 - 2021**

Resolution authorizing a six-month extension of time in connection with Resolution No. 90-2020, Petition of 62 South Street Tower, Inc., 62 South Street, Oyster Bay, for a Special Use Permit and Approved Site Plan, from the current expiration date of January 28, 2021 to July 28, 2021. (M.D. 3/30/21 #14).

**RESOLUTION NO. 209 - 2021**

Resolution amending Resolution No. 712-2019, Award of Actuarial Consulting Services - Other Post-Employment Benefits to include the cost of the GASB 75 report as required by law. Account No. CMP A 1315 44800 000 0000. (M.D. 3/30/21 #19).

**RESOLUTION NO. 210 - 2021**

Resolution pertaining to Contract No. PWC19-18, On-call Consultant Services Relative to Structural Engineering, in connection to engineering services for repairs to the Hicksville Parking Facility. Account No. HWY H 5997 20000 000 1804 016. (M.D. 3/30/21 #21).

**RESOLUTION NO. 211 - 2021**

Resolution pertaining to Contract No. PWC12-20, On-call Engineering Services Relative to Environmental Science, in connection with preparation of a Harbor Management Plan for Oyster Bay Harbor and Cold Spring Harbor. Account No. DER A 8090 44500 000 0000. (M.D. 3/30/21 #22).

**RESOLUTION NO. 212 - 2021**

Resolution pertaining to Contract No. PWC12-20, On-Call Engineering Services Relative to Environmental Science, in connection with technical assistance to the Department of Environmental Resources with various shellfish management programs. Account No. DER A 8090 44500 000 0000. (M.D. 3/30/21 #23).

**RESOLUTION NO. 213 - 2021**

Resolution granting request from the First Presbyterian Church in Oyster Bay for the use of one roll-off container from May 4, 2021 through May 11, 2021, for their spring cleanup. (M.D. 3/30/21 #24).

**RESOLUTION NO. 214 - 2021**

Resolution authorizing renewal of memberships in the New York State Association for the Solid Waste Management for 2021. Account No. DER SR05 8160 47900 000 000. (M.D. 3/30/21 #25).

**RESOLUTION NO. 215 - 2021**

Resolution authorizing the first one-year extension of Contract SE002A-02, Glass Recycling Program for the Town of Oyster Bay, at the same prices, conditions and terms provided for in the present contract, commencing May 1, 2021 through April 30, 2022. (M.D. 4/6/21 #7).

**RESOLUTION NO. 216 - 2021**

Resolution authorizing the first extension option of the License Agreement with the Morgan Center to utilize a portion of the second floor of the Town's Hicksville Athletic Facility, for a two year term for the period June 1, 2021 through May 31, 2023. (M.D. 6/4/21 #18).

**RESOLUTION NO. 217 - 2021**

Resolution authorizing payment related to Self-Insured Retention for Pending Litigation, Account No. OTA A 1420 44110 000 0000, Matter ID No. 2020-7808. (M.D. 4/6/21 #19).

**RESOLUTION NO. 218 - 2021**

Resolution authorizing the property cleanup assessment of 6 Prade Lane, Massapequa Park, New York, performed on December 30, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 6/4/21 #21).

**RESOLUTION NO. 219 - 2021**

Resolution pertaining to settlement of litigation, Town of Oyster Bay v. Illinois National Insurance Company, and for the Supervisor, or his designee, execute said Settlement. (M.D. 4/6/21 #22).

**RESOLUTION NO. 220 - 2021**

Resolution authorizing acceptance of full and final satisfaction for the operation of food and beverage services at various Town parks and beaches for the 2020 season. (M.D. 4/6/21 #23).

**RESOLUTION NO. 221 - 2021**

Resolution authorizing engagement of appraisal services to prepare an appraisal of Peninsula Golf Club, 50 Nassau Road, Massapequa, New York. Account No. OTA A 1420 44800 000 0000. (M.D. 4/6/21 #24).

**RESOLUTION NO. 222 - 2021**

Resolution directing the Town Clerk to publish a Notice of Hearing on a Proposed Local Law entitled: "A Local Law to Amend Chapter 173 - Peddling and Soliciting, of the Code of the Town of Oyster Bay". Hearing date: May 4, 2021. (M.D. 4/6/21 #25).

**RESOLUTION NO. 223 - 2021**

Resolution authorizing an extension of General Reconstruction Requirements Contract HGR17-162, commencing April 24, 2021 through April 23, 2022. (M.D. 4/6/21 #26).

**RESOLUTION NO. 224 - 2021**

Resolution authorizing acceptance of a donation of a work barge from Creekview Aquaculture LLC, to benefit the Town of Oyster Bay Shellfish program. (M.D. 4/6/21 #27).

**RESOLUTION NO. 225 - 2021**

Resolution authorizing payment for the Oyster Bay/Cold Spring Harbor Protection Committee Membership dues for the period June 1, 2020 through May 31, 2021. Account No. DER A 8090 44900 000 0000. (M.D. 4/6/21 #28).

**RESOLUTION NO. 226 - 2021**

Resolution authorizing Friends of the Bay to install and maintain two raingardens at the Western Waterfront. (M.D. 4/6/21 #29).

**RESOLUTION NO. 227 - 2021**

Resolution authorizing a third one-year extension of Fence Replacement Requirements Contract HFR18-172, for the period April 10, 2021 through April 9, 2022. Account No. HWY H5197 20000 000 2013 008. (M.D. 4/6/21 #30).

**RESOLUTION NO. 228 - 2021**

Resolution authorizing issuance of a refund to the Oak Neck Athletic Council for Field Permits which were issued in error as there is no charge for Town of Oyster Bay not-for-profit youth-based athletic groups to use Town of Oyster Bay Facilities. (M.D. 4/6/21 #31).

**RESOLUTION NO. 229 - 2021**

Resolution authorizing a first modification to the License Agreement with J&T Beach Corp., and to exercise the second one-year extension and for the Supervisor or his designee, to execute said agreement. (M.D. 4/6/21 #33).

**RESOLUTION NO. 230 - 2021**

Resolution authorizing a contract to provide Food and Beverage Services at Various Parks and Facilities for the period May 1, 2021 through April 30, 2024, with a provision for two (2), one (1) year extensions, and for the Supervisor, or his designee, to execute said Contract. (M.D. 4/6/21 #4 & 4/13/21 #15).

**RESOLUTION NO. 231 - 2021**

Resolution authorizing award of contract for the establishment of a COVID-19 Testing Center, and for the Supervisor, or his designee, to execute said contract. (M.D. 4/6/21 #5 & 4/13/21 #8).

**RESOLUTION NO. 232 - 2021**

Resolution authorizing the Supervisor, or his designee and Colin Bell as an additional authorized designee, to execute documents in connection with the State and Municipal Facilities Program - Scope of Work Revision for Raynham Hall Education Center Grant. Center. (M.D. 4/6/21 #8 & 4/13/21 #11).

**RESOLUTION NO. 233 - 2021**

Resolution directing the Town Clerk to publish a Notice of Hearing in connection with the application of Red Barn Dogs Ops LI, LLC, Lessee, and Bethpage Group LLC, fee owner, for a Special Use Permit to allow for construction and operation of a dog boarding facility at premises located at 4070 Hempstead Turnpike, Bethpage, New York. Hearing Date: May 4, 2021. (M.D. 4/6/21 #35).

**RESOLUTION NO. 234 - 2021**

Resolution authorizing a First Modification to the License Agreement with Tiki Joe's Ocean Breeze, LLC for the operation of a food and beverage concession at TOBAY Beach and Marina in connection with COVID-19 payment adjustment. (M.D. 4/6/21 #32 & 4/13/21 #13).

**RESOLUTION NO. 235 - 2021**

Resolution authorizing the Empire State Ride Long Island, to be held at Theodore Roosevelt Memorial Park, Oyster Bay, in cooperation with Roswell Park Alliance Foundation, on July 24, 2021, and to incorporate use of mobile food concession(s), to accept addition of in-kind sponsors and to utilize audio services for the event. Account Nos. PKS A 7110 47670 000 0000 and TWN A 0001 02770 590 0000. (M.D. 4/6/21 #34 & 4/13/21 #14).

**RESOLUTION NO. 236 - 2021**

Resolution pertaining to the decision on the application of Ravinder Singh, for a Special Use Permit to allow for a gasoline service station and retail food mart at premises located at 297 Robbins Lane, Syosset, New York. Hearing held: November 17, 2020. (M.D. 11/17/20 #4).

**RESOLUTION NO. 237 - 2021**

Resolution pertaining to the decision on a Local Law entitled: "A Local Law to Amend Chapter 233 - Traffic, of the Code of the Town of Oyster Bay". (M.D. Hearing held: March 9, 2021. M.D. 3/9/21 #4).

**RESOLUTION NO. 238 - 2021**

Resolution authorizing the Town's Excess General and Automobile Liability Insurance coverage for the period May 1, 2021 to May 1, 2022; Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 4/6/21 #17 & 4/13/21 #20).

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

**RESOLUTION NO. 239 - 2021**

Resolution directing the Town Clerk to publish a Notice of Hearing in connection with the 2020 Fire Protection Agreement with the East Norwich Volunteer Fire Company No. 1. Hearing Date: May 4, 2021. M.D. 4/13.21 #17).

**RESOLUTION NO. 240 - 2021**

Resolution directing the Town Clerk to publish a Notice of Hearing in connection with 2021 Hydrant Rental for Glenwood-Glen Head Fire Protection District and New York American Water Company, Inc. Hearing Date: May 4, 2021. (M.D. 4/13/21 #18).

**RESOLUTION NO. 241 - 2021**

Resolution authorizing the Town, as a sponsor or co-sponsor of the Length of Service Award Programs for several fire companies, amend the applicable Length of Service Award Program point system in response to the COVID pandemic, and for the Supervisor, or his designee, or the Town's representative to each LOSAP Program, execute any documentation necessary. (M.D. 4/13/21 #19).

**REMOVE FROM THE TABLE AND ADD THE FOLLOWING:**

**RESOLUTION NO. 525 - 2020 tabled on October 6, 2020**

Resolution pertaining to Contract PWC19-20, On-Call Consultant Relative to Structural Engineering, in connection with design, bid and construction inspection regarding the construction of an overhead canopy over the existing ice skating rink at Marjorie Post Community Park in Massapequa. Account No. PKS H 7197 20000 000 2002 001. (M.D. 9/15/20 #23).

**RESOLUTION NO. 570 - 2020 tabled on October 20, 2020**

Resolution pertaining to Contract No. PWC07-20, On-Call Consultant Service Request for Civil Engineering for the replacement of three synthetic turf fields at Field of Dreams Park, Massapequa. Account No. PKS H 7197 20000 000 2002 001. (M.D. 9/29/20 #11).

**RESOLUTION NO. 700 - 2020 tabled on December 8, 2020**

Resolution authorizing the use of a sub-consultant under Contract PWC19-20, On Call Engineering Services Relative to Structural Engineering in connection to Bulkhead Replacement at John J. Burns Park. (M.D. 11/24/20 #60).