

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
October 7, 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.

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HEARING - P-8-08

To consider the application of Harold Finkelstein and Marcia Finkelstein, fee owners, for a Modification of a Declaration of Restrictive Covenants to permit an office, business or professional use of one principal in an "R0" District (Residence-Office), instead of being limited to a licensed real estate broker on premises located at 529 South Oyster Bay Road, Plainview, New York. (M.D. 7/22/08 #25).

HEARING - P-9-08

To consider the application from Sharone Stern, fee owner, for the Modification of Restrictive Covenants that were effective pursuant to Resolution No. 331-72, to now permit the practice of podiatry and to maintain an accessory apartment in an "R1-7" District (One-Family Residence), at 1144 Old Country Road, Plainview, New York. (M.D. 7/29/08 #16)

HEARING - Local Law

To consider the proposed amendment to Chapter 246, Zoning of the Code of the Town of Oyster Bay, Nassau County, New York, so as to establish maximum permitted gross floor area requirements (FAR) for all one-family residence districts. (M.D. 8/5/08 #28).

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PERSONNEL RESOLUTION NOS. P -08 to P -08 and PA -08 to PA -08

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

TRANSFER OF FUNDS RESOLUTION NO. TF 17-08

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

TRANSFER OF CAPITAL FUNDS RESOLUTION NO. CF 17-08

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

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RESOLUTION NO. 956 - 2008

Resolution authorizing Nassau BOCES to permit students to assist with office work as part of the BOCES learning program for the 2008-2009 school year. (M.D. 9/16/08 #7).

RESOLUTION NO. 957 - 2008

Resolution authorizing the employment of musician services for the 2008 Columbus Day Feast and Festival held in North Massapequa on September 28, 2008. (M.D. 9/16/08 #8).

RESOLUTION NO. 958 - 2008

Resolution amending Resolution Nos. 4-2008 and 317-2008 related to the 2008 Town Wide Senior Trips to add an additional senior trip. (M.D. 9/16/08 #9).

RESOLUTION NO. 959 - 2008

Resolution authorizing the employment of musician services for events to be held on October 31, 2008 and December 12, 2008. (M.D. 9/16/08 #10).

RESOLUTION NO. 960 - 2008

Resolution granting request from the New York Marine Trades Association for the use of the TOBAY Boat Basin and parking lot for their annual in-water boat show from September 22, 2008 through October 10, 2008 and to accept donations from the NYMTA. (M.D. 9/16/08 #13).

RESOLUTION NO. 961 - 2008

Resolution authorizing the issuance of a refund of a summer recreation program fee at Plainview-Old Bethpage Community Park to D. Coggins. (M.D. 9/16/08 #14).

RESOLUTION NO. 962 - 2008

Resolution authorizing the issuance of a refund of a summer season beach pass fee to K. Lampert. (M.D. 9/16/08 #15).

RESOLUTION NO. 963 - 2008

Resolution authorizing all negotiable and legally mandated expenses for IGA employees be paid by the Town until Federal and State Funding becomes available for reimbursement. (M.D. 9/16/08 #22).

RESOLUTION NO. 964 - 2008

Resolution authorizing the renewal of the existing bond in place pertaining to a self-insurers' bond for Workers' Compensation. (M.D. 9/16/08 #27).

RESOLUTION NO. 965 - 2008

Resolution granting request from the Oyster Bay Rotary Club, Oyster Bay Charitable Fund and its Oyster Festival Committee in conducting the 25th Annual Oyster Festival on October 18 and 19, 2008, and to waive Town of Oyster Bay Code Section 168-19, to permit "Air Dogs" jumping exhibition and petting zoo, and to use Theodore Roosevelt Park, Beekman Beach, the Western Waterfront, and Municipal Parking field O-6 for the event. (M.D. 9/16/08 #28).

RESOLUTION NO. 966 - 2008

Resolution authorizing Change Order No. 2 for Contract No. DP 04-886 GC, construction of the Bethpage Ice Skating Facility Phase 3. (M.D. 9/16/08 #30).

RESOLUTION NO. 967 - 2008

Resolution authorizing the encumbrance of funds for Contract No. PWC 007-08, on-call consultant service request for technical assistance and civil engineering regarding the Standardization of Park Entrances Townwide. (M.D. 9/16/08 #39).

RESOLUTION NO. 968 - 2008

Resolution authorizing the encumbrance of funds for Contract No. PWC 022-08, on-call engineering services for architectural relative to the New Vehicle Storage Facility, Glen Head, New York. (M.D. 9/16/08 #40).

RESOLUTION NO. 969 - 2008

Resolution approving the implementation of the 2008-2009 Winter Storage operation and fee schedule for the Harry Tappen/Theodore Roosevelt Marinas. (M.D. 9/23/08 #7).

RESOLUTION NO. 970 - 2008

Resolution authorizing the issuance of a refund of a Summer Recreation Program fee at Plainview-Old Bethpage Park to M. Isnardi. (M.D. 9/23/08 #8).

RESOLUTION NO. 971 - 2008

Resolution authorizing the issuance of a refund to D. LaGrega due to a malfunction with the credit card/e-check machine at Tobay Boat Basin. (M.D. 9/23/08 #9).

RESOLUTION NO. 972 - 2008

Resolution authorizing the issuance of a refund of a summer season beach pass fee to P. DeMartino. (M.D. 9/23/08 #10).

RESOLUTION NO. 973 - 2008

Resolution authorizing Division of Employment and Training of the Department of Intergovernmental Affairs to host a breakfast meeting related to a Workforce Investment Board meeting on October 23, 2008. (M.D. 9/23/08 #16).

RESOLUTION NO. 974 - 2008

Resolution authorizing the issuance of a refund of a building permit fee to M. Keegan. (M.D. 9/23/08 #17).

RESOLUTION NO. 975 - 2008

Resolution authorizing the issuance of a refund of a building permit fee to F. Paino. (M.D. 9/23/08 #18).

RESOLUTION NO. 976 - 2008

Resolution authorizing the Supervisor to enter into an amended inter-municipal agreement with the Plainedge School District to repair and renovate athletic fields at John H. West Elementary School, Bethpage, New York. (M.D. 9/23/08 #19).

RESOLUTION NO. 977 - 2008

Resolution authorizing the commencement of legal proceedings against Cablevision Systems Long Island Corp. (M.D. 9/23/08 #22).

RESOLUTION NO. 978 - 2008

Resolution granting request from the Afghan Hindu Association, Inc., for Town assistance in conducting their Annual Fair on October 12, 2008 and to use Municipal Parking Fields H-13 and H-11, Hicksville, New York for the event. (M.D. 9/23/08 #24).

RESOLUTION NO. 979 - 2008

Resolution authorizing an increase in engineering for Contract No. DPW 98-703, Oyster Bay Western Waterfront Project relative to the construction phase. (M.D. 9/23/08 #25).

RESOLUTION NO. 980 - 2008

Resolution authorizing the encumbrance of funds for Contract No. PWC 001-06 (Task 6), Graphic Information Systems (GIS) Analyst. (M.D. 9/23/08 #26).

RESOLUTION NO. 981 - 2008

Resolution authorizing Change Order No. 1 for Contract No. DPW 98-703-PH6-P, Oyster Bay Western Waterfront Project - Phase 6, reconstruction of Buildings I & J - Plumbing Contract. (M.D. 9/23/08 #27).

RESOLUTION NO. 982 - 2008

Resolution authorizing an extension of time for Contract No. DPW 98-703-PH 7 & 9, Oyster Bay Western Waterfront Project - Phase 7 & 9, northside improvements and wetlands creation. (M.D. 9/23/08 #28).

RESOLUTION NO. 983 - 2008

Resolution authorizing the issuance of payment to the Nassau County Department of Health relative to permit review fee for the installation of new water supply well at Tobay Beach under Contract No. DP07-951 and directing the Comptroller to encumber funds for same. (M.D. 9/23/08 #29).

RESOLUTION NO. 984 - 2008

Resolution authorizing an extension of time for Contract No. DPW98-703-PH6-G, Oyster Bay Western Waterfront Project - Phase 6, reconstruction of Buildings I & J - General Contract. (M.D. 9/23/08 #30).

RESOLUTION NO. 985 - 2008

Resolution authorizing the issuance of payment to the Nassau County Department of Public Works relative to the renewal of the Old Bethpage Landfill Leachate Treatment Facility Industrial Discharge permit and directing the Comptroller to encumber funds for same. (M.D. 9/23/08 #31).

RESOLUTION NO. 986 - 2008

Resolution authorizing the use of a sub-consultant for Contract No. PWC 21-08, on-call Solid Waste Planning related to legal services relative to the preparation of the solid waste disposal contract. (M.D. 9/23/08 #32).

RESOLUTION NO. 987 - 2008

Resolution authorizing the encumbrance of funds for Contract No. PWC 21-08, on-call technical assistance relative to Solid Waste Planning. (M.D. 9/23/08 #33).

RESOLUTION NO. 988 - 2008

Resolution authorizing the use of sub-consultants for Contract No. PWC 19-08, on-call structural engineering relative to the Hicksville Parking Facility. (M.D. 9/23/08 #34).

RESOLUTION NO. 989 - 2008

Resolution authorizing the encumbrance of funds for Contract No. PWC 21-06, on-call consultant service request for technical assistance relative to Landfill Gas Migration Survey. (M.D. 9/23/08 #35).

RESOLUTION NO. 990 - 2008

Resolution pertaining to outstanding sidewalk balances. (M.D. 9/23/08 #20).

RESOLUTION NO. 991 - 2008

Resolution authorizing the issuance of an Instant Plumbing Permit fee refund to Charter Oil Corp. (M.D. 9/16/08 #25).

RESOLUTION NO. 992 - 2008

Resolution directing the Town Clerk to advertise a Notice of Hearing related to the Shift in Operation into an Empire Zone in the Incorporated Village of Freeport for Precision Payroll Services, LLC. Hearing date: October 28, 2008 at 10:00 a.m. (M.D. 9/23/08 #37).

RESOLUTION NO. 993 - 2008

Resolution pertaining to the decision on the application from Nassau Candy Distributors, Inc., for Empire Zone Designation and for Declaration as a Regionally Significant Project. Hearing held: September 23, 2008. (M.D. 9/23/08 #6).

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 994 - 2008

Resolution authorizing the commencement of legal proceedings against Thomas Jones. (M.D. 9/30/08 #22).

RESOLUTION NO. 995 - 2008

Resolution adopting the 2009 Preliminary Budget and directing the Town Clerk to advertise a Notice of Hearing on said Preliminary Budget. Hearing date: October 21, 2008 at 10:00 a.m. and 7:00 p.m. (M.D. 9/30/08 #13).