

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 1

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting of the Town of Islip Industrial Development Agency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

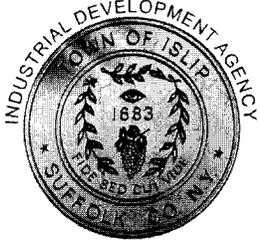
SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John Walser

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF



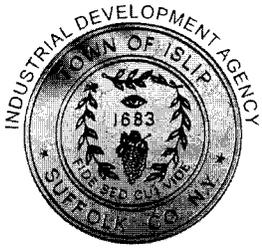
MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
February 7, 2023
Agenda

1. Call the meeting of the Town of Islip Industrial Development Agency to order.
2. To consider the Adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to approve the **Minutes** from the meeting on **January 24, 2023**
3. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and Big Geyser Inc. located at 111 Wilshire Blvd. Edgewood to consider the renovation and equipping of a 120,000 square foot warehouse.
4. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and Positive Promotions, located at 15 Gilpin Ave, Hauppauge, NY.
5. To consider the adoption of a Second Amended Authorizing Resolution between the Town of Islip Industrial Development Agency and Eastview Apt, located at East Drive Central Islip, for increased mortgage Financing.
6. To consider any other business to come before the agency.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR**

AGENDA ITEM # 2

**TYPE OF RESOLUTION: ADOPTION OF THE MINUTES
FROM JANUARY 24, 2023**



MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
January 24, 2023
Minutes

1. Call the meeting of the Town of Islip Industrial Development Agency to order on a motion by John Cochrane and seconded by Jorge Guadron. Chairwoman Angie Carpenter acknowledged that the motion passed and that a quorum was present. Members present in addition to the Chairwoman were John Cochrane, James O'Connor, Jorge Guadron and John M. Lorenzo.
2. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to approve the **Minutes** from the meeting on **November 15, 2022**. On a motion by Jorge Guadron and seconded by James O'Connor said motion was approved 5-0.
3. To consider the adoption of a Resolution on behalf of the Town of Islip Development Agency to approve the **Minutes** from the meeting on **December 13, 2022**. On a motion by Jorge Guadron and seconded by John Cochrane said motion was approve 5-0.
4. To consider the adoption of a Resolution approving the **2023 IDA Meeting Schedule** of the Town of Islip Industrial Development Agency. On a motion by James O'Connor and seconded by John Cochrane said motion was approved 5-0.
5. To consider the adoption of a Resolution Appointing Officers to the Town of Islip Industrial Development Agency as follows; *John C. Cochrane Jr., Secretary of the Agency, James P. O'Connor, Treasurer of the Agency, John G. Walser, Assistant Secretary of the Agency, John G. Walser, Compliance Officer of the Agency*. On a motion by John M. Lorenzo and seconded by John Cochrane said motion was approved 5-0.
6. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt an **Audit Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John C. Cochrane Jr., John Lorenzo* and *Anne Danziger* to that committee. On a motion by Chairwoman Angie Carpenter and seconded by James O'Connor said motion was approved 5-0.
7. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Finance Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John C. Cochrane Jr, James O'Connor* and *Robert Kordic* to that committee. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
8. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Governance Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John C. Cochrane Jr., John Lorenzo* and *Taryn Jewell Esq.* to that committee. On a motion by James O'Connor and seconded by John Cochrane said motion was approved 5-0.
9. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development agency to adopt a **Code of Ethics Policy** in compliance with the Public Authority Accountability

Act ("PAAA") and to appoint the Board of Ethics of the Town of Islip as its Ethics Officer. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.

10. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt an **Investment Policy** in compliance with the Public Authority Accountability Act ("PAAA") which shall apply to all operating funds, bond proceeds and other funds and all investment transactions involving operating funds, bond proceeds and other funds accounted for in the financial statements of the Agency. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
11. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Procurement Policy** in compliance with the Public Authority Accountability Act ("PAAA") which will apply to the procurement for goods and services not subject to the competitive bidding requirements set forth in General Municipal Law Section 103 and which goods and services are paid for and used by the Agency. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
12. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency adopting a **Conflict of Interest Policy** in compliance with the Public Accountability Act ("PAAA") and amending the by-laws of the Agency. On a Motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
13. To consider a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt the **Travel Authorization and Mileage Reimbursement** guidelines as stated in the Town of Islip Administrative Procedures Manual, Section 303, as recommended by the New York State Authorities Budget Office. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
14. To consider a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Property Disposition Policy**. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
15. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to enter into a contract with **Mike Siniski**. To provide computer programming services for the maintenance of an updated and improved IDA Assessment Roll and PILOT billing system including training Town of Islip staff at a rate of \$65.00 per hour, not to exceed \$5,000. On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
16. To enter into a marketing agreement between the Town of Islip Industrial Development and **JVC Broadcasting (103.9 LI News Radio with Jay Oliver)** for services to promote marketing for the IDA Agency. On a motion by Chairwoman Angie Carpenter and seconded by Jorge Guadron said motion was approved 5-0.
17. To enter into a marketing agreement between the town of Islip Development Agency and **WABC Radio (77 AM and 107.1)** for marketing for the IDA. On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
18. To consider the adoption of an **Inducement Resolution** between the Town of Islip Industrial Development Agency and **Big Geyser Inc.** located at 111 Wilshire Blvd. Edgewood, New York 11717. On a motion by Jorge Guadron and seconded by John Cochrane said motion was approved 5-0.

19. To consider the adoption of an **Inducement resolution** of the Town of Islip Industrial Development Agency **JSB Real Estate Company, LLC/Positive Promotions, Inc.** 2002 Facility, located at 15 Gilpin Avenue, Hauppauge, New York. On a motion by Jorge Guadron and seconded by John M. Lorenzo said motion was approved 5-0.
20. To consider the adoption of an **Authorizing Resolution** of the Town of Islip Industrial Development Agency with **Europastry**, located at 2001 Orville Drive North, Ronkonkoma, New York. On a motion by John Cochrane and seconded by John M. Lorenzo said motion was approved 5-0.
21. To consider the adoption of **Assignment and Assumption** with of the Town of Islip Industrial Development Agency, for **FRC GH Owner Co 2 LLC.**, On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
22. To consider the adoption of **Assignment and Assumption** with the Town of Islip Industrial Development Agency for, **Gull Haven Commons, LLC.** , On a motion by John O'Connor and seconded by Jorge Guadron said motion was approved 5-0.
23. To consider a **Resolution** to amend the ownership structure at, 260 Spur Drive South, Bay Shore, NY 11706. **BDG Bay Shore, LLC.** , On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
24. To consider **any other business** to come before the Agency, there being none the meeting adjourned by a motion by John O'Connor and seconded by John Cochrane.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR**

AGENDA ITEM # 3

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION:

COMPANY: BIG GEYSER

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING BIG GEYSER INC., A DELAWARE BUSINESS CORPORATION, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF BIG GEYSER INC. AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AS AGENT(S) OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, RENOVATING AND EQUIPPING THE FACILITY AND APPROVING THE FORM, SUBSTANCE AND EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as amended from time to time (collectively, the “**Act**”), the Town of Islip Industrial Development Agency (the “**Agency**”) was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, Big Geysers Inc., a Delaware business corporation, on behalf of itself and/or the principals of Big Geysers Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), has applied to the Agency to enter into a transaction in which the Agency will assist in the acquisition of an approximately 7.04 acre parcel of land located at 111 Wilshire Boulevard, Edgewood, New York 11717 (the “**Land**”), and the renovation and equipping of an approximately 120,000 square foot building located thereon (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility will be leased by the Agency to the Company, for use by the Company as corporate office space and warehouse space in the storage and distribution of non-alcoholic beverages and snacks (the “**Project**”); and

WHEREAS, the Agency, by resolution duly adopted on January 24, 2023 (the “**Inducement Resolution**”), decided to proceed under the provisions of the Act; and

WHEREAS, the Company will acquire a leasehold interest in the Facility pursuant to a lease agreement (the “**Ground Lease**”), between Wilshire Rental Properties LLC (the “**Owner**”) and the Company; and

WHEREAS, the Agency will acquire a subleasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of February 1, 2023, or such other date as the Chairman or the Executive Director of the Agency and counsel to the Agency shall agree (the “**Company Lease**”), by and between the Company and the Agency; and

WHEREAS, the Agency will acquire title to the Equipment pursuant to a certain Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the “**Bill of Sale**”), from the Company to the Agency; and

WHEREAS, the Agency will sublease and lease the Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of February 1, 2023 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Lease Agreement**”), by and between the Agency and the Company; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company in the form of (i) exemptions from sales and use taxes in an approximate amount not to exceed \$225,000, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof); and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed transaction is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the leasing of the Facility by the Agency to the Company.

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Facility constitutes a “project”, as such term is defined in the Act; and

(c) The Facility preserves the public purposes of the Act by preserving or increasing the number of permanent private sector jobs in the Town of Islip. The Company has represented to the Agency that it intends to provide and maintain (by preserving and retaining current jobs) approximately two hundred and forty (240) full-time employees (total) within the second year after completion of the Facility; and

(d) The acquisition, renovation and equipping of the Facility, the leasing of the Facility to the Company will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Town of Islip, and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(e) The acquisition, renovation and equipping of the Facility by the Agency is reasonably necessary to induce the Company to maintain and expand its business operations in the Town of Islip; and

(f) Based upon representations of the Company and counsel to the Company, the Facility conforms with the local zoning laws and planning regulations of the Town of Islip and all regional and local land use plans for the area in which the Facility is located; and

(g) It is desirable and in the public interest for the Agency to sublease the Land and the Improvements and to lease the Equipment to the Company; and

(h) The Company Lease will be an effective instrument whereby the Agency leases the Land and the Improvements from the Company; and

(i) The Lease Agreement will be an effective instrument whereby the Agency leases and subleases the Facility to the Company, the Agency and the Company set forth the terms and conditions of their agreement regarding payments-in-lieu of taxes, the Company agrees to comply with all Environmental Laws (as defined therein) applicable to the Facility and will describe the circumstances in which the Agency may recapture some or all of the benefits granted to the Company.

Section 2. The Agency has assessed all material information included in connection with the Company's application for financial assistance, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the Agency a reasonable basis for its decision to provide the financial assistance described herein to the Company.

Section 3. In consequence of the foregoing, the Agency hereby determines to: (i) lease the Land and the Improvements from the Company pursuant to the Company Lease, (ii) execute, deliver and perform the Company Lease, (iii) sublease and lease the Facility to the Company pursuant to the Lease Agreement, and (iv) execute, deliver and perform the Lease Agreement.

Section 4. The Agency is hereby authorized to acquire the real property and personal property described in Exhibit A and Exhibit B, respectively, to the Lease Agreement, and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the acquisition, renovation and equipping of the Facility in the form of (i) exemptions from sales and use taxes in an approximate amount not to exceed \$225,000, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof).

Section 6. Subject to the provisions of this resolution, the Company is herewith and hereby appointed the agent of the Agency to acquire, renovate and equip the Facility. The Company is hereby empowered to delegate its status as agent of the Agency to its agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company may choose in order to acquire, renovate and equip the Facility. The Agency

hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company as agents of the Agency solely for purposes of making sales or leases of goods, services and supplies to the Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company, as agent of the Agency, shall be deemed to be on behalf of the Agency and for the benefit of the Facility. This agency appointment expressly excludes the purchase by the Company of any motor vehicles, including any cars, trucks, vans or buses which are licensed by the Department of Motor Vehicles for use on public highways or streets. The Company shall indemnify the Agency with respect to any transaction of any kind between and among the agents, subagents, contractors, subcontractors, materialmen, vendors and/or suppliers and the Company, as agent of the Agency. The aforesaid appointment of the Company as agent of the Agency to acquire, renovate and equip the Facility shall expire at the earlier of (a) the completion of such activities and improvements, (b) a date which the Agency designates, or (c) the date on which the Company has received exemptions from sales and use taxes in an amount not to exceed \$225,000, in connection with the purchase or lease of equipment, building materials, services or other personal property; provided however, such appointment may be extended at the discretion of the Agency, upon the written request of the Company, if such activities and improvements are not completed by such time. The aforesaid appointment of the Company is subject to the execution of the documents contemplated by this resolution.

Section 7. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company shall be required to agree to the terms of Section 875 pursuant to the Lease Agreement. The Company is further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company, as agent of the Agency pursuant to this Authorizing Resolution, are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Lease Agreement.

Section 8. The form and substance of the Company Lease and the Lease Agreement (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 9. The Chairman, Vice Chairman, Executive Director, or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Company Lease and the Lease Agreement, all in substantially the forms thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Executive Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the "**Agency Documents**"). The execution thereof by the Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval.

Section 10. The Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 11. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 12. This resolution shall take effect immediately.

EXHIBIT A

Proposed PILOT Benefits

Formula for Payments-In-Lieu-of-Taxes: Town of Islip, (including any existing incorporated village and any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Brentwood School District, Suffolk County and Appropriate Special Districts

Address – 111 Wilshire Boulevard, Brentwood
Suffolk County, New York 11717

Tax Map No. 0500-133.00-09.00-004.001

Formula: 10-year abatement starting at 50% of assessed value decreasing 5% annually

Definitions:

Normal Tax Due = Those payments for taxes and assessments, other than special ad valorem levies, special assessments and service charges against real property located in the Town of Islip (including any existing incorporated village or any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Brentwood School District, Suffolk County which are or may be imposed for special improvements or special district improvements, that the Company would pay without exemption.

<u>Year</u>	<u>Payment</u>
1	100% normal tax on 50% of the taxable assessed value
2	100% normal tax on 55% of the taxable assessed value
3	100% normal tax on 60% of the taxable assessed value
4	100% normal tax on 65% of the taxable assessed value
5	100% normal tax on 70% of the taxable assessed value
6	100% normal tax on 75% of the taxable assessed value
7	100% normal tax on 80% of the taxable assessed value
8	100% normal tax on 85% of the taxable assessed value
9	100% normal tax on 90% of the taxable assessed value
10	100% normal tax on 95% of the taxable assessed value
11 and beyond	100% normal tax on the taxable assessed value

Date: February 7, 2023

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held at 40 Nassau Avenue, Islip, New York 11751 on the 7th day of February, 2023 the following members of the Agency were:

Present:

Absent:

Also Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to acquisition of a leasehold interest to a certain industrial development facility more particularly described below (Big Geysers Inc. 2023 Facility).

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR**

AGENDA ITEM # 4

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION:

COMPANY: POSITIVE PROMOTIONS

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE MODIFICATION AND EXTENSION OF THE PILOT BENEFITS OF A CERTAIN INDUSTRIAL DEVELOPMENT FACILITY FOR JSB REAL ESTATE COMPANY, LLC/POSITIVE PROMOTIONS, INC. 2002 FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AMENDMENTS TO THE ORIGINAL LEASE AGREEMENT, THE PILOT AGREEMENT, THE ENVIRONMENTAL COMPLIANCE AND INDEMNIFICATION AGREEMENT, AND THE AGENCY COMPLIANCE AGREEMENT AND THE EXECUTION AND DELIVERY OF DOCUMENTS IN CONNECTION THEREWITH AND APPROVING THE FORM, SUBSTANCE, EXECUTION AND DELIVERY OF SUCH RELATED DOCUMENTS.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “**State**”), as amended, and Chapter 47 of the Laws of 1974 of the State, as amended (collectively, the “**Act**”), the Town of Islip Industrial Development Agency (the “**Agency**”) was created with the authority and power, among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the Agency has previously assisted J.S.B. Real Estate Company, LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having an office at 40-01 168th Street, Flushing, New York 11358 (the “**Company**”), with the acquisition and renovation of an approximately 140,000 square foot building located at 15 Gilpin Avenue, Hauppauge, Town of Islip, Suffolk County, New York, leased by the Agency to the Company and subleased by the Company to, and used by, Positive Promotions, Inc., a corporation duly organized and validly existing under the laws of the State of New York, 40-01 168th Street, Flushing, New York 11358 (the “**Sublessee**”) for the purposes of efficiently manufacturing finished products and to provide for sufficient space for future expansion (the “**Original Facility**”), whereby the foregoing project is hereinafter referred to as the “**Original Project**”; and

WHEREAS, the Agency leased the Original Facility to the Company pursuant to a Lease Agreement, dated as of December 1, 2002 (the “**2002 Lease Agreement**”; as modified by a certain Amendment and Modification Agreement, dated as of November 30, 2012, the “**Original Lease Agreement**”), a memorandum of such Original Lease Agreement was presented to the Suffolk County Clerk’s office for recording; and

WHEREAS, the Original Facility is further subleased by the Company to the Sublessee pursuant to a certain Sublease Agreement, dated as of December 19, 2002 (the “**Sublease Agreement**”), by and between the Company and the Sublessee; and

WHEREAS, in connection with the leasing of the Original Facility, the Company, the Sublessee and the Agency entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Environmental Compliance and**

Indemnification Agreement”), by and between the Company, the Sublessee and the Agency; and

WHEREAS, in connection with the leasing of the Original Facility, the Agency, the Sublessee and the Company entered into a certain Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002, as amended and restated pursuant to a certain Amended and Restated PILOT Agreement, dated as of November 30, 2012 (collectively, the “**PILOT Agreement**”), between the Agency, the Company and the Sublessee, which provided for payments in lieu of taxes with respect to the Original Facility; and

WHEREAS, in connection with the leasing of the Original Facility, the Sublessee and Agency entered into a certain Agency Compliance Agreement, dated as of December 1, 2002 (the “**Original Agency Compliance Agreement**”), by and between the Sublessee and the Agency; and

WHEREAS, the Company and Sublessee have submitted to the Agency, a request and application to amend, modify and extend the current payment-in-lieu-of-tax benefits (the “**2023 PILOT Amendment**” or “**PILOT Extension**”), as shown on Exhibit C annexed hereto; and

WHEREAS, in connection with the 2023 PILOT Amendment, the project shall consist of the acquisition and installation of certain equipment and personal property in the Original Facility, including but not limited to embroidery machines, M&R machines for silk screening, Full Color Helix machines, Full Color Xjet machines, printers, and certain other equipment (the “**2023 Equipment**”, and together with the Original Facility, the “**Facility**”), to be used in connection with the Sublessee’s business as a manufacturer and distributor of themed promotion products, including a product line of themed box gift sets, which will also require certain minor modifications to the roof for venting and related adjustments in connection therewith (the “**2023 Project**”, and together with the Original Project, the “**Project**”); and

WHEREAS, in connection with the 2023 PILOT Amendment and the Project, the Agency contemplates that it will (i) amend and restate the Original Lease Agreement, the PILOT Agreement and the Environmental Compliance and Indemnification Agreement pursuant to a certain Amended and Restated Lease and Project Agreement dated as of February 1, 2023 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Amended and Restated Lease and Project Agreement**”) and (ii) amend and restate the Original Agency Compliance Agreement pursuant to a certain Amended and Restated Agency Compliance Agreement dated as of February 1, 2023 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (“**Amended and Restated Agency Compliance Agreement**”); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Agency, by resolution duly adopted on January 24, 2023, decided to proceed under the provisions of the Act; and

WHEREAS, a public hearing (the “**Hearing**”) was held on February __, 2023, so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility could be heard; and

WHEREAS, notice of the Hearing was given on January __, 2023 and such notice (together with proof of publication) is substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing will be annexed hereto as Exhibit B; and

WHEREAS, in connection with the PILOT Extension, the Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of extended, amended and modified abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency; and

WHEREAS, the Agency has given due consideration to the application of the Company and the Sublessee, and to the representations by the Company and the Sublessee, that the actions of the Agency as contemplated by this resolution, the Amended and Restated Lease and Project Agreement, are either an inducement to the Company and the Sublessee to maintain and expand the Facility in the Town of Islip or are necessary to maintain the competitive positions of the Company and the Sublessee in their industries; and

WHEREAS, the Company and the Sublessee have agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the Project and the continued leasing of the Facility to the Company.

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1.

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act;

(b) The Facility constitutes a “project”, as such term is defined in the Act;

(c) The Facility preserves the public purposes of the Act by preserving or increasing the number of permanent private sector jobs in the Town of Islip. The Company and the Sublessee have represented to the Agency that they intend to provide and maintain (by preserving and retaining current jobs) approximately five hundred ten (510) full time employees (total) at the Facility within the second year after completion of the Facility; and

(d) The continued leasing of the Facility by the Agency to the Company and the subleasing of the Facility by the Company to the Sublessee, will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip and the State of New York and improve their standard of living and thereby serve the public purposes of the Act;

(e) Based upon representations of the Company and its counsel and the Sublessee and its counsel, the Facility continues to conform with the local zoning laws and planning regulations of the Town of Islip and all regional and local land use plans for the area in which the Facility are located;

(f) The Facility and the operations conducted therein does not have a significant effect on the environment, as determined in accordance with Article 8 of the Environmental Conservation Law of the State of New York and the regulations promulgated thereunder;

(g) The Agency has determined that the proposed 2023 Project, PILOT Extension and financial assistance therefore will promote and further the purposes of the Act;

(h) It is desirable and in the public interest for the Agency consent to the 2023 Project, PILOT Extension and financial assistance therefore and to continue to lease the Facility to the Company;

(i) (A) The Amended and Restated Lease and Project Agreement will be an effective instrument whereby the Agency and the Company agree to extend the term of the Original Lease Agreement in connection with the PILOT Extension and the Agency will continue to lease the Facility to the Company, and amend and restate the Original Lease Agreement, the PILOT Agreement and the Environmental Compliance and Indemnification Agreement, and (B) the Amended and Restated Agency Compliance Agreement will be an effective instrument whereby the Agency and the Sublessee agree to amend and restate the Original Agency Compliance Agreement, all to reflect the undertaking of the 2023 Project and the PILOT Extension;

Section 2. In consequence of the foregoing, the Agency hereby determines to: (i) amend and restate the Original Lease Agreement, the PILOT Agreement, the Environmental Compliance Agreement, and the Original Agency Compliance Agreement pursuant to the Amended and Restated Lease and Project Agreement and the Amended and Restated Agency Compliance Agreement, as applicable, to reflect the 2023 Project, and the PILOT Extension, including extending the term of the Original Lease Agreement in connection therewith and in accordance with the term of PILOT Extension, and (ii) execute, deliver and perform the Amended and Restated Lease and Project Agreement and the Amended and Restated Agency Compliance Agreement and any related documents in connection therewith.

Section 3. Subject to the provisions of this resolution, the Company and Sublessee are herewith and hereby appointed the agent of the Agency to acquire and equip the Facility. The Company and Sublessee are hereby empowered to delegate their status as agent of the Agency to its agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company and Sublessee may choose in order to acquire and equip the Facility. The Agency hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company and Sublessee as agents of the Agency solely for purposes of making sales or leases of goods, services and supplies to the Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company and Sublessee, as agent of the Agency, shall be deemed to be on behalf of the Agency and for the benefit of the Facility. This agency appointment expressly excludes the purchase by the Company and Sublessee of any motor vehicles, including any cars, trucks, vans or buses

which are licensed by the Department of Motor Vehicles for use on public highways or streets. The Company and Sublessee shall indemnify the Agency with respect to any transaction of any kind between and among the agents, subagents, contractors, subcontractors, materialmen, vendors and/or suppliers and the Company and Sublessee, as agent of the Agency. The aforesaid appointment of the Company and Sublessee as agent of the Agency to acquire, construct and equip the Facility shall expire at the earlier of (a) the completion of such activities and improvements, or (b) a date which the Agency designates. The aforesaid appointment of the Company and Sublessee is subject to the execution of the documents contemplated by this resolution.

Section 4. The form and substance of the Amended and Restated Lease and Project Agreement and the Amended and Restated Agency Compliance Agreement to which the Agency is a party (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 5. Subject to the provisions of this resolution,

(a) The Chair, Vice Chair, Executive Director, Deputy Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Amended and Restated Lease and Project Agreement and the Amended and Restated Agency Compliance Agreement in substantially the form thereof presented to this meeting with such changes, variations, omissions and insertions as the Chair, Vice Chair, Executive Director, Deputy Executive Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chair and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”). The execution thereof by the Chair, Vice Chair, Executive Director, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval. At the option of the Executive Director, a certain deed conveying the Facility to the Company and a company lease agreement then leasing the Facility from the Company to the Agency simultaneously therewith, if any, are also authorized.

(b) The Chair, Vice Chair, Executive Director, Deputy Executive Director, or any member of the Agency is further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency.

Section 6. Subject to the provisions of this resolution, the Agency hereby authorizes and approves the economic benefits to be granted to the Company in connection with the Facility in the form of the PILOT Extension (as set forth in the PILOT Schedule attached as Exhibit C hereof).

Section 7. The Company hereby agree to comply with Section 875 of the Act. The Company further agrees that the PILOT Extension contemplated hereby pursuant to the Act are subject to termination and recapture of benefits pursuant to Section 875 of the Act.

Section 8. The law firm of Nixon Peabody LLP is hereby appointed Transaction Counsel to the Agency.

Section 9. Counsel to the Agency and Transaction Counsel are hereby authorized to work with counsel to the Company and others to prepare, for submission to the Agency, all documents necessary to effect the described 2023 Project, the PILOT Extension in the foregoing resolution.

Section 10. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 11. Any fees, expenses, including without limitation, legal fees and expenses, incurred by the Agency with respect to the Facility shall be paid by the Company and/or Sublessee. By acceptance hereof, the Company and Sublessee agree to pay such fees and expenses and further agrees to defend and indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 12. This resolution shall take effect immediately.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “Agency”), including the resolutions contained therein, held on the 7th day of February, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 7th day of February, 2023.

By: _____
 Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency on the ___ day of February, 2023, at __: __ a.m., local time, at 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Agency has previously assisted J.S.B. Real Estate Company, LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having an office at 40-01 168th Street, Flushing, New York 11358 (the “**Company**”), with the acquisition and renovation of an approximately 140,000 square foot building located at 15 Gilpin Avenue, Hauppauge, Town of Islip, Suffolk County, New York, leased by the Agency to the Company and subleased by the Company to, and used by, Positive Promotions, Inc., a corporation duly organized and validly existing under the laws of the State of New York, 40-01 168th Street, Flushing, New York 11358 (the “**Sublessee**”) for the purposes of efficiently manufacturing finished products and to provide for sufficient space for future expansion (the “**Original Facility**”), whereby the foregoing project is hereinafter referred to as the “**Original Project**”.

The Agency leased the Original Facility to the Company pursuant to a Lease Agreement, dated as of December 1, 2002 (the “**2002 Lease Agreement**”; as modified by a certain Amendment and Modification Agreement, dated as of November 30, 2012, the “**Original Lease Agreement**”), a memorandum of such Original Lease Agreement was presented to the Suffolk County Clerk’s office for recording.

The Original Facility is further subleased by the Company to the Sublessee pursuant to a certain Sublease Agreement, dated as of December 19, 2002 (the “**Sublease Agreement**”), by and between the Company and the Sublessee.

In connection with the leasing of the Original Facility, the Company, the Sublessee and the Agency entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Environmental Compliance and Indemnification Agreement**”), by and between the Company, the Sublessee and the Agency.

In connection with the leasing of the Original Facility, the Agency, the Sublessee and the Company entered into a certain Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002, as amended and restated pursuant to a certain Amended and Restated PILOT Agreement, dated as of November 30, 2012 (collectively, the “**Original PILOT Agreement**”), between the Agency, the Company and the Sublessee, which provided for payments in lieu of taxes with respect to the Original Facility.

The Company and Sublessee have now submitted to the Agency, a request and application to amend, modify and extend the current payment-in-lieu-of-tax benefits (the “**2023 PILOT Amendment**”).

In connection with the 2023 PILOT Amendment, the project shall consist of the acquisition and installation of certain equipment and personal property in the Original Facility, including but not limited to embroidery machines, M&R machines for silk screening, Full Color Helix machines, Full Color Xjet machines, printers, and certain other equipment (the “**2023 Equipment**”, and together with the Original Facility, the “**Facility**”), to be used in connection with the Sublessee’s business as a manufacturer and distributor of themed promotion products, including a product line of themed box gift sets, which will also require certain minor modifications to the roof for venting and related adjustments in connection therewith (the “**2023 Project**”, and together with the Original Project, the “**Project**”). In connection therewith, the Agency will amend and extend its leasehold interest in the Facility.

The Agency contemplates that it will provide financial assistance to the Company and/or Sublessee in the form of the extension, modification and amendment of current abatements of real property taxes, exemptions from mortgage recording taxes, and exemptions from sales and use taxes.

A representative of the Agency will, at the above-stated time and place, hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company and the Sublessee. At the hearing, all persons will have the opportunity to review the application for the continued financial assistance filed by the Company and the Sublessee with the Agency and an analysis of the costs and benefits of the continued proposed Facility.

Dated: January __, 2023

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

Exhibit B

MINUTES OF PUBLIC HEARING HELD ON
FEBRUARY __, 2023

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(J.S.B. REAL ESTATE COMPANY, LLC/POSITIVE PROMOTIONS, INC. 2002 FACILITY)

1. _____, _____ of the Town of Islip Industrial Development Agency (the “**Agency**”) called the hearing to order.

2. The _____ then described the location and nature of the Facility to be financed as follows:

The Agency has previously assisted J.S.B. Real Estate Company, LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having an office at 40-01 168th Street, Flushing, New York 11358 (the “**Company**”), with the acquisition and renovation of an approximately 140,000 square foot building located at 15 Gilpin Avenue, Hauppauge, Town of Islip, Suffolk County, New York, leased by the Agency to the Company and subleased by the Company to, and used by, Positive Promotions, Inc., a corporation duly organized and validly existing under the laws of the State of New York, 40-01 168th Street, Flushing, New York 11358 (the “**Sublessee**”) for the purposes of efficiently manufacturing finished products and to provide for sufficient space for future expansion (the “**Original Facility**”), whereby the foregoing project is hereinafter referred to as the “**Original Project**”.

The Agency leased the Original Facility to the Company pursuant to a Lease Agreement, dated as of December 1, 2002 (the “**2002 Lease Agreement**”; as modified by a certain Amendment and Modification Agreement, dated as of November 30, 2012, the “**Original Lease Agreement**”), a memorandum of such Original Lease Agreement was presented to the Suffolk County Clerk’s office for recording.

The Original Facility is further subleased by the Company to the Sublessee pursuant to a certain Sublease Agreement, dated as of December 19, 2002 (the “**Sublease Agreement**”), by and between the Company and the Sublessee.

In connection with the leasing of the Original Facility, the Company, the Sublessee and the Agency entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Environmental Compliance and Indemnification Agreement**”), by and between the Company, the Sublessee and the Agency.

In connection with the leasing of the Original Facility, the Agency, the Sublessee and the Company entered into a certain Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002, as amended and restated pursuant to a certain Amended and Restated PILOT Agreement, dated as of November 30, 2012 (collectively, the “**Original PILOT Agreement**”), between the Agency, the Company and the Sublessee, which provided for payments in lieu of taxes with respect to the Original Facility.

The Company and Sublessee have now submitted to the Agency, a request and application to amend, modify and extend the current payment-in-lieu-of-tax benefits (the “**2023 PILOT Amendment**”).

In connection with the 2023 PILOT Amendment, the project shall consist of the acquisition and installation of certain equipment and personal property in the Original Facility, including but not limited to embroidery machines, M&R machines for silk screening, Full Color Helix machines, Full Color Xjet machines, printers, and certain other equipment (the “**2023 Equipment**”, and together with the Original Facility, the “**Facility**”), to be used in connection with the Sublessee’s business as a manufacturer and distributor of themed promotion products, including a product line of themed box gift sets, which will also require certain minor modifications to the roof for venting and related adjustments in connection therewith (the “**2023 Project**”, and together with the Original Project, the “**Project**”). In connection therewith, the Agency will amend and extend its leasehold interest in the Facility.

The Agency contemplates that it will provide financial assistance to the Company and/or Sublessee in the form of the extension, modification and amendment of current abatements of real property taxes, exemptions from mortgage recording taxes, and exemptions from sales and use taxes.

3. The hearing officer then opened up the hearing for comments from the floor for or against the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

4. The _____ then asked if there were any further comments and, there being none, the hearing was closed at _____ .m.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on February __, 2023, at __: __ a.m. local time, at the Town of Islip Department of Economic Development, the Office of Economic Development Conference Room, 40 Nassau Avenue, Islip, New York with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of February __, 2023.

Assistant Secretary

Exhibit C

Proposed PILOT Schedule

Formula for Payments-In-Lieu-of-Taxes: Town of Islip, (including any existing incorporated village or any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Suffolk County, Hauppauge School District and Appropriate Special Districts

15 Gilpin Avenue, Hauppauge, New York 11788

Tax Map No. 0500-53.00-01.00-021.001

Formula: 12-year abatement starting at 40% of assessed value, abatement decreasing 5% annually.

Year

- | | |
|---------------|--|
| 1 | 100% normal tax on 40% of the taxable assessed value |
| 2 | 100% normal tax on 45% of the taxable assessed value |
| 3 | 100% normal tax on 50% of the taxable assessed value |
| 4 | 100% normal tax on 55% of the taxable assessed value |
| 5 | 100% normal tax on 60% of the taxable assessed value |
| 6 | 100% normal tax on 65% of the taxable assessed value |
| 7 | 100% normal tax on 70% of the taxable assessed value |
| 8 | 100% normal tax on 75% of the taxable assessed value |
| 9 | 100% normal tax on 80% of the taxable assessed value |
| 10 | 100% normal tax on 85% of the taxable assessed value |
| 11 | 100% normal tax on 90% of the taxable assessed value |
| 12 | 100% normal tax on 95% of the taxable assessed value |
| 13 and beyond | 100% normal tax on the full assessed value |

Date: February 7, 2023

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held at Islip Town Hall, 655 Main Street, Islip, New York on the 7th day of February, 2023 the following members of the Agency were:

Present:

Absent:

Also Present:

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action pertaining to the modification and extension of certain payment-in-lieu-of tax benefits for a certain industrial development facility more particularly described below (JSB Real Estate Company, LLC/Positive Promotions, Inc. 2002 Facility).

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR**

AGENDA ITEM # 5

**TYPE OF RESOLUTION: SECOND AMENDED
AUTHORIZING RESOLUTION.**

COMPANY: EASTVIEW APARTMENTS, INC.

SECOND AMENDED RESOLUTION OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE
ACQUISITION, CONSTRUCTION AND EQUIPPING OF A
CERTAIN INDUSTRIAL DEVELOPMENT FACILITY AND
APPROVING THE FORM, SUBSTANCE AND EXECUTION
OF RELATED DOCUMENTS.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as amended from time to time (collectively, the “**Act**”), the Town of Islip Industrial Development Agency (the “**Agency**”) was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, Eastview Apt Development LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Eastview Apt Development LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), has applied to the Town of Islip Industrial Development Agency (the “**Agency**”), to enter into a transaction in which the Agency will assist in the acquisition of an approximately 2.2 acre parcel of land located at Eastview Drive, Central Islip, New York 11722 (SCTM# 0500-229.10-01.00-010.000) (the “**Land**”), the construction of an approximately 37,000 square foot building thereon (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility will be leased by the Agency to the Company and is to be used as a multi-family housing apartment complex, comprised of two-bedroom units, containing approximately twenty-five (25) total rental apartments, with three (3) rental apartments designated as affordable units (the “**Project**”); and

WHEREAS, the Agency by resolution duly adopted on August 9, 2022, as first amended November 15, 2022 (collectively the “**Authorizing Resolution**”), authorized the acquisition, construction and equipping of the Facility and the execution and delivery of the Agency Documents (as defined therein); and

WHEREAS, subsequent to the Authorizing Resolution, the Company notified the Agency, by an updated application dated December 27, 2022, of its intent to further amend its application dated February 23, 2022 (the “**Original Application**”), in order to request an increase in mortgage recording tax benefits (the “**Amendment to Application**”; and, together with the Original Application, including any other amendments thereto, the “**Application**”); and

WHEREAS, pursuant to the Authorizing Resolution, the Agency authorized exemptions from mortgage recording taxes for one or more mortgages securing an amount

not to exceed \$5,000,000 in connection with the financing of the acquisition, construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping the Facility (the “**Mortgage Recording Tax Benefit**”); and

WHEREAS, the Agency intends to amend its Authorizing Resolution in order to reflect the increase in Mortgage Recording Tax Benefit to provide for exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$6,500,000, but not to exceed \$9,000,000 (inclusive of, not in addition to, the previously authorized Mortgage Recording Tax Benefit), corresponding to mortgage recording tax exemptions presently estimated to be \$48,750, but not to exceed \$67,500, in connection with the financing of the acquisition, construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping the Facility, to cover the increased costs of the Project and/or increase in mortgage financing (the “**Mortgage Recording Tax Benefit Increase**”); and

WHEREAS, the Agency contemplates that it will provide additional financial assistance to the Company, in the form of exemptions from mortgage recording taxes for one or more mortgages securing an amount not to exceed \$9,000,000, corresponding to mortgage recording tax exemptions not to exceed \$67,500, in connection with the financing of the acquisition, construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping the Facility; and

WHEREAS, the Agency has given due consideration to the Application of the Company and to representations by the Company that the proposed transaction is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, the Agency ratifies and confirms all terms contemplated under the Authorizing Resolution, as amended by this Second Amended Authorizing Resolution, including the Agency Documents (as defined therein); and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the leasing of the Facility by the Agency to the Company.

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby amends the Authorizing Resolution to include the Mortgage Recording Tax Benefit Increase.

Section 2. The Agency hereby ratifies and confirms all terms contemplated by the Authorizing Resolution, as amended by this Second Amended Authorizing Resolution, including the Agency Documents.

Section 3. In connection with the Facility, the Agency hereby authorizes and approves the following additional benefits to be granted to the Company in the form of the Mortgage Recording Tax Increase in connection with the financing of the acquisition,

construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping the Facility, consistent with the policies of the Agency.

Section 4. The Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents (as defined in the Authorizing Resolution) all in substantially the forms thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this resolution. The execution thereof by the Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval.

Section 5. The Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 6. This amended resolution shall take effect immediately.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), including the resolutions contained therein, held on February 7, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 7th day of February, 2023.

By: _____
 Assistant Secretary

Date: February 7, 2023

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held at 40 Nassau Avenue, Islip, New York 11751 on the 7th day of February, 2023 the following members of the Agency were

Present:

Absent:

Also Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to acquisition of a leasehold interest in a certain industrial development facility more particularly described below (Eastview Apt Development LLC 2023 Facility) and the leasing of the facility to Eastview Apt Development LLC.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 2

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: MICHAEL P. WALSH

RE: TOWN BOARD DISCUSSION AGENDA

**Town Board authorization to clean up or secure certain properties in the
Town of Islip.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Jeffrey Panasci, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

Town Board Meeting

Tuesday, February 7, 2023 at 2:00 pm

1. 1393 Boston Avenue, Bay Shore 0500-248.00-02.00-024.000 BC

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 1393 Boston Avenue, Bay Shore, NY 11706.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 1393 Boston Avenue, Bay Shore, NY 11706
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number (1) and (8). SEQR review complete.
- Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Jeffrey Parasci
Signature of Commissioner/Department Head Sponsor

1-24-2023
Date

February 7, 2023

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 1393 Boston Avenue, Bay Shore, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Raul Gonzalez, and also upon America’s Wholesale Lender, and also upon Countrywide Home Loans, Inc., by Registered Mail, Return Receipt Requested on January 24, 2023, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 7, 2023; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 24, 2023, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to February 7, 2023; and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on February 7, 2023, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Inspector’s determination that the described premises constitutes a nuisance, that

due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), including the sheds, to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-248.00-02.00-024.000.

UPON a vote being taken, the result was:

(G:\Board up/Clean-up - 1393 Boston Avenue, Bay Shore)

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 3

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Appropriation Transfers.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Joseph Ludwig

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

TOWN OF ISLIP

Resolution Authorizing Appropriation Transfers

Resolution prepared on January 20, 2023 by Carol Charchalis approved by Commissioner /
 Department Head Carol Charchalis and Comptroller _____ : at the Town Board meeting on
 (date) 2/17/23, on a motion by Councilman _____, seconded by Councilman _____,

it was RESOLVED that the Comptroller is authorized to make the transfer(s) listed below:

FROM <input checked="" type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input checked="" type="checkbox"/>			TO <input checked="" type="checkbox"/> INCREASE <input checked="" type="checkbox"/> DECREASE <input type="checkbox"/>		
Account Title	Account Number	Amount	Account Title	Account Number	Amount
Part-time Regular	A. 7622 .1 9990	-\$952.00	Part-time Regular	A. 7624 .1 9990	\$952.00
TOTAL			TOTAL		
-\$952.00			\$952.00		

Justification or Reason for Transfer (see attached) To cover payroll expense.

Upon a vote being taken, the result was _____

_____ Date

DISTRIBUTION Town Clerk Comptroller Department Head

COMPTROLLER'S USE ONLY
Journal Entry Number _____

This form is required (effective 1/1/81) for both the processing of appropriation transfers requiring Town Board Resolution and those not requiring Town Board Resolution.

- PROCESSING INSTRUCTIONS**
1. Fill in "prepared on (date)," "by," Department Head / Commissioner signature.
 2. Complete "From" / "To" section.
 3. Provide reasonable "justification"; lengthy memorandums are not necessary.
 4. Transmit the completed white and yellow copy to the Comptroller's Office.
 5. Comptroller's Office will complete the processing and forward to the Supervisor's Office to be placed on the Town Board agenda.
 6. After approval / denial by the Town Board, the Town Clerk will distribute in accordance with existing policy.

TOWN OF ISLIP
Resolution Authorizing Appropriation Transfers

Resolution prepared on 2/1/23 for (department) DPW approved by Commissioner/Department Head
 (print name & sign) Joseph Ludwig and Comptroller _____ : at the Town Board Meeting on
 (date) 2/7/23, on a motion by Councilperson _____, seconded by Councilperson _____,
 it was RESOLVED that the Comptroller is authorized to make the transfer(s) listed below:

Account Title	Increase Account Number	Amount	Account Title	Increase Account Number	Amount
Heavy Equipment	DB.5110.22303	2,084,657.00	State Aid (CHIPS)	DB..3507.07	2,084,657.00

2,084,657.00

2,084,657.00

Justification: Adjustment requested to utilize additional CHIPS funding to purchase heavy equipment and vehicles.

Upon a vote being taken, the result was _____.

Date _____.

DISTRIBUTION

Town Clerk _____ Comptroller _____ Department Head _____

COMPTROLLER'S USE ONLY

Journal Entry Number _____

This form is required (effective 1/1/81) for both the processing of appropriation transfers requiring Town Board Resolution and those not requiring Town Board Resolution.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 4

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a one year extension agreement with P.K.F. O'Connor Davies for Auditing and Accounting Services.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Joseph Ludwig

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN of ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All items for Town Board action must be accompanied by a sponsor's memorandum which shall be the covering document for all agenda submissions. All items shall be reported to the Deputy Supervisor no later than 12 days prior to the scheduled meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution to enter into a contract with P.K.F. O'Connor Davies to perform the audit for the year ended December 31, 2022. Audit includes the Basic Financial Statement (required by General Municipal Law), Single Audit (required by the Federal Government), State DOT Report (required by NYS). Additional reports include an Audit for the Receiver of Taxes for the year ending September 30, 2022 as well as the agreed upon procedures report for compliance with DEC for year ending December 31, 2022.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Town of Islip
2. **Site or location effected by resolution:** Town wide
3. **Cost:** Not to exceed \$295,000
4. **Budget Line:** A.1670.45050
5. **Amount and source of outside funding:** None

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

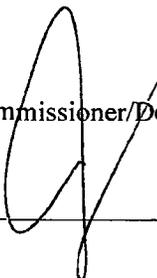
_____ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

___2___ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.

_____ Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.

Signature of Commissioner/Department Head Sponsor.

Date



1/26/23

February 7, 2023

WHEREAS, the Town of Islip is required by General Municipal Law to have an audit conducted by an independent, licensed accounting firm, and;

WHEREAS, in order to ensure that the Town of Islip will be provided the best services available, at the best cost available, and in compliance with accepted standards, on February 25, 2022, the Town issued a Request for Proposal (RFP) for Accounting and Auditing services, and;

WHEREAS, on April 5, 2022 the Town Board awarded the contract to P.K.F O'Connor Davies, and;

WHEREAS, provisions in the contract allow for four (4) one year extensions upon mutual written consent, and;

WHEREAS, the Town has received notice from P.K.F O'Connor Davies to extend the contract to perform the audit of the Town for the year ended December 31, 2022 and;

WHEREAS, the Town is interested in extending the contract with P.K.F O'Connor Davies to perform the audit.

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a one year extension with P.K.F. O'Connor Davies, for Auditing and Accounting Services for an amount not to exceed the sum of TWO HUNDRED NINETY-FIVE AND NO/100 (\$295,000), to be charged to Operating Budget line A 1670-45050.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 5

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Town Clerk to advertise for a Public Hearing to
consider amending Islip Town Uniform Traffic Code.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

David Lopez

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

The attached resolution lists various traffic control devices recommended by the Traffic Safety Division.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Residents of the Town of Islip
 2. Site or location effected by resolution: Various Locations
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

Type 2 action under 6 NYCRR, Section 617.5(c), number 22. SEQR review complete.

Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.



Signature of Commissioner/Department Head Sponsor

1/24/23

Date

On a motion of Councilperson _____, seconded by

Councilperson _____ be it

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for Public Hearing to consider amending the Uniform Code of Traffic Ordinances for the Town of Islip as follows:

**SCHEDULE G
STOP AND YIELD INTERSECTIONS
AMEND TO READ
INTERSECTION**

SIGN

CONTROLLING TRAFFIC

Claywood Drive at Mockingbird Place
(BWD)

Stop

East/West on Mockingbird Place;
North/South on Claywood Drive

**SCHEDULE G
STOP AND YIELD INTERSECTIONS
ADD
INTERSECTION**

SIGN

CONTROLLING TRAFFIC

Aletta Place at Aletta Place (west leg)
(BSR)

Stop

West on Aletta Place

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
ADD**

LOCATION

REGULATION

HOURS/DAYS

Kristin Court
Center island of cul-de-sac (BSR)

No parking

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: CLAYWOOD DRIVE AT MOCKINGBIRD PLACE, BRENTWOOD

REGULATION: Existing – Stop signs control traffic east/west on Mockingbird Place

REQUESTED BY: Resident

RECOMMENDATION: To make this intersection an all-way stop by installing stop signs north/south on Claywood Drive

BRIEF JUSTIFICATION: Federal MUTCD warrants met for installation of all-way stop signs

LOCATION: ALETTA PLACE AT ALETTA PLACE (WEST LEG), BAY SHORE

REGULATION: None

REQUESTED BY: South Shore University Hospital

RECOMMENDATION: Install a stop sign to control westbound traffic

BRIEF JUSTIFICATION: Install a stop sign with rider to clarify right of way for roadway by hospital parking lot

LOCATION: KRISTIN COURT, BAY SHORE

REGULATION: None

REQUESTED BY: Resident

RECOMMENDATION: Install “No Parking” signs around center island of the cul-de-sac

BRIEF JUSTIFICATION: Garbage trucks have difficulty navigating because of parked cars

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 6

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider amending Chapter 68 of the Islip Town Code entitled "Zoning".

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Ela Dokonal

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

The proposed action involves amendments to Chapter 68 (Zoning) of the Town of Islip Code. This resolution authorizes the Town Clerk to advertise for a public hearing to consider the proposed amendments, following notification from the Town's Planning Department that: (1) it has received comments on the proposed amendments from the Suffolk County Planning Commission; or (2) the SC Planning Commission has failed to comment within the period of time prescribed by law.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: N/A
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number (2). Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number _____ . SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

01/19/2023

Date

TOWN BOARD RESOLUTION

Date:

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments will be referred to the Suffolk County Planning Commission, and

WHEREAS, upon receipt of comments on the proposed amendments from the Suffolk County Planning Commission, or the failure of the Suffolk Planning Commission to comment within the period prescribed by law, the Planning Department will request that the Town Clerk's Office advertise for a public hearing to consider the proposed code amendments; and

WHEREAS, a review of the environmental impacts of these proposed code amendments will be fully analyzed in connection with the State Environmental Quality Review Act;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Clerk shall be authorized to advertise for a public hearing to consider the proposed code amendments upon notification from the Planning Department that: (1) it has received comments on the proposed amendments from the Suffolk County Planning Commission; or (2) the Suffolk County Planning Commission has failed to comment on the proposed amendments within the period of time prescribed by law.

SEE ATTACHED FOR PROPOSED AMENDMENTS.

Additions are indicated by UNDERLINING
Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Islip will hold a Public Hearing on _____ at _____ p.m. at _____; Islip, NY to consider amending Islip Town Code Chapter 68, a copy of which is available at the offices of the Town Clerk of the Town of Islip at 655 Main Street, Islip, New York.

By: Olga H. Murray
Town Clerk

TOWN BOARD RESOLUTION

Date: _____

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments have been referred to the Suffolk County Planning Commission; and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code amendments; and

WHEREAS, on _____, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby that the Town Board hereby amends the Islip Town Code Chapter 68, as specified herein; and

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

Article I General Provisions

§ 68-3 Word usage and definitions.

A. Usage.

(1) For the purposes of this ordinance, unless the context indicates to the contrary, words used in the present tense include the future, words used in the plural include the singular, and words in the singular include the plural. The word "lot" includes the word "plot," and the word "structure" includes building ~~"building" includes structures~~, but shall not include any boundary fence or a boardwalk giving access to a structure in a Residence BAA District, provided that said boardwalk is not more than four feet in width and not closer to any side line than four feet. The word "shall" is always mandatory. The words "used" or "occupied" shall be construed as though followed by the words "or intended, arranged or designed to be used or occupied."

B. Definitions.

ACCESSORY STRUCTURES, COMMERCIAL

A structure, including buildings, customarily incidental and subordinate to the principal building or use and located on the same lot.

ACCESSORY BUILDING, STRUCTURES OR USE, RESIDENTIAL

~~A building, structure, including buildings, or use~~ customarily incidental and subordinate to the principal building or use and located on the same lot. ~~with such principal building or use. Accessory buildings may not be used for habitable purposes, including, but not limited to, living, sleeping, eating, or cooking. All accessory buildings shall be limited to one story in height, except if otherwise permitted in the zoning district. Accessory structures shall maintain the same dimensional requirements as those required for accessory buildings. Accessory buildings connected to a main structure with walkways, decking, or breezeways shall not be used for habitable purposes, including but not limited to living, sleeping, eating, or cooking. Accessory structures shall be limited in the following ways:~~

- Accessory buildings connected to a main structure with walkways, decking, or breezeways shall not be used for habitable purposes.
- If constructed on a foundation, only a slab foundation shall be permitted, except those regulated by flood zone construction standards;
- Shall not be used for habitable purposes;
- Shall be limited to one story in height;
- Shall not shall contain indoor showers, tubs, spas or the like. Bathrooms shall be limited to a sink and toilet with a maximum size of 20 square feet;
- Shall not have interior walls, except for a bathroom;
- Shall not have heat or air conditioning;
- Shall be limited to a maximum of 400 square feet if plumbing fixtures are located within, except as otherwise prohibited or limited herein;
- Shall not contain cooking facilities, except if the structure is open on one or more sides.

AFFORDABLE HOUSING, SALE UNITS (SENIOR)

The initial sales price of each sale housing unit shall not exceed a multiple (two times for a one-bedroom unit, 2 1/2 times for a two-bedroom unit, and three times for a three- or four-bedroom unit) of 100% of the estimated median family income for the sale year for the Nassau-Suffolk, New York HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD"). The Town Board in its discretion may permit by Town Board resolution a range of affordability levels for a particular project, provided that the average level of affordability complies with this requirement. In addition, each individual purchasing family's income shall not exceed 100% of the estimated median family income for the sale year for the Nassau-Suffolk, NY HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD"), as adjusted for family size, nor shall such purchasing household possess net liquid assets and equity in real property totaling more than 2 1/2 times the unsubsidized price (before grants) of the affordable unit after deducting purchaser's down payment and estimated closing costs. Subsequent purchasers of such units shall have at the time of purchase an income at or below 100% of the median income for the Nassau-Suffolk primary statistical area as defined by the federal Department of Housing and Urban Development, and such purchaser shall not possess net liquid assets and equity in real estate totaling more than 2 1/2 times the unsubsidized price (before grants) of the affordable unit after deducting purchaser's down payment and estimated closing costs. The property owner shall enter into a contract with a not-for-profit HUD Certified Housing Counseling Agency to review and certify compliance with the above provisions. This contract must be provided prior to the issuance of certificate(s) of occupancy and upon request to the Town of Islip Planning Department. To insure continued compliance with this legislation, and as a condition of a change of zone or subdivision approval pursuant to New York State Town Law, all affordable sale units shall be subject to covenants and restrictions that run with the land, and restrict the sale and resale of such units in accordance with the above requirements.

CLUBHOUSE

An accessory structure located on the same property as, or associated with, a residential community. Said structure shall be permitted to include a sales/management office, bathrooms, showers, cooking facilities, and additional space for recreation, social gatherings, and similar type uses.

GROSS FLOOR AREA (GFA)

The total floor area, including all levels or stories, of a structure as measured from the exterior faces of the walls.

(1) Gross floor area shall include but not be limited to:

(e) Storage space, including the area below a dwelling that has been raised for floodproofing or other purposes, with headroom of seven feet six inches or more, and fully enclosed with walls.

~~(j) Decks located on Fire Island.~~

(2) The following structures shall not contribute towards gross floor area:

(h) Decks located on Fire Island, provided that they are accessory to a permitted principal use and are not roofed over, covered or enclosed and which are a maximum of ~~five~~ six feet above average grade. For the purposes of this section, average grade shall be determined by measuring the vertical distance from the ground to the ~~bottom of the lowest horizontal joist member~~ surface of the deck at each external corner of said deck and taking the average thereof.

HABITABLE SPACE

A space in a ~~building~~ structure used for living (including recreation, exercising, and office space), sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

LAUNDROMAT

An establishment that offers laundry services, washing machines and dryers on a pay per use basis.

OUTDOOR STORAGE

Any overnight storage located other than in an enclosed building or structure which meets the New York State Fire and Building Code. Said storage consists of a primary inventory of goods for any commercial operation ~~and is not~~ whether or not it is intended for public viewing and/or for retail uses.

RECYCLING CENTER

An establishment which sorts and processes those components of the waste stream which are capable of being recycled or reused in place of virgin materials which may include newspaper, corrugated cardboard, ferrous metals, glass, plastics, aluminum and yard waste.

REDEMPTION CENTER

An establishment with the sole purpose of reimbursing the refund value of an empty beverage container (glass, plastic or aluminum) to a redeemer. Said establishment shall not be considered a recycling center and may not receive glass, plastics or aluminum for which a deposit is not required by New York State law.

Article II Use Districts

§ 68-12 Zoning Map; district boundaries.

B. The boundaries between use districts are, unless otherwise indicated, either along the boundary lines of various properties and lots or the center lines of streets or railroad rights-of-way or such lines extended or lines parallel thereto. Where figures are shown on the Zoning Map between a street line and a district boundary line, they indicate the distance therefrom

equivalent to the number of feet so indicated. When the location of a use district boundary line is not otherwise determined, it shall be determined by the scale of the map measured from a given line; where the street layout actually on the ground varies from the street layouts as shown on the Zoning Map, the designations shown on the mapped street shall be applied in such a way as to carry out the intent and purpose of this ordinance for the particular area in question. Lands lying under water shall be considered as being in the same district as the abutting upland, for a distance of 100 feet from said upland, unless specifically classified and designated otherwise. When property is located in two different zones, it must meet the higher zoning classification, except in those cases where the higher zoning classification of the parcel consists of 10% or less of its overall area.

Article IV Administration; Permits and Fees; Standards and Requirements

§ 68-24 Permits.

D. Expiration and renewal of permits. A permit shall expire one year after the date issued. Upon payment of renewal fee ~~as established by the Commissioner~~, a permit may be renewed, but not more than three renewals may be granted, except in cases of financial hardship, illness, or death. In this instance the Commissioner or his/her designee may authorize additional renewals. Exception: There shall be no renewals granted for pool permits or second-story decks.

Article IVA Amendments

§ 68-32 Application and notice requirements.

C. Notification requirements.

~~(2) At least three posters~~ Posters not less than 11 inches by 22 inches in size must be conspicuously posted along the entire length of each street frontage of the subject property at least 10 days prior to the public hearing date. One poster shall be posted every 200 feet. At least three posters overall shall be posted. Such posters shall contain the following information:

~~(a) The current zoning and the~~ The proposed zoning district change, special permit and/or site plan modification.

~~(b) The date, time, and location of the~~ public hearing.

§ 68-33 Procedure on Town's own motion.

Whenever the Town Board, on its own motion or upon recommendation of the Planning Board, shall consider any change of use district classification, notice shall be given to the subject property owner(s) and surrounding property owners pursuant to § 68-32 C (1). ~~the resolution setting a date for a public hearing shall contain a clause requiring that the owners of all property within the boundaries of the property proposed to change use district classification and all property owners immediately adjacent and directly opposite thereto for a distance of 200 feet from the perimeter of the property proposed to be changed in use district classification be notified of the proposed change, except as hereinafter provided. Said notice shall be sent either~~

~~by certified mail or registered mail return receipt requested, to such owner at the address shown on the current Town of Islip assessment roll, and shall be mailed to such owner at least 10 days prior to the public hearing. Said notice shall contain a description sufficient to identify the property which is proposed to be changed in use district classification, together with information substantially similar to that required by § 68-32C(1) of this chapter.~~ In the following enumerated cases, the notice required by this section shall not be required:

- A. In the event that the area of the proposed change of zone represents 50% or more of the property contained within the bounds of a school district within the Town of Islip.
- B. In the event that the area of the proposed change of zone exceeds 50 acres, street and cross-street geographical location.
- C. In all other cases where the Town Board of the Town of Islip shall determine that the notice required by this section shall be dispensed with.

§ 68-34 Special permits from Town Board and Planning Board.

B. In reviewing special permit applications, the Town Board or Planning Board may consider various factors, including but not limited to the following; traffic impacts; adequacy of parking facilities; environmental impacts; effect on neighboring properties; ability to buffer noise and aesthetic impacts on residential uses; compliance with the comprehensive plan; compatibility with the nature and character of the surrounding area; architectural impacts to the surrounding area; and the overall ability of the site to accommodate the proposed special permit use, and any other consideration involving the public health, safety, and welfare.

§ 68-36 Restrictive Covenants

G. All change of zone, special permit, site plan modifications, ~~minor subdivision, or major subdivision approvals~~ shall expire within two years of the date of grant by either the Town Board or Planning Board, unless a building permit (exclusive of demolition permits) has been secured or the property lawfully used for the purpose granted within 24 months, unless extended by the Commissioner of Planning and Development, or the Commissioner's designee and a fee is paid equal to 50% of the ~~total original~~ current application fee, except as may otherwise be provided herein. The Board issuing the approval may shorten this time frame in the event the application is made to legalize a previously unauthorized use of the property. The Board further reserves the right to revoke said approvals associated with the subject property after due public hearing if a building permit is not secured within the required time frame.

[Amended 12-17-2019]

§ 68-38 Application for change of zone or special permit after hearing.

A. No parcel or part thereof may be the subject of an application for a change of zone or special permit within two years after the Town Board or Planning Board has held a public hearing or issued a final determination on such application unless the second application seeks a change to a more restrictive zoning category than was earlier sought or seeks a less intensive special permit use, or such petition sought has the unanimous consent of the governing board. This section shall not apply to an application in which a motion to approve, deny or amend fails to be carried by a majority of all the members of a governing board.

B. An application for a change of zone or special permit which is not approved by an affirmative vote of a majority of all Town Board and/or Planning Board members within 18 months of the initial public hearing shall be required to hold a subsequent public hearing before said Board renders a decision. This requirement shall not apply to applications which receive a positive declaration under the State Environmental Quality Review Act.

Article V Use District Regulations: Residence AAA District

§ 68-45 Permitted uses.

B. Church or similar place of worship, parish house, public or parochial school, public library or municipal building, provided that a minimum buffer area of 25 feet in width in accordance with Town standards is provided and maintained adjacent to all residential uses or zones and a site plan is submitted to and approved by the Planning Board or its designee indicating compliance with all applicable land development standards.

C. Municipal use, including but not limited to park, municipal playground, or municipal recreation building or use.

§ 68-46.1 Uses permitted by special permit from Planning Board after due public hearing.

E. Private ~~or parochial~~ school, including preschool programs, elementary and secondary schools, colleges and universities. Vocational and other non-degree-granting schools shall not be considered private schools and shall not be considered permitted uses.

§ 68-48 Accessory uses.

A. Permitted accessory uses.

(1) The following accessory uses shall be permitted when located on the same lot with the authorized use:

(a) Private garages, provided that the gross floor area of the garage does not exceed the ground floor area of the main dwelling and provided that the height does not exceed the accessory structure requirement. Buildings attached to a main residential structure by a breezeway extending beyond 10 feet must meet accessory structure setbacks and regulations. For breezeways of 10 feet or less, main building setbacks and regulations must be adhered to, other than building height which must meet accessory structure regulations. The design of any private garage shall be compatible with the residential character of the area. Use of exposed concrete block exceeding 20% of the façade, or similar materials shall be prohibited.

(j) Other customary accessory uses, structures and buildings, provided that such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business. ~~No customary accessory structure, building or use shall contain~~

~~indoor showers or other facility used for bathing. Any shower shall be accessible from the exterior only.~~

Article XI Use District Regulations: Residence BAA District

§ 68-136 Permitted uses.

(3) Public or parochial school.

§ 68-137 Uses permitted by special permit from Planning Board after public hearing.

E. Private, ~~parochial~~ school or college or municipal use, including but not limited to a firehouse.

Article XII Use District Regulations: Residence CAA District

§ 68-150.2 Permitted uses.

In a Residence CAA District, no building, structure, or premises shall be used or occupied and no building or part thereof or other structure shall be so erected or altered, except for one or more of the following purposes:

C. A single three- or four-family dwelling ~~when~~ with a side yard adjacent to a property zoned Residence C, Residence CA, Business District, Business 1, Business 2 or General Service T District and having no uses other than accessory uses on the subject parcel. The subject parcel shall meet the requirements of §§ 68-500 and 68-501. The building must have a lobby/foyer from which all units are accessible (via hallways, elevators). No visible entry doors to each individual unit are permitted. Only one visible front entrance shall be permitted, unless a determination is made by the Commissioner of Planning or his or her designee that the architectural character of a preexisting building will be preserved by allowing one additional visible front entrance.

Article XIX Use District Regulations: Business District

§ 68-256 Permitted uses.

I. Laundromat, provided a maximum of 30% of the overall building street frontage is utilized for the use.

§ 68-260 Height.

A. Buildings and structures.

(1) In Business BD District, no building or structure shall be erected or altered to a height in excess of ~~35~~ 37 feet or three stories.

~~B. Dwellings.~~

~~(1) The height regulations for detached dwellings shall be the same as those in the Residence AAA District.~~

§ 68-261 Percentage of lot occupancy.

A. The total building area, including all buildings, shall not exceed an FAR of 0.60.

~~B. The total building area, including all buildings, shall not exceed an FAR of 0.25 for a single-family dwelling.~~

§ 68-262 Area density.

~~A. The minimum required plot area for a single-family detached dwelling or two-family dwelling shall be 20,000 square feet.~~

§ 68-264 Width of lot.

A. Minimum requirements.

~~(1) The minimum width of lot for a single-family detached dwelling, a two-family detached dwelling, lodging house or boardinghouse shall be 100 feet throughout.~~

(2) The minimum width of lot for all permitted buildings shall be 65 feet except as otherwise provided herein.

~~(3) The minimum width of lot for a hotel, motel, boatel shall be 150 feet throughout.~~

(4) The minimum width of lot for ~~an indoor moving picture theater,~~ a community building, church or other similar place of worship, parish house shall be 100 feet throughout.

(5) The minimum width of lot for all uses permitted pursuant to §§ 68-257 and 68-258 shall be 100 feet throughout.

(6) The minimum width of lot for all other permitted uses shall be 100 feet throughout.

§ 68-268 Permitted encroachments.

~~No encroachments shall be permitted.~~

The following encroachments are hereby permitted:

A. For mixed use buildings, the following shall be permitted to exceed the maximum height permitted by 5 feet:

1. Gable or similar type roofs, elevator shafts, parapet walls and railings, mechanical equipment, including those used for renewable energy (must be properly screened pursuant to the satisfaction of the Commissioner of Planning or his/her designee), cupolas, steeples, chimneys, rooftop gardens or similar amenities, or other architectural features intended to provide superior architectural design.

§ 68-269 Exterior site improvements and parking.

This district is specifically designed to encompass the so-called "downtown" areas of the Town of Islip. These areas do not have adequate parking, and in each "downtown" section the Town has endeavored to purchase land and provide parking itself. Therefore, the following guidelines are to be followed:

~~A. For other than residential buildings, whenever there is a reconstruction of a building, as long as the reconstruction is not eliminating any existing parking, there shall be imposed no parking requirements.~~ Parking. Any new building or change of use to a use requiring more parking, shall be required to provide parking on site pursuant to the Table of Minimum Required Parking Spaces, which is located in Town of Islip Subdivision and Land Development Regulations (<https://www.islipny.gov/community-and-services/documents/planning-development/engineering/303-town-of-islip-subdivision-and-land-development->

regulations/file), except as provided herein. Where there is more than one use, the minimum requirements shall be cumulative for all uses. If requesting a parking relaxation, Applicant shall submit a Parking Management Plan to demonstrate that the parking arrangement will satisfy the purposes of the parking requirements, resulting in approvals if demonstrated to the satisfaction of the Planning Board. An applicant may demonstrate alternative methods of providing parking, including but not limited to, off-street parking requirements on another site, within walking distance, upon review and approval of the Planning Board, pursuant to agreements in place.

G. Buildings. Windows of occupied or unoccupied buildings shall not be removed nor shall such windows be boarded up for a period exceeding 10 working days without the approval of the Commissioner of the Department of Planning, ~~Housing~~ and Development. Such approval may be granted by the Commissioner in those circumstances where the building is under construction or reconstruction, has been damaged by fire or when the owner or occupant, for reasons beyond his control, is unable to obtain replacement materials.

§ 68-270 Architecture.

Prior to the submission of any new construction building permit applications, representative exterior architectural drawings shall be approved by the Planning Division. The Planning Division shall review the plans for overall building design, materials, colors, screening and other architectural consideration. A denial of architectural approval by the Planning Division may be appealed to the Planning Board.

A. Building materials. All new buildings should preserve or improve the neighborhood character achieved through the integration of form, style, and the use of materials. Exterior walls shall be designed and constructed using quality building materials appropriately applied to create aesthetically pleasing and enduring structures that contribute positively to the overall character of the area. Building materials shall be of high quality and shall be utilized in a manner appropriate to their properties, where heaviest appearing materials are kept at the base. The use of EIFS and decorative concrete block shall be limited.

~~**B. Architectural features.** A minimum number of architectural features shall be incorporated into building facades visible from roadways. This may include canopies over doorways, cornices, decorative ornament appropriate for the architecture, window wall framing, or decorative lighting. The use of windows is encouraged on the ground floor.~~

~~**C. Building façade and design.** A cohesive building design shall be utilized from the top to bottom of the structure. Corner properties should be a focal point of design and utilize high-quality design. [Extend cohesive design to second story (do not stop at first floor), focus on corner properties as they are the most prominent.]~~ Building facades that face the street or have a prominent exposure to other public areas shall include design measures that increase the building's aesthetic appeal to enhance and reinforce existing design qualities found in the neighborhood. Such measures shall include:

1. All buildings should provide at least two horizontal expression lines appropriate for the scale of the building to differentiate between the base, middle or top of buildings and emphasize a massing transition or change of use, articulated

through the use of material, moldings, shading devices, changes of material, changes of color, cornices, and other similar architectural elements.

2. Façade elements, including visual structural elements, openings, and details should utilize a coherent system of vertical proportions achieved by, and not limited to, changes in material, color, recessed sections, different cornice height or different roof condition.
3. Articulation of the building façade by incorporating elements such as porches, terraces, bay windows, dormers, pilasters, or building setbacks.
4. Architectural details (such as brackets, banding, railings, chimneys, entry columns, or window shutters) shall be designed to incorporate compatibility with the architectural qualities of prominent buildings in the neighborhood.
5. Buildings shall have a first level façade of the primary street frontage that is transparent [glass] between three feet and eight feet above the ground for at least 70% of the horizontal length of the building façade.
6. There shall be at least one commercial door entrance for every 75 feet of street frontage.
7. 50% of the Ground level structured parking on primary street frontage shall have at least 10' of building space as a lining use.

D. Screening. Rooftop equipment, mechanical equipment, structured parking, dumpsters, loading areas, etc., shall be screened consistent with the building style or, for ground-level features, with fencing and/or landscaping.

F. Mixed use buildings. All mixed-use buildings shall:

1. Have a minimum of 12 feet floor-to-floor for the first floor of commercial uses, and a minimum of eight feet for upper floors.
2. Differentiate between the base, middle or top of the building, and emphasize a transition of a change of use.
3. Provide a residential lobby for buildings with four or more apartments, in a location that is convenient to its residents.

Article XX Use District Regulations: Business 1 District

§ 68-271 Permitted uses.

D. Store, office, medical offices, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

§ 68-274 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot of the authorized use:

(7). Sale of propane exchange tanks, stored in a single open-caged structure.

Article XXI Use District Regulations: Business 2 District

§ 68-286 Permitted uses.

B. ~~Reserved~~ Laundromat

C. Store, office, medical offices, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

§ 68-289 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot with the authorized use:

(7). Sale of propane exchange tanks, stored in a single open-caged structure.

Article XXII Use District Regulations: Business 3 District

§ 68-301.1 Permitted uses.

C. Store, office, medical office, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

R. Laundromat

§ 68-302 Uses permitted by special permit from Town Board after public hearing.

A. ~~Any outdoor storage as defined in § 68-3, except where provided herein~~Outdoor storage of primary goods accessory to a permitted retail use. The outdoor and overnight parking of vehicles, including construction equipment, shall not be permitted in conjunction with this special permit. Outdoor storage shall be screened from public view of any right-of-way at the direction of the Town Board.

§ 68-305 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot with the authorized use:

(6) The sale and filling of propane exchange tanks.

Article XXV Use District Regulations: Industrial 1 District

§ 68-338 Permitted uses.

C. ~~(Reserved)~~The sale and filling of propane exchange tanks.

F. ~~Banks~~Redemption Center.

§ 68-343 Height.

A. In an Industrial 1 District, no building or structure shall be erected or altered to a height in excess of 60 feet or four stories. Any portion of the building which is erected in excess of 35

feet shall be set back ~~one additional foot for each additional foot of height~~ the height of the building with relation to front yards, rear yards and side yards or the minimum required setback, whichever is greater.

Article XXIX Signs

§ 68-395 Permitted signs.

B. The following signs are permitted in the zoning districts as specified in the Schedule of Sign Regulations and in conformance with all other provisions of this article:

(17) Historic Marker: Any sign erected at a historically significant location, facility, or building that is used to interpret, promote, or protect the historic and cultural character of the location, facility, or building. See § 68-400 E. for requirements.

§ 68-396 Prohibited signs.

J. Any sign in any street right-of-way, except historic markers erected pursuant to § 68-400 E.

§ 68-400 Miscellaneous provisions.

E. historic markers do not require a sign permit, but shall comply with the following:

(1) Meet the design and construction standards set forth in NYS Code.

(2) Obtain written approval from the Town Historian for the contents of the sign to ensure historical accuracy, validity, and proper spelling.

(3) One sign per historical location, facility, or building.

(4) These requirements refer only to ground signs as described in NYS Code. All other signage shall follow the appropriate provisions set forth in this article.

F. Long Island MacArthur Airport (ISP). It is understood that certain signage is necessary on ISP property in order to facilitate the safe and proper movement of internal operations and aircraft at the facility. Signage which is not visible from any public right-of-way or residential property is not subject to the requirements in §68-397. In no case shall a prohibited sign type as outlined in §68-396 be erected unless the required variance(s) from the Zoning Board of Appeals is obtained.

Article XXX Sight Obstructions, Fences and Walls

§ 68-406 Fences and walls.

B. No portion of any fence or wall shall be higher than four feet above the ground at any point when set back less than 15 feet from a street property line. For corner lots, no fence, or wall, shall be higher than four feet above the ground at any point when set back less than 10 feet from the second front yard property line. This provision shall not apply to retaining walls, which

shall be set back from street and second front yard property lines in accordance with § 68-406F. For through lots, a fence up to six feet in height may be located on a through lot front yard property line, however, it shall be set back at least five feet from a sidewalk or edge of road pavement. No fence shall be higher than six feet when set back less than 15 feet from a through lot front yard property line.

(2) Exception: For commercial properties with frontage along Sunrise Highway (SR 27), Veterans Memorial Highway (SR 454) or the Long Island Expressway (Interstate 495), a fence, no higher than eight feet, may be located on the rear or side property line abutting a residential use. Within the Industrial Corridor District pursuant to § 68-482.1C, an eight foot sound attenuation wall shall be permitted.

F. All walls greater than 18 inches in height from average, undisturbed grade shall be set back from any property line a minimum of four feet or a distance equal to the height of the wall above average, undisturbed grade, whichever is greater. Walls that are greater than 18 inches in height or higher, at any point above average, undisturbed grade, shall obtain a permit prior to construction. For marine bulkheads, a Town of Islip Wetlands and Watercourses Permit may constitute the required permit, subject to the review of the Divisions of Building and Engineering. All walls, as defined in § 68-3 shall receive a determination of the necessity of site plan review from the Divisions of Building and Engineering prior to construction.

Article XXXIV Miscellaneous Provisions

~~§ 68-420.7 Lighting.~~

~~A. Floodlighting or strobe or flashing lights shall not be installed or maintained in any manner that would allow any rays to fall beyond the property lines. Any lighting which impairs the vision or creates a hazard or nuisance is prohibited.~~

~~B. This section shall not apply to New York State or a public corporation, as defined by § 66 of the General Construction Law.~~

§ 68-420.8 Driveways and parking.

A. Legislative intent. In order to maintain an appropriate visual quality for residential properties, preserve property values, protect neighborhood character and safeguard quality of life, certain standards shall apply as specified herein.

(1) The amount of front yard area consisting of asphalt, gravel, stone or dirt or other nonvegetative material, to be used primarily for the parking of vehicles, shall not exceed ~~35~~40% of the area of the front yard. In the instance of corner lots, the area of the secondary front yard ahead of the front line of the main dwelling is incorporated in the front yard area.

Article XLV Use District Regulations: General Service T District

§ 68-487 Legislative intent.

D. Preferred locations for General Service T designation include properties in a transitional location with a side yard adjacent to a commercially-zoned property and another side yard adjacent to a residential district or another property designated as General Service T. The site shall not be located mid-block among other single-family dwellings unless adjacent to institutional uses or a mitigating circumstance exists whereas the goals of this article are better served.

Article LII Exterior Lighting Standards

§ 68-687 Illuminance and type of lamp for all nonresidential exterior lighting.

C. Light emitting diodes ~~rated at 4,000K or less~~ shall be used for all light sources rated over 1,800 lumens (100 watts incandescent). Metal halide (MH) with a Correlated Color Temperature (CCT) rated over 3,000K, light emitting diodes with a CCT rated over 4,000K, and mercury vapor (MV) light sources are not permitted. No luminaire shall exceed 16,000 lumens.

Article LIII Use District Regulations: Industrial Transition District

§ 68-700 Uses permitted by special permit from Planning Board after public hearing.

F. Automobile parking field and/or vehicle fleet storage yards, including but not limited to ambulettes, buses, taxis, ice cream trucks, freight facilities, private carting companies, transportation facilities, and parcel post companies, provided that all such vehicle parking or storage areas are completely screened from view with fencing, landscaping, and berms at the direction of the Planning Board.

S. Sale, ~~or lease~~ or parking of construction vehicles, emergency vehicles, storage trailers or containers and office trailers, provided that the subject site has a building with a minimum FAR of 0.10, such vehicles or trailers are located completely within the rear yard and are set back a minimum of 200 feet from any residential use, and further provided such vehicles or trailers are properly screened from view with fencing and/or landscaping pursuant to an approved site plan.

§ 68-702 Uses permitted as special exception by Board of Appeals after public hearing. (Note: See also § 68-341.1, Adult uses.)

A. ~~Brewing or distilling of beverages.~~

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 7

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider enacting Local Law 2 of 2023 amending Local Law 3 of 1989, Islip Town Code Chapter 68, 68-325.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Ela Dokonal

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

TOWN BOARD RESOLUTION

Date:

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Article XXIV (Planned Development District) of Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments will be referred to the Suffolk County Planning Commission, and

WHEREAS, upon receipt of comments on the proposed amendments from the Suffolk County Planning Commission, or the failure of the Suffolk Planning Commission to comment within the period prescribed by law, the Planning Department will request that the Town Clerk's Office advertise for a public hearing to consider the proposed code amendments; and

WHEREAS, a review of the environmental impacts of these proposed code amendments will be fully analyzed in connection with the State Environmental Quality Review Act;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Clerk shall be authorized to advertise for a public hearing to consider the proposed code amendments upon notification from the Planning Department that: (1) it has received comments on the proposed amendments from the Suffolk County Planning Commission; or (2) the Suffolk County Planning Commission has failed to comment on the proposed amendments within the period of time prescribed by law.

SEE ATTACHED FOR PROPOSED AMENDMENTS.

Additions are indicated by UNDERLINING
Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Islip will hold a Public Hearing on _____ at _____ p.m. at _____, Islip, NY to consider enacting Local Law 2 of 2023 amending Local Law 3 of 1989, Islip Town Code Chapter 68, §68-324, a copy of which is available at the offices of the Town Clerk of the Town of Islip at 655 Main Street, Islip, New York.

By: Olga H. Murray
Town Clerk

TOWN BOARD RESOLUTION

Date: _____

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Article XXIV (Planned Development District) of Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments have been referred to the Suffolk County Planning Commission; and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code amendments; and

WHEREAS, on _____, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby enacts Local Law 2 of 2023 amending Local Law 3 of 1989, Islip Town Code Chapter 68, §68-324 as specified herein; and

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

Article XXIV Use District Regulations: Planned Development District

§ 68-324 Subdistrict regulations.

B. Research and industrial.

(1) Permitted uses.

(a) Office buildings, including medical office.

AFFORDABLE HOUSING, SALE UNITS (SENIOR)

The initial sales price of each sale housing unit shall not exceed a multiple (two times for a one-bedroom unit, 2 1/2 times for a two-bedroom unit, and three times for a three- or four-bedroom unit) of 100% of the estimated median family income for the sale year for the Nassau-Suffolk, New York HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD"). The Town Board in its discretion may permit by Town Board resolution a range of affordability levels for a particular project, provided that the average level of affordability complies with this requirement. In addition, each individual purchasing family's income shall not exceed 100% of the estimated median family income for the sale year for the Nassau-Suffolk, NY HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD"), as adjusted for family size, nor shall such purchasing household possess net liquid assets and equity in real property totaling more than 2 1/2 times the unsubsidized price (before grants) of the affordable unit after deducting purchaser's down payment and estimated closing costs. Subsequent purchasers of such units shall have at the time of purchase an income at or below 100% of the median income for the Nassau-Suffolk primary statistical area as defined by the federal Department of Housing and Urban Development, and such purchaser shall not possess net liquid assets and equity in real estate totaling more than 2 1/2 times the unsubsidized price (before grants) of the affordable unit after deducting purchaser's down payment and estimated closing costs. The property owner shall enter into a contract with a not-for-profit HUD Certified Housing Counseling Agency to review and certify compliance with the above provisions. This contract must be provided prior to the issuance of certificate(s) of occupancy and upon request to the Town of Islip Planning Department. To insure continued compliance with this legislation, and as a condition of a change of zone or subdivision approval pursuant to New York State Town Law, all affordable sale units shall be subject to covenants and restrictions that run with the land, and restrict the sale and resale of such units in accordance with the above requirements.

CLUBHOUSE

An accessory structure located on the same property as, or associated with, a residential community. Said structure shall be permitted to include a sales/management office, bathrooms, showers, cooking facilities, and additional space for recreation, social gatherings, and similar type uses.

GROSS FLOOR AREA (GFA)

The total floor area, including all levels or stories, of a structure as measured from the exterior faces of the walls.

- (1) Gross floor area shall include but not be limited to:
 - (e) Storage space, including the area below a dwelling that has been raised for floodproofing or other purposes, with headroom of seven feet six inches or more, and fully enclosed with walls.

~~(j) Decks located on Fire Island.~~

(2) The following structures shall not contribute towards gross floor area:

(h) Decks located on Fire Island, provided that they are accessory to a permitted principal use and are not roofed over, covered or enclosed and which are a maximum of ~~five~~ six feet above average grade. For the purposes of this section, average grade shall be determined by measuring the vertical distance from the ground to the ~~bottom of the lowest horizontal joist member~~ surface of the deck at each external corner of said deck and taking the average thereof.

HABITABLE SPACE

A space in a building structure used for living (including recreation, exercising, and office space), sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

LAUNDROMAT

An establishment that offers laundry services, washing machines and dryers on a pay per use basis.

OUTDOOR STORAGE

Any overnight storage located other than in an enclosed building or structure which meets the New York State Fire and Building Code. Said storage consists of a primary inventory of goods for any commercial operation ~~and is not~~ whether or not it is intended for public viewing and/or for retail uses.

RECYCLING CENTER

An establishment which sorts and processes those components of the waste stream which are capable of being recycled or reused in place of virgin materials which may include newspaper, corrugated cardboard, ferrous metals, glass, plastics, aluminum and yard waste.

REDEMPTION CENTER

An establishment with the sole purpose of reimbursing the refund value of an empty beverage container (glass, plastic or aluminum) to a redeemer. Said establishment shall not be considered a recycling center and may not receive glass, plastics or aluminum for which a deposit is not required by New York State law.

Article II Use Districts

§ 68-12 Zoning Map; district boundaries.

B. The boundaries between use districts are, unless otherwise indicated, either along the boundary lines of various properties and lots or the center lines of streets or railroad rights-of-way or such lines extended or lines parallel thereto. Where figures are shown on the Zoning Map between a street line and a district boundary line, they indicate the distance therefrom

equivalent to the number of feet so indicated. When the location of a use district boundary line is not otherwise determined, it shall be determined by the scale of the map measured from a given line; where the street layout actually on the ground varies from the street layouts as shown on the Zoning Map, the designations shown on the mapped street shall be applied in such a way as to carry out the intent and purpose of this ordinance for the particular area in question. Lands lying under water shall be considered as being in the same district as the abutting upland, for a distance of 100 feet from said upland, unless specifically classified and designated otherwise. When property is located in two different zones, it must meet the higher zoning classification, except in those cases where the higher zoning classification of the parcel consists of 10% or less of its overall area.

Article IV Administration; Permits and Fees; Standards and Requirements

§ 68-24 Permits.

D. Expiration and renewal of permits. A permit shall expire one year after the date issued. Upon payment of renewal fee ~~as established by the Commissioner~~, a permit may be renewed, but not more than three renewals may be granted, except in cases of financial hardship, illness, or death. In this instance the Commissioner or his/her designee may authorize additional renewals. Exception: There shall be no renewals granted for pool permits or second-story decks.

Article IVA Amendments

§ 68-32 Application and notice requirements.

C. Notification requirements.

~~(2) At least three posters~~ Posters not less than 11 inches by 22 inches in size must be conspicuously posted along the entire length of each street frontage of the subject property at least 10 days prior to the public hearing date. One poster shall be posted every 200 feet. At least three posters overall shall be posted. Such posters shall contain the following information:

~~(a) The current zoning and the~~ The proposed zoning district change, special permit and/or site plan modification.

~~(b) The date, time, and location of the public hearing.~~

§ 68-33 Procedure on Town's own motion.

Whenever the Town Board, on its own motion or upon recommendation of the Planning Board, shall consider any change of use district classification, notice shall be given to the subject property owner(s) and surrounding property owners pursuant to § 68-32 C (1). ~~the resolution setting a date for a public hearing shall contain a clause requiring that the owners of all property within the boundaries of the property proposed to change use district classification and all property owners immediately adjacent and directly opposite thereto for a distance of 200 feet from the perimeter of the property proposed to be changed in use district classification be notified of the proposed change, except as hereinafter provided. Said notice shall be sent either~~

~~by certified mail or registered mail return receipt requested, to such owner at the address shown on the current Town of Islip assessment roll, and shall be mailed to such owner at least 10 days prior to the public hearing. Said notice shall contain a description sufficient to identify the property which is proposed to be changed in use district classification, together with information substantially similar to that required by § 68-32C(1) of this chapter.~~ In the following enumerated cases, the notice required by this section shall not be required:

- A. In the event that the area of the proposed change of zone represents 50% or more of the property contained within the bounds of a school district within the Town of Islip.
- B. In the event that the area of the proposed change of zone exceeds 50 acres, street and cross-street geographical location.
- C. In all other cases where the Town Board of the Town of Islip shall determine that the notice required by this section shall be dispensed with.

§ 68-34 Special permits from Town Board and Planning Board.

B. In reviewing special permit applications, the Town Board or Planning Board may consider various factors, including but not limited to the following; traffic impacts; adequacy of parking facilities; environmental impacts; effect on neighboring properties; ability to buffer noise and aesthetic impacts on residential uses; compliance with the comprehensive plan; compatibility with the nature and character of the surrounding area; architectural impacts to the surrounding area; and the overall ability of the site to accommodate the proposed special permit use, and any other consideration involving the public health, safety, and welfare.

§ 68-36 Restrictive Covenants

G. All change of zone, special permit, site plan modifications, ~~minor subdivision, or major subdivision approvals~~ shall expire within two years of the date of grant by either the Town Board or Planning Board, unless a building permit (exclusive of demolition permits) has been secured or the property lawfully used for the purpose granted within 24 months, unless extended by the Commissioner of Planning and Development, or the Commissioner's designee and a fee is paid equal to 50% of the ~~total original~~ current application fee, except as may otherwise be provided herein. The Board issuing the approval may shorten this time frame in the event the application is made to legalize a previously unauthorized use of the property. The Board further reserves the right to revoke said approvals associated with the subject property after due public hearing if a building permit is not secured within the required time frame.

[Amended 12-17-2019]

§ 68-38 Application for change of zone or special permit after hearing.

A. No parcel or part thereof may be the subject of an application for a change of zone or special permit within two years after the Town Board or Planning Board has held a public hearing or issued a final determination on such application unless the second application seeks a change to a more restrictive zoning category than was earlier sought or seeks a less intensive special permit use, or such petition sought has the unanimous consent of the governing board. This section shall not apply to an application in which a motion to approve, deny or amend fails to be carried by a majority of all the members of a governing board.

B. An application for a change of zone or special permit which is not approved by an affirmative vote of a majority of all Town Board and/or Planning Board members within 18 months of the initial public hearing shall be required to hold a subsequent public hearing before said Board renders a decision. This requirement shall not apply to applications which receive a positive declaration under the State Environmental Quality Review Act.

Article V Use District Regulations: Residence AAA District

§ 68-45 Permitted uses.

C. Municipal use, including but not limited to park, municipal playground, or municipal recreation building or use.

§ 68-48 Accessory uses.

A. Permitted accessory uses.

(1) The following accessory uses shall be permitted when located on the same lot with the authorized use:

(a) Private garages, provided that the gross floor area of the garage does not exceed the ground floor area of the main dwelling and provided that the height does not exceed the accessory structure requirement. Buildings attached to a main residential structure by a breezeway extending beyond 10 feet must meet accessory structure setbacks and regulations. For breezeways of 10 feet or less, main building setbacks and regulations must be adhered to, other than building height which must meet accessory structure regulations. The design of any private garage shall be compatible with the residential character of the area. Use of exposed concrete block exceeding 20% of the façade, or similar materials shall be prohibited.

(j) Other customary accessory uses, structures and buildings, provided that such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business. ~~No customary accessory structure, building or use shall contain indoor showers or other facility used for bathing. Any shower shall be accessible from the exterior only.~~

Article XII Use District Regulations: Residence CAA District

§ 68-150.2 Permitted uses.

In a Residence CAA District, no building, structure, or premises shall be used or occupied and no building or part thereof or other structure shall be so erected or altered, except for one or more of the following purposes:

C. A single three- or four-family dwelling ~~when~~ with a side yard adjacent to a property zoned Residence C, Residence CA, Business District, Business 1, Business 2 or General Service T District

and having no uses other than accessory uses on the subject parcel. The subject parcel shall meet the requirements of §§ 68-500 and 68-501. The building must have a lobby/foyer from which all units are accessible (via hallways, elevators). No visible entry doors to each individual unit are permitted. Only one visible front entrance shall be permitted, unless a determination is made by the Commissioner of Planning or his or her designee that the architectural character of a preexisting building will be preserved by allowing one additional visible front entrance.

Article XIX Use District Regulations: Business District

§ 68-256 Permitted uses.

I. Laundromat, provided a maximum of 30% of the overall building street frontage is utilized for the use.

§ 68-260 Height.

A. Buildings and structures.

(1) In Business BD District, no building or structure shall be erected or altered to a height in excess of ~~35~~ 37 feet or three stories.

~~B. Dwellings.~~

~~(1) The height regulations for detached dwellings shall be the same as those in the Residence AAA District.~~

§ 68-261 Percentage of lot occupancy.

A. The total building area, including all buildings, shall not exceed an FAR of 0.60.

~~B. The total building area, including all buildings, shall not exceed an FAR of 0.25 for a single-family dwelling.~~

§ 68-262 Area density.

~~A. The minimum required plot area for a single-family detached dwelling or two-family dwelling shall be 20,000 square feet.~~

§ 68-264 Width of lot.

A. Minimum requirements.

~~(1) The minimum width of lot for a single-family detached dwelling, a two-family detached dwelling, lodging house or boardinghouse shall be 100 feet throughout.~~

(2) The minimum width of lot for all permitted buildings shall be 65 feet except as otherwise provided herein.

~~(3) The minimum width of lot for a hotel, motel, bootel shall be 150 feet throughout.~~

(4) The minimum width of lot for an indoor moving picture theater, a community building, church or other similar place of worship, parish house shall be 100 feet throughout.

(5) The minimum width of lot for all uses permitted pursuant to §§ 68-257 and 68-258 shall be 100 feet throughout.

(6) The minimum width of lot for all other permitted uses shall be 100 feet throughout.

§ 68-268 Permitted encroachments.

~~No encroachments shall be permitted.~~

The following encroachments are hereby permitted:

A. For mixed use buildings, the following shall be permitted to exceed the maximum height permitted by 5 feet:

1. Gable or similar type roofs, elevator shafts, parapet walls and railings, mechanical equipment, including those used for renewable energy (must be properly screened pursuant to the satisfaction of the Commissioner of Planning or his/her designee), cupolas, steeples, chimneys, rooftop gardens or similar amenities, or other architectural features intended to provide superior architectural design.

§ 68-269 Exterior site improvements and parking.

This district is specifically designed to encompass the so-called "downtown" areas of the Town of Islip. These areas do not have adequate parking, and in each "downtown" section the Town has endeavored to purchase land and provide parking itself. Therefore, the following guidelines are to be followed:

~~A. For other than residential buildings, whenever there is a reconstruction of a building, as long as the reconstruction is not eliminating any existing parking, there shall be imposed no parking requirements.~~
Parking. Any new building or change of use to a use requiring more parking, shall be required to provide parking on site pursuant to the Table of Minimum Required Parking Spaces, which is located in Town of Islip Subdivision and Land Development Regulations (<https://www.islipny.gov/community-and-services/documents/planning-development/engineering/303-town-of-islip-subdivision-and-land-development-regulations/file>), except as provided herein. Where there is more than one use, the minimum requirements shall be cumulative for all uses. If requesting a parking relaxation, Applicant shall submit a Parking Management Plan to demonstrate that the parking arrangement will satisfy the purposes of the parking requirements, resulting in approvals if demonstrated to the satisfaction of the Planning Board. An applicant may demonstrate alternative methods of providing parking, including but not limited to, off-street parking requirements on another site, within walking distance, upon review and approval of the Planning Board, pursuant to agreements in place.

G. Buildings. Windows of occupied or unoccupied buildings shall not be removed nor shall such windows be boarded up for a period exceeding 10 working days without the approval of the Commissioner of the Department of Planning, ~~Housing~~ and Development. Such approval may be granted by the Commissioner in those circumstances where the building is under construction or reconstruction, has been damaged by fire or when the owner or occupant, for reasons beyond his control, is unable to obtain replacement materials.

§ 68-270 Architecture.

Prior to the submission of any new construction building permit applications, representative exterior architectural drawings shall be approved by the Planning Division. The Planning Division

shall review the plans for overall building design, materials, colors, screening and other architectural consideration. A denial of architectural approval by the Planning Division may be appealed to the Planning Board.

A. Building materials. All new buildings should preserve or improve the neighborhood character achieved through the integration of form, style, and the use of materials. Exterior walls shall be designed and constructed using quality building materials appropriately applied to create aesthetically pleasing and enduring structures that contribute positively to the overall character of the area. Building materials shall be of high quality and shall be utilized in a manner appropriate to their properties, where heaviest appearing materials are kept at the base. The use of EIFS and decorative concrete block shall be limited.

~~**B. Architectural features.** A minimum number of architectural features shall be incorporated into building facades visible from roadways. This may include canopies over doorways, cornices, decorative ornament appropriate for the architecture, window wall framing, or decorative lighting. The use of windows is encouraged on the ground floor.~~

~~**C. Building façade and design.** A cohesive building design shall be utilized from the top to bottom of the structure. Corner properties should be a focal point of design and utilize high-quality design. [Extend cohesive design to second story (do not stop at first floor), focus on corner properties as they are the most prominent.]~~ Building facades that face the street or have a prominent exposure to other public areas shall include design measures that increase the building's aesthetic appeal to enhance and reinforce existing design qualities found in the neighborhood. Such measures shall include:

1. All buildings should provide at least two horizontal expression lines appropriate for the scale of the building to differentiate between the base, middle or top of buildings and emphasize a massing transition or change of use, articulated through the use of material, moldings, shading devices, changes of material, changes of color, cornices, and other similar architectural elements.
2. Façade elements, including visual structural elements, openings, and details should utilize a coherent system of vertical proportions achieved by, and not limited to, changes in material, color, recessed sections, different cornice height or different roof condition.
3. Articulation of the building façade by incorporating elements such as porches, terraces, bay windows, dormers, pilasters, or building setbacks.
4. Architectural details (such as brackets, banding, railings, chimneys, entry columns, or window shutters) shall be designed to incorporate compatibility with the architectural qualities of prominent buildings in the neighborhood.
5. Buildings shall have a first level façade of the primary street frontage that is transparent [glass] between three feet and eight feet above the ground for at least 70% of the horizontal length of the building façade.
6. There shall be at least one commercial door entrance for every 75 feet of street frontage.
7. 50% of the Ground level structured parking on primary street frontage shall have at least 10' of building space as a lining use.

D. Screening. Rooftop equipment, mechanical equipment, structured parking, dumpsters, loading areas, etc., shall be screened consistent with the building style or, for ground-level features, with fencing and/or landscaping.

F. Mixed use buildings. All mixed-use buildings shall:

1. Have a minimum of 12 feet floor-to-floor for the first floor of commercial uses, and a minimum of eight feet for upper floors.
2. Differentiate between the base, middle or top of the building, and emphasize a transition of a change of use.
3. Provide a residential lobby for buildings with four or more apartments, in a location that is convenient to its residents.

Article XX Use District Regulations: Business 1 District

§ 68-271 Permitted uses.

D. Store, office, medical offices, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

§ 68-274 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot of the authorized use:

(7). Sale of propane exchange tanks, stored in a single open-caged structure.

Article XXI Use District Regulations: Business 2 District

§ 68-286 Permitted uses.

B. Reserved Laundromat

C. Store, office, medical offices, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

§ 68-289 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot with the authorized use:

(7). Sale of propane exchange tanks, stored in a single open-caged structure.

Article XXII Use District Regulations: Business 3 District

§ 68-301.1 Permitted uses.

C. Store, office, medical office, delicatessen, bank, broadcasting studio, ~~laundromat~~ and community building.

R. Laundromat

§ 68-302 Uses permitted by special permit from Town Board after public hearing.

~~A. Any outdoor storage as defined in § 68-3, except where provided herein~~Outdoor storage of primary goods accessory to a permitted retail use. The outdoor and overnight parking of vehicles, including construction equipment, shall not be permitted in conjunction with this special permit. Outdoor storage shall be screened from public view of any right-of-way at the direction of the Town Board.

§ 68-305 Accessory uses.

A. The following accessory uses shall be permitted when located on the same lot with the authorized use:

(6) The sale and filling of propane exchange tanks.

Article XXV Use District Regulations: Industrial 1 District

§ 68-338 Permitted uses.

C. ~~(Reserved)~~The sale and filling of propane exchange tanks.

F. ~~Banks~~ Redemption Center.

§ 68-343 Height.

A. In an Industrial 1 District, no building or structure shall be erected or altered to a height in excess of 60 feet or four stories. Any portion of the building which is erected in excess of 35 feet shall be set back ~~one additional foot for each additional foot of height~~ the height of the building with relation to front yards, rear yards and side yards or the minimum required setback, whichever is greater.

Article XXIX Signs

§ 68-395 Permitted signs.

B. The following signs are permitted in the zoning districts as specified in the Schedule of Sign Regulations and in conformance with all other provisions of this article:

(17) Historic Marker: Any sign erected at a historically significant location, facility, or building that is used to interpret, promote, or protect the historic and cultural character of the location, facility, or building. See § 68-400 E. for requirements.

§ 68-396 Prohibited signs.

J. Any sign in any street right-of-way, ~~except historic markers erected pursuant to § 68-400 E.~~

§ 68-400 Miscellaneous provisions.

E. historic markers do not require a sign permit, but shall comply with the following:

- (1) Meet the design and construction standards set forth in NYS Code.**
- (2) Obtain written approval from the Town Historian for the contents of the sign to ensure historical accuracy, validity, and proper spelling.**
- (3) One sign per historical location, facility, or building.**
- (4) These requirements refer only to ground signs as described in NYS Code. All other signage shall follow the appropriate provisions set forth in this article.**

F. Long Island MacArthur Airport (ISP). It is understood that certain signage is necessary on ISP property in order to facilitate the safe and proper movement of internal operations and aircraft at the facility. Signage which is not visible from any public right-of-way or residential property is not subject to the requirements in §68-397. In no case shall a prohibited sign type as outlined in §68-396 be erected unless the required variance(s) from the Zoning Board of Appeals is obtained.

Article XXX Sight Obstructions, Fences and Walls

§ 68-406 Fences and walls.

B. No portion of any fence or wall shall be higher than four feet above the ground at any point when set back less than 15 feet from a street property line. For corner lots, no fence, or wall, shall be higher than four feet above the ground at any point when set back less than 10 feet from the second front yard property line. This provision shall not apply to retaining walls, which shall be set back from street and second front yard property lines in accordance with § 68-406F. For through lots, a fence up to six feet in height may be located on a through lot front yard property line, however, it shall be set back at least five feet from a sidewalk or edge of road pavement. No fence shall be higher than six feet when set back less than 15 feet from a through lot front yard property line.

(2) Exception: For commercial properties with frontage along Sunrise Highway (SR 27), Veterans Memorial Highway (SR 454) or the Long Island Expressway (Interstate 495), a fence, no higher than eight feet, may be located on the rear or side property line abutting a residential use. Within the Industrial Corridor District pursuant to § 68-482.1C, an eight foot sound attenuation wall shall be permitted.

F. All walls greater than 18 inches in height from average, undisturbed grade shall be set back from any property line a minimum of four feet or a distance equal to the height of the wall above average, undisturbed grade, whichever is greater. Walls that are greater than 18 inches in height or higher, at any point above average, undisturbed grade, shall obtain a permit prior to construction. For marine bulkheads, a Town of Islip Wetlands and Watercourses Permit may constitute the required permit, subject to the review of the Divisions of Building and Engineering. All walls, as defined in § 68-3 shall receive a determination of the necessity of site plan review from the Divisions of Building and Engineering prior to construction.

Article XXXIV Miscellaneous Provisions

~~§ 68-420.7 Lighting.~~

~~A. Floodlighting or strobe or flashing lights shall not be installed or maintained in any manner that would allow any rays to fall beyond the property lines. Any lighting which impairs the vision or creates a hazard or nuisance is prohibited.~~

~~B. This section shall not apply to New York State or a public corporation, as defined by § 66 of the General Construction Law.~~

§ 68-420.8 Driveways and parking.

A. Legislative intent. In order to maintain an appropriate visual quality for residential properties, preserve property values, protect neighborhood character and safeguard quality of life, certain standards shall apply as specified herein.

(1) The amount of front yard area consisting of asphalt, gravel, stone or dirt or other nonvegetative material, to be used primarily for the parking of vehicles, shall not exceed ~~35~~40% of the area of the front yard. In the instance of corner lots, the area of the secondary front yard ahead of the front line of the main dwelling is incorporated in the front yard area.

Article XLV Use District Regulations: General Service T District

§ 68-487 Legislative intent.

D. Preferred locations for General Service T designation include properties in a transitional location with a side yard adjacent to a commercially-zoned property and another side yard adjacent to a residential district or another property designated as General Service T. The site shall not be located mid-block among other single-family dwellings unless adjacent to institutional uses or a mitigating circumstance exists whereas the goals of this article are better served.

Article LII Exterior Lighting Standards

§ 68-687 Illuminance and type of lamp for all nonresidential exterior lighting.

C. Light emitting diodes ~~rated at 4,000K or less~~ shall be used for all light sources rated over 1,800 lumens (100 watts incandescent). Metal halide (MH) with a Correlated Color Temperature (CCT) rated over 3,000K, light emitting diodes with a CCT rated over 4,000K, and mercury vapor (MV) light sources are not permitted. No luminaire shall exceed 16,000 lumens.

Article LIII Use District Regulations: Industrial Transition District

§ 68-700 Uses permitted by special permit from Planning Board after public hearing.

F. Automobile parking field and/or vehicle fleet storage yards, including but not limited to ambulettes, buses, taxis, ice cream trucks, freight facilities, private carting companies, transportation facilities, and parcel post companies, provided that all such vehicle parking or storage areas are completely screened from view with fencing, landscaping, and berms at the direction of the Planning Board.

§ 68-702 Uses permitted as special exception by Board of Appeals after public hearing. (Note: See also § 68-341.1, Adult uses.)

A. ~~Brewing or distilling of beverages.~~

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 8

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute any and all documentation with the USACE, the NYSDEC or another authority having jurisdiction required for the completion of the maintenance dredging of Homans Creek.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

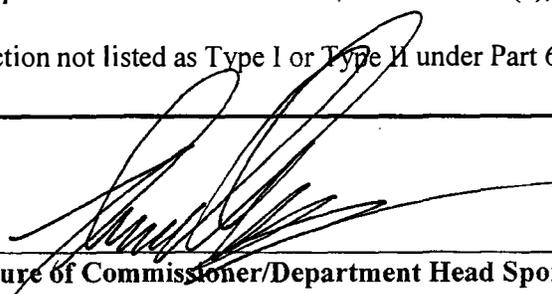
Authorization for the Supervisor to execute any and all permit applications and associated documentation with the USACE, the NYSDEC, or another authority having jurisdiction, which are required for the completion of the maintenance dredging of Homans Creek, the form and content of which shall be subject to the review and approval of the Town Attorney.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip residents, Homans Creek boaters
 2. Site or location effected by resolution: Homans Creek
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 2 . SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/10/2023

Date

WHEREAS, the Town of Islip (the "Town") owns Homans Creek, located at 0 Homan Ave, Bayport, NY 11705; and

WHEREAS, the Town's Department of Public Works and Department of Parks, Recreation, and Cultural Affairs have determined that the underwater land at Homans Creek is in need of maintenance dredging; and

WHEREAS, prior to performing any maintenance dredging at Homans Creek, the Town, as property owner, is required to obtain certain permits from authorities having jurisdiction, including the United States Army Corps of Engineers ("USACE") and the New York State Department of Environmental Conservation ("NYSDEC"); and

WHEREAS, the USACE has prepared a draft permit for the proposed maintenance dredging at Homans Creek, which the USACE requires to be signed by an authorized officer of the Town; and

WHEREAS, pursuant to Town Law § 29(16), the Town Supervisor shall have and exercise the powers and duties of administration and supervision of Town functions as shall be provided by resolution of the Town Board, to be performed on behalf of such board;

WHEREAS, by this resolution, the Town Board intends to authorize the Supervisor to execute any and all permit applications and associated documentation with the USACE, the NYSDEC, or another authority having jurisdiction, which are required for the completion of the maintenance dredging at Homans Creek; and

WHEREAS, pursuant to the State Environmental Quality Review Act ("SEQRA"), the Town's consultant, LK McLean Associates, P.C., ("LKMA") has prepared a Short Environmental Assessment Form for the proposed maintenance dredging at Homans Creek and has determined that the project will not have a significant adverse environmental impact;

NOW, THEREFORE, on motion by _____, seconded by _____, be it

RESOLVED, that the Supervisor is hereby authorized to execute any and all permit applications and associated documentation with the USACE, the NYSDEC, or another authority having jurisdiction, which are required for the completion of the maintenance dredging of Homans Creek, the form and content of which shall be subject to the review and approval of the Town Attorney; and be it further

Resolution #__

RESOLVED, that based on the SEQRA environmental assessment conducted by LKMA, the Town Board determines that the proposed maintenance dredging at Homans Creek will not have a significant adverse environmental impact.

UPON A VOTE BEING TAKEN, THE RESULT WAS: _____

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 9

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to request and accept funds from National Grid to compensate the Department of Public Works with the paving restoration of various roads for the 2022 Bay Shore Main Replacement Project, MSLI01302.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor to accept funds from National Grid in the amount of \$130,254.75 to compensate the Department of Public Works for the milling and overlay work required for Benton Place, Flo Drive, Manatuck Blvd., Prospect Place, Elm Drive and Louise Drive, Bay Shore due to work associated with the Bay Shore Gas Replacement Project, MSLI01302.

SPECIFY WHERE APPLICABLE:

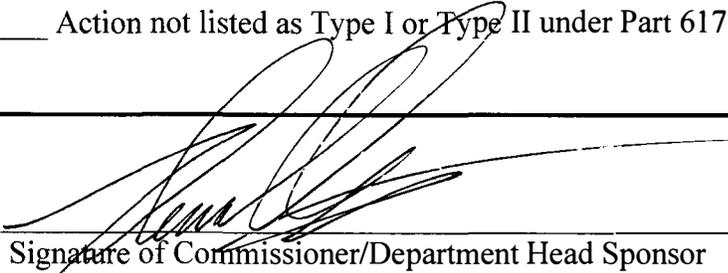
1. Entity or individual benefitted by resolution: Residents of the Town of Islip
 2. Site or location effected by resolution: Listed Roads
 3. Cost: N/A
 4. Budget Line: To be determined by the Comptroller
 5. Amount and source of outside funding: (National Grid \$130,254.75)
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.

Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.



Signature of Commissioner/Department Head Sponsor

1/18/2023

Date

February 7, 2023
Resolution #

WHEREAS, KeySpan East Gas Corporation d/b/a National Grid (“National Grid”) is in the process of completing work in the hamlet of Bay Shore, Town of Islip (the “Town”), as part of its 2022 Bay Shore Main Replacement Project, MSLI01302; and

WHEREAS, National Grid has offered funding in the amount of \$130,254.75 to the Town’s Department of Public Works to perform the necessary overlay paving restoration of Benton Place, Flo Drive, Manatuck Blvd., Prospect Place, Elm Drive and Louise Drive; and

WHEREAS, as condition of providing such funding, National Grid has requested that the Town assume liability for the paving restoration work; and

WHEREAS, the Commissioner of Department of Public Works, Thomas Owens, recommends approval of this resolution;

NOW, THEREFORE, on a motion of _____, seconded by _____, be it

RESOLVED, that the Supervisor is hereby authorized to request and accept funding from National Grid for the paving restoration of the above-referenced roads and to execute any necessary documents attendant thereto, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that upon approval and acceptance of payment of no less than \$130,254.75 for the paving restoration of the above-referenced roads, the Town shall assume liability for such paving restoration; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with this resolution.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 10

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to request and accept funds from National Grid to compensate the Department of Public Works for the milling and overlay work required for various roads in connection with the 2022 Islip Terrace Gas Replacement Project, MSLI21002.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor to accept funds from National Grid in the amount of \$342,171.00 to compensate the Department of Public Works for the milling and overlay work required for Amesbury Court, Cleveland Street, Irish Lane, Islip Blvd., Jefferson Avenue, Roosevelt Street, Stellenwerf Avenue and McKinley Street, Islip Terrace due to the 2022 Islip Terrace Gas Replacement Project, MSLI21002.

SPECIFY WHERE APPLICABLE:

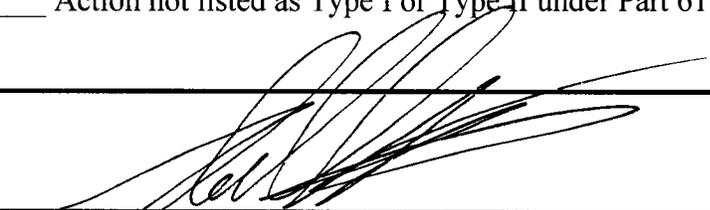
1. Entity or individual benefitted by resolution: Residents of the Town of Islip
 2. Site or location effected by resolution: Listed Roads
 3. Cost: N/A
 4. Budget Line: To be determined by the Comptroller
 5. Amount and source of outside funding: (National Grid \$342,171.00)
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

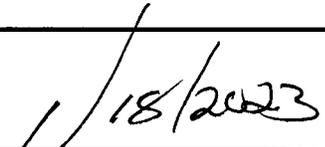
Type 1 action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.

Type 2 action under 6 NYCRR, Section 617.5(c), number 26 _____ . SEQOR review complete.

Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.



Signature of Commissioner/Department Head Sponsor



Date

February 7, 2023
Resolution #

WHEREAS, KeySpan East Gas Corporation d/b/a National Grid (“National Grid”) is in the process of completing work in the hamlet of Bay Shore, Town of Islip (the “Town”), as part of its 2022 Islip Terrace Gas Main Replacement Project, MSLI21002; and

WHEREAS, National Grid has offered funding in the amount of \$342,171.00 to the Town’s Department of Public Works to perform the necessary overlay paving restoration of Amesbury Court, Cleveland Street, Irish Lane, Islip Blvd., Jefferson Avenue, Roosevelt Street, Stellenwerf Avenue and McKinley Street; and

WHEREAS, as condition of providing such funding, National Grid has requested that the Town assume liability for the paving restoration work; and

WHEREAS, the Commissioner of Department of Public Works, Thomas Owens, recommends approval of this resolution;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Supervisor is hereby authorized to request and accept funding from National Grid for the paving restoration of the above-referenced roads and to execute any necessary documents attendant thereto, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that upon approval and acceptance of payment of no less than \$342,171.00 for the paving restoration of the above-referenced roads, the Town shall assume liability for such paving restoration; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with this resolution.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 11

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute any and all documentation which are required to advance several projects that are using a portion of ARPA funds.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Authorization for the Supervisor to execute any and all permit applications on behalf of the Town, and any necessary documentation attendant thereto, that are required to advance the projects that are using the ARPA funds, the form and content of which shall be subject to the approval of the Town Attorney

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: the Town, Residents
 2. Site or location effected by resolution: Multiple locations within the Town
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: _____
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 27 . SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

1/10/2023

WHEREAS, the American Rescue Plan Act of 2021 (“ARPA”) established the Coronavirus State and Local Fiscal Recovery Fund (“SLFRF”) program, which is intended to provide support to local governments in responding to the impact of COVID-19; and

WHEREAS, on July 20, 2021, by Resolution # 25, the Town Board of the Town of Islip (the “Town”) accepted SLFRF funds, as provided by ARPA, to be used in a manner consistent with the U.S. Department of Treasury’s guidance; and

WHEREAS, on April 5, 2022, by Resolution # 43, the Town Board authorized the use of the SLFRF funds for the following capital items:

Construction of a Zipline – Casamento Park	\$	125,000
Brentwood Rec. Center Gym Improvements		1,000,000
Central Islip Community Park Facility Improvements		500,000
Holbrook Pickleball & Tennis Courts		1,000,000
Sayville Marina Playground Equipment		800,000
Turf Fields at the following locations:		
Eastview		500,000
East Islip Marina		3,000,000
Islip Little League Fields		650,000
Broadway Ave Park		1,250,000
West Islip Little League Fields		<u>1,400,000</u>
	\$	<u>10,225,000</u>

and

WHEREAS, on July 12, 2022, by Resolution # 20, the Town Board amended the list above as follows:

<u>Project Description</u>	<u>Original Authorization</u>	<u>Adjustment</u>	<u>Revised Authorization</u>
Holbrook Pickleball & Tennis Courts	\$ 1,000,000	\$ (630,000)	\$ 370,000
Turf Fields;			
Eastview	500,000	1,000,000	1,500,000
East Islip Marina	3,000,000	(3,000,000)	-0-
Islip Little League Fields	650,000	50,000	700,000
Broadway Ave. Park	1,250,000	75,000	1,325,000
West Islip Little League Fields	1,400,000	100,000	1,500,000
Brookwood Hall Fields	-0-	1,325,000	1,325,000
401 Main St. Fields	-0-	1,325,000	1,325,000

WHEREAS, the Town of Islip, as property owner of the sites listed above, may be required to submit certain permit applications to authorities having jurisdiction in order to advance the projects;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute any and all permit applications on behalf of the Town, and any necessary documentation attendant thereto, that are required to advance the projects set forth above, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the comptroller is hereby authorized to make any and all budgetary adjustments necessary to effectuate this resolution.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 12

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into various agreements for programs or events to be held throughout the Town to be funded either by registration or grant funds.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 7, 2023

<u>Date</u>	<u>Name</u>	<u>Program/Event</u>	<u>Location</u>
2/21	Linda Ibrahim	JumpBunch Sessions	Greenbelt Recreation Center 281 Patchogue Holbrook Rd, Holtsville
3/2	Minieri's Parkview Riding Center, Inc.	Horseback Riding Instruction	989 Connetquot Avenue, Central Islip
3/18	Parkview Trail Rides Inc./Rocking Horse	(80) Trail Rides	Connetquot State Park Preserve 3525 Sunrise Highway, Oakdale
4/2	Robert Patch	Basketball Training Clinics	Town Hall West, 401 Main St., Islip
4/17	Triple Threat Basketball Club, Inc.	Basketball League	East Islip Middle School 100 Redmen St., Islip Terrace
4/17	Suffolk County Tennis And Education Foundation	Pickleball Instruction	Holbrook Country Club, Holbrook Casamento Park, West Islip
4/17	Suffolk County Tennis And Education Foundation	Tennis Instruction	Holbrook Country Club, Holbrook Casamento Park, West Islip Town Hall West, 401 Main St., Islip
7/1	Open Water Swim, LLC.	Junior Lifeguard Program	Atlantique Beach, Fire Island
7/13	South Bay Paddle Wheel Cruises, Inc.	Lunch Cruise	Bay Shore Marina, Bay Shore
7/18	South Bay Paddle Wheel Cruises, Inc.	Sunset Dinner Cruise	Bay Shore Marina, Bay Shore

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Linda Ibrahim to provide four (4) separate JumpBunch sessions. Two (2) separate sessions will be held February 21, 2023 thru February 24, 2023 at Greenbelt Recreation Center. Two (2) separate sessions will be held April 11, 2023 thru April 14, 2023 at West Islip Community Center. The registration fee is \$65.00 for residents and \$16.25 surcharge for non-residents. The minimum amount of participants for each session will be one (1) and the maximum amount of participants will be twenty (20) for a maximum total of eighty (80). This program will be self-sustaining. The total minimum revenue will be \$65.00 and the maximum revenue including the non-resident surcharge will be \$6,500.00. Compensation for said services to Linda Ibrahim will be 80% of the total revenue for an amount not to exceed \$4,160.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity of individual benefitted by resolution: Linda Ibrahim

Site or location effected by resolution: Greenbelt Recreation Center
281 Patchogue Holbrook Road, Holtsville, NY 11742

West Islip Center, 99 Higbie Lane, West Islip, NY 11795

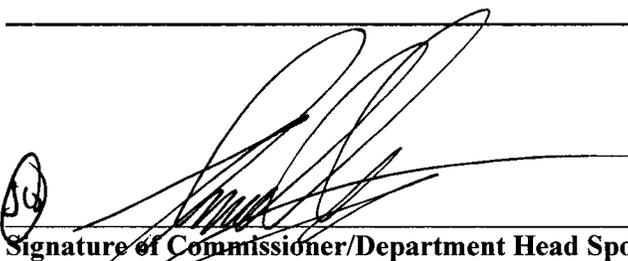
Cost: No cost to the Town of Islip- self-sustaining.

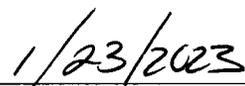
Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$6,400.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$2,340.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:


Date:

February 7, 2023

Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide JumpBunch classes for our citizens; and

WHEREAS, Linda Ibrahim, has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an Agreement with Linda Ibrahim to provide said activities;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an Agreement with Linda Ibrahim to provide JumpBunch Classes for our citizens for an amount not to exceed \$4,160.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with the Minieri's Parkview Riding Center Inc. to provide two (2) Horseback Riding Instruction Programs at Minieri's Parkview Riding Center Inc., 989 Connetquot Avenue, Central Islip, NY 11722. The winter program will consist of nine (9) sessions between March 2, 2023 and April 6, 2023 and the spring program consists of nine (9) sessions between April 20, 2023 and May 28, 2023. The registration fee is \$225.00 per session for each registrant and a \$60.00 surcharge for each non-resident registrant. The minimum amount of participants will be one (1) per session and the maximum amount of participants will be six (6) per session with a total number of eighteen (18) sessions with a maximum of 108 participants. This program will be self-sustaining. The total minimum revenue will be \$225.00 and the maximum revenue including the non-resident surcharge will be \$30,780.00. Compensation for said services to the Minieri's Parkview Riding Center Inc. will be 80% of the total revenue for an amount not to exceed \$19,440.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed by the Town Board in 2021 and 2022.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Minieri's Parkview Riding Center Inc.

Site or location effected by resolution: Minieri's Parkview Riding Center Inc.
989 Connetquot Avenue, Central Islip, NY 11722

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$30,780.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$11,340.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor:

Date:

1/23/2023

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to horseback riding instruction for our citizens; and

WHEREAS, Minieri's Parkview Riding Center Inc., located at 989 Connetquot Avenue, Central Islip, New York 11722, has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Minieri's Parkview Riding Center Inc. to provide said instruction;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Minieri's Parkview Riding Center Inc. to provide a winter and spring program of horseback riding instruction to our citizens for an amount not to exceed \$19,440.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Parkview Trail Rides Inc. / Rocking Horse Farms Ltd. to provide eighty (80) trail rides at Connetquot State Park Preserve, by way of Minieri's Parkview Riding Center, 989 Connetquot Avenue, Central Islip, New York 11722. The winter session will consist of ten (10) trail rides between March 18, 2023 and March 19, 2023 and the spring session consists of seventy (70) trail rides between April 1, 2023 and June 4, 2023. The registration fee is \$45.00 per trail ride for residents and an additional \$15.00 surcharge for non-residents. The minimum registration is one (1) registrant per ride and the maximum registration is ten (10) registrants per ride, for a maximum total of 800 participants. This program will be self-sustaining. Compensation for said services to Parkview Trail Rides Inc. / Rocking Horse Farms Ltd. will be 80% of total revenue collected for an amount not to exceed \$28,800.00, excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed by the Town Board in 2020, 2021 and 2022.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Parkview Trail Rides Inc. / Rocking Horse Farms Ltd.

Site or location effected by resolution: Connetquot State Park Preserve
3525 Sunrise Hwy., Oakdale, NY 11769

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$48,000.00 including non-resident surcharge
Maximum revenue to be retained by the Town is \$19,200.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.
-


Signature of Commissioner/Department Head Sponsor:

1/23/2023
Date:

February 7, 2023
Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to horseback trail riding programs at Connetquot State Park Preserve by way of Minieri's Parkview Riding Center Inc. for our citizens; and

WHEREAS, Parkview Trail Rides Inc. / Rocking Horse Farms Ltd., located at Minieri's Parkview Riding Center Inc., 989 Connetquot Ave., Central Islip, New York 11722, has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Parkview Trail Rides Inc. / Rocking Horse Farms Ltd. to provide horseback trail riding programs;

NOW, THEREFORE, on a motion by _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Parkview Trail Rides Inc. / Rocking Horse Farms Ltd. to provide a winter and spring horseback trail riding programs to our citizens for an amount not to exceed \$28,800.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Robert Patch to offer five (5) separate sessions of basketball training clinics for boys and girls in grades 4 - 8 at Town Hall West Gymnasium. Sessions 1 and 2 will be held Sundays, April 2, 16, 23, 2023 from 5:00 pm - 6:00 pm and 6:00 pm - 7:00 pm, respectively. Sessions 3 and 4 will be held Sundays, May 7, 14, 21 from 5:00 pm - 6:00 pm and 6:00 - 7:00 pm, respectively. Session 5 will be held Monday thru Friday, February 20, 21, 22, 23, 24, 2023 from 9:00 am - 12:00 pm. The registration fee for sessions 1 - 4 will be \$50.00 per session per registrant and a \$15.00 surcharge for each non-resident registrant. The registration fee for session 5 will be \$150.00 per registrant and a \$35.00 surcharge for each non-resident registrant. The minimum amount of participants will be one (1) per session and the maximum amount of participants will be thirty (30) per session for a maximum total of one hundred and fifty (150). This program will be self-sustaining. The total minimum revenue will be \$50.00 and the maximum revenue including the non-resident surcharge will be \$13,350.00. Compensation for said services will be 80% of total registration fees collected for an amount not to exceed \$8,400.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity of individual benefitted by resolution: Robert Patch, 47 Wingam Drive, Islip NY 11751

Site or location effected by resolution: Town Hall West, 401 Main Street, Islip NY 11751

Cost: No cost to the Town of Islip- self-sustaining.

Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$13,350.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$4,950.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:

1/23/2023
Date:

February 7, 2023

Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to basketball training for our citizens; and

WHEREAS, Robert Patch, has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an Agreement with Robert Patch to provide said activities;

NOW THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an Agreement with Robert Patch to provide access to basketball activities for our citizens for an amount not to exceed \$8,400.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with the Triple Threat Basketball Club, Inc. to provide a basketball league. The league will be held at the East Islip Middle School on Mondays & Wednesdays, April 17, 2023 thru May 24, 2023 from 6:00 pm - 9:00 pm. The registration fee is \$100.00 for each registrant and a \$25.00 surcharge for each non-resident registrant. This program will be self-sustaining. The total minimum revenue will be \$100.00 and the maximum revenue including the non-resident surcharge will be \$25,000.00. Compensation for said services to Triple Threat Basketball Club, Inc. will be 80% of the total revenue for an amount not to exceed \$16,000.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Triple Threat Basketball Club, Inc.

Site or location effected by resolution: East Islip Middle School, 100 Redmen St., Islip Terrace, NY 11752

Cost: No cost to the Town of Islip - self-sustaining.

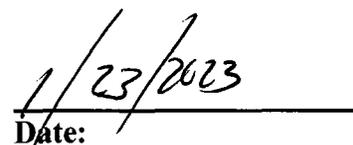
Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$25,000.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$9,000.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:


Date:

February 7, 2023
Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to a basketball league for our citizens; and

WHEREAS, Triple Threat Basketball Club, Inc., PO Box 345, Islip Terrace, New York 11752 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Triple Threat Basketball Club, Inc. to provide said instruction;

NOW, THEREFORE, on a motion of _____,

Seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Triple Threat Basketball Club, Inc. to provide a basketball league to our citizens for an amount not to exceed \$16,000.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an Agreement with the Suffolk County Tennis and Education Foundation to provide six (6) sessions of pickleball instruction and four (4) sessions of pickleball open play. Pickleball instructions will be held Mondays & Tuesdays at Holbrook Country Club. Sessions 1 & 2 will be held April 17, 2023 thru May 2, 2023. Sessions 3 & 4 will be held May 15, 2023 thru May 30, 2023. Sessions 5 & 6 will be held June 12, 2023 thru June 27, 2023. Pickleball open play will be held on Tuesdays at Casamento Park. Sessions 1 & 2 will be held April 18, 2023 thru May 16, 2023. Session 3 & 4 will be held June 8, 2023 thru July 6, 2023. The registration fee for pickleball instruction is \$140.00 per session for each registrant and a \$30.00 surcharge for each non-resident registrant. The registration fee for pickleball open play is \$80.00 per session for each registrant and a \$20.00 surcharge for each non-resident registrant. This program will be self-sustaining. The maximum revenue including the non-resident surcharge will be \$28,400.00. Compensation for said services to the Suffolk County Tennis and Education Foundation will be 80% of the total revenue with a maximum amount not to exceed \$18,560.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Suffolk County Tennis and Education Foundation

Site or location effected by resolution: Holbrook Country Club, 700 Patchogue-Holbrook Rd., Holbrook, NY 11741
Casamento Park, 65 Muncey Road, West Islip, NY 11795

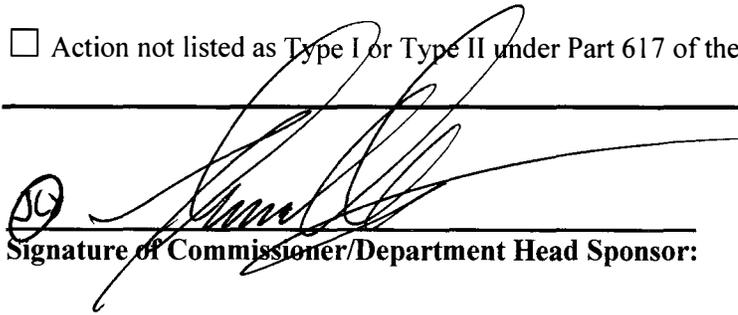
Cost: No cost to the Town of Islip - self-sustaining.

Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$28,400.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$9,840.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:

1/23/2023
Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to pickleball instruction and open play for our citizens; and

WHEREAS, the Suffolk County Tennis and Education Foundation has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with the Suffolk County Tennis and Education Foundation to provide said instruction;

NOW THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with the Suffolk County Tennis and Education Foundation to provide pickleball instruction to our citizens for an amount not to exceed \$18,560.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an Agreement with the Suffolk County Tennis and Education Foundation to provide four (4) sessions of junior tennis instruction each session consisting of two 2 classes and one (1) separate class for adult tennis. Session 1 - Mondays & Wednesdays, April 17, 2023 thru May 17, 2023; session 2 - Tuesdays & Thursdays, April 18, 2023 thru May 18, 2023; session 3 - Monday & Wednesday, June 5, 2023 thru June 21, 2023 and session 4 - Tuesdays & Thursdays, June 6, 2023 thru June 22, 2023. All sessions will be held at Holbrook Country Club and Casamento Park. One (1) adult tennis class, Saturdays, April 29, 2023 thru May 20, 2023 held at Town Hall West. The registration fee for session 1 is \$195.00 for each registrant and a \$30.00 surcharge for each non-resident registrant. The registration fee for session 2 is \$295.00 for each registrant and a \$30.00 surcharge for each non-resident registrant. The registration fee for session 3 is \$140.00 for each registrant and a \$30.00 surcharge for each non-resident registrant. The registration fee for session 4 is \$190.00.00 for each registrant and a \$20.00 surcharge for each non-resident registrant. The registration fee for Adult tennis is \$140.00 for each registrant and a \$30.00 surcharge for each non-resident. This program will be self-sustaining. The maximum revenue including the non-resident surcharge will be \$20,300.00. Compensation for said services to the Suffolk County Tennis and Education Foundation will be 80% of the total revenue, with a maximum amount not to exceed \$14,240.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Suffolk County Tennis and Education Foundation

Site or location effected by resolution: Holbrook Country Club, 700 Patchogue-Holbrook Road, Holbrook, NY 11741
Casamento Park, 65 Muncey Road, Bay Shore, NY 11706
Town Hall West, 401 Main Street, Islip, NY 11751

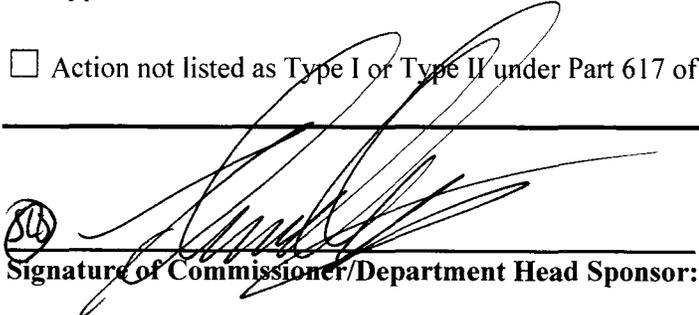
Cost: No cost to the Town of Islip - self-sustaining.

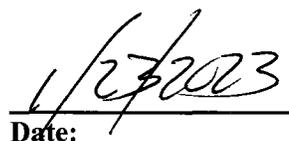
Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$20,300.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$6,060.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:


Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to tennis instruction for our citizens; and

WHEREAS, the Suffolk County Tennis and Education Foundation has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with the Suffolk County Tennis and Education Foundation to provide said instruction;

NOW THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with the Suffolk County Tennis and Education Foundation to provide tennis instruction to our citizens for an amount not to exceed \$14,240.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Open Water Swim, LLC to provide a junior lifeguard program for ages 8 - 16. The junior lifeguard program will run seven (7) consecutive Saturdays, July 1, 2023 thru August 12, 2023. The program will be held at Atlantique Beach. The registration fee for the junior lifeguard program is \$225.00 for each registrant and a \$50.00 surcharge for each non-resident registrant. The minimum amount of participants will be one (1) and the maximum amount of participants will be two hundred fifty and (250). This program will be self-sustaining. The total minimum revenue will be \$225.00 and the maximum revenue including the non-resident surcharge will be \$68,750.00. Compensation for said services to Open Water Swim, LLC will be 80% of the total revenue for an amount not to exceed \$45,000.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation and Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity of individual benefitted by resolution: Open Water Swim, LLC

Site or location effected by resolution: Atlantique Beach, Fire Island, New York

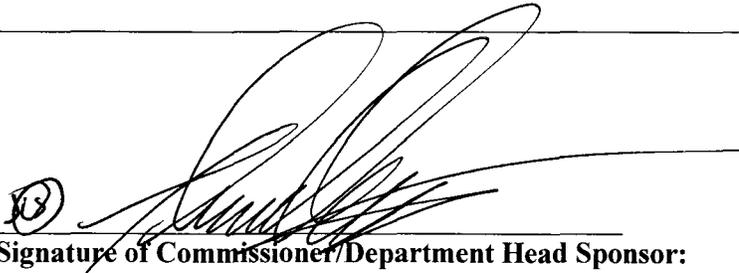
Cost: No cost to the Town of Islip - self-sustaining

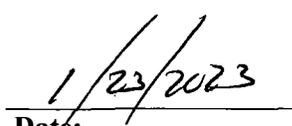
Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$68,750.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$23,750.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:


Date:

February 7, 2023

Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to a junior lifeguard program for our citizens; and

WHEREAS, Open Water Swim, LLC, has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an Agreement with Open Water Swim, LLC to provide said instruction;

NOW THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an Agreement with Open Water Swim, LLC to provide a junior lifeguard program to our citizens for an amount not to exceed \$45,000.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with South Bay Paddle Wheel Cruises, Inc. to provide a full service bag lunch cruise on July 13, 2023 on the Lauren Kristy, which is docked at the Bay Shore Marina. The minimum amount of registrants is 50 per cruise and the maximum amount of registrants is 90 per cruise. South Bay Paddle Wheel Cruises, Inc. will provide each guest with a bag lunch and one (1) soda or water. Compensation for said services to South Bay Paddle Wheel Cruises, Inc. will be \$20.00 per person for ages 12 and under and \$40.00 per person for ages 13 and over for a maximum amount not to exceed \$3,600.00 excluding the \$10.00 non-resident surcharge. This event is self-sustaining. Date is subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for South Bay Paddle Wheel Cruises, Inc. by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: South Bay Paddle Wheel Cruises, Inc.

Site or location effected by resolution: Bay Shore Marina
150 South Clinton Avenue, Bay Shore, New York 11706

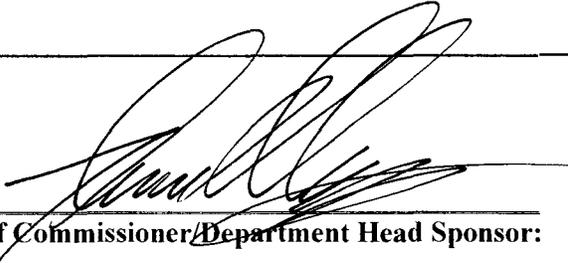
Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 4918

Amount and source of outside funding: Maximum revenue is \$4,950.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$1,350.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type I action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.
-


Signature of Commissioner/Department Head Sponsor:

1/23/2023
Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to a bag lunch cruise on the Great South Bay for our citizens; and

WHEREAS, South Bay Paddle Wheel Cruises, Inc., PO Box 98, Brightwaters, NY 11718 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with South Bay Paddle Wheel Cruises, Inc., to provide said activity;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with South Bay Paddle Wheel Cruises, Inc., to provide a bag lunch cruise to our citizens for an amount not to exceed \$3,600.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with South Bay Paddle Wheel Cruises, Inc. to provide full service Sunset Dinner Cruises on July 18 and October 28, 2023 on the Lauren Kristy, which is docked at the Bay Shore Marina. The minimum amount of registrants is 50 per cruise and the maximum amount of registrants is 90 per cruise. South Bay Paddle Wheel Cruises, Inc. will provide each guest with a full service dinner buffet as mentioned in the contractual agreement, and one (1) complimentary soda. Compensation for said services to South Bay Paddle Wheel Cruises, Inc. will be \$60.00 per person for a maximum amount of \$5,400.00 per cruise with a total amount not to exceed \$10,800.00 excluding the \$10.00 non-resident surcharge. This event is self-sustaining. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for South Bay Paddle Wheel Cruises, Inc. by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: South Bay Paddle Wheel Cruises, Inc.

Site or location effected by resolution: Bay Shore Marina
150 South Clinton Avenue, Bay Shore, New York 11706

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 4918

Amount and source of outside funding: Maximum revenue is \$13,500.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$2,700.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.

 Signature of Commissioner/Department Head Sponsor:

1/23/2023
Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to dinner cruises on the Great South Bay for our citizens; and

WHEREAS, South Bay Paddle Wheel Cruises, Inc., PO Box 98, Brightwaters, NY 11718 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with South Bay Paddle Wheel Cruises, Inc., to provide said activity;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with South Bay Paddle Wheel Cruises, Inc., to provide two (2) Sunset Dinner Cruises to our citizens for an amount not to exceed \$10,800, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 13

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute any and all documentation required to procure the credit card processing software from Vermont Systems known as, "Paytrac" to assist the Town's Park Department in recordkeeping accuracy and efficiency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Authorization for the Supervisor to execute any and all documents required to procure the credit card processing software from Vermont Systems known as, "Paytrac," for a fee not to exceed \$2,000.00 for the indicated processing fees stated in the attached fee schedule, the form and content of which is subject to the approval of the Town Attorney.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Parks Department, Residents, Vermont Systems
 2. Site or location effected by resolution: Parks Department
 3. Cost: \$2,000.00
 4. Budget Line: IBD
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/26/2023

Date

WHEREAS, the Town of Islip (the "Town") Department of Parks, Recreation and Cultural Affairs ("Parks Department") utilizes a recreation management software and database program known as, "RecTrac," which is produced by Vermont Systems, 12 Market Place, Essex Junction, VT 05452; and

WHEREAS, the Parks Department is desirous of integrating a credit card processing software from Vermont Systems known as, "PayTrac," which prepopulates payment and receipt information into the RecTrac program, thereby reducing the need for Town employees to manually enter such information and improving recordkeeping accuracy and efficiency, and

WHEREAS, Vermont Systems has indicated that the processing fees for PayTrac are as indicated on the attached schedule of PayTrac Payment Service Rates & Fees; and

WHEREAS, in accordance with New York State General Municipal Law Section 5(c), the Parks Department wishes to require that any person offering payment for its services by credit card absorb any costs incurred by the Town in connection with the credit card payment transaction, including any fee owed by the Town to the financing agency or card issuer arising from a transaction; and

WHEREAS, the Commissioner of the Parks Department recommends procuring PayTrac software from Vermont Systems to be integrated with the RecTrac program;

NOW, THEREFORE, on a motion by _____, seconded by _____, be it

RESOLVED, that the Supervisor is hereby authorized to execute any and all documents required to procure the credit card processing software from Vermont Systems known as, "Paytrac," the form and content of which shall be subject to approval of the Town Attorney; and be it further

RESOLVED, that pursuant to New York State General Municipal Law Section 5(c), the Parks Department is authorized to require, as a condition of accepting payment by credit card, that the person offering payment by credit or charge card pay a service fee to the Town, which shall not exceed the costs incurred by the Town in connection with the credit or charge card payment

February 7, 2023
Resolution # ____

transaction, including any fee owed by the Town to the financing agency or card issuer arising from a transaction; and be it further

RESOLVED, that the Comptroller is authorized to make the accounting entries necessary to amend the budget in accordance with the terms of this resolution.

UPON A VOTE BEING TAKEN, the result was: _____

SCHEDULE A: PAYTRAC PAYMENT SERVICE RATES & FEES*

TRANSACTION PARTIES		FUNDING**
Customer / Sub-Merchant:	Town of Islip (NY)	Funds received by 7:00pm ET will be deposited in Customer's designated account within three (3) business days
Payment Facilitator:	RecTrac, LLC d/b/a Vermont Systems	
Payment Processor:	WorldPay, LLC	
Sponsor Bank:	Fifth Third Bank	
<p>* Customer acknowledges and accepts that VS will collect its fees and charges for Payment Service directly from the EFT/ACH draft associated with the business location.</p> <p>** VS is not responsible for funding delays due to weekends, federal holidays or Force Majeure events or incidents.</p> <p>*** Daily settlement cut-off times are midnight local time..</p>		

FLAT RATE MODEL

CREDIT CARD PROCESSING FEES			
Mastercard Visa Discover	Per electronic authorization	\$	0.25
	Per electronic authorization reversal (void)	\$	0.25
	Per sale transaction	\$	0.25
	Per refund transaction	\$	0.25
	Per credit card decline	\$	0.25
	Credit card account updater fee If & when available and option selected/elected	\$	1.00
	Per chargeback request or return processed	\$	25.00
	Mastercard-Visa-Discover acquired gross purchase sale %		2.65
American Express	Per AMEX sale transaction (AMEX Direct)	\$	NA
	Per AMEX refund transaction (AMEX Direct)	\$	NA
	Credit card account updater fee If & when available and option selected/elected	\$	NA
	Per chargeback request or return processed	\$	NA
	Per AMEX acquired settled transaction (Opt Blue)*	\$	NA
	AMEX acquired gross purchase sale % (Opt Blue)		NA

	* VS shall be permitted to switch its primary merchant account to Opt Blue without Sub-Merchant approval or pre-authorization.		
ACH PROCESSING FEES (if and when available & option selected/elected)			
ACH / e-Check Processing	ACH fee per sale transaction	\$	1.00
	ACH fee per refund transaction	\$	1.00
	ACH return fee per item	\$	1.50
	ACH account updater fee	\$	0.50
	ACH notification of change	\$	1.50
	ACH auto redeposit	\$	0.50
INSTANCE-BASED FEES			
Funding Fees	Per fiscal day overdraft fee	\$	110.00
	Per wired funds transfer	\$	15.00
	Per ACH credit / debit per funds transfer	\$	0.10
OTHER FEES			
	PCI Non-compliance Fee (Monthly rate) per MID, to be assessed if the Customer is found to be PCI non-compliant, not to exceed \$75.00 total.	\$	25.00
NOTES			

Customer

INITIALS: _____

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 14

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Special Events.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Olga H. Murray

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 7, 2023

On a motion of Councilperson
seconded by Councilperson
be it,

RESOLVED, that permission is hereby granted to hold the following events in the Town:

- A. 5K Run For The Bay-Sayville-Blue Island Oyster Co. Inc. Saturday, April 29 2023 from 8:00AM to 9:00AM. Assembly is at the Sayville Marina Park, proceeds heading East on Browns River Road, make a left headed North on River road, left headed West on Terry Street, right headed North Foster Avenue, make a left headed West on Edwards Street, make a left headed South on Candee Avenue, make a right headed West on Maple Street, make a left headed South on Handsome Avenue, make a left headed West on Jones Drive, make a left headed South Sunset Drive, continue onto Palmer Circle, make a right headed East on Jones Drive, and make a right headed South on Handsome Avenue, make a left headed East on Elm Street, make a right headed South to finish on Foster Avenue Park. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.

- B. Jigsaw 4 Mile Run/Walk - East Islip - EJ Autism Foundation - Sunday, April 30, 2023 from 9:30AM to 11:30AM. Assembles at East Islip Marina north on Bayview, east on Kay Court, south on Quail, east on Sandpiper, North on Woodland Drive, West on Timber point Road, South on Bayview Avenue to the finish at the Marina. A ¼ Mile Kiddie Walk will also be held around the ball field. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.

- C. St. Patrick's Day Parade- Bayport/Blue Point – Bayport/Blue Point Chamber of Commerce- Sunday, March 12, 2023 (Rain Date March 26, 2023) from 11:00AM to 2:00PM. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.

- D. 5 Mile Mardi Gras Run to the Great South Bay Brewery-Greater Long Island Running Club-Bay Shore-Sunday, February 19, 2023 from 9:30AM to 11:00AM route as follows: Run assembles at Drexel Drive, proceeds East Side Bright shore Blvd, West side Pine Acres Blvd, south of fire hydrant, East side Baldwin Blvd south of mailbox, Center Cedar Drive, East side North Gardiner Drive, East side Pine Grove Blvd, North of 1711 & 1712 Property Lines, West side 5th Avenue, South edge of cutout 1656 strip mall. Permission for this event will be granted pending approval from Town and County offices and proof of liability Insurance.

Upon a vote being taken the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 15

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to exercise the Town's first of three one-year option terms to renew the contract with GovOS, Inc.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Olga H. Murray

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

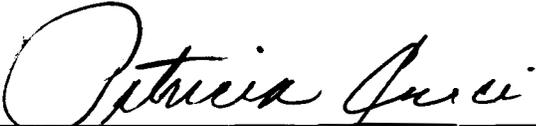
Authorizes the Town to exercise the first of three one-year option terms for the contract with GovOS, Inc. (formerly DBA "SeamlessDocs"), for professional services to create an electronic submission system to be used through the Town's website, not to exceed \$16,000.00 per year.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town Clerk
 2. Site or location effected by resolution: Town Clerk
 3. Cost: \$16,000.00
 4. Budget Line: A.14 D 4 5 00
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 26 . SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/30/23

Date

February 7, 2023
Resolution No. _____

WHEREAS, the Town of Islip Town Clerk’s Office is an administrative branch of the Town of Islip (the “Town”) government pursuant to New York State Town Law § 20; and

WHEREAS, the Town Clerk’s Office requires a service to facilitate the electronic submission of its application and forms from the constituents of the Town; and

WHEREAS, the Town Board by Resolution authorized the Supervisor to execute a contract with GovOS, Inc. (formerly DBA “SeamlessDocs”) for the professional services to create an electronic submission system to be used through the Town’s website not to exceed \$16,000.00 in the first year; and

WHEREAS, said contract was for a period of one (1) year with an option to renew for three (3) one (1) year periods; and

WHEREAS, the Town Clerk’s Office has recommended that the Town exercise the option to renew this contract for the first one (1) year period.

NOW THEREFORE be it, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby exercises the Town's option to renew the contract with GovOS, Inc., for the first one (1) year option period; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute any and all documents necessary to exercise this option, if any, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the Agreement.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 16

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Bid Awards.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael Rand

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

BIDS TO BE AWARDED

02/07/23

- | | |
|--|---|
| 1) Special Bus Trips (1222-167) | Suffolk Transportation Service, Inc.
M & V Corporate
Transportation, Inc. |
| 2) New (Latest Model) 27 Cu. Yd. High Compaction
Low Entry Rear Loading Natural Gas (CNG) W/
Chassis and Body Assembled, Painted, Delivered
Complete (822-226) | Gabrielli Truck Sales, Inc. |
| 3) PVC Piping & Products (922-194) | Holbrook Pipe Supply
Ewing Irrigation |
| 4) Automotive Engine Oil (Synthetic Blend)
(1222-110) | Lubenet LLC
Safety-Kleen Systems |
| 5) Rear Discharge Mowers (1222-56) | All Island Equipment |

No: 1

BID ITEM: Special Bus Trips (Contract # 1222-167)

BID PRICE: See attached sheet

LOWEST RESPONSIBLE BIDDER: School Buses: Suffolk Transportation Service Inc.
Coach Buses: M & V Corporate Transportation Inc.(In-State Trips)
Coach Buses: Regency Transportation Ltd. (Out of State Trips)

COMPETITIVE BID: Yes, 12/21/22

BUDGET ACCOUNT NUMBER : A.7034.4-4450 , A.7310.4-4450, A.7034.4-4450
A.7310.4-4450

ANTICIPATED EXPENDITURE: \$70,000.00

DEPARTMENT: Parks & Recreation

JUSTIFICATION OF NEED: Transportation for Special Events Programs

EXPLANATION IF NOT LOW BIDDER: See attached email for explanation

Special Bus Trips

Contract# 1222-167

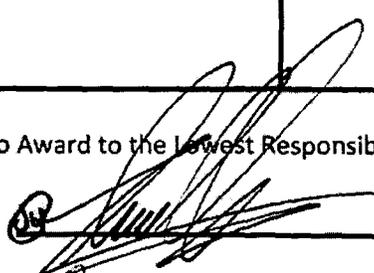
Date: 12/21/22

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE CONTRACT FOR USE IN THE TOWN OF ISLIP.

Budget# A7034.4-4450 (20,000.00) Estimated Amount 35,000.00
A7310.4-4450 (15,000.00)

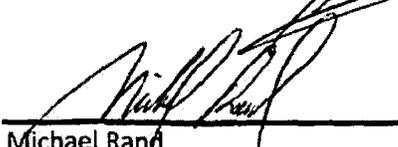
Vendor	Amount
Suffolk Transportation 120 Moffit Blvd Bay Shore, NY 11706	School Buses BID
Regency Transportation 38 Southern Blvd Nesconset, NY 11767	Coach Buses BID
North Fork Express PO Box 1310 Ronkonkoma, NY 11779	
M&V Limousines 1117 Jericho Turnpike Commack, NY 11725	Coach Buses BID

It is Recommended to Award to the Lowest Responsible Bidder as Indicated.

Commissioner 

Concurs.

Signed by:


 Michael Rand
 Director


 Nelly Smith
 Senior Office Assistant

Michael Rand

From: CAROL CHARCHALIS
Sent: Friday, January 20, 2023 12:50 PM
To: Michael Rand
Cc: SHERI MAXNER
Subject: FW: Special Bus Trips- Coach Buses
Attachments: doc_2023_01_20_11_47_22_902.pdf

Good Afternoon,

Please be advised the types of in-state coach bus trips we would do moving forward, would predominantly be four and eight hour trips. Therefore, we would like to award in-state trips to M&V Corporate Transportation as they are the lowest for those length trips. Out of state trips would predominantly be 12 to 15 hour trips, therefore since Regency is the lowest on those trips, we would like to award out of state to Regency.

Thanks

Carol Charchalis
Deputy Commissioner
Parks, Recreation and Cultural Affairs Department
Town of Islip
(631)224-5310 Voice
(631)224-5316 Fax

Special Bus Trips			
CONTRACT #1222-167			
	Regency Transportation	M & V Corporate Transportation	Suffolk Transportation Service
Coach Buses to be utilized any day of the week <u>In-State</u>			
4 hr trip per bus	\$1,450.00	\$1,000.00	No Bid
8 hr trip per bus	\$2,000.00	\$1,600.00	No Bid
12 hr trip per bus	\$2,200.00	\$2,400.00	No Bid
Additional Hr	\$150.00	\$200.00	No Bid
Coach Buses to be utilized any day of the week <u>Out of State</u>			
4 hr trip per bus	\$2,100.00	\$1,500.00	No Bid
8 hr trip per bus	\$2,250.00	\$1,950.00	No Bid
12 hr trip per bus	\$2,450.00	\$2,700.00	No Bid
15 hr trip per bus	\$2,500.00	\$3,000.00	No Bid
Additional Hr	\$150.00	\$250.00	No Bid
School Buses			
1) 5 buses to various pools and beaches in the Town of Islip			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
2) 10 buses to Adventureland			
Buses to be used for 6 hrs	No Bid	No Bid	\$564.84 per bus
Additional Hr.	No Bid	No Bid	\$94.14
3) 4 buses to Long Island Game Farm			
Buses to be used for 6 hrs	No Bid	No Bid	\$564.84 per bus
Additional Hr.	No Bid	No Bid	\$94.14
4) 5 buses to Vanderbilt Planetarium			
Buses to be used for 6 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
5) 5 buses to 401 Main St, Islip NY			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14

	Regency Transportation	M & V Corporate Transportation	Suffolk Transportation Service
6) 2 buses to Splish Splash			
Buses to be used for 8 hrs	No Bid	No Bid	\$753.12 per bus
Additional Hr.	No Bid	No Bid	\$94.14

7) 2 buses to Nassua Coliseum			
Buses to be used for 8 hrs	No Bid	No Bid	\$753.12 per bus
Additional Hr.	No Bid	No Bid	\$94.14

8) 4 buses to Citi Field			
Buses to be used for 8 hrs	No Bid	No Bid	\$753.12 per bus
Additional Hr.	No Bid	No Bid	\$94.14

9) 5 buses to Madison Square Garden			
Buses to be used for 10 hrs	No Bid	No Bid	\$941.40 per bus
Additional Hr.	No Bid	No Bid	\$94.14

10) 6 buses to Bronx Zoo			
Buses to be used for 8 hrs	No Bid	No Bid	\$753.12 per bus
Additional Hr.	No Bid	No Bid	\$94.14

11) 5 buses to Ferry at Orient Pt.			
Buses to be used for 8 hrs	No Bid	No Bid	\$753.12 per bus
Additional Hr.	No Bid	No Bid	\$94.14

12) 4 buses to Long Island Childrens Museum			
Buses to be used for 6 hrs	No Bid	No Bid	\$564.84 per bus
Additional Hr.	No Bid	No Bid	\$94.14

13) 5 buses to Long Island Aquarium			
Buses to be used for 7 hrs	No Bid	No Bid	\$658.98 per bus
Additional Hr.	No Bid	No Bid	\$94.14

14) 5 buses to Fire Island Ferries, Bayshore			
Buses to be used for 10 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14

15) 2 buses to Play Amusements, Farmingdale			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14

	Regency Transportation	M & V Corporate Transportation	Suffolk Transportation Service
16) 5 buses to Dave & Busters, Islandia			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
17) 5 buses to Sayville Movie Theater			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
18) 5 buses to East Islip Lanes			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
19) 5 buses to Sayville Lanes			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
20) 3 buses to Catering Halls (TBD)			
Buses to be used for 6 hrs	No Bid	No Bid	\$564.84 per bus
Additional Hr.	No Bid	No Bid	\$94.14
21) 3 buses to Creative Ministries, Oakdale			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14
22) 3 buses to Duck's Stadium			
Buses to be used for 5 hrs	No Bid	No Bid	\$470.70 per bus
Additional Hr.	No Bid	No Bid	\$94.14
23) 4 buses to Patchogue Theatre for the Performing Arts			
Buses to be used for 5 hrs	No Bid	No Bid	\$470.70 per bus
Additional Hr.	No Bid	No Bid	\$94.14
24) 1 bus to Westbury, NY			
Buses to be used for 6 hrs	No Bid	No Bid	\$564.84 per bus
Additional Hr.	No Bid	No Bid	\$94.14

	Regency Transportation	M & V Corporate Transportation	Suffolk Transportation Service
25) 1 bus to Planting Fields Arboretum, Oyster Bay			
Buses to be used for 6 hrs	No Bid	No Bid	\$564.84 per bus
Additional Hr.	No Bid	No Bid	\$94.14
26) Additional trip locations on Long Island			
Buses to be used for 4 hrs	No Bid	No Bid	\$376.56 per bus
Additional Hr.	No Bid	No Bid	\$94.14

02/07/23

WHEREAS, the Town solicited competitive bids for **Special Bus Trips, Contract # 1222-167; and**

WHEREAS, on December 21, 2022 sealed bids were opened and Suffolk Transportation Service, Inc., 10 Moffit Blvd, Bay Shore, NY 11706; M&V Corporate Transportation, Inc., 1117 Jericho Turnpike., Commack, NY 11725, and Regency Transportation Ltd., 38 Southern Blvd., Nesconset, NY 11767 submitted low dollar bids and

WHEREAS, Suffolk Transportation Service, Inc., M&V Corporate Transportation, Inc. and Regency Transportation Ltd. have been determined to be responsible bidders.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Suffolk Transportation Service, Inc. (School Buses) and M&V Corporate Transportation, Inc. (Coach Buses: In-State Trips) and Regency Transportation Ltd. (Coach Buses: Out of State Trips) as per the circled prices on the attached tabulation sheets in the amount of various prices for one (1) year from date of award, with the Town's option for (1) one additional year under the same terms & conditions.

Upon a vote being taken, the result was:

No: 2

BID ITEM: 822-226 New (Latest Model) 27 Cu. Yd. High Compaction Low Entry
Rear Loading Natural Gas (CNG) W/ Chassis and Body Assembled,
Painted, Delivered Complete

BID PRICE: A) \$414,195.00/each, B) \$165.00/hr. (Labor), C) 27 % Discount (Parts)
D) \$3,575.00 (Warranty)

LOWEST RESPONSIBLE BIDDER: Gabrielli Truck Sales, Inc.

COMPETITIVE BID: Yes, 8/31/22 (2nd Advertisement)

BUDGET ACCOUNT NUMBER : ZR01 1010.22340

ANTICIPATED EXPENDITURE: \$414,195.00

DEPARTMENT: IRRA

JUSTIFICATION OF NEED: Old trucks need to be replaced

EXPLANATION IF NOT LOW BIDDER: _____

Bid was advertised twice, 1st advertisement (8/10/22) no bids were received.
2nd advertisement 1 bid was received.

**New 27 CU. YD. High Compaction Low Entry, Rear Loading, (CNG)
Garbage Truck**

Contract# 822-226

Date: 8/31/22 (2nd Adv.)

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A
PURCHASE CONTRACT FOR USE IN THE TOWN OF ISLIP.

Budget# ZR01 1010.22340 **Estimated Amount** \$ 414,195

Vendor	Amount
Gabrielli Truck Sales LTD. 3200 Horseblock Rd. Medford, NY. 11763	A) \$ 414,195.00 B) \$165.00 C) 27% D) \$3,575.00
Long Island Kenworth 3180 Horseblock Rd Medford, NY 11763	

It is Recommended to Award to the Lowest Responsible Bidder as Indicated.

Commissioner Henock [Signature] **Deputy** Concur.

Michael Rand
Director [Signature]

Signed by:
Nelly Smith
Senior Office Assistant

February 7, 2023

WHEREAS, the Town solicited competitive bids for the purchase of **New(Latest Model) 27 Cu. Yd. High Compaction Low Entry Rear Loading Natural Gas (CNG) W/ Chassis and Body Assembled, Painted, Delivered Complete, Contract 822-226, and**

WHEREAS, the bid was advertised twice and sealed bids were opened on August 31, 2022 and Gabrielli Truck Sales, Ltd., 3200 Horseblock Rd. Medford, NY 11763 submitted the only bid; and

WHEREAS, Gabrielli Truck Sales Ltd., has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Gabrielli Truck Sales Ltd., in the amount of A) \$414,195.00 /each; B) \$165.00/hr. (Labor); C) 27% Discount (Parts);D) \$3,575.00 (5 yr. Warranty) for one (1) year from date of award.

Upon a vote being taken, the result was:

No: 3

BID ITEM: 922-194 PVC Piping & Products

BID PRICE: See Attached Tabulation

LOWEST RESPONSIBLE BIDDER: See Attached Tabulation

COMPETITIVE BID: Yes, 9/28/22 (2nd Advertisement)

BUDGET ACCOUNT NUMBER : A.7231.44112,A.8172.44110, A.8162.44110,A.8170.44110

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: DEC

JUSTIFICATION OF NEED: We need PVC pipe & products to maintain our facilities

EXPLANATION IF NOT LOW BIDDER: _____

Bid was advertised twice, 1st advertisement (8/31/22) no bids were received.

2nd advertisement, 2 bids were received

PVC Pipping & Products

Contract# 922-194

Date: 9/28/22 (2nd Adv.)

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE CONTRACT FOR USE IN THE TOWN OF ISLIP.

Budget# Various **Estimated Amount** \$10,000

<u>Vendor</u>	<u>Amount</u>
Holbrook Pipe Supply 790 Grundy Avenue Holbrook, NY. 11741	Bid - See attached tabulation
T Mina Supply Inc. 168 Long Island Ave. Holtsville, NY. 11742	
Ewing Irrigation 855 Marconi Ave. Ronkonkoma, NY 11779	Bid - See attached tabulation

It is Recommended to Award to the Lowest Responsible Bidder as Indicated.

Commissioner Hernandez [Signature] Concurr. Deputy

Signed by:

[Signature]
Michael Rand
Director

[Signature]
Nelly Smith
Senior Office Assistant

Michael Rand

From: Greg Hancock
Sent: Wednesday, January 11, 2023 12:56 PM
To: Michael Rand
Cc: Martin Bellew; Ken Moses
Subject: Bid Recommendation - PVC Piping & Products
Attachments: 20230111_PVC PIPING AND PRODUCTS.pdf

Importance: High

Attached please find the bid tabulation form for award for the PVC Piping & Products – Bid # 922-194

Per the bid specifications, on page one of the spec, “Evaluation and award may be made on the basis of each item number or category.”

We have opted to award by category, which will be simpler for the end user. (ie: any size of Schedule 40 PVC pipe is awarded to Ewing Irrigation 223)

Any questions, please let me know.

Greg Hancock, Deputy Commissioner & Town Sustainability Officer
Town of Islip Department of Environmental Control
401 Main Street, #302
Islip, NY 11751
631-595-3500, x1369
GHancock@IslipNY.gov

 Please consider the environment before printing my e-mail

PVC PIPING AND PRODUCTS

PVC PIPING & PRODUCTS BID CAMPARISON TABULATION		Holbrook Pipe Extended	Ewing Irrigation 223 Extended
CONTRACT #922-194			
ITEM #			
PVC Pipe (Schedule 40)			
		\$19,108.0840	Not bid to spec
Couplings (Schedule 40)			
	Not including item 13	\$4,087.0400	\$5,402.60
Flanges (Schedule 80)			
		\$4,855.5380	\$3,362.10
Valves (Schedule 80)			
	not including items 27 & 33 & 35-40	\$40,193.2200	\$21,558.00
90 Degree Elbows (Schedule 40)			
		\$12,768.2400	\$15,239.70
45 Degree Elbows (Schedule 40)			
		\$9,006.6400	\$10,738.10
Tees (Schedule 40)			
		\$10,694.4600	\$16,889.00
Reducer Bushings (Schedule 40)			
		\$6,605.6900	\$4,747.30
Caps (Schedule 40)			
		\$625.5920	\$1,065.78
Couplings (DWV)			
		\$7,450.5000	No Bid
Male Adaptors (Schedule 40)			
		\$575.6000	\$371.00
Female Adaptors (Schedule 40)			
	not including item 79	\$465.2000	\$300.00
90 Degree Elbows (DWV)			
	not including item 80	\$1,673.2500	No Bid
PVC Fume Duct Pipe			
	not including item 86	\$90,533.4150	No Bid
Unions(Hayward) Colonial			
		\$737.7125	No Bid
PVC Pipe Wase 40 - 0-PSI/SDR 26-160-PSI			
	no award	No Bid	No Bid
PVC Pipe (SDR 21)			
	no award	No Bid	No Bid
Polyethylene Products			
		\$24,428.5710	No Bid
PVC HOSE INSERTS			
	no award	No Bid	No Bid
Cement			
	not including items 102, 104, 106 & 107	\$813.6960	752.28 *

* Award total is \$2406.12 because Ewing bid on several items that Holbrook did not and those items are included in the award.
NOTE: Items not included in comparison were because one or both bidders did not bid on the item- so it is not included in comparison calculation.

February 7, 2023

WHEREAS, the Town solicited competitive bids for the purchase of **PVC Piping & Products, Contract # 922-194 and**

WHEREAS, the bid was advertised twice and sealed bids were opened on September 28, 2022 and Holbrook Pipe Supply, 790 Grundy Avenue, Holbrook, NY 11741; and Ewing Irrigation, 855 Marconi Ave., Ronkonkoma, NY 11779, submitted the lowest dollar bids and

WHEREAS, Holbrook Pipe Supply., and Ewing Irrigation, have been determined to be responsible bidders.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to the following vendors: Holbrook Pipe Supply: PVC Pipe (Schedule 40) items: 1-10, Couplings (Schedule 40) items: 11,12,14-21, 90 Degree Elbows (Schedule 40) items: 41-46, 45 Degree Elbows (Schedule 40) items: 47-50, Tees (Schedule 40) items: 51-58, Caps (Schedule 40) items: 66-69, Couplings (DWV) items: 70-73, 90 Degree Elbows (DWV) items: 81-83, PVC Fume Duct Pipe items: 84,85,87,88, Unions (Hayward) Colonial items: 89-91 , Polyethylene Products item: 95 and Ewing Irrigation: Flanges (Schedule 80) items: 22-25, Valves (Schedule 80) items: 26,28-32,34, Reducer Bushings (Schedule 40) items: 59-65, Male Adapters (Schedule 40) items: 74-76, Female Adapters (Schedule 40) items: 77,78, Cement items: 102-107 in the amount of various prices for one (1) year from date of award.

Upon a vote being taken, the result was:

No: 4

BID ITEM: Automotive Engine Oil (Synthetic Blend) Contract # 1222-110

BID PRICE: See attached tabulation sheet

LOWEST RESPONSIBLE BIDDER: Lubenet LLC, Safety-Kleen Systems

COMPETITIVE BID: Yes, 12/21/22

BUDGET ACCOUNT NUMBER : A.1640.41220, DB.1640.41220

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: DPW

JUSTIFICATION OF NEED: _____

EXPLANATION IF NOT LOW BIDDER: _____

Automotive Engine Oil (Synthetic Blend)

Contract# 1222-110

Date: 12/21/22

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE CONTRACT FOR USE IN THE TOWN OF ISLIP.

Budget# A.1640.41220
DB.164.41220 Estimated Amount \$10,000⁰⁰

Vendor	Amount
Lubenet LLC 126 Scott Ave. Brooklyn, NY 11237	Bid
Prime Lube Inc. 800 Roosevelt Ave. PO Box 539 Carteret, NJ 07008	
Grade A Corp. 90 Hawthorne Ave. Valley Stream, NY 11580	Bid
Safety Kleen 42 Longwater Dr. Norwell, MA 02061	Bid
Miles Petroleum 66 Marine St. Farmingdale, NY 11735	Bid
WATS International 200 Manchester Rd Poughkeepsie, NY 12603	Bid

It is Recommended to Award to the Lowest Responsible Bidder as Indicated.

Commissioner

Concurs.

Signed by:

Michael Rand
Director

Nelly Smith
Senior Office Assistant

Automotive Engine Oil (Synthetic Blend)					
CONTRACT #1222-110					
	Grade A Petroleum	Lubenet LLC	Miles Petroleum	WATS International	Safety-Kleen Systems
1. Synthetic Blend					
A. Quarts					
1. 5W20	\$3.95/qt.	\$2.49/qt.	\$3.98/qt.	\$4.39/qt.	\$2.85/qt.
2. 5W30	\$3.95/qt.	\$2.49/qt.	\$3.98/qt.	\$3.65/qt.	\$2.85/qt.
3. 10W30	\$3.95/qt.	\$2.49/qt.	\$3.98/qt.	\$3.89/qt.	\$2.85/qt.
B. 55 Gallon Drums					
1. 5W20	\$565.00 /drum	\$498.98 /drum	\$547.25 /drum	\$1,132.90 /drum	\$517.20 /drum
2. 5W30	\$565.00 /drum	\$498.98 /drum	\$547.25 /drum	\$1,080.90 /drum	\$517.20 /drum
3. 10W30	\$565.00 /drum	\$498.98 /drum	\$560.31 /drum	\$1,183.91 /drum	\$517.20 /drum
2. Fully Synthetic Oil					
A. Quarts					
1. 5W30	\$4.95 /qt.	\$3.99 /qt.	\$4.86 /qt.	\$6.15 /qt.	\$4.03 /qt.
2. 0W20	\$4.95 /qt.	\$3.99 /qt.	\$4.86 /qt.	\$13.20 /qt.	\$3.85 /qt.
B. 55 Gallon Drums					
1. 5W30	\$735.00 /drum	\$698.97 /drum	\$757.62 /drum	\$1,398.17 /drum	\$698.25 /drum
2. 0W20	\$735.00 /drum	\$698.97 /drum	\$723.93 /drum	\$1,238.63 /drum	\$665.20 /drum

February 7, 2023

WHEREAS, the Town solicited competitive bids for the purchase of **Automotive Engine Oil (Synthetic Blend) Contract # 1222-110; and**

WHEREAS, the bid was advertised and sealed bids were opened on December 21, 2022 and Lubenet LLC, 126 Scott Ave., Brooklyn, NY 11237; and Safety Kleen Systems., 42 Longwater Dr., Norwell, MA 02061, submitted the lowest dollar bids and

WHEREAS, Lubenet LLC., and Safety Kleen Systems, have been determined to be responsible bidders.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to the following vendors: Lubenet LLC, items: 1) A: 1-3 (\$2.49/qt.); B: 1-3 (\$498.98/drum); 2) A: 1-2 (\$3.99/qt.); Safety Kleen Systems, items: 2) B: 1 (\$ 698.25/drum)-2 (\$665.20/drum), for one (1) year from date of award.

Upon a vote being taken, the result was:

No: 5

BID ITEM: 1222-56 - Rear Discharge Mowers

BID PRICE: See attached Tabulation

LOWEST RESPONSIBLE BIDDER: All Island Equipment

COMPETITIVE BID: 1/18/23 (2nd Advertisement)

BUDGET ACCOUNT NUMBER : H22.7111.32350 

ANTICIPATED EXPENDITURE: \$100,000.00

DEPARTMENT: Parks & Recreation

JUSTIFICATION OF NEED: Replace Mowers for Ground Maintenance

EXPLANATION IF NOT LOW BIDDER: 1st Bid, only 1 Bid received, 2nd Bid
Only 1 bid received.

Rear Discharge Mowers

Contract# 1222-56

Date: 1/18/2023 (2nd Adv.)

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE CONTRACT FOR USE IN THE TOWN OF ISLIP.

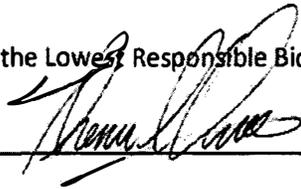
Budget# H22.7111.32350

Estimated Amount \$100,000

Vendor	Amount
All Island Equipment 39 Jersey Street W. Babylon, NY 11704	Bid
Malvese Equipment 232 East Old Country Rd. Riverhead, NY 11901	
Trius 459 Johnson Ave. Bohemia, NY 11716	
Bay Shore Mower 1913 Union Blvd Bay Shore, NY 11706	
Chief Equipment 400 W. Old Country Rd Hicksville, NY 11801	
Chief Equipment 522 Edwards Ave. Calverton, NY 11933	

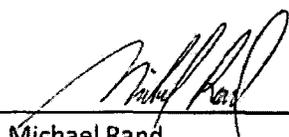
It is Recommended to Award to the Lowest Responsible Bidder as Indicated.

Commissioner



Concurs.

Signed by:


Michael Rand
Director


Nelly Smith
Senior Office Assistant

REAR DISCHARGE MOWERS	ALL ISLAND
CONTRACT #1222-56	EQUIPMENT
ITEM #	
A. ZERO TURN MOWER w/ 104" cutting width	
1. Bid Price	\$26,998.78/ea.
2. Discount Parts	0%/disc.
3. Labor Rate	\$198.00/hr.
4. Mulch Kit	\$769.00/ea.
B. 72" HUSTLER Super Z Hyper Drive Zero Turn Rear Discharge Mower	
1. Bid Price	\$15,416.14/ea.
2. Discount Parts	0%/disc.
3. Labor Rate	\$198.00/hr.
4. Options	
a. 72" Side Discharge Deck	\$14,416.04/ea.
b. 60" Rear Discharge Deck	\$15,248.97/ea.
c. 60" Side Discharge Deck	\$14,248.87/ea.
d. 72" Mulch Kit w/ wavy blades	\$739.00/ea.
e. 60" Mulch Kit w/ wavy blades	\$619.00/ea.
f. Catcher Bac-Vac System w/ adapter kit	\$4,950.00/ea.
g. Michelin X-Twell Turf Caster 13 x 6 smooth front tire	\$269.00/ea.
h. Michelin X-Twell Turf Rear Tire 26 x 12 N12	\$729.00/ea.
C. STAND-ON 60" Side Discharge Mower	
1. Bid Price	\$9,832.37/ea.
2. Discount Parts	0%/disc.
3. Labor Rate	\$198.00/hr.
4. Optional Trade Ins	
a. 52" Super S Side Discharge	\$9,499.49
b. 48" Super Side Discharge	\$8,915.49
c. 36" Super S Side Discharge	\$8,665.83
5. Options	
a. Side Steel 4.4 Cu. Ft. Catcher	\$694.00/ea.
b. Mulch Kit	\$409.00/ea.



ALL ISLAND EQUIPMENT CORP.

39 JERSEY STREET WEST BABYLON NY 11704

Tel: (631) 643-2605

Fax: (631) 643-4060

November 1, 2022

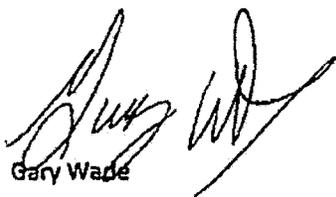
Town of Islip
401 Main Street
Islip, NY 11751

RE: Islip Contract #721-56

To Whom It May Concern:

Due to the ever-changing economy with steel surcharges and frequent manufacturers price increases, we have no choice but to cancel this contract immediately and will not be able to accept any orders under this current contract.

Sincerely,



Gary Wade

GW/np

WHEREAS, the Town solicited competitive bids for the purchase of REAR DISCHARGE MOWERS, CONTRACT #721-56; and

WHEREAS, the bid was advertised twice and opened on August 18, 2021; and

WHEREAS, All Island Equipment, 39 Jersey Street, W. Babylon, NY 11704 submitted the only bid for this contract; and

WHEREAS, All Island Equipment has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of Councilman John C. Cochrane, Jr.
seconded by Councilwoman Trish Bergin, be it

RESOLVED that the Town Board of the Town of Islip hereby award the contract to All Island Equipment in the amount of various prices as per bid items #A1 through C5 for Rear Discharge Mowers for three (3) years from date of award with the Town's option to renew for one (1) additional year under the same terms and conditions.

Upon a vote being taken, the result was: unanimous

February 7, 2023

WHEREAS, by Town Board resolution dated October 19, 2021, All Island Equipment, 39 Jersey Street, W. Babylon, NY 11704, was awarded the contract for **Rear Discharge Mowers #721-56** for a term of three (3) years from date of award with the Town's option to renew for one (1) additional year under the same terms and conditions; and

WHEREAS, All Island Equipment, has notified the Town in written correspondence dated November 1, 2022 of their choice to cancel the contract immediately and not accept any further orders due to the "ever-changing economy"; and

WHEREAS, as a result of All Island Equipment indicating that they would not accept any further orders, the Town solicited competitive bids for the purchase of **Rear Discharge Mowers Contract# 1222-56**; and

WHEREAS, the bid was advertised twice and only one (1) bid was submitted on the second opening date of January 18, 2023; and

WHEREAS, the Town accepted and read the sole bid of All Island Equipment, 39 Jersey Street, W. Babylon, NY 11704 and has determined All Island Equipment to be a responsible bidder; and

WHEREAS, it is requested that the Town Board rescind the October 19, 2021 resolution awarding **Rear Discharge Mowers #721-56** to All Island Equipment, and award **Rear Discharge Mowers Contract# 1222-56** to All Island Equipment for a term of one (1) year from date of award with the Town's option for one (1) additional year under the same terms and conditions.

NOW, THEREFORE, on a motion of

seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby rescinds the October 19, 2021 resolution awarding **Rear Discharge Mowers #721-56** to All Island Equipment; and be it

FURTHER RESOLVED, that the Town Board of the Town of Islip hereby award the contract to All Island Equipment in the amount of various prices as per bid items #A1 through C5 for **Rear Discharge Mowers Contract# 1222-56** for a term of one (1) year from date of award with the Town's option for one (1) additional year under the same terms and conditions.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 17

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Option Year Resolutions.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael Rand

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

OPTION YEAR RESOLUTIONS

2/7/23

1) Cess Pool Cleaning & Servicing (221-46)

A1 Community Cesspool
Services

No: 1

BID ITEM: Cesspool Cleaning & Servicing (221-46)

VENDOR: A1 Community Cesspool Services

OPTION: 1 Additional Year

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: DPW

JUSTIFICATION OF NEED: Removal & Disposal of the contents of Cesspools



TOWN OF ISLIP OFFICE OF THE SUPERVISOR
Department of Purchase

401 MAIN STREET • ROOM 227 • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5515 • FAX: (631) 224-5517

Angie M. Carpenter, Supervisor

TO: Tom Owens, DPW Commissioner
FROM: Michael Rand, Director of Purchasing
DATE: 12/15/22
RE: Cesspool Cleaning & Servicing Contract 221-46

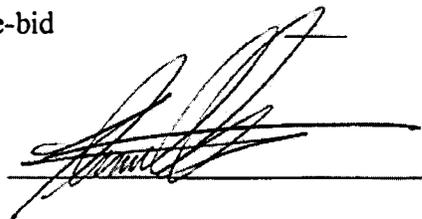
The 1 year option for the above mentioned contract is 03/09/23. Please indicate below your intentions:

We agree with extending the referenced contract

We do not wish to extend this contract

We request that the service/commodity be re-bid

SIGNED



March 9, 2021

WHEREAS, the Town solicited competitive bids for CESSPOOL CLEANING & SERVICING,
CONTRACT #221-46; and

WHEREAS, on February 3, 2021 sealed bids were opened and A1 Community Cesspool
Services, 180 Blydenburgh Rd., Islandia, NY 11749 submitted the apparent low dollar bid; and

WHEREAS, A1 Community Cesspool Services has been determined to be a responsible
bidder.

NOW, THEREFORE, on a motion of Council Mary Kate Mullen
seconded by Council John C. Cochrane, Jr. be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to A1
Community Cesspool Services in the amount of various prices as per bid items #1A through 4B
for two (2) years from date of award with the Town's option to renew for one (1) additional
year under the same terms and conditions.

Upon a vote being taken, the result was: carried 5-0

February 7, 2023

WHEREAS, by a Town Board resolution adopted March 9, 2021; **Contract #221-46** for **Cesspool Cleaning & Servicing** was awarded to A1 Community Cesspool Services, 180 Blydenburgh Rd., Islandia, NY 11749, the lowest responsible bidder.

WHEREAS, said contract was for a period of two (2) years from date of award with the Town's option to renew for one (1) additional year, under the same terms and conditions.

WHEREAS, the Commissioner of DPW has recommended that the Town exercise the option to renew the contract for the one (1) year period.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the option to renew the contract with A1 Community Cesspool (Contract #221-46) in the amount of: 1a: \$135.00/1000 gallons (Pump up to 5,000 gallons) ; 1b: \$135.00/1000 gallons (Pump 5,000 gallons or more); 2: \$150.00/hr. (Clear/Clean waste lines); 3: \$8.00/gallon (Apply Cesspool Chemicals); 4a: No Charge (Uncover/Re-cover); 4b: \$5.00/ft.(Sewer Jetting up to 100') for the additional one (1) year period under the same terms and conditions.

Upon a vote being taken the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 18

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into Professional Services Agreement with Johnson, Kukata & Lucchesi Engineers, P.C. for Engineering and Design services.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor, on behalf of the Town of Islip, to execute any and all documents, subject to approval of the Town Attorney, to enter a professional engineering services agreement with Johnson, Kukata & Lucchesi Engineers, P.C. for engineering and design services relating to the Rehabilitation of Taxiway C asphalt pavement, reconstruction of the edge lighting system, reconstruction (replacement) of the airfield guidance signs, and upgrade additional airfield signs to LED signs at Long Island MacArthur Airport at a cost not to exceed \$338,324.00.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: Not to exceed \$338,324.00
 4. Budget Line: TBD
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 2. SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/23/2023

Date

February 7, 2023
Resolution No.

RESOLUTION AUTHORIZING the Supervisor to execute a professional services agreement with Johnson, Kukata & Lucchesi, P.C. for engineering and design services relating to the Rehabilitation of Taxiway C asphalt pavement, reconstruction of the edge lighting system, reconstruction (replacement) of the airfield guidance signs, and upgrade additional airfield signs to LED signs at Long Island MacArthur Airport.

WHEREAS, the Town of Islip (“Town”) owns and operates Long Island Macarthur Airport (“the Airport”); and

WHEREAS, in the course of regular use, certain repair and maintenance of airfield surfaces is required for the continued safe and efficient conduct of airport operations; and

WHEREAS the Department of Aviation & Transportation requires a professional engineering firm to perform engineering design and detailed design review, and

WHEREAS, the Department of Aviation & Transportation solicited requests for qualifications for engineering services for the rehabilitation of the Rehabilitation of Taxiway C asphalt pavement, reconstruction of the edge lighting system, reconstruction (replacement) of the guidance signs, and upgrade additional airfield signs to LED signs at Long Island MacArthur Airport (the “Project”); and

WHEREAS, the Department of Aviation and Transportation will submit an application to the Federal Aviation Administration (“FAA”) for funding of the costs through Airport Improvement Program (“AIP”) grants at the Airport based on the following allocation: 90% FAA; 5% New York State Department of Transportation (“NYSDOT”); and 5% Passenger Facility Charge (“PFC”); and

WHEREAS, the Airport directly solicited bids by distributing the Request for Qualifications to twenty-one (21) prospective engineering firms and advertised on the Airport’s website; and

WHEREAS, the Airport only received a response from one proposer, Johnson, Kukata, and Lucchesi Engineers, who is also a certified Disadvantaged Business Enterprise firm; and

WHEREAS, upon review of the Statement of Qualifications, Johnson, Kukata, and Lucchesi Engineers with a corporate office located at 6031 University Blvd, Suite 330, Ellicott City, MD, 21043, was determined to be the most qualified proposer; and

WHEREAS, the Commissioner of the Department of Aviation & Transportation hereby recommends awarding the engineering services agreement for the project to Johnson, Kukata, and Lucchesi Engineers, PC; and

NOW, THEREFORE, on a motion of Councilperson _____; seconded by Councilperson _____; be it

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 19

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to apply for grant funding from
Bloomberg Philanthropies for a Public Art Project.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Caroline Smith

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to apply for grant funding from Bloomberg Philanthropies for its Public Art Challenge for the purpose of developing and executing a public art project that addresses a pressing civic issue. Grant funds will not exceed \$1,000,000.00, and the matching share will be determined during the grantee selection process.

SPECIFY WHERE APPLICABLE:

- | | |
|---|---|
| 1. Entity or individual benefitted by resolution: | Town of Islip and its residents |
| 2. Site or location effected by resolution: | TBD |
| 3. Cost: | Any matching funds shall be determined if/when Town is offered grant award. |
| 4. Budget Line: | N/A |
| 5. Amount and source of outside funding: | N/A |
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 26 SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor



Date

February 7, 2023
Resolution # _____

WHEREAS, the Bloomberg Philanthropies Public Art Challenge engages mayors and chief executives of U.S. cities with populations over 30,000 residents to collaborate with artists and arts organizations to develop public art projects that address pressing civic issues; and

WHEREAS, Bloomberg Philanthropies will award up to \$1,000,000.00 in grant funding to selected projects for the development and execution of a public art project over a maximum of 24 months following the announcement of the final award in the fall of 2023; and

WHEREAS, the Town of Islip desires to apply for the Bloomberg Philanthropies grant for the purpose of creating a public art project in one of the Town's many parks that addresses civic issues in our community;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute any and all documents required to apply for grant funding from Bloomberg Philanthropies for the development and execution of a public art project, the form and content of which shall be subject to the approval of the Town Attorney.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 20

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign a building permit application submitted by the Bay Club, LLC, operating as Nicky's on the Bay, for Town owned property located at the Bay Shore Marina.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael P. Walsh, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

Dated: February 7, 2023
Resolution # 20

WHEREAS, the Town of Islip is the fee owner of that certain real property known as the Bay Shore Marina and identified on the Suffolk County tax map as 500-442.00-01.00-050.00; and

WHEREAS, the Town entered into a License Agreement in January of 2007 with JP Supreme Caterers, Inc., d/b/a Nicky's on the Bay to operate a fuel dock, snack shack and restaurant at the eastern terminus of the Marina, said license agreement amended by a First Amendment Letter dated January 8, 2008, a Second Amendment dated April 18, 2008, a Third Amendment and Extension dated August 1, 2014 and a Fourth Amendment dated December 4, 2014 (collectively "License Agreement"); and

WHEREAS, by Town Board Resolution dated June 14, 2022 the Town consented to an assignment and assumption of the License Agreement from JP Supreme Caterers, Inc., d/b/a Nicky's on the Bay to an entity to be determined with the primary and controlling shareholders being Joseph P. Vitrano and William Monaco; and

WHEREAS, it has been determined that The Bay Club LLC will be the assignee and will assume the License Agreement from JP Supreme Caterers, Inc., d/b/a Nicky's on the Bay and be the ("Licensee")

WHEREAS, the Bay Club LLC has applied for a Building Permit for emergency roof repairs, interior alterations to the bar area and alterations to the restrooms to conform to ADA standards; and

WHEREAS, the application requires the signature of the Town of Islip as the fee owner of the property; and

NOW, THEREFORE, on motion of councilperson _____,
seconded by councilperson _____, be it

Dated: February 7, 2023
Resolution # 20

RESOLVED, that the Supervisor of the Town of Islip is hereby authorized to sign a building permit application submitted by The Bay Club LLC, for Town owned real property known as Bay Shore Marina, identified on the Suffolk County Tax Map as 500-442.00-01.00-050.000 along with any agreements, documents, or papers necessary to implement the purpose of this resolution, the form of which is subject to the approval of the Islip Town Attorney.

UPON A VOTE BEING TAKEN, the result was _____.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 21

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to submit a Home Rule request to the NY State Legislature authorizing the alienation of certain real property in Bay Shore.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael P. Walsh, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Authorization for the Town to request that the NYS Legislature adopt legislation permitting alienation of the eastern terminus of the Bay Shore Marina to permit the operation of a fuel dock and restaurant by a private entity and to execute any documents and take any action necessary to implement the purpose of this resolution.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: JP Supreme Caterers, Inc., d/b/a Nicky's on the Bay or its assigns
 2. Site or location effected by resolution: Eastern terminus of Bay Shore Marina (SCTM#: 500-442.00-01.00-050.000)
 3. Cost: 0.00
 4. Budget Line: 0.00
 5. Amount and source of outside funding: 0.00
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type 1 action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 46 . SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

Umm

Dated: February 7, 2023
Resolution # 21

WHEREAS, the Town of Islip is the fee owner of that certain real property known as the Bay Shore Marina and identified on the Suffolk County tax map as 500-442.00-01.00-050.00; and

WHEREAS, there exists a fuel dock and restaurant at the eastern terminus of the Bay Shore Marina (“Premises”); and

WHEREAS, the building requires costly renovations to comply with ADA regulations; and

WHEREAS, the Town wishes to lease, for a term of forty years, the (“Premises”) to JP Supreme Caterers, Inc., d/b/a Nicky’s on the Bay, or its assign, to make the necessary renovations and operate a fuel dock and restaurant; and

WHEREAS, the lease of the Premises requires parkland alienation legislation by the New York Legislature and compliance with the State Environmental Quality Review Act; and

NOW, THEREFORE, on motion of councilperson _____,
seconded by councilperson _____, be it

RESOLVED, that the Town of Islip hereby requests that the New York State Legislature adopt legislation permitting the alienation of the Premises for the operation of a fuel dock and an ADA compliant restaurant for the enjoyment of the constituents of the Town of Islip; and

RESOLVED, that the Supervisor of the Town is hereby authorized to execute any agreements, documents, or papers necessary to implement the purpose of this resolution, the form of which is subject to the approval of the Islip Town Attorney; and be it further

RESOLVED, that the Clerk of the Town of Islip is hereby directed to send a copy of this resolution and all supporting documentation to the New York State Senate and Assembly Home Rule Offices, Senator Alexis Weik, and Assemblyman Jarett Gandolfo.

A VOTE BEING TAKEN, the result was _____.