

TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
September 18, 2018  
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 - Traffic**

To consider 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. (M.D. 7/24/18 #9).

**HEARING - P-5-18**

To consider the application of MOM Realty II LLC, fee owner, for Modification of Restrictive Covenants and/or Modification of Conditions, for premises located at 150 Crossways Drive West, Woodbury, New York. (M.D. 7/31/18 #34).

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**PERSONNEL RESOLUTION NO. P-15-18**

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

**TRANSFER OF FUNDS RESOLUTION NO. TF-15-18**

Resolution pertaining to Transfer of Funds within various departments accounts for the Year 2018.

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**RESOLUTION NO. 538 - 2018**

Resolution authorizing the issuance of a refund of a building permit fee to F. DeSimone. Account No. PAD B 0001 02555 000 0000. (M.D. 8/7/18 #10).

**RESOLUTION NO. 539 - 2018**

Resolution authorizing the issuance of a refund of a building permit fee to James J. Stout & Associates. Account No. PAD B 0001 02555 000 0000. (M.D. 8/7/18 #11).

**RESOLUTION NO. 540 - 2018**

Resolution authorizing the issuance of a refund of a building permit fee to G. Mullen. Account No. PAD B 0001 02555 000 0000. (M.D. 8/7/18 #12).

**RESOLUTION NO. 541 - 2018**

Resolution authorizing the Supervisor or his designee to execute an agreement in connection with Contract No. SE 002-17, Single Stream Recycling of Commingled Glass, Ferrous and Non-ferrous Metal, Plastic Containers, Cardboard and Mixed Paper. (M.D. 8/7/18 #13).

**RESOLUTION NO. 542 - 2018**

Resolution authorizing the property cleanup assessment of 47 Thirteenth Street, Locust Valley, New York, performed on September 20, 2017, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/7/18 #14).

**RESOLUTION NO. 543 - 2018**

Resolution authorizing the property cleanup assessment of 165 Willfred Boulevard, Hicksville, New York, performed on May 25, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/7/18 #15).

**RESOLUTION NO. 544 - 2018**

Resolution authorizing the property board-up assessment of 603 Franklin Avenue, Massapequa, New York, performed on May 22, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/7/18 #16).

**RESOLUTION NO. 545 - 2018**

Resolution authorizing the property securement assessment of 29 Oak Drive Plainview, New York, performed on May 31, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/7/18 #17).

**RESOLUTION NO. 546 - 2018**

Resolution pertaining to Contract No. PWC17-18, On-Call Engineering Services relative to Laboratory Analysis including air and groundwater samples from the Old Bethpage Landfill. Account No. DER SR05 8160 44800 000 0000. (M.D. 8/7/18 #21).

**RESOLUTION NO. 547 - 2018**

Resolution authorizing the issuance of a reimbursement check to Town employee C. J. Baranski for a pesticide certification renewal fee valid through April 21, 2021. Account No. PKS SP 7110 44900 000 0000. (M.D. 8/14/18 #5).

**RESOLUTION NO. 548 - 2018**

Resolution pertaining to an amended site plan for the Inn at Fox Hollow, Woodbury, New York. (M.D. 8/14/18 #7).

**RESOLUTION NO. 549 - 2018**

Resolution authorizing the property cleanup assessment of 191 North Detroit Avenue, Massapequa, New York, performed on May 31, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/14/18 #9).

**RESOLUTION NO. 550 - 2018**

Resolution authorizing the property cleanup assessment of 6 Primrose Avenue, Hicksville, New York, performed on May 23, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/14/18 #10).

**RESOLUTION NO. 551 - 2018**

Resolution authorizing the property securement assessment of 72 Intervale Avenue, Farmingdale, New York, performed on May 17, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/14/18 #11).

**RESOLUTION NO. 552 - 2018**

Resolution authorizing the property cleanup assessment of 2 Colonial Gate, Plainview, New York, performed on May 30, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/14/18 #12).

**RESOLUTION NO. 553 - 2018**

Resolution authorizing the property cleanup assessment of 28 Pickwick Drive, Old Bethpage, New York, performed on June 4, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/14/18 #13).

**RESOLUTION NO. 554 - 2018**

Resolution authorizing the property cleanup assessment of 58 Parkview Circle, Bethpage, New York, performed on April 18, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/14/18 #14).

**RESOLUTION NO. 555 - 2018**

Resolution granting request from the New York Marine Trades Association to use the parking lot at Tobay Beach and the Joseph J. Saladino Memorial Marina at Tobay for their 42nd Annual In-Water Boat Show scheduled to be held September 28 through September 30, 2018 and for the waiver of Town Ordinance 168-22 for said event. (M.D. 8/21/18 #4).

**RESOLUTION NO. 556 - 2018**

Resolution authorizing a continuation of a credit card services contract with the same terms and conditions from August 1, 2018 through December 31, 2018. (M.D. 8/21/18 #13).

**RESOLUTION NO. 557 - 2018**

Resolution pertaining to Self-Insured retention for pending claims; *N.Y State Div. of Human Rights o/b/o Napoli v. Town of Oyster Bay, et al* and *N.Y State Div. of Human Rights o/b/o Russo v. Town of Oyster Bay, et al*, in accordance with the Public Officials and Employees Insurance Policy. Account No. OTA A 1420 44110 000 0000. (M.D 8/21/18 #14).

**RESOLUTION NO. 558 - 2018**

Resolution authorizing payment to the Nassau County Department of Health for fines in connection with underground storage equipment at Bethpage Community Park. Account No. OTA A 1420 44110 000 0000. (M.D 8/21/18 #15).

**RESOLUTION NO. 559 - 2018**

Resolution authorizing payment for Process Server costs. Account No. OTA A 1420 44110 000 0000. (M.D 8/21/18 #16).

**RESOLUTION NO. 560 - 2018**

Resolution authorizing the issuance of a refund of a parking permit fee to L. Moshan. Account No. HWY ST 0001 01721 000 0000. (M.D 8/21/18 #17).

**RESOLUTION NO. 561 - 2018**

Resolution granting request from Columbus Lodge #2143, Order Sons of Italy in America, for Town assistance in conducting their 23<sup>rd</sup> Annual Columbus Lodge Italian Feast and Festival on North Broadway in Massapequa on September 30, 2018, to have of Town Ordinance Chapter 82-3 waived and to use various Town equipment for the event. (M.D 8/21/18 #18).

**RESOLUTION NO. 562 - 2018**

Resolution authorizing reimbursement of fees to renew Certified Professional in Erosion & Sediment Control Certification and American Institute of Certified Planners Certification to employee J. Schneider. Account No. DER A 8090 44500 000 0000. (M.D 8/21/18 #19).

**RESOLUTION NO. 563 - 2018**

Resolution authorizing the Town to enter into a Use and Dissemination Agreement with the New York State Division of Criminal Justice and for the Supervisor to execute said agreement. (M.D. 8/21/18 #20).

**RESOLUTION NO. 564 - 2018**

Resolution directing the Town Clerk to publish a notice of hearing 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 Date: October 2, 2018. (M.D. 8/21/18 #21).

**RESOLUTION NO. 565 - 2018**

Resolution authorizing seven enrichment workshops and retention of professional services of an instructor for one of the workshops as well as authorize the Supervisor or his designee to execute said agreement. Account No. CYS A 0001 02001 511 0000. (M.D. 8/28/18 #4).

**RESOLUTION NO. 566 - 2018**

Resolution authorizing payment of Workers Compensation Insurance in connection with the Division's Summer Youth Employment and Training program for the period January 1, 2018 through December 31, 2018. Account No. IGA CD 6293 43000 000 CW17. (M.D. 8/28/18 #7).

**RESOLUTION NO. 567 - 2018**

Resolution authorizing the issuance of a refund of a Building Permit fee to N. Schoelermann. Account No. PAD B 0001 02555 000 0000. (M.D. 8/28/18 #8).

**RESOLUTION NO. 568 - 2018**

Resolution amending Resolution No. 708-2016 to authorize additional funds relating to Outside Counsel in connection with action titled: Romano, et al. v. Town of Oyster Bay, et al (EDNY). Account No. OTA A 1420 44110 000 0000. (M.D. 8/28/18 #9).

**RESOLUTION NO. 569 - 2018**

Resolution amending Resolution No. 939-2013 to authorize additional funds relating to Special Counsel in connection with the application of the Town of Oyster Bay to acquire title to certain real property located at the Liberty Industrial Finishing Site, 55 Motor Avenue, Farmingdale, New York. (Condemnation I and Condemnation II). Account No. OTA A 1420 44110 000 0000. (M.D. 8/28/18 #10).

**RESOLUTION NO. 570 - 2018**

Resolution amending Resolution No. 406-2017 to authorize additional funds relating to Outside Counsel in connection with litigation involving the United States Securities and Exchange Commission. Account No. OTA A 1420 44110 000 0000. (M.D. 8/28/18 #11).

**RESOLUTION NO. 571 - 2018**

Resolution amending Resolution No. 49-2018 to authorize additional funds relating to Outside Counsel in connection with legal services for certain negligence matters. Account Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS 1910 43020 602 0000 000. (M.D. 8/28/18 #12).

**RESOLUTION NO. 572 - 2018**

Resolution pertaining to On-call Engineering Service Request for Construction Management for Contract No. PWC010-18. Account No. HWY H 5197 20000 000 1503 008. (M.D. 8/28/18 #13).

**RESOLUTION NO. 573 - 2018**

Resolution authorizing the Supervisor to exercise a third two-year extension of a contract to provide recreational ice hockey and figure skating school services at the Town of Oyster Bay Ice Skating Center and outdoor facilities for the Parks Department, effective September 1, 2018 through August 31, 2020. (M.D. 9/4/18 #5).

**RESOLUTION NO. 574 - 2018**

Resolution authorizing the implementation of an Ice Rink Rental Cancellation/No Show Fee Policy. (M.D. 9/4/18 #6).

**RESOLUTION NO. 575 - 2018**

Resolution amending Resolution No. 103-2015 to include an hourly fee for businesses requesting use of Community Rooms 1 and 2 located at the Ice Skating Center at Bethpage and to amend fees for Ice Charters at all Town ice rinks. (M.D. 9/4/18 #7).

**RESOLUTION NO. 576 - 2018**

Resolution pertaining to a surplus equipment bid for DPW surplus vehicles. (M.D. 9/4/18 #8).

**RESOLUTION NO. 577 - 2018**

Resolution authorizing a one-year extension of time from July 25, 2018 to July 25, 2019 to record a Declaration of Restrictive Covenants for the petition of Sunrise Promenade Associates and Massapequa Restaurant Joint Venture for premises located at 5204 Sunrise Highway, Massapequa, New York. (M.D. 9/4/18 #10).

**RESOLUTION NO. 578 - 2018**

Resolution authorizing the issuance of a refund of a building permit fee to N. & M. Giroffi. Account No. PAD B 0001 02555 000 0000. (M.D. 9/4/18 #11).

**RESOLUTION NO. 579 - 2018**

Resolution calling for a hearing to consider the issuance of serial bonds in the amount of \$7,300,000 in connection with Jericho Water District Improvements. Hearing Date: October 2, 2018. (M.D. 9/4/18 #12).

**RESOLUTION NO. 580 - 2018**

Resolution directing the Town Clerk to publish a notice of hearing on the application of Sunrise Mall, LLC for a Special Use Permit to establish an interactive aquarium at premises located at 1 Sunrise Mall, Massapequa, New York. Hearing Date: October 2, 2018. (M.D. 9/4/18 #14).

**RESOLUTION NO. 581 - 2018**

Resolution related to the New York State Volunteer Firefighters' Benefit Law Policy for the period January 1, 2018 through January 1, 2019. Account No. TWN SF12 3410 47790 000 0000. (M.D. 9/4/18 #15).

**RESOLUTION NO. 582 - 2018**

Resolution authorizing the renewal of the Town's Environmental Impairment Liability Insurance for the period June 1, 2018 through July 31, 2019. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 9/4/18 #47).

**RESOLUTION NO. 583 - 2018**

Resolution authorizing the Supervisor or his designee to enter into an agreement for Ethics Counsel Services, effective August 1, 2018 through July 31, 2019 and to make payment for services rendered from January 1, 2018 through July 31, 2018. Account No. OTA A 1420 44110 000 0000. (M.D. 9/4/18 #17).

**RESOLUTION NO. 584 - 2018**

Resolution ratifying and approving a Letter Notice dated September 7, 2018 in connection with cancellation/termination/revocation of license for occupancy of a cottage located at the Town of Oyster Bay Golf Course, Woodbury, New York. (M.D. 9/4/18 #46).

**RESOLUTION NO. 585 - 2018**

Resolution authorizing the property cleanup assessment of 455 North Queens Avenue, Massapequa, New York, performed on June 28, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #19).

**RESOLUTION NO. 586 - 2018**

Resolution authorizing the property cleanup assessment of 3 Ford Drive South, Massapequa, New York, performed on June 16, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #20).

**RESOLUTION NO. 587 - 2018**

Resolution authorizing the property cleanup assessment of 13 Jefferson Place, Massapequa, New York, performed on May 31, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #21).

**RESOLUTION NO. 588 - 2018**

Resolution authorizing the re-board up assessment of 889 Main Street, Farmingdale, New York, performed on June 14, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #22).

**RESOLUTION NO. 589 - 2018**

Resolution authorizing the property cleanup assessment of 14 Matthew Street, Farmingdale, New York, performed on June 16, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #23).

**RESOLUTION NO. 590 - 2018**

Resolution authorizing the property cleanup assessment of 63 Vanderwater Street, Farmingdale, New York, performed on June 26, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #24).

**RESOLUTION NO. 591 - 2018**

Resolution authorizing the property cleanup assessment of 15 Stephen Lane, Hicksville, New York, performed on June 12, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #25).

**RESOLUTION NO. 592 - 2018**

Resolution authorizing the property re-board up assessment of 131 Dean Street, Hicksville, New York, performed on October 10, 2017, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #26).

**RESOLUTION NO. 593 - 2018**

Resolution authorizing the property cleanup assessment of 56 Randy Lane, Hicksville, New York, performed on July 7, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #27).

**RESOLUTION NO. 594 - 2018**

Resolution authorizing the property cleanup assessment of 38 Violet Avenue, Hicksville, New York, performed on May 10, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #28).

**RESOLUTION NO. 595 - 2018**

Resolution authorizing the property board-up assessment of 132 Gardner Avenue, Hicksville, New York, performed on June 5, 2018, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/4/18 #29).

**RESOLUTION NO. 596 - 2018**

Resolution authorizing property located at the North East Corner of Clocks Boulevard and East Pine Street, East Massapequa, New York, be declared surplus and requesting authorization to prepare and publish a Request for Proposal for sale of said property. (M.D. 9/4/18 #31).

**RESOLUTION NO. 597 - 2018**

Resolution to secure flood insurance on 38 Town buildings from September 18, 2018 (at 12:01 a.m.) through September 18, 2019 (at 12:01 a.m.). Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 9/4/18 #45).

**RESOLUTION NO. 598 - 2018**

Resolution authorizing property located at the South West Corner of Terrehans Lane and Woodbury Road, Syosset, New York, be declared surplus and requesting authorization to prepare and publish a Request for Proposal for sale of said property. (M.D. 9/4/18 #33).



**RESOLUTION NO. 599 - 2018**

Resolution amending Resolution No. 287-2018 in connection with the use of a sub-consultant to perform route development analysis relative to Contract No. PWC07-18, On-Call Civil Engineering Services. (M.D. 9/4/18 #34).

**RESOLUTION NO. 600 - 2018**

Resolution pertaining to engineering in connection with the preparation of a project labor agreement for the Hicksville Parking Facility; Contract No. H17-170. Account No. HWY H 5997 20000 000 1804 016. (M.D. 9/4/18 #35).

**RESOLUTION NO. 601 - 2018**

Resolution authorizing the cancellation of a contract and permission to re-bid Contract No. DP15-128-R, Syosset Fire Department Memorial Park. (M.D. 9/4/18 #36).

**RESOLUTION NO. 602 - 2018**

Resolution authorizing the acceptance of the Design and entrance into Bid & Construction Phases for Contract No. H16-142 PH 1 & 2, Highway Improvements to the Smith Street Area - Phase 1 & 2 in Glen Head, New York. (M.D. 9/4/18 #37).

**RESOLUTION NO. 603 - 2018**

Resolution pertaining to Contract No. PWC07-18, On-Call Engineering Services relative to Civil Engineering for quantities, estimates and field inspection of the Town's requirements contract for road restoration. Account No. HWY H 5197 2000 000 1803 008. (M.D. 9/4/18 #38).

**RESOLUTION NO. 604 - 2018**

Resolution pertaining to Contract No. PWC31-18, On-Call Engineering Services relative to Environmental Engineering for solid waste planning and additional oversight services. Account No. DER SR 05 8160 44800 000 0000. (M.D. 9/4/18 #39).

**RESOLUTION NO. 605 - 2018**

Resolution pertaining to Contract No. PWC23-18, On-Call Engineering Services relative to Environmental Engineering for review of draft DEIS for Syosset Park. Account No. TWN TA 0000 00085 466 000. (M.D. 9/4/18 #40).

**RESOLUTION NO. 606 - 2018**

Resolution pertaining to Contract No. PWC23-18, On-Call Engineering relative to Environmental Engineering for review of Stormwater Pollution Prevention Plans throughout the Town. Account No. HWY H 5197 20000 000 1803 008. (M.D. 9/4/18 #41).

**RESOLUTION NO. 607 - 2018**

Resolution authorizing the co-sponsorship of the Annual Fall Oyster Bay Harbor and Beach Cleanup in conjunction with the International Coastal Cleanup Event on September 15, 2018 at Theodore Roosevelt Memorial Park, Beekman Beach, Centre Island Beach and Stehli Beach. (M.D. 9/4/18 #43).

**RESOLUTION NO. 608 - 2018**

Resolution pertaining to Contract No. PWC09-18, On-Call Engineering Services relative to Site Development. Account No. DER A 8090 44500 000 0000. (M.D. 9/4/18 #44).