

Town of Oyster Bay, NY

A Kohl's construction contractor broke the law... then ignored the enforcement order.

The following three pages are copies of official notices and reports:

1. Stop-Work notice for the initial violation.
2. Report from next day that work continued, violating the Stop-Work order.
3. Inspection report ten days later noting that even more work had been done.

Summary of the Case

A contractor working on a Kohl's store was cited for violating a town ordinance requiring construction projects worth more than \$100,000 to be affiliated with an accredited apprenticeship program.

Such laws benefit everyone. They ensure jobs and career training for area residents, who then can get better jobs, contribute to the tax base and economy, and raise the area's overall standard of living.

Town officials issued a notice and Stop-Work order to shut down all work at the jobsite.

The next day, an inspector returned to make sure the order was being observed and found the contractor working anyway. The contractor produced "letters" from Kohl's and the general contractor seeking to continue work. But the violation remained—now with the violation of the Stop-Work order as well. The inspector ordered the job shut down and waited for all workers to leave.

Ten days later, a final inspection found that still more work had been done, in further violation of the Stop-Work order. By now, though, the contractor had taken all equipment and left the job.

Read for yourself. See what kind of contractors Kohl's hires to build and renovate their stores. The same kind of flagrant law-breakers could be working in YOUR community!



NOTICE OF VIOLATION

Town of Oyster Bay - Building Division
74 Audrey Avenue, Oyster Bay NY 11771

Location of Violation: 5300 Sunrise Hwy

Section _____ Block _____ Lot _____ Permit # _____

Person Served: Gary Petrunko

Date: 3/1/10 Method of Service: Personal

An inspection of the above noted premises revealed violations of the Town of Oyster Bay Code and New York State Building Code.

- Expired Permit
- Worksite maintenance
- Unsafe Condition
- Improperly Secured worksite
- Other (see comment section)
- Non-compliance ZBA
- Non-compliance Town Board
- Non-compliance other agency
- Construction w/o permit

Violations shall be corrected no later than:

- Immediately
- 2 Weeks
- 30 Days

STOP WORK IMMEDIATELY
 All construction and building activity is suspended until further notice.

Comments: T.O.B. Violation 93-16.1
No One is to do Any Construction
While in Building until Authorized
by Commission of Dept of Planning & Development

Failure to correct the above noted violations within the prescribed time period may result in the issuance of a summons, criminal prosecution, and/or the suspension or revocation of any and all building permits and Certificates of Occupancy pursuant to Town Law.

Inspector's name: J. BAUDILLE

Telephone: 624-2253 Office Hours: 9-7

Recipient Signature: [Signature]

Department of Planning and Development
(516) 624-6200



74 Audrey Avenue - Oyster Bay, N.Y. 11771
Fax: (516) 624-6240

Frederick P. Ippolito, Commissioner Building Inspector's Report Thomas M. Sabellica, Deputy Commissioner

Date: 3/11/10 Time: 9 AM PM I have reviewed () previous reports.
Owner: KOHL'S Contractor: _____ Zone: NB
Address: 630 SUNRISE HWY Address: _____ Sec: 53
Telephone: _____ Telephone: _____ Blk: D
Lot(s): 34

Permit #(s) Type Date Issued Expiration Date
R-45504 INT ALT _____ _____

Type of Inspection - Excavation Footing Foundation Rough Frame
 Final Frame Insulation Final Other

PLEASE NOTE - A field inspection has revealed that the following items are necessary:

To Continue Work:

- No One Was Home
- Call For Inspection - (516) 624-6222
- No Building Plans on Job
- Need Amended Building Plans
- Work Does Not Conform to Building Code
- Work Does Not Conform to Approved Building Plans

To Obtain a Certificate of Occupancy:

- Must Obtain Electrical Certificate From Approved Electrical Inspection Service For: _____
- Must Submit Updated Property Survey
- Must Obtain Plumbing Approval
- Must Obtain Permit For: _____

The items checked below have been observed during the course of the field inspection and require permits. Failure to obtain permits will result in the delay of the issuance of a Certificate of Occupancy/Compliance.

- | | | |
|--|--|---|
| <input type="checkbox"/> Cellar Entrance | <input type="checkbox"/> Roofed-Over Patio/Deck | <input type="checkbox"/> Solar Heat |
| <input type="checkbox"/> Deck | <input type="checkbox"/> Second Apartment/Dwelling | <input type="checkbox"/> A/C Unit |
| <input type="checkbox"/> Dock | <input type="checkbox"/> Shed | <input type="checkbox"/> Dormers |
| <input type="checkbox"/> Enclosed Porch | <input type="checkbox"/> Swimming Pool | <input type="checkbox"/> Other Structures |
| <input type="checkbox"/> Extension | <input type="checkbox"/> Swimming Pool Fence | _____ |
| <input type="checkbox"/> Fence | <input type="checkbox"/> Swimming Pool Heater | _____ |
| <input type="checkbox"/> Fireplace | <input type="checkbox"/> Swimming Pool Filter | _____ |
| <input type="checkbox"/> Garage | <input type="checkbox"/> Swimming Pool Accessories | _____ |
| <input type="checkbox"/> Garage/Converted | <input type="checkbox"/> Swimming Pool Raised Deck | _____ |
| <input type="checkbox"/> Interior Alterations | <input type="checkbox"/> Skylight | _____ |
| <input type="checkbox"/> Retaining Wall/Bulkhead | | |

Comments/Observations/Information: The unpainted new walls on the 1st floor had been finished painted I had stopped here when I stopped the job.
There was no work on 1st floor or 2nd floor
Check the Warehouse that long boxes were gone
No construction work or equipment on site

PLEASE NOTE - All inspections approved are subject to review of file and certification requirements. You will be notified if any further documentation is required.

Inspection Approved: Yes No Conditional Approval (See Comments)
Report to Contractor: In Person Left on Premises
Report to Homeowner: In Person By Mail
N.O.V. #: _____ Date Due: _____ Summons #: _____ Date Returnable: _____

Received By: _____ Inspector's Signature: J. Sabellica
Inspector's Extension: (516) 624-6253

THIS IS A COPY. THE ORIGINAL IS ON FILE IN THE BUILDING DIVISION.

Department of Planning and Development
(516) 824-6200



74 Aurora Ave., Oyster Bay N.Y. 11771
Fax (516) 824-6240

Building Inspectors Report

Date: 3/2/10 AM PM I have reviewed () previous reports

Owner Kohls Contractor Vision Sec S3
 Address 5300 Sunrise Hwy Address 10 Post Ln Bk D
Mossapequa NY Riverdale NY 07457 Lots 87

Telephone _____ Telephone _____ Zone NB

Permit #(s)	Type	Date Issued	Expiration Date	Invalid

Type of Inspection- Excavation Footing Foundation Rough Frame
 Final Frame Insulation Final Other Complaint

Please Read Carefully

A field inspection has revealed that the following items are necessary:

To Continue Work:
 No one was home
 Call for inspection: 624-6222
 No building plans on job
 Need amended building plans
 Need Amended Permits
 Work does not conform to Building Code
 Work does not conform to approved building plans

To Obtain a Certificate of Occupancy:
 Must obtain Electrical Certificates from approved electrical inspection service For: _____
 Must submit updated survey
 Must have plumbing approval
 Must obtain permit for: _____

Please be advised that the Section, Block and Lot file for your property was reviewed by the Plan Examination Division on _____. The items checked below have been observed during the course of our inspection and require permits. There is currently no record that permits exist for the below noted structures.

Failure to obtain permits will result in the delay of the issuance of a Certificate of Occupancy or Compliance.

<input type="checkbox"/> Cellar entrance	<input type="checkbox"/> Roofed-over patio/deck	<input type="checkbox"/> Solar Heat
<input type="checkbox"/> Deck	<input type="checkbox"/> Second Apartment/Dwelling	<input type="checkbox"/> A/C Unit
<input type="checkbox"/> Dock	<input type="checkbox"/> Shed	<input type="checkbox"/> Dormers
<input type="checkbox"/> Enclosed porch	<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Other Structures
<input type="checkbox"/> Extension	<input type="checkbox"/> Swimming Pool/Fence	_____
<input type="checkbox"/> Fence	<input type="checkbox"/> Swimming Pool/Heater	_____
<input type="checkbox"/> Fireplace	<input type="checkbox"/> Swimming Pool/Filter	_____
<input type="checkbox"/> Garage	<input type="checkbox"/> Swimming Pool/Accessories	_____
<input type="checkbox"/> Garage/Converted	<input type="checkbox"/> Swimming Pool Raised Deck	_____
<input type="checkbox"/> Interior Alterations	<input type="checkbox"/> Skylight	_____
<input type="checkbox"/> Retaining Wall/Bulkhead		

Comments/Observations/Information

Observed Daywall Contractor - Printers - Glaiser - Labors
met with Tony John Supr from Vision. Asked why
people were working the handover are two letters out
from Kohls one from Vision I responded I accept your
letters but stop all work all things out of the building
or I will have NYPD remove them. Building was cleaned
I did exterior walk through all traces has stopped
work and left in when leaving the building All ceiling
tiles were put back to close for fire coat.
They will attempt to have Kohls construction official contact
our Commissioner All worked stopped.

Please Note: All inspections approved are subject to review of file and certification requirements. You will be notified if any further documentation is required.

Inspection Approved: Yes No Conditional Approval (see comments)

Report to Contractor: In Person Left on Premises

Report to Homeowner: In Person By Mail Inspector's Ext. 624-6222

N.O. V.# _____ Date due _____ Summons# _____ Date returnable _____

Received By: _____ Inspector's Signature A. Baudette

This is a copy. The original is on file in the building division.