

TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
October 6, 2020  
10:00 A.M.  
BY TELECONFERENCE

**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.

\* \* \* \* \*

**HEARING - Local Law**

To consider a Local Law entitled, "A Local Law to Amend Chapter 184 - Public Nuisance, of the Code of the Town of Oyster Bay." (M.D. 9/15/20 #27).

**HEARING - P-7-20**

To consider the application of Engel Burman at Bethpage, LLC, contract vendee, for a Special Use Permit, Site Plan Approval and Modification of Restrictive Covenants to allow for the construction and operation of an assisted living facility at premises located at 1055 Stewart Avenue, Bethpage, New York. (M.D. 9/1/20 #21)

**HEARING - P-8-20**

To consider the application of Stavan Center L.P., fee owner, and Kang Lu USA Corp. d/b/a MoCA Asian Bistro, tenant, for a Special Use Permit to allow an increase in the permitted occupancy at premises located at the Northeast corner of Jericho Turnpike and Southwoods Road, Woodbury, New York. (M.D. 9/1/20 #19)

**HEARING - P-9-20**

To consider the application of Nakanant Realty Corp., fee owner and Ted Ned, Inc., d/b/a Cotillion, tenant, for a Special Use Permit to allow catering use at premises located at 440 Jericho Turnpike, Jericho, New York. (M.D. 9/1/20 #22)

\* \* \* \* \*

**PERSONNEL RESOLUTION NO. P-15-20**

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

**TRANSFER OF FUNDS RESOLUTION NO. TF-14-20**

Resolution pertaining to transfer of funds within various departments' accounts for the Year 2020.

**RESOLUTION NO. 509 - 2020**

Resolution authorizing the issuance of refunds to various participants of the TOBAY Summer Recreation Program, due to COVID-19. Account No. PKS A 0001 02001 510 0000. (M.D. 9/8/20 #4).

**RESOLUTION NO. 510 - 2020**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from K. Rodehau, to be placed in Bayfront Park in memory of Connie Cunningham. (M.D. 9/8/20 #5).

**RESOLUTION NO. 511 - 2020**

Resolution pertaining to Contract PWC19-20, On-Call Consultant Services relative to Structural Engineering in connection with Inspection, Conditional Evaluation, Soil Borings, and Replacement Options for bulkhead replacement at John J. Burns Town Park. Account No. PKS H 7197 20000 000 1902 001. (M.D. 9/8/20 #9).

**RESOLUTION NO. 512 - 2020**

Resolution authorizing Animal Behavior Consulting Services relative to the animal control and adoption policy. Account No. DER A 3510 44900 000 0000. (MAB) (M.D. 9/8/20 #10).

**RESOLUTION NO. 513 - 2020**

Resolution authorizing Animal Behavior Policy Consulting Services relative to the animal control and adoption policy. Account No. DER A 3510 44900 000 0000. (ABA) (M.D. 9/8/20 #11).

**RESOLUTION NO. 514 - 2020**

Resolution authorizing a "Free Adoption Month" event and to waive adoption fees for the month of September 2020. (M.D. 9/8/20 #12).

**RESOLUTION NO. 515 - 2020**

Resolution authorizing implementation of the Winter Storage Operation and Fee Schedule for the 2020-2021 season. (M.D. 9/15/20 #4).

**RESOLUTION NO. 516 - 2020**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from D. Ambroselli, to be placed in Bayfront Park in memory of Frances Ambroselli. (M.D. 9/15/20 #5).

**RESOLUTION NO. 517 - 2020**

Resolution relating to External Audit Reports - Office of the State Comptroller, Division of Local Government and School Accountability, Report of Examination dated September 2020 and ratifying the actions of the Town Clerk in publishing said report as required by law. (M.D. 9/15/20 #13).

**RESOLUTION NO. 518 - 2020**

Resolution authorizing the property cleanup assessment of 45 Thirteenth Street, Locust Valley, New York, performed on June 4, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/15/20 #14).

**RESOLUTION NO. 519 - 2020**

Resolution authorizing the property cleanup assessment of 30 Arch Lane, Hicksville, New York, performed on June 29, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/15/20 #15).

**RESOLUTION NO. 520 - 2020**

Resolution authorizing the property cleanup assessment of 191 North Detroit Avenue, Massapequa, New York, performed on June 26, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/15/20 #16).

**RESOLUTION NO. 521 - 2020**

Resolution authorizing the property cleanup assessment of 4230 Florence Road, Bethpage, New York, performed on June 26, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/15/20 #17).

**RESOLUTION NO. 522 - 2020**

Resolution authorizing the property cleanup assessment of Newbridge Road, Hicksville, New York, performed on July 21, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/15/20 #18).

**RESOLUTION NO. 523 - 2020**

Resolution authorizing property cleanup assessment of 259 North Rutherford Avenue, Massapequa, New York, performed on July 2, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/15/20 #19).

**RESOLUTION NO. 524 - 2020**

Resolution authorizing the use of Workforce Innovation and Opportunity Act funds for Workforce Development Board meeting expenses, for a period of September 1, 2020 through December 31, 2021, at no cost to the Town. Account No. IGA CD 6293 47900 000 CS20. (M.D. 9/15/20 #21).

**RESOLUTION NO. 525 - 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. 526 - 2020**

Resolution authorizing two DPW employees to take NYSDEC Erosion and Sediment Control Training which is required for employees responsible for Stormwater Pollution Prevention Plan implementation and inspections. Account No. DPW A 1490 44140 000 0000. (M.D. 9/15/20 #24).

**RESOLUTION NO. 527 - 2020**

Resolution authorizing Matthew Russo, P.E., to take the Occupational Safety & Health Administration (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) 40-Hour Training Course, which is a requirement for remediation projects. Account No. DPW A 1490 44140 000 0000. (M.D. 9/15/20 #25).

**RESOLUTION NO. 528 - 2020**

Resolution amending Resolution 472-2020 to add a fourth movie and increase the "cost not to exceed" of the Drive-in series. Account No. CYS A 7020 41800 000 0000 and CYS A 7020 45100 000 0000. (M.D. 9/22/20 #4).

**RESOLUTION NO. 529 - 2020**

Resolution authorizing the employment of the services of various performers for GAP Program participants on various dates and for the Supervisor or his designee or the Commissioner of Community & Youth Services to execute an agreement for said services. Account No. CYS A 7020 47660 000 0000. (M.D. 9/22/20 #5).

**RESOLUTION NO. 530 - 2020**

Resolution authorizing a holiday toy drive in cooperation with the United States Marine Corp Toys for Tots Program to be held December 5, 2020 and to accept the addition of sponsors for the event. (M.D. 9/22/20 #6).

**RESOLUTION NO. 531 - 2020**

Resolution authorizing the utilization of student volunteers to assist Town of Oyster Bay events and programs in a community service capacity. (M.D. 9/22/20 #7).

**RESOLUTION NO. 532 - 2020**

Resolution authorizing the implementation of a "Hometown Heroes" Program in recognition and appreciation of all Town of Oyster Bay veterans and active duty personnel who have served in the United States Armed Forces and for the addition of a sponsor and/or sponsors of the program. Account No. TWN 0000 00085 436 0000. (M.D. 9/22/20 #8).

**RESOLUTION NO. 533 - 2020**

Resolution authorizing acceptance of a donation of a memorial plaque and bench from T. Fitzgerald, to be placed in Jericho Park J5 in memory of Julie Fitzgerald. (M.D. 9/22/20 #9).

**RESOLUTION NO. 534 - 2020**

Resolution authorizing the Supervisor, or his designee, to enter into a Contract Agreement for the Forty Sixth Program Year (2020-2021) with Nassau County in connection with Community Development Block Grant Program. (M.D. 9/22/20 #19).

**RESOLUTION NO. 535 - 2020**

Resolution authorizing publication of a legal notice pertaining to the 2020-2021 School Tax. Account No. ROT A 1330 44100 000 0000. (M.D. 9/22/20 #22).

**RESOLUTION NO. 536 - 2020**

Resolution amending Resolution No. 832-2019 for an increase for additional Planning Services. Account No. PAD B 8020 44800 000 0000. (M.D. 9/22/20 #23).

**RESOLUTION NO. 537 - 2020**

Resolution adopting the Preliminary Budget of the Town of Oyster Bay for the Year 2021 and directing the Town Clerk to advertise a Notice of Hearing. Hearing Date: October 20, 2020 at 10:00 a.m. and 7:00 p.m. (M.D. 9/22/20 #24).

**RESOLUTION NO. 538 - 2020**

Resolution relating to the filing of Town of Oyster Bay External Audit Report, Office of the Town Clerk for the period ended December 31, 2019 and ratifying the actions of the Town Clerk in publishing said report as required by law. (M.D. 9/22/20 #25).

**RESOLUTION NO. 539 - 2020**

Resolution relating to the filing of Town of Oyster Bay External Audit Report, Office of the Receiver of Taxes for the period ended September 30, 2019 and ratifying the actions of the Town Clerk in publishing said report as required by law. (M.D. 9/22/20 #26).

**RESOLUTION NO. 540 - 2020**

Resolution relating to the filing of Town of Oyster Bay External Audit Report - Federal Single Audit Report for the period ended December 31, 2019 and ratifying the actions of the Town Clerk in publishing said report as required by law. (M.D. 9/22/20 #27).

**RESOLUTION NO. 541 - 2020**

Resolution relating to the filing of Town of Oyster Bay - External Audit Report, NYS Department of Transportation, for the period ended December 31, 2019 and ratifying the actions of the Town Clerk in publishing said report as required by law. (M.D. 9/22/20 #28).

**RESOLUTION NO. 542 - 2020**

Resolution authorizing the property cleanup assessment of 39 Irving Street, Bethpage, New York, performed on May 20, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #29).

**RESOLUTION NO. 543 - 2020**

Resolution authorizing the property cleanup assessment of 116 Thorne Drive, Bethpage, New York, performed on June 26, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #30).

**RESOLUTION NO. 544 - 2020**

Resolution authorizing the property cleanup assessment of 3982 Kingsberry Road, Seaford, New York, performed on June 19, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #31).

**RESOLUTION NO. 545 - 2020**

Resolution authorizing the property cleanup assessment of Newbridge Road, Hicksville, New York, performed on June 4, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #32).

**RESOLUTION NO. 546 - 2020**

Resolution authorizing the property cleanup assessment of 2 Summit Court, Oyster Bay, New York, performed on June 26, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #33).

**RESOLUTION NO. 547 - 2020**

Resolution authorizing the property cleanup assessment of 12 Deepwater Avenue, Massapequa, New York, performed on July 16, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #34).

**RESOLUTION NO. 548 - 2020**

Resolution authorizing the property cleanup assessment of 13 Dogwood Place, Massapequa, New York, performed on June 26, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #35).

**RESOLUTION NO. 549 - 2020**

Resolution authorizing the property cleanup assessment of 107 Pittsburgh Avenue, Massapequa, New York, performed on July 17, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #36).

**RESOLUTION NO. 550 - 2020**

Resolution authorizing the property cleanup assessment of 153 Ocean Avenue, Massapequa, New York, performed on June 19, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #37).

**RESOLUTION NO. 551 - 2020**

Resolution authorizing the property cleanup assessment of 28 Terrehans Lane, Syosset, New York, performed on July 1, 2020 be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #38).

**RESOLUTION NO. 552 - 2020**

Resolution authorizing the property cleanup assessment of 163 Massachusetts Avenue, Massapequa, New York, performed on July 8, 2020, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 9/22/20 #39).

**RESOLUTION NO. 553 - 2020**

Resolution pertaining to Contract PWC09-20, On-Call Technical Assistance Relative to Site Development in connection with design, bid and construction inspection services regarding the installation of a Needle Point Bipolar Ionization System at 54 Audrey Avenue, Oyster Bay. Account No. DGS H 1997 20000 000 2010 001 0000. (M.D. 9/22/20 #41).

**RESOLUTION NO. 554 - 2020**

Resolution granting request from First Presbyterian Church, Oyster Bay, to use a roll off container for their yard clean-up from October 6, 2020 through October 13, 2020 without a charge as it does not constitute a profit-making or fundraising event. (M.D. 9/22/20 #42).

**RESOLUTION NO. 555 - 2020**

Resolution directing the Town Clerk to publish a Request for Proposals for the Transfer, Haul and Disposal of Solid Wastes from the Town of Oyster Bay Disposal District under Contract No. DPW20-205. (M.D. 9/22/20 #43).

**RESOLUTION NO. 556 - 2020**

Resolution authorizing the Supervisor to sign a contract for youth employment and training services for In-School youth aged 14-21 for the period October 1, 2020 through September 30, 2023 with Career and Employment Options (CEO) in connection with the Workforce Innovation and Opportunity Act (WIOA) Account No. IGA CD 6293 47850 000 CW20. (M.D. 9/22/20 #21 & 9/29/20 #9).

**RESOLUTION NO. 557 - 2020**

Resolution pertaining to settlement of a negligence claim; Claimant: GEICO General Ins. Co/Sundaram v. Town of Oyster Bay/Carbone, Matter ID No. 2018-6782, Nassau County Index No. 602968/2019. Account No. TWN AMS 1910 43020 602 0000 000. (M.D. 9/22/20 #45).

**RESOLUTION NO. 558 - 2020**

Resolution authorizing a License Agreement in connection with storage of vehicles at the Old Bethpage Solid Waste Disposal Complex, for the period October 1, 2020 through September 30, 2021. (M.D. 9/22/20 #46).

**RESOLUTION NO. 559 - 2020**

Resolution authorizing the Supervisor, or his designee to execute an agreement for management consultant services at the Town of Oyster Bay Ice Skating Center for the period September 1, 2020 through August 31, 2021. (M.D. 9/22/20 #47 and 9/29/20 #6).

**RESOLUTION NO. 560 - 2020**

Resolution authorizing the Supervisor to sign a contract for youth employment and training services for In-School youth aged 14-21 for the period October 1, 2020 through September 30, 2023 with Nassau County BOCES in connection with the Workforce Innovation and Opportunity Act (WIOA) Account No. IGA CD 6293 47850 000 CW20. (M.D. 9/22/20 #20 & 9/29/20 #8).

**RESOLUTION NO. 561 - 2020**

Resolution pertaining to the decision on the Hydrant Rental Agreements for the Glenwood-Glen Head Fire Protection District and New York American Water Company, Inc. for the period January 1, 2020 through December 31, 2020.

**RESOLUTION NO. 562 - 2020**

Resolution pertaining to the decision on the application of 56 Washington Parkway, Inc. for a Special Use Permit to allow for the operation of an automobile repair shop on premises located at 56 Washington Parkway, Hicksville, New York. Hearing held 2/25/20. (M.D. 2/25/20 #7).



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

**RESOLUTION NO. 563 - 2020**

Resolution to adopt the Golden Age Housing Re-Sale Policy, which will be administered by the Department of Community and Youth Services. (M.D. 9/29/20 #14).

**RESOLUTION NO. 564 - 2020**

Resolution granting request from Oyster Bay Main Street Association for Town assistance in conducting their Oyster Bay Farmers Market on October 4, 2020 and October 18, 2020, and for the use of various Town equipment for the events. (M.D. 9/29/20 #15)

**RESOLUTION NO. 565 - 2020**

Resolution pertaining to settlement of negligence claim; Claimant: Plainview Water District, Matter ID No. 2019-7470. Account No. TWN AMS 1910 43010 602 0000 000. (M.D. 9/29/20 #16).

**RESOLUTION NO. 566 - 2020**

Resolution to ratify the Memorandum of Agreement, dated October 1, 2020, which amends Section 7-1.1.5 of the Collective Bargaining Agreement. (M.D. 9/29/20 #17).

**RESOLUTION NO. 567 - 2020**

Resolution amending Resolution No. 184-2016 in connection with the Rules of Decorum to be followed at Town Board meetings. (M.D. 9/29/20 #18).