

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
November 18, 2008
10:00 A.M.

NOTE:

ANYONE WISHING TO ADDRESS THE TOWN BOARD ON ANY PUBLIC HEARING IS REQUIRED TO FILL OUT A "PERSON'S 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'S 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 - Taxi License

To consider the Taxicab/Limousine Driver's License Application for Donna L. Sunday. (M.D. 9/9/08 #40).

HEARING - Taxi License

To consider the Taxicab/Limousine Driver's License Application for Peter E. Motal. (M.D. 9/9/08 #41).

HEARING - Taxi License

To consider the Taxicab/Limousine Driver's License Application of William G. Maguire. (M.D. 10/21/08 #24).

HEARING - Local Law

To consider the proposed Local Law entitled: "A Local Law to Amend the Code of the Town of Oyster Bay, New York so as to Amend Chapter 246 - Zoning, Chapter 192 - Secondhand Dealers and to add a New Chapter 94 - Collateral Loan Brokers, so as to allow "Collateral Loan Brokers" to operate in the Town of Oyster Bay as a Permitted Principal use in the Central Business (CB) and General Business (GB) Districts, including a definition of such use and standards related thereto as well as to set forth Licensing Requirements and Procedures." (M.D. 9/9/08 #38).

HEARING - Local Law

To consider a Local Law to Amend Chapter 4 of the Code of the Town of Oyster Bay - Administration of Government to add a new department - Highway Department. (M.D. 10/14/08 #17).

HEARING - Local Law

To consider a Local Law to Amend Chapter 4 of the Code of the Town of Oyster Bay - Administration of Government to add a new department - Economic Development. (M.D. 10/14/08 #18).

* * * * *
PERSONNEL RESOLUTION NOS. P 19-08 to P -08 and PA 16-08 to PA -08

Resolutions related to personnel of various departments within the Town of Oyster Bay.

TRANSFER OF FUNDS RESOLUTION NO. TF 20-08

Resolution relating to Transfer of Funds within various departments accounts for the Year 2008.

TRANSFER OF CAPITAL FUNDS RESOLUTION NO. CF 18-08

Resolution relating to Transfer of Capital Funds within various departments accounts for the Year 2008.

* * * * *

RESOLUTION NO. 1051 - 2008

Resolution authorizing the employment of performers for the 2009 Children's Music-Go-Round Concert Series to be held on various dates at various locations. (M.D. 10/21/08 #5 & 10/28/08 #10).

RESOLUTION NO. 1052 - 2008

Resolution authorizing the employment of musician services for a senior event held on November 18, 2008. (M.D. 10/21/08 #6).

RESOLUTION NO. 1053 - 2008

Resolution authorizing reimbursement to the American Legion Quentin Roosevelt Post #4 for the cost of the restoration of the bronze plaque and rock at the entrance of Town Hall West, 74 Audrey Avenue, Oyster Bay. (M.D. 10/21/08 #8).

RESOLUTION NO. 1054 - 2008

Resolution authorizing the Town Cleanup of 73 Eighth Street, Hicksville, pursuant to Chapter 182 of the Code of the Town of Oyster Bay. (M.D. 10/21/08 #16).

RESOLUTION NO. 1055 - 2008

Resolution authorizing the issuance of a building permit fee refund to R. Dagna, Glen Cove, New York. (M.D. 10/21/08 #17).

RESOLUTION NO. 1056 - 2008

Resolution authorizing the issuance of a refund of a building permit fee to C. Lilling Schiffman, East Norwich, New York. (M.D. 10/21/08 #18).

RESOLUTION NO. 1057 - 2008

Resolution referring the costs of sidewalks repaired at various addresses throughout the Town of Oyster Bay by the Town work forces pursuant to Section 205-5 and Section 205-7 of the Code of the Town of Oyster Bay, to the County of Nassau for placement on the Nassau County Tax Assessment Rolls pursuant to Section 205-9 of the Code of the Town of Oyster Bay. (M.D. 10/21/08 #21).

RESOLUTION NO. 1058 - 2008

Resolution granting request from Good Shepherd Lutheran Church and School (ELCA), Plainview, to use a roll off container for their annual clean up from November 21, 2008 through November 24, 2008. (M.D. 10/21/08 #25).

RESOLUTION NO. 1059 - 2008

Resolution granting request from First Presbyterian Church, Oyster Bay, to use a roll off container for their annual clean up from November 10, 2008 through November 28, 2008. (M.D. 10/21/08 #26).

RESOLUTION NO. 1060 - 2008

Resolution authorizing the Department of Community and Youth Services to enter into a contract with the Long Island Developmental Disabilities Office for an Autistic Program for the period from July 1, 2008 through December 31, 2008. (M.D. 10/28/08 #7).

RESOLUTION NO. 1061 - 2008

Resolution re-appointing a member to the Landmarks Preservation Commission for a three year term, commencing August 27, 2008. (M.D. 10/28/08 #15).

RESOLUTION NO. 1062 - 2008

Resolution authorizing the Department of Community and Youth Services, CAPA Division to sponsor the Town's 25th Annual Holiday Concert on December 15, 16 and 17, 2008 at Tilles Center, and to accept corporate donations for the concerts. (M.D. 10/28/08 #8).

RESOLUTION NO. 1063 - 2008

Resolution authorizing the employment of musician services for senior citizen events to be held on February 10 and 11, 2009. (M.D. 10/28/08 #9).

RESOLUTION NO. 1064 - 2008

Resolution authorizing the issuance of a parking permit fee refund to E. Chapman. (M.D. 10/28/08 #21).

RESOLUTION NO. 1065 - 2008

Resolution granting an extension of time for Contract No. H04-902 R, construction of storm drainage and highway improvements for the Florence Avenue area, Phase I, Massapequa, New York. (M.D. 10/28/08 #22).

RESOLUTION NO. 1066 - 2008

Resolution authorizing the use of a sub-consultant for Contract No. PWC 007-08, for mechanical, electrical and plumbing service related to Marino Field Site Improvements. (M.D. 10/28/08 #26).

RESOLUTION NO. 1067 - 2008

Resolution pertaining to Contract No. PWC 007-08, on-call consultant service request for technical assistance related to civil engineering regarding drafting services for incorporating lighting grid map onto GIS. (M.D. 10/28/08 #27).

RESOLUTION NO. 1068 - 2008

Resolution authorizing the use of sub-consultants for Contract No. PWC 07-08, for soil borings and photo renderings, radar survey and utility mark out relative to on-call civil engineering. (M.D. 10/28/08 #28).

RESOLUTION NO. 1069 - 2008

Resolution pertaining to Contract No. PWC 009-08, on-call consultant service request for technical assistance related to sports lighting at Theodore Roosevelt Memorial Park, Oyster Bay, New York. (M.D. 10/28/08 #29).

RESOLUTION NO. 1070 - 2008

Resolution authorizing the use of a sub-consultant for Contract No. PWC 15-08, for parking fee analysis relative to on-call traffic engineering. (M.D. 10/28/08 #30).

RESOLUTION NO. 1071 - 2008

Resolution pertaining to Contract No. PWC 15-08, on-call consultant service request for technical assistance relative to traffic engineering, parking fee study. (M.D. 10/28/08 #31).

RESOLUTION NO. 1072 - 2008

Resolution pertaining to Contract No. PWC 019-08, on-call consultant service request for engineering service relative to structural engineering for the repairs to the Hicksville Parking Facility. (M.D. 10/28/08 #32).

RESOLUTION NO. 1073 - 2008

Resolution authorizing the Department of Environmental Resources to participate in the Suffolk County Department of Public Works' contract related to the recycling of bulbs and ballasts. (M.D. 10/28/08 #33).

RESOLUTION NO. 1074 - 2008

Resolution authorizing the waiver of the fees and regulations for the 2008-2009 Ice Skating Season, to waive admission and skate rental fees for the Town of Oyster Bay GAP Program and to waive public session fees held in conjunction with the Opening Day Celebration of the Bethpage Community Park Ice Rink. (M.D. 10/28/08 #34).

RESOLUTION NO. 1075 - 2008

Resolution pertaining to an Access Way agreement between the Town of Babylon and the Town of Oyster Bay at TOBAY Beach. (M.D. 10/21/08 #19 and 10/28/08 #20).

RESOLUTION NO. 1076 - 2008

Resolution authorizing the employment of musician services for a senior citizen event to be held on December 12, 2008. (M.D. 11/3/08 #4).

RESOLUTION NO. 1077 - 2008

Resolution authorizing the acceptance of a donation from the Oyster Bay Chamber of Commerce Charitable Fund to supplement overtime costs associated with the Annual Oyster Festival. (M.D. 11/3/08 #5).

RESOLUTION NO. 1078 - 2008

Resolution authorizing the Supervisor to execute the initial grant application and a final grant application, as well as enter into grant agreements with the New York State Environmental Facilities Corporation for two pump out units for the Tobay Beach and Boat Basin and Theodore Roosevelt Beach and Boat Basin and authorizing the encumbrance of funds for the Town's share of this expenditure. (M.D. 11/3/08 #8).

RESOLUTION NO. 1079 - 2008

Resolution authorizing the Supervisor to enter into a Contract Agreement with Nassau County Relative to the Community Development Block Grant Program, 34th Program Year (2008-2009). (M.D. 11/3/08 #9).

RESOLUTION NO. 1080 - 2008

Resolution approving the extension of the IBM Customer Agreement for Business Recovery Services for an additional month, from November 16, 2008 through December 15, 2008 to allow for continued uninterrupted recovery services. (M.D. 11/3/08 #11).

RESOLUTION NO. 1081 - 2008

Resolution authorizing the Supervisor to enter into an agreement for Business Recovery Services for the period from December 16, 2008 through December 15, 2009. (M.D. 11/3/08 #12).

RESOLUTION NO. 1082 - 2008

Resolution pertaining to the Town's Division of Environmental Quality Review's Review of Action and recommended Determination of Significance on the application of Ultimate Gaga, LLC, GSM LI, LLC, ICA LI, LLC, SAF LI, LLC and FED LI, LLC for a Special Use Permit, Syosset, New York. Negative Declaration. (M.D. 11/3/08 #15).

RESOLUTION NO. 1083 - 2008

Resolution authorizing the Supervisor to make payment of all taxes due or that will become due until the property becomes exempt on the acquired parcel of land located at Clocks Boulevard, Massapequa, New York. (M.D. 11/3/08 #17).

RESOLUTION NO. 1084 - 2008

Resolution authorizing the Supervisor to execute a conservation easement agreement between the Town of Oyster Bay and the North Shore Land Alliance, Inc., related to the Littauer Estate, property that the Town acquired and directing the Town Clerk to advertise a public notice advising of a conveyance of an interest in real property from a municipality to a private entity. (M.D. 11/3/08 #18).

RESOLUTION NO. 1085 - 2008

Resolution authorizing the cost of the property cleanup of 83 North Walnut Street, Massapequa be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls, pursuant to Chapter 96, Section 96-20 of the Code of the Town of Oyster Bay. (M.D. 11/3/08 #19).

RESOLUTION NO. 1086 - 2008

Resolution authorizing the cost of the property cleanup of 13 13th Street, Locust Valley, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls, pursuant to Chapter 96, Section 96-20 of the Code of the Town of Oyster Bay. (M.D. 11/3/08 #20).

RESOLUTION NO. 1087 - 2008

Resolution authorizing the cost of the property cleanup of 163 William Road, Massapequa, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls, pursuant to Chapter 96, Section 96-20 of the Code of the Town of Oyster Bay. (M.D. 11/3/08 #21).

RESOLUTION NO. 1088 - 2008

Resolution authorizing the cost of the property cleanup of 398 Forest Avenue, Locust Valley, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls, pursuant to Chapter 96, Section 96-20 of the Code of the Town of Oyster Bay. (M.D. 11/3/08 #22).

RESOLUTION NO. 1089 - 2008

Resolution authorizing an increase in authorization for Contract No. HRR 06-925, requirements contract for Road Restoration throughout the Town of Oyster Bay. (M.D. 11/3/08 #24).

RESOLUTION NO. 1090 - 2008

Resolution pertaining to Contract No. H08-985, related to the Inter-municipal agreement with Nassau County for the construction of sanitary sewer, storm water and road improvement to "The Birches" area in Locust Valley. (M.D. 11/3/08 #26).

RESOLUTION NO. 1091 - 2008

Resolution authorizing an extension of time for Contract No. H08-984D, Hicksville Parking Garage Demolition. (M.D. 11/3/08 #27).

RESOLUTION NO. 1092 - 2008

Resolution authorizing the Supervisor to execute an agreement with the United States Navy for access within the Town's right-of-way in Bethpage to install one temporary boring to collect groundwater and soil samples. (M.D. 11/3/08 #28).

RESOLUTION NO. 1093 - 2008

Resolution authorizing the Department of Environmental Resources to accept a donation of broken concrete. (M.D. 11/3/08 #29).

RESOLUTION NO. 1094 - 2008

Resolution authorizing the Supervisor to execute an agreement for Administrator services related to the 2009 Town of Oyster Bay Flexible Spending Plan for the period January 1, 2009 through December 31, 2009, with an option for two renewals. (M.D. 11/3/08 #10 & 11/3/08 #16).

RESOLUTION NO. 1095 - 2008

Resolution directing the Town Clerk to advertise a notice of application on the dock permit application of Raymond and Linda Pitek, to erect, maintain, improve, alter and/or repair a dock, float, bulkhead or other mooring on premises located at 33 Club Drive, Massapequa, New York. (M.D. 11/3/08 #13).

RESOLUTION NO. 1096 - 2008

Resolution directing the Town Clerk to advertise a notice of hearing on application of A & D Shell, lessee, and Quality Plaza Realty L.L.C., fee owner, for a Special Use Permit and Site Plan Approval in an "LI" District (Light Industry), to utilize the existing building as an automobile repair facility on property located at 196 Quality Plaza, Hicksville, New York. Hearing date: January 6, 2009 at 10:00 a.m. (M.D. 10/28/08 #16).

RESOLUTION NO. 1097 - 2008

Resolution directing the Town Clerk to advertise a notice of hearing on the application of Dr. Mark Bram, fee owner, and Dr. Lea Bram, fee owner, for a Change of Zone from an "R1-7" District (One-Family Residence) to an "RO" District, (Residence Office) and for Site Plan Approval to allow the use of the subject premises as a dental office in a residential dwelling with an accessory apartment, on property located at 525 South Oyster Bay Road, Plainview, New York. Hearing date: February 24, 2009 at 7:00 p.m. (M.D. 10/28/08 #19).

RESOLUTION NO. 1098 - 2008

Resolution directing the Town Clerk to advertise a notice of hearing on the application of Don't Pass The Gas, Inc., lessee, and Joseph Dockow, fee owner, Jodi Dockow, fee owner and Joy Dockow-Blair, fee owner, for a Special Use Permit to raze and rebuild an existing gasoline service station, discontinue the repair of automobiles and erect and operate a car washing establishment while maintaining the sale of petroleum products in a "GB" District (General Business) on property located at 225 West Old Country Road, Hicksville, New York. Hearing date: January 20, 2009 at 7:00 p.m. (M.D. 10/28/08 #18).

RESOLUTION NO. 1099 - 2008

Resolution directing the Town Clerk to advertise a notice of hearing on the application of Waterworld Realty LLC, fee owner, for a Special Use Permit and Modification of Restrictive Covenants in an "LI" District (Light Industry) to permit the use of the existing building and its enlargement for retail stores on property located at 40 Carmans Road, Massapequa, New York. Hearing date: February 3, 2009 at 10:00 a.m. (M.D. 10/28/08 #17).

RESOLUTION NO. 1100 - 2008

Resolution pertaining to the decision on the dock permit application of Francis and Gail Antetomaso, to erect, maintain, improve, alter and/or repair a dock, float, bulkhead or other mooring on premises located at One Dolphin Drive, Massapequa, New York. (M.D. 11/3/08 #14).