

TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
August 20, 2019  
10:00 A.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 - LOCAL LAW**

To consider a Local Law entitled: "A Local Law Amending Chapter 103 - Dogs and Other Animals, of the Town Code of the Town of Oyster Bay." (M.D. 7/16/19 #30).

**HEARING-- P-5-19**

To consider the application of 799 Old Country Road, LLC and Dallas 79, Inc. d/b/a The Main Event, for modification of conditions imposed by Resolution No. 244-1998 and modification of Declaration of Restrictive Covenants for premises located at 799 Old Country Road, Plainview, New York. (M.D. 7/16/19 #31).

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**PERSONNEL RESOLUTION NO. P-15-19 and PA-7-19**

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

**TRANSFER OF FUNDS RESOLUTION NO. TF-14-19**

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

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**RESOLUTION NO. 467 - 2019**

Resolution granting request from Oyster Bay Flotilla 22-05, to have all fees waived for the use of one slip at Theodore Roosevelt Marina for the 2019 summer season. (M.D. 7/23/19 #4).

**RESOLUTION NO. 468 - 2019**

Resolution authorizing Operation SPLASH (Stop Polluting, Littering and Save Harbors) to dock their vessel at John J. Burns Park ramp from April 15, 2019 through November 10, 2019. (M.D. 7/23/19 #5).

**RESOLUTION NO. 469 - 2019**

Resolution designating the Town depositories for 2019. (M.D. 7/23/19 #8).

**RESOLUTION NO. 470 - 2019**

Resolution terminating Resolution No. 751-98 and to reinstate Resolution No. 117-69 in connection with 85 Glen Head Road, Glen Head, since the unrestricted tow car operation use has discontinued. (M.D. 7/23/19 #9).

**RESOLUTION NO. 471 - 2019**

Resolution pertaining to Contract No. PWC20-18, On-Call Engineering Services relative to Tank Management, in connection with continuation and completion of services for regulatory compliance of Town Pools. Account No. PKS H 7197 20000 000 1504 013. (M.D. 7/23/19 #11).

**RESOLUTION NO. 472 - 2019**

Resolution authorizing agreement for the Lords of 52<sup>nd</sup> Street Concert, to be held on September 21, 2019, at John J. Burns Town Park in Massapequa and for the Supervisor or his designee to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 7/30/19 #5).

**RESOLUTION NO. 473 - 2019**

Resolution authorizing the Annual 9/11 Memorial Ceremony at Tobay Beach (bay side) on September 5, 2019, employment of a vocalist, the services of a tent company and for the Supervisor or his designee to execute an agreement. Account No. CYS A 7020 47660 000 0000 and CYS A 7020 41800 000 0000. (M.D. 7/30/19 #6).

**RESOLUTION NO. 474 - 2019**

Resolution granting request from Angela Strano to donate a memorial plaque and bench, to be placed in Bethpage at B-9 Parklet in memory of Christopher Raymond Brown. (M.D. 7/30/19 #7).

**RESOLUTION NO. 475 - 2019**

Resolution granting request from Jennifer Reedy to donate a memorial plaque to be placed on an existing bench at Tobay Beach in memory of Michael Reedy. (M.D. 7/30/19 #8).

**RESOLUTION NO. 476 - 2019**

Resolution authorizing issuance of a refund for the Summer Recreation Program at Tappen Beach to C. Hoover. Account No. PKS A 0001 02001 510 0000. (M.D. 7/30/19 #9).

**RESOLUTION NO. 477 - 2019**

Resolution pertaining to Modification of Restrictive Covenants at premises located at 163 South Service Road, Plainview, New York. (M.D. 7/30/19 #11).

**RESOLUTION NO. 478 - 2019**

Resolution granting request from Syosset Fire District to use two roll-off containers from September 27, 2019 through September 30, 2019 for their Annual Fire Prevention Day "Open House." (M.D. 7/30/19 #23).

**RESOLUTION NO. 479 - 2019**

Resolution pertaining to the filing of Town of Oyster Bay - External Audit Report, NYS Department of Transportation, for the period ended December 31,

2018 and ratifying the actions of the Town Clerk in publishing said report. (M.D. 7/30/19 #13).

**RESOLUTION NO. 480 - 2019**

Resolution pertaining to the filing of Town of Oyster Bay - External Audit Report, Office of the Town Clerk, for the period ended December 31, 2018 and ratifying the actions of the Town Clerk in publishing said report. (M.D. 7/30/19 #14).

**RESOLUTION NO. 481 - 2019**

Resolution authorizing the assessment for securing property at 23 Radcliff Lane, Farmingdale, New York, performed on June 6, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #15).

**RESOLUTION NO. 482 - 2019**

Resolution authorizing the property cleanup assessment of 9 The Brae, Woodbury, New York, performed on June 4, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #16).

**RESOLUTION NO. 483 - 2019**

Resolution authorizing the property cleanup assessment of 2 Colonial Gate, Plainview, New York, performed on June 4, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #17).

**RESOLUTION NO. 484 - 2019**

Resolution authorizing the property cleanup assessment of 74 Kuhl Avenue, Hicksville, New York, performed on June 4, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #18).

**RESOLUTION NO. 485 - 2019**

Resolution authorizing the property cleanup assessment of 20 Fourteenth Street, Locust Valley, New York performed on May 15, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #19).

**RESOLUTION NO. 486 - 2019**

Resolution authorizing the property cleanup assessment of 37 Garfield Avenue, Glen Head, New York, performed on June 5, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #20).

**RESOLUTION NO. 487 - 2019**

Resolution authorizing the property cleanup assessment of 165 Wilfred Boulevard, Hicksville, New York, performed on May 2, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #21).

**RESOLUTION NO. 488 - 2019**

Resolution authorizing the property cleanup assessment of 124 Louis Street, North Massapequa, New York, performed on May 22, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 7/30/19 #22).

**RESOLUTION NO. 489 - 2019**

Resolution amending Resolution No. 108-2019 to include the payment of the food permit fee in connection with the Town of Oyster Bay sponsored Bluefish Tournament to be held September 15, 2019. Account No. TWN TA 0000 00085 474 0000. (M.D. 8/6/19 #4).

**RESOLUTION NO. 490 - 2019**

Resolution authorizing payment for the New York State Insurance Fund for the Workers Compensation Insurance for the youth that are enrolled in the Summer Youth Employment and Training Program. Account No. IGA CD 6293 43000 000 CW18. (M.D. 8/6/19 #15).

**RESOLUTION NO. 491 - 2019**

Resolution authorizing a Clean Vessel Assistance Operation and Maintenance Agreement with the New York State Environmental Facilities Corporation in order to receive grant funding and for the Supervisor and his authorized designee, to execute documents in connection with said program. (M.D. 8/6/19 #16).

**RESOLUTION NO. 492 - 2019**

Resolution directing the Town Clerk to publish a notice in connection with a request for proposals for the delivery of youth employment and training services for out-of-school youth aged 16-24 under the Workforce Innovation and Opportunity Act for the period October 15, 2019 through September 14, 2021. Account No. IGA CD 6293 47900 000 CW18. (M.D. 8/6/19 #17).

**RESOLUTION NO. 493 - 2019**

Resolution authorizing award of contract for Telecommunications Facilities Consultant for the Town of Oyster Bay, commencing September 15, 2019 through December 31, 2021 and authorizing the Supervisor or his designee to execute said agreement. (M.D. 8/6/19 #20).

**RESOLUTION NO. 494 - 2019**

Resolution pertaining to expenditures for outside counsel for the Zoning Board of Appeals legal services for zoning and land use litigation. Account No. PAD B 8010 44800 000 0000. (M.D. 8/6/19 #21).

**RESOLUTION NO. 495 - 2019**

Resolution pertaining to an amended site plan review and approval for Syosset Fire District, 205 South Oyster Bay Road, Syosset. (M.D. 8/6/19 #22).

**RESOLUTION NO. 496 - 2019**

Resolution directing the Town Clerk to publish a Notice of Hearing on a proposed local law entitled: "A Local Law Amending Chapter 205 - Streets and Sidewalks, Article II, Sidewalks, Curbs and Gutters, Section 205-11, Application and Issuance of Permit, of the Town Code of the Town of Oyster Bay." Hearing date: September 17, 2019. (M.D. 8/6/19 #26).

**RESOLUTION NO. 497 - 2019**

Resolution directing the Town Clerk to advertise a Notice of Hearing in connection with the application of KRE Broadway Owner, LLC, for a Special Use Permit to permit the construction and operation of a fitness center on premises known as the Broadway Mall Shopping Center, located on the west side of Broadway, Hicksville, New York. Hearing Date: September 17, 2019. (M.D. 8/6/19 #27).

**RESOLUTION NO. 498 - 2019**

Resolution directing the Town Clerk to advertise a Notice of Hearing in connection with the application of KRE Broadway Owner, LLC, for a Special Use Permit to permit the expansion of an active recreation use with game room, on premises known as the Broadway Mall Shopping Center, located on the west side of Broadway, Hicksville, New York. Hearing Date: September 17, 2019. (M.D. 8/6/19 #28).

**RESOLUTION NO. 499 - 2019**

Resolution directing the Town Clerk to advertise a Notice of Hearing in connection with the application of KRE Broadway Owner, LLC, for a Special Use Permit to permit the construction and operation of a motor vehicle rental facility, on premises known as the Broadway Mall Shopping Center, located on the west side of Broadway, Hicksville, New York. Hearing Date: September 17, 2019. (M.D. 8/6/19 #29).

**RESOLUTION NO. 500 - 2019**

Resolution authorizing the property cleanup assessment of 2 Colonial Gate, Plainview, New York, performed on June 11, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/6/19 #31).

**RESOLUTION NO. 501 - 2019**

Resolution authorizing the property cleanup assessment of 89 Cleveland Avenue, Massapequa, New York, performed on June 4, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/6/19 #32).

**RESOLUTION NO. 502 - 2019**

Resolution authorizing the property cleanup assessment of 116 Thorne Drive, Bethpage, New York, performed on June 11, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/6/19 #33).

**RESOLUTION NO. 503 - 2019**

Resolution authorizing the property cleanup assessment of 63 Vandewater Street, Farmingdale, New York, performed on June 5, 2019, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/6/19 #34).

**RESOLUTION NO. 504 - 2019**

Resolution pertaining to settlement of negligence claim; Claimant: Daniel R. Essex v. Town of Oyster Bay. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 8/6/19 #35).

**RESOLUTION NO. 505 - 2019**

Resolution authorizing acceptance of the Design and entrance into Bid & Construction Phases of Contract No. DPW 19-200, Littauer Estate Roof Replacement. (M.D. 8/6/19 #38).

**RESOLUTION NO. 506 - 2019**

Resolution authorizing use of a sub-consultant for topographic and bathymetric survey services relative to Environmental Engineering in connection with the Western Waterfront Dock Installations East Side - Contract No. PWC 23-16. (M.D. 8/6/19 #39).

**RESOLUTION NO. 507 - 2019**

Resolution authorizing use of a sub-consultant for topographic and bathymetric survey services relative to Mechanical Engineering in connection with Oyster Bay Western Waterfront Dock Installations East Side - Contract No. PWC08-18. (M.D. 8/6/19 #40).

**RESOLUTION NO. 508 - 2019**

Resolution pertaining to Contract No. PWC12-18, On-Call Consultant Service Request relative to Environmental Sciences in connection with Harbor Management Programs. Account No. DER A 8090 44500 000 0000. (M.D. 8/6/19 #41).

**RESOLUTION NO. 509 - 2019**

Resolution pertaining to Contract No. PWC12-18, On-Call Consultant Service Request relative to Environmental Sciences in connection with Shellfish Management Programs. Account No. DER A 8090 44500 000 0000. (M.D. 8/6/19 #42).

**RESOLUTION NO. 510 - 2019**

Resolution granting request from Holy Trinity Greek Orthodox Church in Hicksville, for Town assistance in conducting their annual Grecian Festival on September 6, 7 and 8, 2019, to use various Town equipment as well as the posting of temporary "No Parking" signs on various streets in the area of the event. (M.D. 8/6/19 #43).

**RESOLUTION NO. 511 - 2019**

Resolution granting request from Pakistan Day Parade Long Island, for Town assistance in conducting their Pakistan Day Parade on August 25, 2019 in Hicksville, to use Parking Field H-14, and for the use of various Town equipment. (M.D. 8/6/19 #44).

**RESOLUTION NO. 512 - 2019**

Resolution granting request from the Bethpage-Central Park Kiwanis Club, for Town assistance in conducting their annual Fall Festival on October 6, 2019, to use various Town equipment, as well as the posting of temporary "No Parking" and "Road Closure" signs on Broadway in Bethpage. (M.D. 8/6/19 #45).

**RESOLUTION NO. 513 - 2019**

Resolution authorizing adoption of the ten principles required to become part of the Climate Smart Community Program. (M.D. 8/6/19 #46).

**RESOLUTION NO. 514 - 2019**

Resolution directing the Town Clerk to publish a Notice of Hearing on a proposed local law entitled: "A Local Law Amending Chapter 168 - Parks & Recreation, Section 168-19, Animals, of the Town Code of the Town of Oyster Bay." Hearing date: September 17, 2019. (M.D. 8/6/19 #50).

**RESOLUTION NO. 515 - 2019**

Resolution directing the Comptroller to encumber funds for the Oyster Bay East Norwich Community Band in connection with the Independence Day Celebration in the Hamlet of Oyster Bay, which is sponsored by the Quentin Roosevelt Post #4 American Legion, held on July 4, 2019. Account No. TWN A 7510 47900 000 0000. (M.D. 8/6/19 #48).

**RESOLUTION NO. 516 - 2019**

Resolution authorizing award of Automated Vendor Monitoring Request for Proposals and authorizing the Supervisor or his designee to execute said contract. Account No. DIG A 1345 44900 000 0000. (M.D. 8/6/19 #52).

**RESOLUTION NO. 517 - 2019**

Resolution authorizing a master contract with the State of New York Department of State, for the Supervisor and an additional designee to execute documents in connection with the Hicksville Downtown Revitalization Initiative. (M.D. 8/6/19 #18 & 8/13/19 #7).

**RESOLUTION NO. 518 - 2019**

Resolution authorizing an Inter-Municipal agreement with the County of Nassau in connection with the Syosset Streetscape and Walkability Enhancement Project. (M.D. 8/6/19 #19 & 8/13/19 #8).

**RESOLUTION NO. 519 - 2019**

Resolution authorizing award of Electronic Security Assessment Request for Proposals and authorizing the Supervisor or his designee to execute said contract. Account No. DIG A 1345 44900 000 0000. (M.D. 8/6/19 #51).

**RESOLUTION NO. 520 - 2019**

Resolution to amend the Collective Bargaining Agreement, approve the Memorandum of Agreement and ratify its execution. (M.D. 8/6/19 #30 & 8/13/19 #18).

**RESOLUTION NO. 521 - 2019**

Resolution pertaining to the decision for Amendments to the Code of the Town of Oyster Bay, New York, amending Chapter 233 of the said Code pertaining to parking, stopping, crossing, loading zones, thru traffic, trucking operations and other traffic regulations. Hearing held: July 30, 2019. (M.D. 7/30/19 #4).

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

**RESOLUTION NO. 522 - 2019**

Resolution authorizing an Inter-Municipal Fuel Agreement with the Massapequa Public School District for the period August 1, 2019 through July 31, 2029. (M.D. 8/13/19 #14).

**RESOLUTION NO. 523 - 2019**



Resolution authorizing the Supervisor to execute a License Agreement for the use of property at the Old Bethpage Solid Waste Disposal Complex. (M.D. 8/13/19 #15).

**RESOLUTION NO. 524 - 2019**

Resolution granting request from the Syosset Woodbury Chamber of Commerce, for Town assistance in conducting their Annual Street Fair on September 15, 2019 and to use of various Town equipment for the event. (M.D. 8/13/19 #16).

**RESOLUTION NO. 525 - 2019**

Resolution authorizing sponsorship of the Annual Fall Oyster Bay Harbor and Beach Cleanup in conjunction with the International Coastal Cleanup Event on September 14, 2019 at Theodore Roosevelt Memorial Park, Beekman Beach, Centre Island Beach and Stehli Beach. (M.D 8/13/19 #17).