

CORRECTED COPY
TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
May 7, 2019
7:00 P.M.

NOTE:

ANYONE WISHING TO ADDRESS THE TOWN BOARD ON ANY PUBLIC HEARING 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, 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 - FINANCE

To consider the application from the Plainview Water District for the issuance of serial bonds for Improvements to said water district. (M.D. 4/2/19 #11).

HEARING - LOCAL LAW

To consider a Local Law entitled a "Local Law to Add Section 246-5.5.34 to Chapter 246 of the Code of the Town of Oyster Bay to Restrict the Sale of Vaping Products, and Locations of Vape Shops and Hookah Lounges." (M.D. 4/9/19 #36).

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PERSONNEL RESOLUTION NO. P-8-19 and PA-5-19

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

TRANSFER OF FUNDS RESOLUTION NO. TF-8-19

Resolution pertaining to Transfer of Funds within various departments accounts for the Year 2019.

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RESOLUTION NO. 269 - 2019

Resolution pertaining to the decision on the application of Kimco Jericho MI LLC, Kimco Birchwood Jericho LLC, Kimco Birchwood Jericho Lot LLC, Jericho Atrium 1761 LLC, and Kimco Birchwood Jericho Office LLC for a Special Use Permit to allow for hotel use on premises located on the eastern side of Route 107, south of Jericho Turnpike, Jericho, New York. Hearing held: January 29, 2019. (M.D. 1/19/19 #4).

RESOLUTION NO. 270 - 2019

Resolution granting request from the Roman Catholic Church of St. Gertrude for the use of Centre Island Beach and for Town assistance in conducting their annual feast scheduled to be held June 13 through June 16, 2019 and for a waiver of Town Ordinances 168-3, 168-5B, 168-20 and 168-24 as well as use of various Town equipment for the event. (M.D. 4/9/19 #5).

RESOLUTION NO. 271 - 2019

Resolution authorizing the issuance of a refund of a boat slip fee at Harry Tappen Marina to L. Waage. Account No. PKS A 0001 02025 526 0000. (M.D. 4/9/19 #6).

RESOLUTION NO. 272 - 2019

Resolution authorizing the issuance of a refund for the Spring Ice Hockey Program at the Town of Oyster Bay Ice Skating Center at Bethpage to S. Donnellan. Account No. PKS A 0001 02001 510 0000. (M.D. 4/9/19 #7).

RESOLUTION NO. 273 - 2019

Resolution authorizing the issuance of a refund for the Spring Ice Hockey Program at the Town of Oyster Bay Ice Skating Center at Bethpage to J. Leung. Account No. PKS A 0001 02001 510 0000. (M.D. 4/9/19 #8).

RESOLUTION NO. 274 - 2019

Resolution authorizing payment of dues for membership in the Building Inspectors Association of Nassau County for the period covering May 1, 2019 through April 30, 2020. Account No. PAD B 3620 47900 000 0000. (M.D. 4/9/19 #17).

RESOLUTION NO. 275 - 2019

Resolution authorizing payment for an independent medical examination report rendered in connection with *Majestic Adesanya v. Town of Oyster Bay*. Account No. AMS 1910 43020 602 0000 000. (M.D. 4/9/19 #28).

RESOLUTION NO. 276 - 2019

Resolution granting request from the Parish of the Holy Family Church in Hicksville for Town assistance in conducting their annual festival on August 14 through August 17, 2019, and for the use of various Town equipment for the event. (M.D. 4/9/19 #30).

RESOLUTION NO. 277 - 2019

Resolution authorizing the Supervisor or his designee to execute agreements for various performers and/or their agents for the 2019 *Music Under the Stars* concert series including *Salute to America* and *Movies by Moonlight*. Account No. CYS A 7020 47660 000 0000. (M.D. 4/16/19 #4).

RESOLUTION NO. 278 - 2019

Resolution granting request from Locust Valley Chamber of Commerce, to use of parking lot LV-1 and for Town assistance in conducting their 5th Annual Outdoor Art Walk Festival to be held May 25, 2019 and to use of twelve complete barricades for the event. (M.D. 4/16/19 #7).

RESOLUTION NO. 279 - 2019

Resolution granting request from Our Lady of Mercy Church in Hicksville, for Town assistance in conducting their 12th Annual Summer Fair to be held at the

church from July 31 through August 4, 2019 and for use of various Town equipment for the event. (M.D. 4/16/19 #8).

RESOLUTION NO. 280 - 2019

Resolution authorizing an inspector's membership in the Building Inspectors Association for Nassau County for the period May 1, 2019 through April 30, 2020. Account No. IGA CD 8668 4820 732 CD18. (M.D. 4/16/19 #9).

RESOLUTION NO. 281 - 2019

Resolution pertaining to the Dock Application of Kathleen Austin, 59 Stillwater Avenue, Massapequa, New York. (M.D. 4/16/19 #14).

RESOLUTION NO. 282 - 2019

Resolution pertaining to the Dock Application of Robert Greenwood, 339 Bay Drive, Massapequa, New York. (M.D. 4/16/19 #15).

RESOLUTION NO. 283 - 2019

Resolution authorizing the Supervisor or his designee to execute a State of New York Master Contract with the New York State Department of Conservation in connection with the 2017 Household Hazardous Waste Assistance Program. (M.D. 4/23/19 #9).

RESOLUTION NO. 284 - 2019

Resolution authorizing the Supervisor and his designee, to execute all documents in connection with the New York State and Municipal Facilities Program in connection with the purchase and installation of sports lighting at Ellsworth W. Allen Community Park. (M.D. 4/23/19 #10).

RESOLUTION NO. 285 - 2019

Resolution authorizing the Supervisor and his designee, to execute all documents in connection with the New York State and Municipal Facilities Program as it pertains to streetscape and crosswalk improvements within the hamlet of Oyster Bay downtown area. (M.D. 4/23/19 #12).

RESOLUTION NO. 286 - 2019

Resolution granting request from the Bethpage-Central Park Kiwanis Club, for Town assistance in conducting their Annual Street Fair on May 19, 2019 and for the use of various Town equipment. (M.D. 4/23/19 #31).

RESOLUTION NO. 287 - 2019

Resolution authorizing publication of a notice of hearing in connection with South Farmingdale Water District Improvements. Hearing Date: May 21, 2019. (M.D. 4/23/19 #14).

RESOLUTION NO. 288 - 2019

Resolution directing the Town Clerk to publish a notice of hearing to consider a Local Law entitled a *Local Law to Amend Chapter 201, Solid Waste, of the Code of the Town of Oyster Bay*. Hearing date: May 21, 2019. (M.D. 4/23/19 #15).

RESOLUTION NO. 289 - 2019

Resolution directing the Town Clerk to advertise a Notice of Hearing in connection with the application of 550 Hicksville Realty Corp., et al. for a Special Use Permit to allow for construction and operation of a self-storage facility for premises located at 550 West Old Country Road, Hicksville, New York. Hearing Date: May 21, 2019. (M.D. 4/23/19 #16).

RESOLUTION NO. 290 - 2019

Resolution pertaining to Contract No. PWC07-18, On-Call Engineering Service Request Relative to Civil Engineering for quality control and oversight of concrete replacement requirements contract. Account No. HWY H 5197 20000 000 1903 008. (M.D. 4/23/19 #17).

RESOLUTION NO. 291 - 2019

Resolution pertaining to Contract No. PWC 22-18, On-Call Engineering Service Request relative to Architectural Engineering for the Townsend Structure in Oyster Bay (Mill Pond House). Account No. PKS H 7197 20000 000 1102 001. (M.D. 4/23/19 #18).

RESOLUTION NO. 292 - 2019

Resolution authorizing award of Construction Contract No. PRE 19-194 - requirements for Parks Electrical Service throughout the Town of Oyster Bay. (M.D. 4/23/19 #19).

RESOLUTION NO. 293 - 2019

Resolution authorizing phase two of engineering services relative to Contract No. DP 17-167 PH2 Expansion of Ellsworth W. Allen Town Park. Account No. PKS H 7197 20000 000 1802 001. (M.D. 4/23/19 #20).

RESOLUTION NO. 294 - 2019

Resolution authorizing award of Construction Contract No. PRS18-184 - requirements for Certified Safety Surfaces at Various Playgrounds throughout the Town of Oyster Bay. (M.D. 4/23/19 #21).

RESOLUTION NO. 295 - 2019

Resolution authorizing acceptance of the design and entrance into the bid and construction phases for Contract No. DP18-181, Installation of Sidewalk & Lighting at Theodore Roosevelt Elementary School located in Oyster Bay. (M.D. 4/23/19 #22).

RESOLUTION NO. 296 - 2019

Resolution pertaining to Contract No. PWC07-18, On-Call Engineering Service Request relative to Civil Engineering for replacement of existing synthetic turf field at Ellsworth W. Allen Park. Account No. PKS H 7197 20000 000 1802 001. (M.D. 4/23/19 #23).

RESOLUTION NO. 297 - 2019

Resolution authorizing the continuation of Contract No. DPW91-560A, engineering services relative to Syosset Landfill Remediation. Account No. HWY H 5197 20000 000 1903 008. (M.D. 4/23/19 #24).

RESOLUTION NO. 298 - 2019

Resolution authorizing the continuation of Contract No. DPW06-930, engineering services relative to Stormwater Management Plan. Account No. HWY H 5197 20000 000 1903 008. (M.D. 4/23/19 #25).

RESOLUTION NO. 299 - 2019

Resolution granting request from the American Public Works Association for the use of the DPW Highway Yard from May 21, 2019 to May 23, 2019 in order to host the 2019 APWA New York Metro Chapter Equipment Show. (M.D. 4/23/19 #26).

RESOLUTION NO. 300 - 2019

Resolution pertaining to Contract No. HRR17-154, Road Restoration Requirements throughout the Town of Oyster Bay, for the second half of the two-year period, October 3, 2018 through October 2, 2019. (M.D. 4/23/19 #27).

RESOLUTION NO. 301 - 2019

Resolution granting request from the Chamber of Commerce of the Massapequas, for Town assistance in conducting their Annual Community Street Festival on June 2, 2019 with a rain date of June 9, 2019, as well as the use of Town equipment, the use of Municipal Parking Lot M6, and to have Town Ordinance Ch. 82-3 waived for the event. (M.D. 4/23/19 #30).

RESOLUTION NO. 302 - 2019

Resolution authorizing renewal of the Local Workforce Development Board's Professional and General Liability Insurance for the period of May 1, 2019 through May 1, 2020. Account No. IGA CD 6293 43000 000 CW18. (M.D. 4/23/19 #8 and 4/30/19 #19).

RESOLUTION NO. 303 - 2019

Resolution authorizing a License Agreement between the Town of Oyster Bay and SCORE LI, in connection with the Town's Workforce Development Program and authorizing the Supervisor or his designee to execute said agreement. (M.D. 4/23/19 #11 and 4/30/19 #13).

RESOLUTION NO. 304 - 2019

Resolution authorizing an agreement for assistance with creating and maintaining a *Mortgage in Default Registry* for the Town's Department of Planning & Development, commencing May 8, 2019 through December 31, 2020, and for the Supervisor or his designee to execute said agreement. (M.D. 4/23/19 #13 and 4/30/19 #16).

RESOLUTION NO. 305 - 2019

Resolution authorizing the Supervisor or his designee to execute a Contract of Sale for a paper street, Gloria Drive, Syosset NY. (M.D. 4/23/19 #33).

RESOLUTION NO. 306 - 2019

Resolution directing the Town Clerk to advertise a Notice of Hearing for the 2019 Fire Protection Agreements. Hearing Date: May 21, 2019. (M.D. 4/23/19 #34 and 4/30/19 #23).

RESOLUTION NO. 307 - 2019

Resolution pertaining to the decision for the application of Amerco Real Estate Company for a Modification of a Special Use Permit at 1000 Hicksville Road, Bethpage, NY. Hearing held: January 8, 2019. (M.D. 1/8/19 #4)

RESOLUTION NO. 308 - 2019

Resolution pertaining to the decision for the application of Bolla Operating L.I. Corp and Broadway Sun, Inc. for a Special Use Permit and Site Plan Approval for premises located at 274 North Broadway, Hicksville, New York. Hearing held: March 19, 2019. (M.D. 3/12/19 #4).

RESOLUTION NO. 309 - 2019

Resolution pertaining to the decision for the application of 794 South Broadway Management, LLC and Chief Dog, Inc., for a Special Use Permit and Site Plan Approval for premises located at 794 South Broadway, Hicksville, New York. Hearing held: March 26, 2019. (M.D. 3/26/19 #4).

RESOLUTION NO. 310 - 2019

Resolution amending Resolution No. 771-2018 for an increase in authorization relative to yoga instructor services for the Senior Citizen program. (M.D. 4/9/19 #4).

RESOLUTION NO. 311A - 2019

Resolution/Order pertaining to the application from the Plainview Water District for the issuance of serial bonds for Improvements to said water district. (M.D. 4/2/19 #11).

RESOLUTION NO. 311B - 2019

Resolution authorizing the issuance of serial bonds for Improvements to the Plainview Water District. (M.D. 4/2/19 #11).

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 312 - 2019

Resolution authorizing the Town Clerk to publish a legal notice in connection with the preparation and filing of the 2018 Annual Financial Report of the Town of Oyster Bay. (M.D. 4/30/19 #20).

RESOLUTION NO. 313 - 2019

Resolution authorizing payment of filing fees to the County of Nassau in connection with a purchase of property. Account No. TWN A 1989 47900 000 0000. (M.D. 4/30/19 #21).

RESOLUTION NO. 314 - 2019

Resolution authorizing an Inter-Municipal Agreement with the Incorporated Village of Laurel Hollow under which the Town provides highway cleaning services to said Village through June 30, 2020. (M.D. 4/30/19 #22).

RESOLUTION NO. 315 - 2019

Resolution authorizing a license agreement with PGA Tournament Corporation, Inc. for use of a designated portion of Bethpage Solid Waste Disposal facility for temporary communications tower to preserve cell service in the Town communities adjacent to the tournament location at Bethpage State Park. (M.D. 4/30/19 #24).

REMOVE FROM THE TABLE AND ADD THE FOLLOWING:

RESOLUTION NO. 241 - 2019 tabled on April 16, 2019

Resolution authorizing the issuance of a refund of a facility-use fee to the Locust Valley Chamber of Commerce for a cancelled event at Thomas Park. Account No. PKS A 0001 02410 000 0000. (M.D. 4/2/19 #7).

