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**TOWN OF NORTH HEMPSTEAD  
TOWN BOARD  
VIRTUAL ZOOM MEETING**

Town Hall

220 Plandome Road

Manhasset, New York 11030

Tuesday, August 13, 2020 7:00 o'clock p.m.

**P R E S E N T :**

JUDI BOSWORTH, Supervisor

MARIANN DALIMONTE, Councilwoman

ANGELO FERRARA, Councilman

VERONICA A. LURVEY, Councilwoman

VIVIANA L. RUSSELL, Councilwoman

LEE SEEMAN, Councilwoman

PETER ZUCKERMAN, Councilman

WAYNE H. WINK, Jr., Town Clerk

LEONARD KAPSALIS, ESQ., Town Attorney

MICHAEL LEVINE - Planning Commissioner

SUPERVISOR BOSWORTH: Good evening. If everybody could please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

SUPERVISOR BOSWORTH: Thank you. So before we start, I wanted to make a statement. What an incredibly tumultuous time in the midst of a pandemic, our Town was ravaged by a tropical storm. What we saw came and went quickly. Its impact on our community was absolutely comparable to the destruction that we found with Super Storm Sandy in 2012. Cleanup efforts have been monumental and our Town employees continue to go above and beyond, working around the clock to remove trees and debris. I'd like to thank them, as well as Governor Cuomo, for the assistance he has offered us in the wake of this storm, providing additional crews to aid in our recovery. Conversely, the preparation response from PSEG has been woefully inadequate. It's extraordinarily frustrating that our residents are not getting the services they need and deserve. In fact, unfortunately they're not even receiving accurate -- or were not receiving accurate information from PSEG and neither were we. I know there are many investigations at all levels of government to ensure accountability for PSEG. Earlier today the Town Board and I sent letters to LIPA, the Public Service Commission and the Governor, demanding that PSEG implement significant substantive changes so they're better prepared to respond when the next storm arrives. And unfortunately there will be a next storm. So our families are already dealing with tremendous hardship. The extended loss of electricity has precipitated financially greater frustration. This has been terribly challenging for all of us and I, along with the entire Town Council, remain committed to advocating on the behalf of our residents and want to make sure that PSEG is able to provide the proper service, information and results. So that being said, Mr. Wink if you could please call the meeting to order.

MR. WINK: Town of North Hempstead Board meeting, Thursday, August 13th, 2020.  
Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Here.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Here.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Here.

MR. WINK: Councilwoman Russell

COUNCILWOMAN RUSSELL: Here.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Here.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Here.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Here. So Mr. Wink, I'd like to ask you to begin tonight's agenda.



MR. WINK: Public hearings. Item 1, a public hearing to consider the adoption of a local law amending Chapter 2 of the Town Code entitled, "Administration and Enforcement."

SUPERVISOR BOSWORTH: So this is so that we're allowing tents be up for up to six months, which is the maximum length for a temporary structure that's permitted by State law. We're suspending what our Code would be to allow this and it would also be waiving the fee for these structures. This is an effort to assist houses of worship, businesses and other organizations that requested tents in order to comply with COVID-19 restrictions. And, again, I think we need to make, you know, thank our business recovery team because they've been so much a part of all the discussion and suggestions that have gone into trying to do what we can to help our local businesses, our houses of worship and any other entity that needs help during this time. Mr. Wink, do we have comments ?

MR. WINK: I do not have any comments on this item.

SUPERVISOR BOSWORTH: Okay. Does anybody else want to comment?

SUPERVISOR BOSWORTH: All right. I'd like to then close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 311 - 2020**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE ENTITLED "ADMINISTRATION AND ENFORCEMENT."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead, is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend the Town Code by the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to temporarily suspend Section 2-9 N (7) of the Town Code with respect to tent permits for so long as establishments, organizations and institutions are required to operate at reduced seating capacity due to Executive Orders from the Governor related to the COVID-19 pandemic; and

**WHEREAS**, the proposed Local Law, in final form, has been on the desks or tables of all the members of the Town Board for seven calendar days, exclusive of Sunday; and

**WHEREAS**, due notice has been heretofore given of a public hearing to be held on the 13th day of August 2020 via Zoom concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

**WHEREAS**, the Town Board carefully considered the proposed Local Law during the aforesaid seven-day period, conducted said hearing on August 13, 2020 via Zoom, with respect to said Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

**WHEREAS**, this Board deems it in the public interest to adopt said proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the “Secretary of State”).

**NOW, THEREFORE, BE IT**

**RESOLVED** that Local Law No. 6 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 6 OF 2020**

**A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE  
ENTITLED “ADMINISTRATION AND ENFORCEMENT”**

**BE IT ENACTED** by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 2 of the Town Code entitled “Administration and Enforcement” in order to assist those establishments, organizations and institutions required to operate at reduced seating capacity due to executive orders from the Governor by temporarily suspending the 15 day limitation on the duration of tent permits to enable tents to remain in place upon the same terms and conditions as minor structures and temporary buildings.

Section 2.

Chapter 2 of the Town Code is hereby amended as follows:

§ 2-9 Permit required; application.

N. Minor structures; temporary buildings; tents. Temporary one-story frame buildings on lots whereon buildings are in the course of erection or on adjoining vacant lots, or sales or operating offices in connection with the development of subdivision of property, or platforms, stands, election booths and circus or exhibition tents, intended for temporary use only, may be erected upon permit issued by the Commissioner of Buildings, but not otherwise; but no such permit shall authorize the maintenance of such temporary building or other structure for a period exceeding six months from the date of said permit, unless said permit be renewed by the Commissioner of Buildings from time to time for consecutive periods not exceeding six months. Tents are permitted on a temporary basis under the following conditions.

(1) The purpose for such tent is a permitted use in the zoning district.

- (2) The permit applicant submits plans describing the tent, its location on the property and provisions for vehicular parking.
- (3) The tent has such provisions for public health and safety as may be required by the circumstances.
- (4) The Nassau County Fire Marshal has approved the tent.
- (5) The permit applicant submits an insurance certificate in the minimum amount of \$250,000 for bodily injury, naming the Town of North Hempstead as an additional insured for the duration of the tent.
- (6) The permit applicant submits a consent to removal by the Town and a bond or cash deposit in an amount determined by the Commissioner of Buildings to cover the cost of removal of the tent, if the applicant fails to remove it upon expiration of the permit.
- (7) A permit may be approved for a maximum of 15 days with an extension, subject to approval of the Commissioner of Buildings, for an additional 15 days.
  - (a) This subsection shall be and is suspended, upon the effective date hereof and continuing until such time as all executive orders requiring establishments, organizations and institutions to operate at reduced seating capacity due to the COVID-19 Pandemic cease to be effective, at which time this subsection shall revert to full force and effect.

### Section 3.

This Local Law shall take effect immediately upon filing with the Secretary of State.

and; be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of said Local Law with the Secretary of State, and to publish a notice of adoption of said Local Law, which notice shall be in substantially the following form:

#### **NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 13, 2020 via Zoom, Local Law No. 6 of 2020 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to temporarily suspend Section 2-9 N (7) of the Town Code with respect to tent permits for

so long as establishments, organizations and institutions are required to operate at reduced seating capacity due to Executive Orders from the Governor related to the COVID-19 pandemic.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney



# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMP TOWN CLERK  
200 PLANDOME ROAD  
MANHASSET, NY 11030-2326

STATE OF NEW YORK)

Legal Notice No.

0021597736

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Friday

July 31, 2020

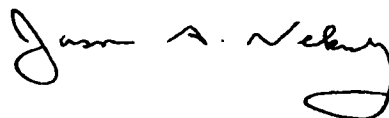
Nassau

**SWORN** to before me this  
31 Day of July, 2020.



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Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21597736  
NOTICE OF HEARING

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

PLEASE TAKE FURTHER NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of August, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to temporarily suspend Section 2-9 N (7) of the Town Code with respect to tent permits for so long as establishments are required to operate at reduced capacity due to Executive Orders from the Governor related to the COVID-19 pandemic.

PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be on available on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York  
JUNE 23, 2020

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk

**NEWSDAY PROOF**

Advertiser: TOWN OF NORTH HEMP TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021597736  
Start Date: 07/31/2020  
End Date: 07/31/2020  
Price: \$352.00  
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Phone: 5168697625  
Contact: PAUL GARILLE  
Section: Legals  
Class: 11100  
Size: 2 x 44 Times: 1  
Date: 7/31/2020  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_





# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMP TOWN CLERK  
200 PLANDOME ROAD  
MANHASSET, NY 11030-2326

STATE OF NEW YORK)

Legal Notice No.

0021600858

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Tuesday

August 18, 2020

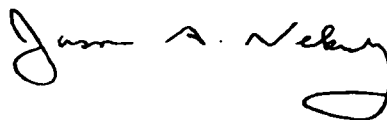
Nassau

**SWORN** to before me this  
18 Day of August, 2020.



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Jason A. Neknez  
Notary Public – State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 2168888  
NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board held on August 13, 2020 via Zoom, Local Law No. 6 of 2020 was adopted. The local law amends Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to temporarily suspend Section 2-9 H (7) of the Town Code with respect to town permits for so long as establishments, organizations and institutions are required to operate at reduced seating capacity due to Executive Orders from the Governor of New York related to the COVID-19 pandemic.

Done at Newhasset, New York  
August 13, 2020  
BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. BIRGE, JR.  
TOWN CLERK

**NEWSDAY PROOF**

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Phone: 5168697625  
Contact: PAUL(1) GARILLE  
Section: Legals  
Class: 11100  
Size: 2 x 18 Times: 1  
Date: 8/18/2020  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_

MR. WINK: Item 2, a public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled "Zoning."

SUPERVISOR BOSWORTH: So this proposal will, again, further assist establishments required to operate at reduced seating capacity by allowing outdoor dining in parking lanes where certain protective barriers and accessibility ramps are installed. You know, again, it's important for them to be ADA compliant. And another effort to try to help our local businesses. Mr. Wink, do we have any comments ?

MR. WINK: I do not have comments on this item.

SUPERVISOR BOSWORTH: Okay. Then I'd like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 312 - 2020**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments required to operate at reduced seating capacity by allowing outdoor dining in parking lanes when certain protective barriers and accessibility ramps are installed; and

**WHEREAS**, the proposed Local Law, in final form, has been on the desks or tables of all the members of the Town Board for seven calendar days, exclusive of Sunday; and

**WHEREAS**, due notice was heretofore given of a public hearing to be held on the August 13, 2020 via Zoom, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

**WHEREAS**, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the "Commission") was furnished with a copy of the Short Environmental Assessment Form (the "SEAF"); and

**WHEREAS**, by letter dated July 31, 2020, the Nassau County Planning Commission recommended local determination; and

**WHEREAS**, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on August 13, 2020 via Zoom, with

respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

**WHEREAS**, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for the implementation of the New York State Environmental Quality Review Act as set forth in Section 617.6 of Title 6, Part 617 of the Official Compilation of Codes, Rules and Regulations of the State of New York (the “SEQRA Regulations”); and

**WHEREAS**, this Board, through action of the Town Department of Planning and Environmental Protection (the “Planning Department”) pursuant to Town Codes § 20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA Regulations; and

**WHEREAS**, the Board has reviewed the determination of the Planning Department, dated May 29, 2020, and the negative declaration indicating that the Action constitutes an “unlisted action” pursuant to Section 617.2(al) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Form Environmental Assessment Form (the “SEAF”) Parts 1 and 2 (the “Determinations and Negative Declaration”) for the reasons stated in the SEAF; and

**WHEREAS**, the Board wishes to conclude that the action constitutes an “unlisted action” pursuant to Section 617.2(al) of the SEQRA Regulations and that it will not result in any significant adverse impacts on the environment; and

**WHEREAS**, this Board deems it in the public interest to adopt the proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the “Secretary of State”).

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board declares itself “lead agency” under the SEQRA Regulations for the Action; and be it further

**RESOLVED** that this Board hereby adopts the Planning Department’s Determinations and Negative Declaration, finding that the Action is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF; and be it further

**RESOLVED** that this Board hereby authorizes the Planning Department to prepare, file and distribute such documents as may be required pursuant to Section 617.12 of the SEQRA Regulations to effectuate the foregoing determinations and findings made pursuant to the SEQRA Regulation; and be it further

**RESOLVED** that Local Law No. 7 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 7 OF 2020**

**A LOCAL LAW AMENDING CHAPTER 70 OF  
THE TOWN CODE ENTITLED “ZONING”**

**BE IT ENACTED** by the Town Board of the Town of North Hempstead as follows:

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to amend Chapter 70 of the Town Code entitled “Zoning” in order to further assist those establishments required to operate at reduced seating capacity by allowing outdoor dining in parking lanes when certain protective barriers and accessibility ramps are installed.

Section 2.

Chapter 70 of the Town Code is hereby amended as follows:

§ 70-103.1 COVID-19 Outdoor Accommodations; Temporary suspension of off-street parking requirements for certain restaurants and food service establishments.

Purpose. The provisions of this section are designed to temporarily allow restaurants and food service establishments an additional way to expand their operations outdoors during the timeframe in which such establishments are subject to reduced interior occupancy or density restrictions arising from the COVID-19 pandemic; and to protect the public health, safety, and general welfare of the community.

Notwithstanding any provision in Chapter 70 of the Town Code to the contrary, restaurants and food service establishments may expand their seating areas by up to 50% of the previously approved floor area devoted to seating without providing additional parking spaces, subject to compliance with the provisions of this section.

No restaurant or food service establishment shall temporarily expand seating capacity under § 70-103.1 of the Town Code without first filing with the Building Commissioner an application for such temporary expanded seating capacity and obtaining a permit. To obtain a permit under this section, an applicant shall not be required to seek an amended site plan approval from the Town Board or an amended conditional use permit from the Zoning Board of Appeals.

Temporary expanded seating capacity areas are not required to be located within the original confines of the establishment, but must comply with applicable public assembly, accessibility and fire safety regulations.

Subject to the provisions of this section, temporary expanded seating capacity areas may be established entirely within the property boundaries, upon a sidewalk, within a parking lane, within a parking lot, or in a courtyard. An eligible restaurant or food service establishment may utilize one or more of the aforementioned locations as a temporary expanded seating area. This section of the Town Code only permits temporary expanded seating capacity areas in the locations referenced herein. Nothing in this section shall be construed to permit outdoor dining and service of beverages including alcohol in any other area including rooftops and roofs.

A permit for a temporary expanded seating capacity area shall only be authorized where it is determined that the use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor unduly impede pedestrian traffic. The Building Commissioner shall determine when a hazardous condition exists.

Application for permit.

- (1) Such application shall be made to the Building Commissioner on a form provided by him and shall contain a sworn statement that provides the following information:
  - (a) A site plan showing the location of service and arrangement of tables and chairs;
  - (b) The required certificate of insurance, if applicable;
  - (c) Where applicable, a permit from the New York State Liquor Authority;



- (d) A statement affirming that the applicant shall comply with all requirements set forth in this section; and
  - (e) A copy of this section signed by the applicant as recognition and acceptance of all of its terms.
- (2) The Building Commissioner may require an applicant to provide such other information as may reasonably be required to establish compliance with the provisions of this section and other applicable building codes, ordinances and regulations.

Upon submission of a completed application, and a determination of compliance by the Building Department following a review of the application, the Building Commissioner shall issue a permit for a temporary expanded seating capacity area in one or more of the locations authorized in this section.

The following regulations are applicable to all temporary expanded seating capacity areas:

- (1) Where necessary, wind screens shall be provided to contain any loose objects that may otherwise be carried off-site by the wind.
- (2) All food and beverages shall be dispensed from the interior of the establishment. There shall be no outdoor bar or service counter.
- (3) Alcohol may only be served in conjunction with food that is otherwise available for purchase without alcohol. All businesses serving alcoholic beverages must be in compliance with all state laws and regulations, including those of the New York State Liquor Authority. Copies of permits shall be provided to the Town prior to service of alcoholic beverages.
- (4) Except within a mixed-use zoning district or approved mixed-use development, no temporary expanded seating capacity area shall be established within 50 feet of a residential property.
- (5) Where necessary, sun shade may be provided either by individual umbrellas or an area-wide canopy.
- (6) Restaurants and food service establishments shall take all reasonable steps to control littering and shall dispose of all trash as otherwise required and shall keep the sidewalk, parking lot area, or other areas used for outdoor seating clean and free of litter, debris and putrescible waste.
- (7) Putrescible waste must be contained in a refrigerated compartment within the interior of the restaurant or food service establishment for future disposal.
- (8) Restaurants and food service establishments with temporary expanded seating capacity areas shall take all steps necessary to maintain safety and to immediately remedy any unsafe situation.
- (9) A Town Building Inspector or Code Enforcement Officer may temporarily suspend a permit for a temporary expanded seating capacity area, at any time, due to violations of this

section, threats to public safety, disorderly conduct, noise, disruption of other business operations or violations of other Town codes or other laws or regulations. The Building Inspector or Code Enforcement Officer may choose, but is not obligated, to reinstate a temporary expanded seating capacity area permit if he or she is satisfied that all violations have been remedied. An affected restaurant or food service establishment may appeal a decision to suspend a temporary expanded seating capacity area permit to the Town Board, which shall conduct an evidentiary hearing to determine whether to reinstate the permit or continue the suspension for a stated period of time.

(10) Applicants shall provide a site plan for the premises for which the permit is requested showing all structures thereon, a sketch showing the proposed number of tables and chairs and the area to be used for temporary expanded seating capacity with a proposed seating plan for same.

(11) Service at any temporary expanded seating capacity area shall be permitted no later than 10:00 p.m. on Sunday through Thursday and 11:00 p.m. on Friday and Saturday. Tables and chairs and menu signs must be removed from the sidewalk no later than 10:30 p.m. on Sunday through Thursday and 11:30 p.m. on Friday and Saturday. Tables and chairs and menu signs cannot be set up earlier than a 1/2 hour before service begins.

(12) Smoking or vaping is not permitted in any outdoor dining areas.

(13) The premises on which the temporary expanded seating capacity service is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.

(14) There shall be no sound amplification or public address system permitted in any temporary expanded seating capacity area. The installation, use or maintenance of radios, speakers, televisions or like apparatus and live entertainment shall be prohibited in any temporary expanded seating capacity areas.

(15) Definitions. For the purposes of this section, the following words and phrases are defined as follows:

**BARRIER--** An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

**BOLLARD--** A vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

**PLATFORM—** A flooring material, usually constructed of a wood or composite decking materials, which is flush mounted to the roadway surface so that tables and chairs are not placed directly onto the pavement.

**VEHICLE IMPACT PROTECTION DEVICE--** A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers.

### Outdoor Sidewalk Seating.

- (1) Notwithstanding the provisions of Chapter 48 of the Town Code to the contrary, the Building Department may issue a temporary expanded seating capacity area permit for outdoor sidewalk seating in conjunction with a restaurant or food service establishment, subject to compliance with this §70-103.1.
- (2) The applicant shall provide for a pedestrian access area on the public sidewalk, measured from the inside of the curb where it meets the sidewalk, of at least 60 inches clearance; tables and chairs and other objects, such as menu signs, shall be kept out of the pedestrian access area. Clearance for the pedestrian access area must be around obstacles such as signs, benches, garbage cans, accessibility ramps, driveway access and other impediments. Employees may temporarily be within the pedestrian access area while performing their duties, such as serving, but may not place objects, such as tray stands, in the pedestrian access area. However, employees shall at all times yield to pedestrians within the pedestrian access area.
  - (a) Notwithstanding the above, on a Town roadway with an existing parking lane, an applicant may utilize the parking lane as a pedestrian walkway, provided that the applicant provides a vehicle impact protection device or steel barricade on all three sides of the parking lane and provides ramp access for ADA compliance, which can be made of non-permanent materials.
- (3) The applicant shall provide a certificate of insurance with liability limits of at least \$2 million per occurrence and which names the Town of North Hempstead as an additional insured who will be notified by the insurance company or agent in the event of a lapse of coverage. This insurance is required to remain in effect for the duration of the outdoor sidewalk seating activities and to cover claims arising out of said activities. The Town must be notified in the event of any threatened or actual lapse in insurance coverage. Any such lapse in coverage shall automatically revoke the permit authorizing a temporary expanded seating area for outdoor sidewalk seating. In any event, the applicant shall be liable for all claims arising out of the operation of a temporary expanded seating area for outdoor sidewalk seating and shall defend, indemnify and hold the Town harmless from and against any such claims.
- (4) Notwithstanding the provisions of § 70-197, permittees under this section may display menu signs only within the timeframes set forth in § 70-103.1(G)(10) and only as authorized by the Building Department. The Building Department is hereby authorized and directed to establish a preapproved menu sign form, including size and display specifications, which permittees may display without obtaining a sign permit.
- (5) Sidewalk service may be provided in front of up to two adjoining businesses, i.e., one on either side of the permittees' premises, with the permission of those businesses and their landlords. Permission shall be given in writing, a copy of which shall be given to the Building Department before sidewalk service in front of an adjoining premises is provided. Permission may be withdrawn by the adjoining business or landlord at any time. The business or landlord withdrawing permission shall notify the Town, in writing, within two business days of the withdrawal. Any adjoining business and landlord that gives such permission shall be covered by the permittees' insurance in the same way the Town is and at no less a coverage level.

Confirmation of such coverage and notice of any lapse, etc., shall be provided to the Town in the same manner as such notice is made to the Town regarding coverage extended to the Town. Copies of all such notices shall also be given to the permitting businesses and landlords.

(6) Notwithstanding any provisions of this section, outdoor sidewalk seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990 as amended from time to time.

#### K. Outdoor Parking Lane Seating.

(1) Notwithstanding any traffic ordinance or local law to the contrary, the Building Department may issue a temporary expanded seating capacity area permit for outdoor parking lane seating in conjunction with a restaurant or food service establishment, subject to compliance with this §70-103.1.

(2) The applicant shall comply with the following:

(a) Provide a vehicle impact protection device on all three sides of the seating perimeter located in the roadway to separate seating from the travel lane. The vehicle impact protection device must be at least 18" in width and 30-36" in height (excluding plantings) on all three sides. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

(b) Parking lane seating may not exceed the length of the business frontage, except as authorized herein.

(c) Ensure visibility of patrons and vehicle impact protection devices at night by clearly marking such devices with yellow high intensity retro-reflective tape or reflectors.

(d) Provide ramp access for ADA compliance, which can be made of non-permanent materials.

(e) Seating or vehicle impact protection devices shall not be located within 15' of a fire hydrant, or within 8' of a crosswalk, or within a No Stopping Anytime or No Standing Anytime zone, bike lane, bus lane/stop, or taxi stand.

(f) No outdoor lighting shall be installed in a manner that will impair passing traffic.

(g) Tables and chairs must be removed or secured in place when not in operation.

(h) All applicable Building and Fire Codes shall be complied with.

(3) The applicant may comply with the following:

(a) Vehicle impact protection devices may be left in place within a metered zone, alternate side parking, or No Parking Anytime zone, provided that that tables and chairs are removed or secured when not in operation.

(b) Where seating is authorized along a curb, install a platform behind the required vehicle impact protection devices to flush height with curb to facilitate ADA compliance, prevent the curb from becoming a tripping hazard, and allow drainage to underpass seating. Such platforms shall not block rain water drainage getting to the curb or flowing along the curb. Such platforms shall not obstruct access to or ventilation of utility covers. Installation of any platform within a parking lane shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(4) The applicant shall provide a certificate of insurance with liability limits of at least \$2 million per occurrence and which names the Town of North Hempstead as an additional insured who will be notified by the insurance company or agent in the event of a lapse of coverage. This insurance is required to remain in effect for the duration of the outdoor parking lane seating activities and to cover claims arising out of said activities. The Town must be notified in the event of any threatened or actual lapse in insurance coverage. Any such lapse in coverage shall automatically revoke the permit authorizing a temporary expanded seating area for outdoor parking lane seating. In any event, the applicant shall be liable for all claims arising out of the operation of a temporary expanded seating area for outdoor parking lane seating and shall defend, indemnify and hold the Town harmless from and against any such claims.

(5) Notwithstanding the provisions of § 70-197, permittees under this section may display menu signs only within the timeframes set forth in § 70-103.1(I)(11) and only as authorized by the Building Department. The Building Department is hereby authorized and directed to establish a preapproved menu sign form, including size and display specifications, which permittees may display without obtaining a sign permit.

(6) Parking lane seating service may be provided in front of up to two adjoining businesses, i.e., one on either side of the permittees' premises, with the permission of those businesses and their landlords. Permission shall be given in writing, a copy of which shall be given to the Building Department before parking lane seating service in front of an adjoining premises is provided. Permission may be withdrawn by the adjoining business or landlord at any time. The business or landlord withdrawing permission shall notify the Town, in writing, within two business days of the withdrawal. Any adjoining business and landlord that gives such permission shall be covered by the permittees' insurance in the same way the Town is and at no less a coverage level. Confirmation of such coverage and notice of any lapse, etc., shall be provided to the Town in the same manner as such notice is made to the Town regarding coverage extended to the Town. Copies of all such notices shall also be given to the permitting businesses and landlords.

(7) Notwithstanding any provisions of this section, outdoor parking lane seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990 as amended from time to time.

[K]L.Outdoor Seating in Parking Lot Areas.

(1) Outdoor seating may be situated within a parking lot if a platform or ground covering is installed. Such seating area must be protected by a barricade, bollard or other vehicle impact protection device. A minimum distance of eight feet must be maintained between the seating area and the closest vehicular parking stall or access lane.

(2) Reserved

(2) Definitions. For the purposes of this section, the following words and phrases are defined as follows:

**BARRIER--** An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic. Natural objects may include large trees or boulders.

**BOLLARD--** A vertical post designed and used to obstruct the passage of motor vehicles and separate pedestrian and vehicular traffic.

**PLATFORM—** A flooring material, usually constructed of a wood or composite decking materials, which is flush mounted to the roadway surface so that tables and chairs are not placed directly onto the pavement.

**VEHICLE IMPACT PROTECTION DEVICE--** A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers.

(3) Vehicle Impact Protection Devices Required.

a. Vehicle impact protection devices shall be required to protect a temporary expanded seating capacity area located within a parking lot.

b. Performance Standard. All vehicle impact protection devices shall be engineered and determined to be in compliance with ASTM Publication F3016.

c. Location. Vehicle impact protection devices shall be located (i) between any area designated for parking spaces and the beginning of the adjacent, converted parking area to be used as the outdoor seating area; and (ii) to the extent practicable, between the means of egress from the restaurant or food service establishment and the designated outdoor seating area. Barriers and bollards may be offset and staggered in terms of relative distance to provide protection.

(4) No temporary expanded seating capacity area located within a parking lot shall occupy, encroach or impede into any New York State required accessible spaces or fire lanes.

(5) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor parking lot seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990 as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

(6) Installation of any platform within a parking area shall be in compliance with the New York State Building Code relative to structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements.

(7) The Town may request a parking analysis to ensure that adequate parking for the location is provided.

[L]M. Outdoor seating in courtyard areas or within property boundaries.

(1) Courtyard areas and locations within the boundaries of the property may be used as a temporary expanded seating capacity area, provided the written permission of the owner of the property on which tables and chairs are placed is obtained and the requirements of this section are complied with and an unobstructed pedestrian access area of at least 60 inches is maintained and there is no obstruction of ingress and egress points.

(2) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor courtyard seating shall be in all respects compliant with all applicable provisions of the Americans with Disability Act of 1990 as amended from time to time. Ramps and wheelchair edge protection shall be provided where required.

[N]O. Canopies and tents; table umbrellas.

(1) Installation of a canopy or tent shall be in compliance with the New York State Fire Code and the Nassau County Fire Ordinance. Proof of approval from the Nassau County Fire Marshal shall be provided to the Building Department prior to issuance of a permit under this section.

(2) Installation of individual table umbrellas shall be in compliance with the New York State Fire Code.

[O]P. Permit revocation. The Building Commissioner shall have the authority to revoke any permits issued pursuant to this section in the following instances:

(1) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based.

(2) Where he finds that the permit was issued in error and should not have been issued in accordance with the applicable law.

(3) Where he finds that the expanded seating capacity authorized under the permit is not executed in accordance with the provisions of the application, plans or specifications.

(4) Where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Building Commissioner.

[P]Q. Any temporary expanded seating capacity area permit issued under this section shall terminate on December 1, 2020. All items located within the temporary expanded seating capacity area shall be removed no later than December 8, 2020.

Section 3.

This Local Law shall take effect immediately upon filing with the Secretary of State.

**RESOLVED** that the Town Clerk be an hereby is authorized and directed, in the manner required by law, to file a copy of the Local Law with the Secretary of State, and to publish a notice of adoption of the Local Law, which notice shall be in substantially the following form:

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 13, 2020 via Zoom, Local Law No. 7 of 2020 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments required to operate at reduced seating capacity by allowing outdoor dining in parking lanes when certain protective barriers and accessibility ramps are installed.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Town Clerk      Planning      Building





# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMP TOWN CLERK  
200 PLANDOME ROAD  
MANHASSET, NY 11030-2326

STATE OF NEW YORK)

Legal Notice No.

0021597739

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Friday

July 31, 2020

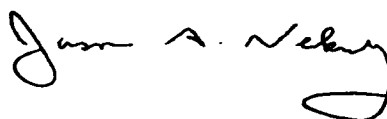
Nassau

**SWORN** to before me this  
31 Day of July, 2020.



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**Jason A. Neknez**  
**Notary Public - State of New York**  
**No. 01NE6219108**  
**Qualified in Suffolk County**  
**My Commission Expires 03/22/2022**



**Ad Content**

Legal Notice # 2197739

**NOTICE OF HEARINGS**

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the meeting.

The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

PLEASE TAKE FURTHER NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of August, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments required to operate at reduced seating capacity by allowing outdoor dining in parking lanes when certain protective barriers and accessibility ramps are installed.

PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be available on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York  
July 23, 2020

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk

**NEWSDAY PROOF**

Advertiser: TOWN OF NORTH HEMP TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021597739  
Start Date: 07/31/2020  
End Date: 07/31/2020  
Price: \$344.00  
Ordered By: [Legaladv@newsday.com](mailto:Legaladv@newsday.com)

Phone: 5168697625  
Contact: PAUL GARILLE  
Section: Legals  
Class: 11100  
Size: 2 x 43 Times: 1  
Date: 7/31/2020  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_ Date: \_\_\_\_\_



# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMP TOWN CLERK  
200 PLANDOME ROAD  
MANHASSET, NY 11030-2326

STATE OF NEW YORK)

Legal Notice No.

0021600859

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Tuesday

August 18, 2020

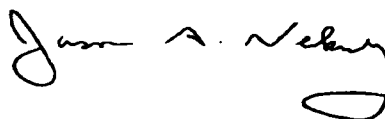
Nassau

**SWORN** to before me this  
18 Day of August, 2020.



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Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21600859  
NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on August 13, 2020 via Zoom, Local Law No. 7 of 2020 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to further assist those establishments required to operate at reduced seating capacity allowing outdoor dining in parking lanes when certain live barriers and accessibility ramps are installed.

Manhasset, New York

August 13, 2020

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk

**NEWSDAY PROOF**

Advertiser: TOWN OF NORTH HEMP TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021600859  
Start Date: 08/18/2020  
End Date: 08/18/2020  
Price: \$136.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: PAUL(2) GARILLE  
Section: Legals  
Class: 11100  
Size: 2 x 17 Times: 1  
Date: 8/18/2020  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

MR. WINK: Item 3, a public hearing to consider the application of Steven Kolyer for an appeal from a disapproval by the Commissioner of Building Safety, Inspection and Enforcement of a structure (dock) application pursuant to Chapter 42 of the Town Code for the property located at 40 The Terrace, Plandome, New York 11030 and identified on the Nassau County Land and Tax Map as Section 3, Block 235, Lots 26 and 27.

COUNCILWOMAN DALIMONTE: This resident would like to extend its existing dock to 250 feet total in order to reach navigable water. I know we have Mr. Hall here to speak.

MR. WINK: Yes. Can we invite Dan Hall into the -- into the meeting.

COUNCILWOMAN DALIMONTE: Oh, there he is. Good evening, Mr. Hall. You just have to unmute yourself. There you go.

MR. HALL: Hello. Good evening.

COUNCILWOMAN DALIMONTE: Good evening.

MR. HALL: Yes. My name is Dan Hall and I'm with Land Use Ecological Services and I'm the agent for the owner, the Kolyers. We are here before the board because we need waivers to extend the existing dock. As you described, the dock is going to be extended to 250 feet. And it's going to be added onto the existing dock, which is 102 feet. The waivers we need are for: The length of the dock; Height of certain aspects of the dock; and, The width -- specifically the width of the float. I'd like to start with the length of the dock. The length of the dock is needed to increase water depths required for safe navigation. It matches the existing length of the dock immediately adjacent to the site. And I think it conforms with other docks in the area of similar lengths. This dock is going to -- the extension of this dock is not going to impede on anyone and we have the approvals from the DEC, Army Corps of Engineers and the New York State Department of State. As far as the heights go, there's two parts of the dock that exceed the three foot allowed and they are for the mooring piles and the pier extension platform, it's, you know, the handrails for the dock, the handrails off the catwalk would exceed eight feet. They're going to be nine feet above and that's needed for safety of course. And the height of the dock is actually only six feet above mean high water. But these components are required by Code to be three foot higher, the handrails specifically, and the piles need to be higher to help support the -- the structural components of the dock. But I think that's in conformance with the other docks in the area and I don't think that it's going to impede on aesthetics or any other problems in the vicinity of the dock. And the third waiver we're asking for is for the float. It's actually relocating the existing float. There's already a dock there. It's not in enough water. That's why we're proposing this project so the dock -- the float's going to be 15 by 20-foot float. It exceeds the width. The Code allows six-foot width. This float is obviously bigger. It's an existing float but the float is required to accommodate the use encountered at the site. This float has been approved also by the DEC, Army Corps, Department of State. It's required for safety and stability. The tidal fluctuation in this area is seven feet plus or minus and that's quite -- with the ramp on it, I mean that's a lot of weight. So for safety and stability, we'd like to keep the same float and relocate it further out. And I'll be happy to answer any specific questions the board may have on this application.

COUNCILWOMAN DALIMONTE: Mr. Wink, do we have -- have we received any comments related to this issue?

MR. WINK: I have not received any comments on this item.

COUNCILWOMAN DALIMONTE: Does anyone on the board have any comments?

COUNCILWOMAN DALIMONTE: Just to let everyone know, the Waterfront Advisory Committee did review this proposal and they did, they are advising the board to approve it. So I just wanted to let everyone know that. I would like to close -- if no one has any questions, I would like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

MR. WINK: Peter, you're on mute.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Thank you. Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.



Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 313 - 2020**

**A PUBLIC HEARING TO CONSIDER THE APPLICATION OF STEVEN KOLYER FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 40 THE TERRACE, PLANDOME, NEW YORK 11030 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 235, LOTS 26 AND 27.**

**WHEREAS**, Steven Kolyer (the “Applicant”), residing at 40 The Terrace, Plandome, New York 11030, identified on the Nassau County Land and Tax Map as Section 3, Block 235, Lots 26 and 27 (the “Premises”), has applied to the Town Clerk of the Town of North Hempstead (the “Town”) for a permit under Chapter 42 of the Code of the Town of North Hempstead (the “Town Code”) for the construction of an extension to an existing residential dock structure, including the addition of a 4-foot wide by 102-foot catwalk supported by twenty (20) 12-inch diameter piles and elevated 6-feet +/- over mean high water for a total proposed catwalk length of 207-feet; a 3-foot wide by 35-foot long ramp; and a relocated 15-foot wide by 20-foot long float, chocked 18-inches off the bay bottom and supported with the installation of six (6) 12-inch diameter piles (the “Application”); and

**WHEREAS**, the Town Clerk referred the Application to the Commissioner of the Department of Building Safety, Inspection and Enforcement (the “Building Commissioner”) pursuant to Town Code § 42-7 (A) (1); and

**WHEREAS**, by determination dated March 3, 2020, the Deputy Building Commissioner disapproved the Application, based upon its inconsistency with (i) Town Code §42-9A(2), which restricts structures (inclusive of the steps, catwalk, ramp and float) from projecting into the waterway the lesser of the distance required to reach navigable water depth, or

a length exceeding 150 feet, (ii) §42-9B(2)(b), which requires the height of a structure to be a minimum of three feet and a maximum of eight feet above the mean high water as defined by the Datum Plane, and (iii) Town Code §42-9B(10), which limits the width of docks such as the float to six feet for a residential permit (the “Determination”); and

**WHEREAS**, the Town Clerk notified the Applicant of the Determination by letter dated March 5, 2020; and

**WHEREAS**, the Applicant, by and through its consultant, Land Use Ecological Services, Inc., timely filed a notice of appeal seeking review of the Determination by the Board under Town Code §42-12 (the “Appeal”); and

**WHEREAS**, Town Code §42-11 requires the Appeal to be heard by the Town Board at a public hearing; and

**WHEREAS**, pursuant to Resolution No. 268-2020, duly adopted by the Town Board on July 23, 2020, a public hearing on the Appeal was scheduled for August 13, 2020 at 7:00pm before this Board; and

**WHEREAS**, at its meeting on July 30, 2020, the Town of North Hempstead Waterfront Advisory Committee (the “Committee”), having heard the recommendations of the Town’s Chief Bay Constable, recommended that the Application approved; and

**WHEREAS**, having received the Determination and the Appeal, and having heard testimony on the Appeal at the public hearing held on August 13, 2020 via Zoom, and having received the Committee’s recommendation that the Application be approved, the Board wishes to render a determination on the Appeal.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Appeal be and hereby is granted and the Determination is hereby reversed; and be it further

**RESOLVED** that the Town Clerk shall issue the appropriate permit consistent with this Resolution in accordance with §42-11(E) of the Town Code.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Planning      Town Clerk      Building



TICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted

by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: northhempsteadny.gov/townboardlive. If a resident has a comment related to an item on the agenda, they can email: comments@northhempsteadny.gov. Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit northhempsteadny.gov/townboardlive on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE FURTHER NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on August 13, 2020 at 7:00 P.M. via Zoom, to consider an appeal by the owner of 40 The Terrace, Plandome, New York 11030, identified on the Nassau County Land and Tax Map as Section 3, Block 235, Lots 26 and 27, from a decision of the Commissioner of Building Safety, Inspection and Enforcement that disapproved an application for a structure permit under Chapter 42 of the Town Code of the Town of North Hempstead for the construction of an extension to an existing residential dock structure, including the addition of a 4-foot wide by 102-foot catwalk supported by twenty (20) 12-inch diameter piles and elevated 6-feet +/- over mean high water for a total proposed catwalk length of 207-feet; a 3 foot wide by 35 foot long ramp; and a relocated 15-foot wide by 20 foot long float, chocked 18 inches off the bay bottom and supported with the installation of six (6), 12 inch diameter piles.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning this appeal at the public hearing.

Dated: Manhasset, New York  
July 23, 2020

BY ORDER OF THE  
TOWN BOARD  
OF THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TNH TOWN CLERK  
AUG 5 '20 PM12:34

Darrie A. Dolan, being duly sworn, deposes and say that she is the principal Clerk of the Publisher of  
**The MANHASSET PRESS**  
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:                      July 29, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Darrie A Dolan

Sworn to me this 29 day of  
July-2020

\_\_\_\_\_  
Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2020

MR. WINK: Item 4, a public hearing to consider the application of Brisbane-Steel Carle Place LLC for site plan review for the premises located at 2 Westbury Avenue, Carle Place and designated on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 40.

COUNCILWOMAN RUSSELL: So this is a public hearing to convert the former Waldbaums property into an Amazon Last Mile delivery station, which will make local deliveries. The scope of the work includes interior renovations and a reconfiguration of the parking lot to accommodate large trucks and delivery vans. It's entirely on an Industrial-B zoning district and is surrounded by commercial properties on the south east. Single-family residences on the north and a LIPA electrical substation and single-family residential community on the west. And so while Amazon was required to give notice to those that are immediately adjacent to this project, I did request that they meet with the school district, as well as the civic association, the fire department and the seniors, to which they did, as well as have a presentation for the community at large just to make sure they're all aware of this project. There was some difficulty getting on the presentation. However, I was able to get a recording of the presentation and send it out to all those that said that they were not able to get on. And now we're here to meet on this matter publicly and so with that, I would ask for the applicant to begin with his presentation.

MR. WINK: I believe Mark Cruz from R & D is here on behalf of the applicant; is that correct, Mr. Cruz?

MR. WINK: If we can invite Mr. Cruz into the meeting.

COUNCILWOMAN RUSSELL: I think he's on there.

MR. CRUZ: I'm in the meeting. I'm intending to share the screen. We actually have Brad Griggs, who's from Amazon who will actually be doing the presentation. I believe he needs to be admitted as a panelist as well.

MR. WINK: Okay. Mr. Cruz, I'm just going to ask you for the record to identify yourself since your comments are now on the record.

MR. CRUZ: Mark Cruz, R & D Development Consultants Inc.

MR. WINK: Thank you. Has Mr. Briggs been given access to the meeting? Griggs. Excuse me.

MR. CRUZ: I don't see him yet.

MR. WINK: Okay.

MR. GRIGGS: Good evening, everyone.

MR. CRUZ: There he is.

MR. GRIGGS: By name is Brad Griggs. I'm a senior manager on Amazon's Economic Development Team. Good evening, Supervisor Bosworth and Councilmembers. So as you can see from what my associate here is showing, we also need to add Richard M. Bivone as a panelist. He will be assisting on any sort of specific engineering or structural questions that may arise during the presentation.

MR. WINK: Okay. We'll make arrangements for that.

MR. CRUZ: Thank you.

MR. GRIGGS: Thank you.

MR. WINK: Okay. I see Mr. Bivone is now a panelist.

MR. GRIGGS: Fantastic.

MR. WINK: He's on mute though.

MR. BIVONE: Good evening, Supervisor and Councilmembers. I am here. Richard M. Bivone, 308 East Meadow Avenue, East Meadow, New York.

MR. WINK: Thank you.

MR. GRIGGS: Okay. I believe we're ready to start then, Rich; correct?

MR. BIVONE: Yes.

MR. GRIGGS: So as you can see here, for the Supervisor and the Councilmembers, this is 2 Westbury Ave., the former Waldbaum's site located at Westbury Ave. on the north and Voice Road down there on the south. What we're discussing here from an Amazon operational standpoint is a last mile delivery station. Should it please everyone, I'm happy to provide sort of an operational overview of the location and how the site would function as it relates to the surrounding area if that works for the group this evening.

SUPERVISOR BOSWORTH: Sure.

MR. GRIGGS: Thank you. So what we're talking about here this evening is an Amazon last mile delivery station. For those of you who are familiar with us and ordering products from us, this site would be the last stop before your package hits your doorstep. So it would arrive via an 18-wheeler tractor trailer to the site and, Mark, if you want to change to the next image here, now that everyone's sort of familiar with where the site is located. I think this helps us from an operational standpoint to understand. So you can still see Westbury Avenue at the top of the plan, like it was at the prior image. And Voice Road there at the bottom of the plan, again, similar to the prior image to help everyone locate themselves there. So what happens with this site is you place your order on Amazon.com. It's stored in inventory in one of our large scale fulfillment centers, like the one in Staten Island. It is sorted. It is packed into an Amazon package and sent out on an 18-wheeler tractor trailer into our fulfillment network to head closer to your home or business. At this site, the tractor trailers would most likely be coming in from the LIE heading down Glen Cove Road towards Old Country Road and then turning into Voice Road at the bottom of the site and driving in to be unloaded in the red area on the southern part of the site there where the loading docks are located. This will occur during the overnight period between 12:00 a.m. and approximately 7:00 a.m. We anticipate between 10 to 12 tractor trailers per day arriving to the site. We have our Amazon associates. They're in the yellow area. They will be driving their personal vehicles and parking in the yellow designated area on the south of the facility. They will also be arriving during the midnight hour to unload these tractor trailers inside of the building utilizing our conveyance and racking systems to stage the day's deliveries at the other end of the facility where they would be up loaded onto our delivery vans. So during the overnight period, we anticipate the personal vehicles for our Amazon associates, those associates are a mixture of full-time and part-time positions. The -- all Amazon workers make at least \$15 an hour, industry leading wage starting day. The full-time associates will also be receiving comprehensive benefits; medical, dental, 401K, vision, et cetera, as part of their Amazon compensation package. Beginning in the morning, what we see here at the top of the plan are where the Amazon branded delivery vans will be parked in the blue area during the overnight period. As you can see, the vans there parked at the top of the facility, we've had

questions related to will the tractor trailers be utilizing the Westbury Avenue entrance. They will not. Because of the way that the facility is laid out, you can see it would be very ineffective for them to try and navigate through the site with the vans there parked during the overnight period. So, again, we'll be providing GPS via Amazon to come through the Voice Road entrance closest to where the loading docks are to be able to unload their packages. So beginning at approximately 9:15 a.m., the van drivers will come onto the site. The area there in purple at the top closest to Westbury Ave. will be empty. That is for the first wave of van drivers to be able to park their personal vehicles and then there will be an Amazon associate in a vehicle driving in the parking lot to be able to pass out the keys as a traffic warden inside of the parking area so that way they're able to easily find their Amazon van. They will then drive into the green loading zone at approximately 9:30 a.m. and begin loading their vans. One associate, one driver will load each Amazon van. That takes approximately 20 to 30 minutes for them to load the entire vehicle and then those vans will exit onto Westbury Ave at approximately 10:00 a.m. And during that half-hour period of loading, the next wave of van drivers will bring their personal vehicles onto the site. They will park in the newly opened spaces. And those vans will drive into the purple line there around the exterior of the parking area to queue and stage as the vans in the loading area exterior to the site, drive out of the facility and begin their days' deliveries. Those vans in the staging area is backfilled and the process repeats itself until the day's capacity has completed. We anticipate that to finish up around noon, at which point the site would go quiet until the afternoon period. We cannot account for all 10 to 12 18-wheelers to arrive during the midnight to 7:00 a.m. period, there may be one or two that arrive during the day. For that capacity and that portion of the delivery, we utilize our Amazon flex program. That is similar to Uber or Lyft but instead of delivering people to their location, they deliver our Amazon packages. The Amazon flex drivers are registered drivers through our app. They are licensed drivers in the State of New York, or if they're willing to come from surrounding states they may, but primarily registered drivers in New York. They make on average somewhere between \$20 and \$24 an hour to deliver Amazon packages in their personal vehicles. That usually begins around 2:30 p.m. in the afternoon and takes approximately about an hour to complete. Again, they are given specific times to drive their personal vehicles onto the site. They drive directly into the loading zone. They load their personal vehicles. If there are any additional vehicles, they stay in the staged area for their specific time of loading. And, again, they're existing in coordinated waves out of the facility to complete their days' deliveries. Those Amazon flex drivers do not return to the site unless in the very rare instance they have an undeliverable package. They then would return, provide it to the traffic warden, who would deposit it in the facility and try to re-deliver it the next day. The van drivers, after they've completed their ten-hour delivery route, they will come back onto the site at approximately 7:00 p.m. for the first wave. They will park in the remaining open spaces. They will get in their personal vehicle and exit the site, thereby opening spaces for the subsequent van drivers to return to their location. The van drivers themselves are third-party, independent contractors. So we partner with local logistics companies, small businesses, entrepreneurs to handle the delivery routes through a third-party, independent contract. Those contract drivers are full-time workers. They're all at least making \$15 an hour through contractual obligations with Amazon. The vans will be owned by Amazon and then leased to those third-party logistics companies, entrepreneurs and small business owners that will then handle the management of their delivery routes. So with that, you know, I'm happy to take any questions from the Supervisor or any of the Councilmembers or the public, kind of around the operations and I'd be happy to go into Amazon and how we operate in



the community as a good corporate citizen as well and for any questions on that topic.

SUPERVISOR BOSWORTH: I'm going to leave this to the Councilwoman Russell to -- to run this part of the meeting.

COUNCILWOMAN RUSSELL: So is there anyone from the public? Do we have any comments, Mr. Wink?

MR. WINK: The one comment we received prior to this meeting was a rather lengthy series of questions and comments from Peter Gaffney. It is my understanding, Councilwoman, that you've been in contact with Mr. Gaffney and I believe he may be on the -- on the meeting as we speak.

COUNCILWOMAN RUSSELL: Yes. Can someone please check to see if Mr. Gaffney is on as a participant. If not, I will read his questions.

MR. WINK: Okay.

COUNCILWOMAN RUSSELL: Do we have any comments from Mr. Gaffney in the chat?

COUNCILWOMAN RUSSELL: So I will go ahead and proceed to ask the questions that he submitted. And then if he is on, he can always jump in. His first question is: Are any IDA tax breaks being given for Brisbane Steel or Amazon?

MR. GRIGGS: No. We have not pursued IDA benefits for this project.

COUNCILWOMAN RUSSELL: Are any construction materials breaks for either company? I'm not sure what that means.

MR. GRIGGS: Neither am I, Councilwoman.

COUNCILWOMAN RUSSELL: Any construction material breaks for either company.

MR. GRIGGS: I don't know if that's related to the IDA question previously but, again, the answer would be the same.

COUNCILWOMAN RUSSELL: What is the total number of all employee vehicles that will be parked there? Please include tractor trailers during A.M. shift, during mid afternoon shift. Please include Uber and Lyft vehicles and, also, during P.M. shifts.

MR. GRIGGS: So the tractor trailers are only parked there for as long as it takes for that vehicle to be unloaded and then they will exit the facility. Again, we would anticipate approximately 10 to 12 during that, you know, basically predominately during the seven-hour window from midnight to 12 (sic). So that gives you some sense of when. At any point the maximum, as you can see there is four tractor trailer spaces onsite. From an associate standpoint, I'm pulling up our numbers here right now. One second. Rich, I don't know if you have the current traffic counts.

MR. BIVONE: No. Parking calculations though weren't in excess of 134 spaces on the property itself. There's 255 provided, 121 that's required for this site itself. So it's less than what would have been used in the previous use. As far as --

MR. WINK: Excuse me, Mr. Griggs. Can I ask who is speaking right now?

MR. GRIGGS: It's Richard Bivone.

MR. WINK: Okay. All right. Thank you.

MR. WINK: We've got a lot of screens open here so it's never easy to keep track of who's speaking especially when you can't see them at the moment. So thank you.

MR. GRIGGS: No problem, Councilman. So I believe that answers the question as far as maximum number of vehicles that can be on the lot at any given time. We would also anticipate that that number, you know, would fluctuate throughout the year given that, you know, in peak season we like to have the ability to be able to flex up and down on the usage of the site. So it would not be potentially year round the number that Mr. Bivone just discussed.

COUNCILWOMAN RUSSELL: And his next question, and I believe you answered already, are the vans to be owned and insured by Amazon and, also, would they have New York plates?

MR. GRIGGS: Yes. They would be owned and garaged at the site.

COUNCILWOMAN RUSSELL: And he also asks, how many out of state vans? Is their insurance backed by Amazon? If yes, what is Amazon minimum insurance vehicle requirements?

MR. GRIGGS: You know, we would meet all required insurance levels for the vehicles. The vehicles are leased to the third-party, independent contractors and they are required to maintain, you know, proper insurance and proper registration of the vehicles. They will be garaged at this location with New York plates. The peak season is predominately, you know, at the end of the year around the holiday period when we have the highest point of our volume of orders, we may have vehicles at that point that may be from out of state where we would not be the core operations at the facility, depending on where we're able to acquire vans to meet the capacity needs of the site. But that would only be during the very short period at the end of the year.

COUNCILWOMAN RUSSELL: All right. Are any plans for a car wash at this location?

MR. GRIGGS: No. There's no plans for vehicle washing onsite.

MR. WINK: Councilwoman, if I could interrupt you for one second. I'm told that Pete Gaffney is actually now listed as a panelist. Mr. Gaffney, is that the case?

COUNCILWOMAN RUSSELL: Yes. He just texted me that he is on.

MR. WINK: Okay. Can you unmute yourself, Mr. Gaffney?

MR. WINK: I'll take that as a no. All right. I guess for the moment until we can resolve that issue, Councilwoman, if you can continue with Mr. Gaffney's questions for the applicant.

COUNCILWOMAN RUSSELL: What is Amazon's guidelines on engine running noise?

COUNCILWOMAN RUSSELL: During wintertime, tendency is to run engines to keep warm. Summer residents next door may have windows open.

MR. GRIGGS: So our policy for the vans onsite is that, you know, as they're in the loading zone, they are turned off and the van driver and the associate load the vehicle with the van off. Similarly in the staging area, they are off in that period as part of our standard operating procedure.

COUNCILWOMAN RUSSELL: And this is something that will be enforced as well by management?

MR. GRIGGS: Yes. We'll make sure that we meet the requirements.

COUNCILWOMAN RUSSELL: Will roadway improvements be needed and will taxpayers be footing the bill for road improvements ?

MR. GRIGGS: Richard, would you like to take that one.

MR. BIVONE: Yeah. Taxpayers will not be responsible for any improvements. We did file and secured a review, a very detailed review, from Nassau County DPW. It's called the 239F review and that has been approved and we're just waiting for the formal approval documents from the County. And any road improvements were recommended and, also, the Town will receive a copy of that which mirrors the site plan that has been submitted to the Town Board, which you're seeing today.

COUNCILWOMAN RUSSELL: This next question is, has to do with the traffic survey. Amazon distribution facility is a 24/7 fulfillment center. Years ago when Waldbaums supermarket opened, it was opened 24 hours. After a period of time, store hours were reduced. One reason was the noise. And he says he disagrees with the survey of evaluation that they had determined that the trips generated by the proposed distribution facility are expected to be lower than what would have been generated by the prior supermarket during those hours. This statement is misleading and should not be included. Would you care to comment on that?

MR. GRIGGS: So first, Councilwoman, I would say this is not a fulfillment center. This is a last mile delivery station. It's -- I think it's a common misunderstanding between the type of facility it is. The fulfillment center, like the large-scale ones in Staten Island, have significantly higher tripping traffic requirements and traffic counts. You know, I think Rich Bivone can substantiate additionally the commentary around the traffic study that was conducted by our traffic consultants, which are well recognized throughout the region. Langan provided, you know, substantial traffic counts to the requirements of Nassau County and the Town. Rich, do you have any sort of additional commentary on the level of data utilized to substantiate the -- the information in our traffic study?

MR. BIVONE: Just to repeat what I said before. Nassau County does a pretty extensive review of the traffic analysis that was submitted by our licensed professionals, our site civil engineers and traffic engineers. They review those counts and the trip generations that occur now, regularly with all other traffic, plus what the proposed use would be. And they have approved that as far as the site being used for this type of use.

COUNCILWOMAN RUSSELL: Yes. Further comments regarding the traffic survey. It neglected residential homes across the street from the proposed site in traffic summary. Any comments on that?

MR. GRIGGS: Again, I would just reiterate what Rich has said. You know, this was an extensive review by Nassau County. You know, we also designed this facility in such a manner as to mitigate the traffic trailer traffic on Westbury Ave. to eliminate it. And, again, our hours of operation, you know, are in such a level to allow for that feathering in and out of the vehicles and predominately occurs, or exclusively occurs, after the peak periods in the morning and the evening.

COUNCILWOMAN RUSSELL: Then the rest are comments and I don't believe there are any other -- I'm sorry. There is another question. No left -- no mention of left turn lane on Voice Road turning into Glen Cove Road. The Town of North Hempstead was made aware of this. This certainly affects tractor trailers making this turn safely. And so this is a question that was

asked during the presentation as well. There is a left turn lane proceeding out of Voice Road onto Glen Cove Road and any trucks that are making the right onto Voice Road potentially could have some conflict with those that are in the turning lane. So was that taken into consideration during the traffic analysis?

MR. GRIGGS: Rich.

MR. BIVONE: And I think Carl's on from Langan if you want to have him answer that question.

MR. GRIGGS: We have our specific traffic engineer, Carl, I believe is on.

MR. WINK: Could you let him in.

COUNCILWOMAN RUSSELL: While you're waiting for him to come on, I just wanted to note that we do see that as a potential issue from a Town standpoint. We could possibly move the -- the turning lane further back. We have not had any complaints thus far the way that it has been operating. But if we do see that as an issue, we could potentially move that turning lane back so that any -- any vehicles turning onto Voice Road would not interfere with those waiting to make a left turn off of Voice Road.

MR. GRIGGS: I believe it might be Dan Disario from Langan.

MR. WINK: Mr. Disario. Invite him into the meeting. He's not on. We don't see him on. Is there a representative of Langan who can address this otherwise.

MR. GRIGGS: There he is. Or he was just on. I believe he has his hand raised.

MR. WINK: Okay. All right. If we could invite him into the meeting to comment.

MR. GRIGGS: Again, to Councilwoman Russell's point, to say when it was Waldbaums before and then there is, also, commercial traffic in and out with 18-wheelers going on to date that utilize Voice Road for that area and, you know, I believe it has not been a concern as of yet but I'll let Mr. D'Addario comment additionally beyond that point.

MR. DISARIO: Good evening. Can you all hear me?

COUNCILWOMAN RUSSELL: Yes.

MR. GRIGGS: Yes.

MR. DISARIO: For the record, my name is Dan Disario. Last name is D-i-s-a-r-i-o.

MR. WINK: Thank you.

MR. DISARIO: You're welcome. As it relates to the trucks, I would point out for everyone's consideration that our truck traffic is going to be relegated to overnight hours. And because of that, we don't see any frequent conflict with vehicles trying to turn left out of Voice Road with a tractor trailer trying to make a right turn onto Voice Road. I would also point out that I anticipate, based on how the building is situated, that the previous Waldbaums also received its deliveries via Voice Road. And to our knowledge we are not aware of any issues as it related to the Waldbaums trucks creating any issues at that intersection. And similarly, we would not anticipate any issues with the proposed delivery station and its truck activity.

COUNCILWOMAN RUSSELL: And then the last comment was certain businesses potentially affect the route on Voice Road or nearby and was not included. Examples are:

Learn N Plan Child Care facility. It operates from 6:30 a.m. to 7:00 p.m.; City Wide Sewer and Drain, 24/7 emergency services; and, Several fitness facilities. Some work outside daily. Please include these comments into the decision process. Any comments on that?

MR. GRIGGS: Dan, would — I believe our traffic counsel has taken the existing businesses into account; correct? The existing conditions?

MR. DISARIO: Yes, that is correct. And our traffic counts were conducted last year pre COVID, just for everyone's information.

COUNCILWOMAN RUSSELL: That was a question that we were able to answer prior to the meeting. And then there is one last question, why has construction already begun on the property and what is that? What construction has already begun on the property?

MR. GRIGGS: Rich Bivone, do you want to --

MR. BIVONE: Yes, that's me. Make ready work to clear out the existing building itself inside and to analyze the existing conditions and be able to have the licensed professional architect, engineers to design what needs to be done and make some changes to the actual approved plan -- or I should say the submitted plans to the Town itself. So this is what we call make ready work.

COUNCILWOMAN RUSSELL: Okay. Mr. Gaffney did mention that he is trying to unmute himself. Dan, if possible, can you unmute Mr. Gaffney. Or is he allowed to make comments in the chat?

COUNCILWOMAN RUSSELL: Mr. Gaffney, if you can hear us, if you can please type your questions in the chat and they will be answered. Mr. Wink, do we have any other questions from any other --

MR. WINK: I do not have any other comments from any other sources. No.

COUNCILWOMAN RUSSELL: So one of the questions that came up during the presentation was, are the delivery vehicles able to use the parkway or are they just using the local streets to make their deliveries.

MR. GRIGGS: So we've discussed with our team and my understanding is that it is predominately local roadways. I believe there is a potential for them to utilize the parkways as being under 10,000 pounds. But in New York they are commercial vehicles so I'm not sure that they would be able to utilize the parkways given the commercial vehicle restriction on the parkways.

COUNCILWOMAN RUSSELL: And another issue that came up during the presentation was the concern for vehicles now cutting through the residential community by Park Avenue right now over on that side. Can any of you comment with regards to that? Or are your drivers given any direction to not use the residential area as a cut through for Glen Cove Road. Typically if traffic is backed up on Glen Cove Road, vehicles will cut through the residential neighborhood. Part of the problem is Waze and Google Maps sometimes will route people through that area. But from a management standpoint, are you discouraging your employees or drivers to do that?

MR. GRIGGS: Correct. I mean, any of the vans that would typically be in that area are making deliveries to that area. If not, they're utilizing, you know, the major roadways as the most efficient means with which to get to their, you know, external delivery points and primary areas of deliveries by utilizing the major roadways. If they are in the residential area adjacent to the

site it's to, you know, make local deliveries.

COUNCILWOMAN RUSSELL: And just a further comment on that, once I did receive that as a concern, I did some research to find out what other communities were doing for instances like this when Waze and/or Google Maps were routing individuals through residential neighborhoods and I actually had the opportunity to speak to the Mayor of Los Altos Hills, California. What they did back in 2017, they contacted Waze and Google Maps and respectfully asked that they did not route vehicles through the residential neighborhoods. Their response that they were given was that if there was no ordinance in place, that they would not consider their request. And so Los Altos Hills put in traffic signs and ordinances in that community and if we wind up having that as an issue, that's something that this board would have to consider doing as well, as well as reaching out to Waze and/or Google Maps. I just wanted to note that. Mr. Gaffney does have one other question. He said, steel structure work has been built on the property.

MR. GRIGGS: Has what been built on the property?

COUNCILWOMAN RUSSELL: Steel structure work.

MR. GRIGGS: Rich.

MR. BAVONE: It's my understanding the only work that was done was as per the permit that was issued by the Building Department for the demolition of existing conditions and, also, what was listed on that plan as the make ready work of the building itself.

COUNCILWOMAN RUSSELL: Does anyone else -- does any other board members have questions?

SUPERVISOR BOSWORTH: No. I just would like to make a comment. I would hope that someone from the Building Department, and actually I'm asking that someone from the Building Department just goes down to the site to make sure that there's no construction that's being done there that has not been part of the permit process. And I could understand why that would be a concern. And Councilwoman, you know, when we spoke, you had mentioned that there was some -- some talk about some kind of community support program. Could you mention -- could you talk about that?

COUNCILWOMAN RUSSELL: I'll actually ask Mr. Griggs or Mr. Bivone to speak on that. But there was a question about allowing for job training and/or job opportunities to the local Carle Place community, as well a some type of educational program within the Carle Place school district. And there was also a mention of a job fare, which I did offer to host at our facility if that was the most feasible facility to do it at. I'm thinking that the school district may be the most beautiful to do it at but if it's not available, we do have a facility in the local community that we could host it. But if you can speak more to that, Mr. Griggs or Mr. Bavone.

MR. GRIGGS: Absolutely. So from the standpoint of community engagement and employment opportunities, we want to partner, you know, with the Supervisor, with you, Councilwoman Russell, and with the Carle Place community on hosting events in the area to allow for the residents in the area to be part of the first key wave of the associates and managers hired to this facility. We do need to be able to conduct drug tests onsite during that process. So that might be restrictive as far as government building or the school. But we will look to try and have it as close to possible. Typically, those sort of initial hiring events are in conjunction or in partnership with local elected officials. We typically would host them in hotels, especially in

the current COVID age where social distancing and cleaning requirements are so paramount to allow for that to be sort of scoped out in advance and to allow for the proper social distancing and cleaning efforts to occur. Those hiring events occur, you know, that day. So essentially, you know, anyone who applies and works through the interview process would be given a contingent offer that same day that they arrive at the hiring event, contingent upon a background check and as I said, on the drug test. So we, you know, want to work directly to the community on making sure we get as many local residents hired as possible. Additionally, as far as community engagement, Amazon is focused on a variety of different corporate citizenry practices around sustainability, around racial equality, around veterans and first responders, as well as STEAM and STEM education. We had great meetings with the Carle Place School District and the superintendent there around possible programs for potential internships or around the robotics day camps and learning events that we host at our JFK facility there in Staten Island. Those robotic camps we bring school districts from around the region to the facility. They work on our Amazon building systems. They learn about how the products show up at their house and then they actually learn to work and build some of the robotics that we utilize in our facilities. And then we look to partner with the local school districts on potential sponsorship events, on the ability to host STEAM and STEM class learning sessions and then we have our Amazon Future Engineers Program, where we look to put computer science programs into tier 1 and disenfranchised school districts to help bring computer sciences programs to those that don't have that available to them. From a sustainability effort, we have our climate pledge to be net carbon neutral, or zero carbon, ten years ahead of the Paris Agreement. We also have an initiative to get 100,000 electric vehicles on -- in our fleets. The first of those would probably be coming on line in 2022 just through the kind of lack of availability of EVs right now for commercial vehicles. And then we've had significant donations for -- for racial equality, most recently, you know, tens of millions of dollars in donations across the United States and North America towards those efforts as well. So, you know, that kind of gives at least an overview of some of the initiatives that we, as a company, have taken and some of the things that we can do there locally in Carle Place and in the Town of North Hempstead for the residents.

MR. WINK: Councilwoman, in response to, I believe, the Supervisor's query, I believe we have Gabe Garcia, the Deputy Buildings Commissioner on as a panelist who can address the questions that were raised.

MR. GARCIA: That's correct, Wayne. Can everyone hear me?

VOICES: Yes.

MR. GARCIA: Yes. Good evening, Councilwoman Russell. Good evening, Judi. How are you?

SUPERVISOR BOSWORTH: Good. How you doing?

MR. GARCIA: Very good. Thank you. Yeah, to address Mr. Gaffney's concerns, prior to coming onto this board meeting, I reached out to the assigned building inspector for that project and he informed me of what exactly is going on. I believe he was there just last week. There were two permits that were issued; one permit was for an emergency roof repair and the other one, as Mr. Bivone mentioned, was for the build out of the warehouse. The building inspector did not know any additional work or any work that wasn't covered by those permits. He said that they're just building out the warehouse. I asked him a little about it, he said that everything's been going fine that they've been no issues, no hiccups or anything like that.

SUPERVISOR BOSWORTH: Okay. Thank you, for clearing that up.

MR. GARCIA: No problem.

COUNCILWOMAN RUSSELL: Mr. Wink, is there any additional questions?

MR. WINK: I have no additional comments or questions on this item.

COUNCILWOMAN RUSSELL: Mr. Levine, before you speak, Mr. Levine, Mr. Gaffney did send another question. The question is, what is the steel structure newly built?

MR. BIVONE: What was that question?

COUNCILWOMAN RUSSELL: What is the steel structure that was newly built?

MR. BIVONE: That's the canopy on the east side near the parking area. That area is in green. It's on the screen we're sharing right now. And that's for the loading of the smaller vans to then leave and exit the property.

COUNCILWOMAN RUSSELL: Mr. Garcia, is that something that's covered under their permit?

MR. GARCIA: I believe it is.

SUPERVISOR BOSWORTH: So I'm just a little confused. Because we haven't approved the project. So, you know, at this point and that's what the purpose of the hearing is. So, you know, is this kind of a cart before the horse? You know, you put up a canopy for the vehicles and --

MR. GARCIA: Well, Commissioner Levine could possibly speak to this but it's my understanding that what triggered the site plan review were the revisions to the existing parking lanes and how the parking lot would be used. So that -- that's what brought us here today. But the other -- the other alterations that they made didn't trigger anything.

COUNCILWOMAN RUSSELL: Commissioner Levine, could you give us your side and comment?

MR. LEVINE: Yep. The -- yeah, you would technically sort of see it that it's correct. The scope of work items that cannot go forward without Town Board review. So that would include an expansion of the gross floor area. That would include alterations to the parking lot. That would include any changes to the access or egress points. There is -- this is going to sound like I'm making a joke. I'm not. They're actually allowed to do what's called destructive work but not constructive work. So clearing out the interior to get it ready for a new tenant, the phrase in the industry is vanilla box work. That is permissible before board review. The canopy structure is something that would be permitted regardless of who, you know, the new tenant is and it does not involve the things that I mentioned; an expansion of the gross floor area. It does not involve alterations of the parking configuration of the exits. And so that was something. And I know that Mr. Bivone had met with Building several months ago to outline what -- what are the ground rules. What can be covered and what can't be covered in terms of, again, what's called vanilla box work, the work that's permissible before the board review. And then you heard from the Deputy Commissioner, Buildings was on site and if they see anything that goes beyond the scope of the permit, they issue a stop work order and I know from experience they're tight with that. They have not found anything that went beyond the -- beyond the permitted activity. In terms of the site plan review, I'll take it in two parts. The onsite improvement and the off-site impacts.



The team had met with us the middle of last year. We expressed what our concerns and requirements would be. They've already met them. The only thing -- the only critique that we have onsite is that they are narrowing the vegetated buffer on the Westbury Avenue side. So we had asked if it can't be wider, we understand why the configuration resulted in the narrow buffer and at least increase the density of the plantings. So just a fore warning, if -- if the as built conditions still look sparse, then we may ask for additional plantings. But beyond that, we have no further critiques of the site design. The main concern is and, of course, I'm going to put to the applicant, long term, how to reach your long term compliance with the Traffic Management Plan. Because we did ask for a fairly comprehensive plan for how to manage what type of vehicles come in through which streets and at what hours. We have a lot of experience with this. Where everybody on the applicant team who's present at the hearing knows what we agreed to. But that doesn't always get translated. Sometimes it doesn't reach the onsite managers or even if it does, over time people turn over and the continuity is lost. So it's a two-part question for Amazon. What is your plan to ensure that every driver is aware of the restrictions in terms of the hours and the routes? And the second thing, while you don't have to identify the person tonight, we would ask that you identify a single point of contact for us because as you can imagine with enforcement issues with a large corporation, sometimes it very hard to track down who is the person who's responsible. So we will ask that we're given a point of contact for that if the question comes up. And, again, they'll be trucks, there may be a truck on Westbury Avenue that isn't even yours but it will generate a complaint because the resident won't know whose truck it is. We'll need the ability to contact somebody and -- and to get a response if it was yours or that it wasn't. So can you address that question.

MR. BIVONE: Yes. So from that standpoint, from an operational standpoint, myself -- we will provide more than one contact. As you mentioned, there is turnover in any company. Myself and our team would provide several points of contact to be included in the messaging to allow for if there happens to be a change in who is responsible for this site, to be able to reach a point of contact that is consistent and static for the region, not necessarily tied directly to this location, that could then get to the operations manager directly onsite, in addition to whoever would be that initial point of contact leading the location. So we have a community operations team. We have our economic development team and then we would have an operations lead that would be kind of be three to four points of contact to be able to provide to the Town of North Hempstead, to you, Commissioner Levine, to be able to answer for any issues related to the site.

MR. LEVINE: Okay. So with that, the Planning Department recommends approval. We do recommend implementation of the Traffic Management Plan. And I would also suggest, with the board's consideration, that we schedule a meeting with the team maybe six months after it opens to review if the plan is working. If so, then we're good. If not, then, you know, we may have to discuss changes at that time. So I would suggest that we plan for that. One final question that I don't think has been addressed, seasonal peaks at holiday times. Do you expect an increase in the volume of trucks or simply that the vans will have fuller loads?

MR. BIVONE: We would anticipate potential volume increase through the site as it relates to our peak period. We have that flexibility built in to the location. It would not operate at peak conditions, you know, year round. We do have the flexibility up and down at the site to be able to meet the capacity needs of the location. But it is not as simple as just the loading the vans to a higher capacity. We would need additional vans to operate during the peak conditions. But that is taking into --

MR. LEVINE: It's a question that, of course, Old Country Road and -- and Glen Cove Road are also peaking at the holiday time. So that will be part of our discussion. But with that, we do recommend conditional approval.

COUNCILWOMAN RUSSELL: Thank you. So if there is no other comments from the board, I would just like to say, I'm happy about how this process worked. When we initially met with Amazon, there were some things that we asked of them to do and they have been pretty straightforward in accomplishing the things that we've asked them to do, particularly with communicating with the residents that are in close proximity to this project, as well reaching out to the stakeholders and community. This is a very large project that has a huge impact on the community, while it is taking away the blight of the former Waldbaums property, our residents that live in close proximity and so it was very important to both myself and this board that there was ample communication with all the stakeholders. And for that, I want to say thank you to Amazon for doing that. And thank you to all the residents that participated in the presentation, who have asked questions leading up to this point. And, again, if there are any concerns, if this passes tonight and there are concerns down the road, we will be planning to meet with Amazon again to go over any concerns of the community and the Town may have as a result of this project moving forward. And so with that, said, I'd like to make a recommendation to the board that we approve this application. So I vote to approve the recommendation and ask for a vote.

MR. WINK: And I'm going to ask you offer to close --

COUNCILWOMAN RUSSELL: Close the public hearing. Sorry. Close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Thank you, Now Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: I just want to take this opportunity to thank Amazon. But, also, to especially thank Councilwoman Russell because Viviana, you shepherded this through in a beautiful way. You made sure the community was involved and that Amazon got the feedback that you were getting and that they had the opportunity to do that as well. So thank you. And I say aye.

MR. WINK: Okay. Before we go to the next item, I'm going to give Dan and opportunity to, I guess, remove our applicants from the panel.

MR. GRIGGS: Thank you, everyone. We appreciate it.

MR. BIVONE: Thank you.

COUNCILWOMAN DALIMONTE: What happened to my Zoom?

SUPERVISOR BOSWORTH: You're on.

MR. WINK: We see you.

COUNCILWOMAN DALIMONTE: I don't see you guys.

COUNCILWOMAN RUSSELL: Well, we can see you.

COUNCILMAN FERRARA: We can see you.

COUNCILWOMAN DALIMONTE: Oh, now I see you.

COUNCILWOMAN DALIMONTE: All of a sudden my screen went blank.

MR. WINK: I see Mr. Disario is still logged in. So we'll give it another second if that's all right.

COUNCILWOMAN DALIMONTE: We can do seventh inning stretch.

MR. WINK: Okay. We're only up to number 5 -- so.

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 314 - 2020**

**A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BRISBANE-STEEL CARLE PLACE LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 2 WESTBURY AVENUE, CARLE PLACE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 663, LOT 40.**

**WHEREAS**, Brisbane-Steel Carle Place LLC (the “Applicant”) has applied (the “Application”) to the Town to convert a 56,044 s.f. former grocery store into a warehouse and distribution center on a 7.4-acre site on property located at 2 Westbury Avenue, Carle Place and identified on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 40 (the “Premises”); and

**WHEREAS**, it has been determined that the Application is subject to site plan review pursuant to § 70-219 of the Code of the Town of North Hempstead (the “Town Code”); and

**WHEREAS**, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Planning and the Environment (the “Planning Commissioner”) of the Town of North Hempstead (the “Town”) pursuant to Town Code § 70-219(A)(4); and

**WHEREAS**, the Town Clerk, pursuant to and in accordance with Town Code §§ 70-219(F)(1) and 70-240(A), has published notice of a public hearing scheduled for August 13, 2020 for the site plan review (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 269-2020, adopted on July 23, 2020; and

**WHEREAS**, the Applicant has furnished proof of service of notice of the Public Hearing to the affected property owners within a 300-foot radius of the Premises as required by § 70-219(F)(2) of the Town Code, and filed an affidavit as to the mailing of such notices as required thereunder; and

**WHEREAS**, the Application does not require any variances or other relief from the Town of North Hempstead Board of Zoning Appeals; and

**WHEREAS**, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the “Commission”) was furnished with copies of the site plan and the Full Environmental Assessment Form Part 1, (the “FEAF”); and

**WHEREAS**, at least thirty (30) days have elapsed since such materials have been submitted to the Commission without a response by the Commission, and accordingly this Board may take final action on the Application pursuant to General Municipal Law § 239-m; and

**WHEREAS**, the Planning Department has reviewed the Application and tentatively recommends approval of same; and

**WHEREAS**, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

**WHEREAS**, this Board, through action of the Planning Department pursuant to Code §20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA Regulations; and

**WHEREAS**, this Board has reviewed the recommendation of the Planning Department, dated July 9, 2020, and has determined that the Action constitutes an “unlisted” action pursuant to Section 617.2 (ak) of the SEQRA Regulations, and has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the FEAF for the reasons that: (1) the proposed action will not generate a significant amount

of traffic; (2) the proposed project would not generate a high demand for water or energy; and (3) the proposed project will not generate a significant amount of solid waste or sewage; and

**WHEREAS**, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on August 13, 2020 via Zoom, and afforded all interested persons the opportunity to be heard; and

**WHEREAS**, this Board now wishes to render a decision on this Application.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board hereby adopts the Planning Department's recommendation and determines that the Action is an "unlisted action" which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the FEAF, and upon the testimony and reports adduced at the Public Hearing; and be it further

**RESOLVED** that this Board finds that the Application and site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is consistent with the spirit and intent of Town Code § 70-219; and be it further

**RESOLVED** that, pursuant to Town Code § 70-219(B), the site plan is hereby approved; and be it further

**RESOLVED** that a copy of this approval shall be filed with the Commissioner of Building Safety, Inspection and Enforcement (the "Building Commissioner"), and the Building Commissioner is hereby authorized and directed to issue a building permit, upon compliance with the building permit application requirements as set forth in the Town Code, and any other conditions or requirements imposed by any other governmental entity having jurisdiction over the property, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None





# Affidavit of Publication

County of Nassau SS  
State of New York,

REC'D TNH TOWN CLERK  
AUG 5 '20 PM 12:32

Darrie A. Dolan, being duly sworn, deposes and say that she is the principal Clerk of the Publisher of  
The WESTBURY TIMES  
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz: July 29, 2020  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Darrie A. Dolan*

Sworn to me this 29 day of  
July-2020

*Shari M. Egnasko*  
\_\_\_\_\_  
Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2020

### LEGAL NOTICE NOTICE OF HEARING PLEASE TAKE NO-

TICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the meeting. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE FURTHER TAKE NOTICE** that public hearing will be held by the Town Board at the Town of North Hempstead on August 13, 2020 at 7:00 p.m. via Zoom, on the application for site plan review submitted by Brisbane-Steel Carle Place LLC to enable the conversion of a 56,044 s.f. former grocery store into a warehouse and distribution center on a 7.4-acre site.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning the application for site plan review at the public hearing.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is known as 2 Westbury Avenue, Carle

Place and designated on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 40.

Dated: Manhasset, New York  
July 23, 2020

BY ORDER OF THE  
TOWN BOARD  
OF THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk

MR. WINK: Item No. 5, a public hearing to consider the application of Autozone Parts, Inc. for a change of zone from "Residence "C" to "Business-A" for the premises located at 565 Old Country Road and 20 Longfellow Avenue, Westbury and designated on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 210 and 220.

COUNCILWOMAN RUSSELL: So this is -- this application is for the rezoning of the northerly portion of lot 220 for 4,248 square-foot from a Residence C to a Business A and the rezoning of the southerly portion of the lot from Residence C to Business A to enable construction of an auto parts store and parking area. This application came to us back in November of 2019. There was some discussions. We did have a public hearing. We had residents that had some concerns about the overall size of the project and the necessity of removing a residential property and expanding into the residential area with more commercial business. So at that time instead of voting at that hearing, I suggested to the applicant to meet with the residents, go back to the drawing board and see if there was some type of compromise that could be met between both parties. And I would like just to add that that was successfully done. The applicant did meet with the residents that live in the Poets corner area of New Cassel. There were several discussions and as a result of those discussions, the applicant came back with another plan, a different plan that no longer seeked to rezone a residential property and demolish the residence that is currently sitting there. We have the applicant who is here and so I think we will give him an opportunity to make a presentation and then we'll move on to comments from the public.

MR. WINK: Mr. Migatz, if you could identify yourself for the record. And, also, if you could just let us know if Eric Jeeter from Bohler Engineering intends to participate as a panelist as well.

MR. MIGATZ: Yes. Mr. Wink, if you'd please make Mr. Jeeter a panelist. And also William Smith, who is from Autozone. They will answer any questions that may come that I may not be able to answer.

MR. WINK: Okay. When and if they do participate, we'll ask them just to identify themselves for the record. Thank you, Mr. Migatz. Please proceed.

MR. MIGATZ: All right. For the applicant, Bruce W. Migatz, Albanese and Albanese, 1050 Franklin Avenue, Garden City, New York. Councilwoman Russell pretty much described the history of this application so I can skip through some of what I was going to talk about. And let me -- let me go to the original plan that I'm now showing on the screen. It called for the rezoning of the entire parcel, lots 220 and lots 210, to build a new Auto Barn store -- Autozone store. I'm sorry with 38 parking spaces. And that plan raised a lot of concern by both the residents, the Councilwoman and Commissioner Levine. So Autozone did go to the drawing board, took out the red pencil and made some rather substantial changes. The -- the building that had been moved from the right -- to the right side of the plot to the left side of the plot, which allows for some more landscaping, a buffer along Longfellow Avenue and, also, permits the relocation of the curb cut on Old Country Road, farther to the east to get it away from potential conflicts with the gas station on the opposite corner. Now the major change in the plan is that we have, although we have kept the building the same size, we have reduced the parking spaces down to 32. And that allowed us to only seek a rezoning of one-half of the residential lot. Where you see the light green, that was going to be on the first plan parking with a landscape zone. Now we are going to maintain a 50-foot by 150-foot residence --Residence C lot that can

be used -- there is a house there now but most likely that house would probably be rebuilt and constructed. It's a very old house. But there is 150 feet depth, 50 feet width to preserve a residential lot in between the first neighboring lot and the Autozone parcel. We are still providing ten extra parking spaces than the Code requires. And it is Autozone's policy in all their stores to always provide some parking in addition to what the zoning code requires at a minimum. And that is -- that's a benefit to the residents so that on a busy day, which is typically a Saturday for an auto parts store, just in case there is heavy demand on that one day, they don't want to have overflow parking on the neighborhood streets. So that is why they always like to have some extra parking and we think that's a plus for the -- for the neighborhood. The -- another concern at the last hearing was the turning radius for trucks. In the former plan the truck would come in off Old Country Road and would have to stick its nose out towards Longfellow in order to back into the loading zone and that raised some concerns. In the new plan, we have a turning radius diagram that shows the tractor trailer truck -- and they only get these trucks once a week to bring them their merchandise. The tractor trailer truck would come off Old Country Road and it doesn't have to go out anywhere near Longfellow to use the parking area to back -- make some turns into the -- the loading zone. So that alleviates the concern of potential conflicts with the truck. But one drawback to this plan is that the truck can no longer exit through to Old Country Road. The truck would have to now exit to -- through Longfellow and out to Old Country Road. So there's a tradeoff there. But once again, it's only once a week that we're going to get any kind of truck coming to make those shipments. The -- we did meet with the residents. We met with Councilwoman Russell. I wanted to thank her. I want to thank her for the neighbors that we met with several times, for their input and their cooperation. We hope the residents feel that this is a good compromise. I'm sure that they'd rather see something else there, a park. But we hope that they feel is a good compromise. The -- this plan will require some -- if the change of zone is granted, it will require some -- some -- what I would say minor variances from the Zoning Board. The landscape buffer zone between the new business zone, if you grant this, and the residence that's going to remain, is supposed to be 15 feet. We put -- we can only fit five feet in there. Quite commonly the Zoning Board has granted that variance, particularly here where the applicant owns the property that is being affected by that variance and that applicant has consented to it and whoever buys that new house is buying it knowing that this condition exists. So I am optimistic that the Zoning Board would grant that variance. On the east side of the property, although this is all the Westbury Fire District firehouse, a part of this is zoned (Zoom interference) so technically you require any of those not devoted to a residential use and we still need a 15-foot landscape buffer zone and we only have a one-foot buffer zone there. But, again, that is abutting commercial property, the firehouse property and I'm optimistic for that variance to be granted. The other variance would be in order to make a -- the first plan had a three-foot buffer zone and a 10 by 20 parking space. In order to get the five-foot buffer zone, we made the parking space 10 by 18. Now that is a common variance that the Zoning Board does grant. Office buildings are allowed to have a certain number of -- 9 by 18 parking spaces. And that is a variance, again, that we're optimistic will be granted. But it would be up to the Zoning Board to say, well, make it a three foot landscape zone and a ten-foot -- or a 20-foot parking stall or maybe 18 parking stalls and five-foot landscape zone. And I hope we can work that out. The house -- the residential plot zoned Residence C, 5,000 square feet required, this has 7,500 square feet. That's not a problem. The street frontage by Code is 50 feet or the average within 200 feet. We do have 50 feet. I'm not sure what the average is. There are a lot of corner lots there that always throw off the average. I believe the Town is contemplating maybe changing that for

that very reason. I hope they do because that always causes a variance any time there's a corner lot within the average. But, again, that would be a Zoning Board application if you were to grant this -- this change of zone. Just to repeat what was said at the last hearing, Autozone does not permit repairs in their parking lots. They will --they do and they will post signs that prohibit customers doing repairs. And they have agreed at the request at one of the meetings we had with the residents to put cameras in the parking lot and it would be monitored at the cash register to enforce the no repairs. Autozone employees will perform a courtesy work for a customer who comes in. It's raining, their windshield wiper blade is cracked and they'll go out and help them put their windshield wiper blade on in the emergency. Somebody's headlight is out, they will help them put the bulb in. But they do that. They don't let the customer do that. So it's not an auto repair, it is an auto parts retail store. That pretty much sums it up unless the board has questions before we hear comments.

COUNCILWOMAN RUSSELL: Mr. Wink, do we have any questions from the public?

MR. WINK: We have one e-mail from Lenora Washington, who I believe is also on -- on the meeting as we speak. Ms. Washington, do you wish to make comments yourself or should I just read your comment for the record? If you could just let us know.

COUNCILWOMAN RUSSELL: She texted me. She was trying to get on.

MR. WINK: Okay. We have seen some comments from her in the comments -- in the chat section.

COUNCILWOMAN RUSSELL: Yes.

MR. WINK: The long and short of it, the comment we received is she's concerned about parking spaces that if 22 are allowed, why are 32 being proposed. And she believes it's excessive and worrisome -- that if Autozone decides to leave, it could become a night club, a bar, which would be disruptive. They would like to limit the parking to the approved 22. Perhaps, Mr. Migatz, you can address that comment.

MR. MIGATZ: Yes.

MR. WINK: Okay. Ms. Washington, forgive me Mr. Migatz, one second. Ms. Washington -- and can we invite Ms. Washington into the --

MS. WASHINGTON: Yes.

MR. WINK: Ms. Washington, how are you?

MS. WASHINGTON: I'm fine. Thank you to the panel. How are you?

MR. WINK: Thank you. I'm going to ask you to keep your comments to three minutes but please proceed.

MS. WASHINGTON: Okay. I think what's concerning, for one, we're looking at a lot of traffic -- you're talking 32 spaces. Over the period of time since this -- this proposal was presented to us, I visited and a few of (Zoom interference) --

COUNCILWOMAN RUSSELL: We're losing you, Ms. Washington.

MS. WASHINGTON: (Zoom interference) --

COUNCILWOMAN RUSSELL: We're losing you, Ms. Washington.

MS. WASHINGTON: (Zoom interference) -- a weekend, a week day, different times during the week. Thirty-two cars for the Autozone of customers for any of those locations. I feel like the 32 spaces, and not just myself, we had a meeting I think back in January with the lawyers and those at Autozone and there was a lot of concern from all of us regarding the amount of space being proposed.

COUNCILWOMAN RUSSELL: Mr. Migatz, can you speak to what the average customer base is for Autozone for your peak time?

MR. MIGATZ: Well, I'll have Mr. Smith address that, what the average is. But let me -- let me address the comment as well. Parking spaces do not generate traffic. Because you have ten extra parking spaces doesn't generate more traffic. As I said, the extra parking spaces are there as a benefit to the -- to the neighborhood so no overflow parking. Now I have been to hundreds of Zoning Board hearings for parking variances, not all mine but I heard -- I made probably 100. And the concern always is for the residents that you're going to have overflow parking on our streets if you give them a parking variance. Well, this is just the opposite. I'm very surprised to hear a concern that we're providing extra parking and you're not happy about that. So Autozone wants to be a good neighbor. They don't want people parking on Longfellow Avenue and calling up the Councilwoman and calling up the Supervisor that they're parking in front of our houses. So it's -- it's a benefit.

MS. WASHINGTON: I understand that. I think one of our concerns -- I'm sorry. I don't mean to cut you off. But I think one of the concerns is also in that large space, in the evenings we have concerns about other cars parking in there that may not be customers of Autozone. Auto mechanic work being -- taking place in the lot that size. And, also, if Autozone doesn't stay in that location, we are open to businesses of -- like with massive customers because now you have a space that can accommodate 32 spaces for parking. It can become a nightclub. It can be a bar. It's a whole lot of other things that can come into our neighborhood with a space that gives it -- allows it opportunity.

MR. MIGATZ: That's not true, Ms. Washington. A nightclub, a restaurant, a bar, they are all conditional uses. They all have to go before the Zoning Board. They'd also most likely have to go back to the Town Board for site plan review. But certainly back to the Zoning Board. They cannot go in there as of -- as of right. Another retail store could, that is true. But not -- not a restaurant, not a bar, not a nightclub. Mr. Smith, are you -- did you have Mr. Smith come in as a panelist.

MR. SMITH: I'm here, Bruce.

MR. MIGATZ: Can you address the normal traffic, the normal customer traffic you get and what the heavy traffic you get on a Saturday.

MR. SMITH: During the week, we only get about 10 to 12 customers an hour.

MR. WINK: Ms. Smith, if you -- I'm going to interrupt you and just ask you to just identify yourself for the record.

MR. SMITH: Sure. William Smith, 1425 Lorton Drive, Easton, Pennsylvania. I'm a real estate development manager for Autozone.

MR. WINK: Thank you.

MR. SMITH: So during the week, you typically get about 10 to 12 an hour. You'll get, you

know, when you're going home at night at 5:00, you might get a little rush of people and you might get a few more on the weekends. You can get up to 30 or 40 people an hour. It all depends on the time. Again, you know, your peak time is usually from 10:00 to 3:00. That's when people get up and decide to work on their cars and do whatever; oil change, wipers. Take that home, do it for the weekend. Plus we have more employees working on that day. So you might have six to eight employees working as they're swapping shifts. So they'd be parking in those back parking spaces. So you really do need the 32 that we can keep like Bruce mentioned.

MS. WASHINGTON: Okay. I'm not --

MR. SMITH: One other thing I'll just note, Ms. Washington, when Autozone comes in and moves in, we don't leave. We never leave. I've been with Autozone for 32 years. We have stores that have been opened that long.

MS. WASHINGTON: Listen, we hoping to create a win-win for the community. So and we can make it work. We want it to work. We just don't want to be left with something that's going to cause hardship in our community later. And the other concern that came up is, how do -- what kind of assurance do we get that that traffic that's coming into Autozone that they're not turning into our residential community rather than turning away from it onto Old Country Road. We have concerns about the amount of traffic that this business will bring into our quiet, peaceful community.

COUNCILWOMAN RUSSELL: So, Ms. Washington, as part of our request to the applicant when we go back to the drawing board, one of the things that we are going to be asking, or requiring them to do is to channelize their exist onto Longfellow so that it is channeled toward Old Country Road. So it would be very difficult to make a right coming out of the facility onto Longfellow back into the residential community. And we're also looking at some other feasible options with regards to signage. But we're definitely --

MS. WASHINGTON: I'm sorry, Ms. Russell. Can you just repeat that. I just had a bad connection but I hear you now.

COUNCILWOMAN RUSSELL: Sure. So one of the things that we are requiring the applicant to do as a condition, would be to channelize the exit onto Longfellow Road toward Old Country Road so that it would not be any right turns onto Longfellow.

MS. WASHINGTON: Okay. Great. Thank you so much for that.

COUNCILWOMAN RUSSELL: You're welcome.

MS. WASHINGTON: So there will be a portion of that residential location that's right behind the building that's going to be rezoned; is that correct?

MR. MIGATZ: That's correct.

MS. WASHINGTON: That is correct. Okay. Was there any other concerns that I didn't cover. Thank you so much. I think the biggest concern, the first -- that was top on the list was -- was the amount of parking spaces and also (Zoom interference) --

COUNCILWOMAN RUSSELL: Mr. Migatz, can you speak to the number of employees that will be onsite during the week and --

MS. WASHINGTON: — my questions and concerns. Thank you.

COUNCILWOMAN RUSSELL: I'm so sorry. I didn't realize you were still speaking, Ms. Washington.

MS. WASHINGTON: Okay.

MR. MIGATZ: Let me have Mr. Smith address that. I have my notes from the prior hearing but let me have him address that.

MR. SMITH: You're talking about the total staff or how many employees are going to be in the building at any one time?

MR. MIGATZ: Per shift.

MR. SMITH: Per shift.

COUNCILWOMAN RUSSELL: Right.

MR. SMITH: There's anywhere from three to five people per shift. It really depends on the volume and how well this store does. You know, if the volume goes up, obviously the amount of people you need goes up in the building as well. But they'll be anywhere from three to five per shift and they'll be an overlap at 12:00 for lunches.

COUNCILWOMAN RUSSELL: And also the lighting in the parking lot. Being that it is adjacent to a residential community, what does that lighting look like on the northern end of the property?

MR. MIGATZ: We have not yet submitted those plans. Hopefully this will come back to you for site plan review. At which point, we would submit the detailed landscape plans, drainage plans and lighting plans in compliance with the Town Code requirements. Lighting cannot over spill onto any adjacent properties. And that, of course, will be complied with. But that will be a separate hearing hopefully before you.

COUNCILWOMAN RUSSELL: Does anyone from the Town Board have any questions or comments ?

COUNCILWOMAN RUSSELL: Okay.

COUNCILWOMAN DALIMONTE: I'm just -- Vivian, I'm sorry. I just have one question. I understand what the resident was saying, is there any way that we could put in an ordinance that you cannot, when coming out onto the avenue, that you cannot make a right turn, you can only make a left?

COUNCILWOMAN RUSSELL: Well, that's what the channeling of the -- of the driveway would do. So it would prevent people from being able to make a right.

COUNCILWOMAN DALIMONTE: Okay. Thank you.

MS. WASHINGTON: Thank you.

MR. MIGATZ: If I may just add to that, Autozone doesn't have an issue with doing that. We did not show that because while we did discuss that at the meetings with the residents, there were several residents that live behind the proposed Autozone who said, well when I go to Autozone, I want to make a right turn out to go back to my house without going all the way around the block on Old Country Road. So there are some residents there that did not want that to be channelized. That's why we did not show it. But, of course, we had more objections and if that's what the Town wants.

MS. WASHINGTON: Mr. Bruce, that was not in the meetings that I attended with the residents that I spoke with, a concern at all. And I think anyone that close in the area, I mean, would probably be just walking to that location and not driving and parking. But if that will eliminate all of the traffic coming to Autozone to be, you know, to not be able to just drive into our community and it would stop some of that, I would say I'm sure that that's the direction in which we would like to see it go.

MR. MIGATZ: Like I said, I have no objection but you were not at every meeting that I was at, Ms. Washington and that one meeting that did come up from one or two, at least one or two residents. But it doesn't matter. We have no objection to doing that.

MS. WASHINGTON: Thank you.

COUNCILWOMAN RUSSELL: Mr. Levine.

MR. LEVINE: I just found a couple of stray questions that are out there. Yes, the Town Board can ordinance a no right turn out of the parking lot. The Town Board also has the option of requiring that the nine northern most spaces be land banked, which means they'd be grassed over unless -- unless they're needed. But I don't see a justification for that based on what we've heard so far. We can revisit it at site plan. But right now I'm not recommending that we do that. But it is an option if we every feel the need to. We did at a prior Town Board meeting offer to take suggestions of how we wanted the sign improved by the applicant. It is suggested that there be comment that we made. So this is a much more acceptable plan than the one that we looked at last year. Our one recommendation is that, as the Councilwoman mentioned, that the --that the curb cut on Longfellow be physically channelized as to preclude right turns and as I said at the meetings, if you're determined, sure, you can get over the curb but most people actually do comply. And then we can reinforce that with a -- with a traffic ordinance. So with that, I do recommend approval.

MR. WINK: Councilwoman, I'm told that Peter Gaffney has a question or a comment. If we can invite Mr. Gaffney into the conversation.

MR. GAFFNEY: Sorry about that. I was just trying to figure out why my mute wasn't working.

MR. GAFFNEY: Sorry about that.

MR. WINK: It's a stressful test. Thank you, Mr. Gaffney. Councilwoman, the floor is yours.

COUNCILWOMAN RUSSELL: Oh, I just wanted to applaud both the residents and the applicant for working this out amongst yourselves. I think this is an example of democracy and transparency at work, where we were able to come to the table, neither party --well, one party was not happy with the application that was before them and they went back to the drawing table and came up with a compromise. And so I just wanted to thank both the residents and the applicant for addressing the concerns and coming back with something that was more palatable for both. And so with that, if the Town Board does not have any questions or comments, I'd like to move to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Forgive me. I made it myself. Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.



COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Thank you.

MR. MIGATZ: Thank you very much.

COUNCILWOMAN RUSSELL: Thank you.

MR. MIGATZ: And we'll see you at the site plan review and hopefully not too far away. Everybody stay safe and healthy. Thank you.

MR. WINK: Take care. Andy, do you need a minute to take people out or can we proceed? Okay.

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 315 - 2020**

**A PUBLIC HEARING TO CONSIDER THE APPLICATION OF AUTOZONE PARTS, INC. FOR A CHANGE OF ZONE FROM "RESIDENCE-C" TO "BUSINESS-A" FOR THE PREMISES LOCATED AT 565 OLD COUNTRY ROAD AND 20 LONGFELLOW AVENUE, WESTBURY AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 10, BLOCK 60, LOTS 210 AND 220.**

**WHEREAS**, Autozone Parts, Inc. (the "Petitioner") has filed a petition (the "Petition") to rezone (the "Change of Zone") the property located at 565 Old Country Road and 20 Longfellow Avenue, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 210 and 220 (the "Premises"). The proposed action seeks to (1) rezone the northerly portion (4,248 square foot) of lot 220 from 'Residence C' to 'Business A' and (2) rezone the southerly portion of lot 210 (7,500 square foot) from 'Residence C' to 'Business A' to enable the construction of a proposed 7,381 square foot auto parts store and parking area.

**WHEREAS**, according to the Zoning Map of the Town of North Hempstead (the "Map"), the Premises are partially located in a 'Business-A' zoning district that runs along Old Country Road and partially in the 'Residence-C' district that dominates the area to the north; and

**WHEREAS**, pursuant to a resolution duly adopted on September 5, 2020, the Town Board (the "Board") of the Town of North Hempstead (the "Town") authorized, pursuant to Town Code 70-238(B)(2), the publication of notice of hearing and the holding of a public hearing to consider the proposed Change of Zone pursuant to the Petition on September 25, 2020, which hearing was stricken due to an error in the designation of the zones to be changed; and

**WHEREAS**, pursuant to a resolution duly adopted on September 25, 2020, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) authorized, pursuant to Town Code 70-238(B)(2), the publication of notice of hearing and the holding of a public hearing to consider the proposed Change of Zone pursuant to the Petition on October 10, 2020, which was continued to November 19, 2020, and further continued without a date; and

**WHEREAS**, pursuant to a resolution duly adopted on July 23, 2020, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) authorized, pursuant to Town Code 70-238(B)(2), the publication of notice of hearing and the holding of a public hearing to consider the proposed Change of Zone pursuant to the Petition; and

**WHEREAS**, the portion of lot 210 to be rezoned was reduced from 15,000 square feet to 7,500 square feet; and

**WHEREAS**, proof of service of notice required by Town Code 70-238(B)(2) has been filed; and

**WHEREAS**, Petitioner has furnished proof of posting of a sign on the premises as required by Town Code 70-238(B)(3) and filed an affidavit as to the posting as required thereunder; and

**WHEREAS**, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the “Commission”) was furnished with copies of the site plan and the Short Environmental Assessment Form (the “SEAF”); and

**WHEREAS**, as at least thirty (30) have elapsed since such materials have been submitted to the Commission without a response by the Commission, this Board may take final action on the Application pursuant to General Municipal Law § 239-m; and

**WHEREAS**, after notice duly given, a public hearing on the Change of Zone was held on August 13, 2020 via Zoom, affording all interested persons an opportunity to be heard (the “Public Hearing”); and

**WHEREAS**, it is required that a “lead agency” be established to review this action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Section 617.6 of Title 6, Part 617 of the Official Compilation of Code, Rules and Regulations of the State of New York (the “SEQRA Regulations”); and

**WHEREAS**, this Board, through action of the Town Department of Planning and Environmental Protection (the “Planning Department”) pursuant to Town Code § 20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA Regulations; and

**WHEREAS**, the Board has reviewed the determination of the Planning Department, dated July 21, 2020, and the Negative Declaration indicating that the Action constitutes an “unlisted action” pursuant to Section 617.2 (ak) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Environmental Assessment Form (the “SEAF”) for the reasons that the Action (i) will not create an increase in traffic volume, (ii) water consumption, (iii) energy consumption, and (iv) will not create the generation of solid wastes and sewage (the “Determinations and Negative Declaration”); and

**WHEREAS**, the Board wishes to conclude that the action constitutes an “unlisted action” pursuant to Section 617.2 (ak) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment; and

**WHEREAS**, the Planning Department has reviewed the Change of Zone and recommends its approval subject to the condition that the curb cut on Longfellow Avenue shall be channelized so as to preclude right-turn egress; and

**WHEREAS**, having carefully considered the petition, the testimony and other relevant evidence at the Public Hearing, and afforded all interested persons the opportunity to be heard, this Board now wishes to render a decision.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board declares itself “lead agency” under the SEQRA Regulations for the Action; and be it further

**RESOLVED** that this Board hereby adopts the Planning Department’s Determinations and Negative Declaration, finding that the Change of Zone is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF, and upon the testimony and reports adduced at the Public Hearing; and be it further

**RESOLVED** that this Board hereby authorizes the Planning Department to prepare, file, and distribute such documents as may be required pursuant to Section 617.12 of the SEQRA Regulations to effectuate the foregoing determinations and findings made pursuant to the SEQRA Regulations; and be it further

**RESOLVED** that the Change of Zone is hereby adopted subject to the condition that the curb cut on Longfellow Avenue shall be channelized so as to preclude right-turn egress; and be it further

**RESOLVED** that the Town Clerk is hereby authorized to publish and post, as required pursuant to Chapter 70 of the Town Code, a notice substantially in the form set forth below:

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a public meeting of the Board held on August 13, 2020 at 7:00 P.M. via Zoom, duly adopted a resolution to amend the zoning map of the Town of North Hempstead to reflect a change of zone, the property located at 565 Old Country Road and 20 Longfellow Avenue, Westbury, New York and identified on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 210 and 220 (the "Premises"). The northerly portion (4,248 square foot) of lot 220 will be rezoned from 'Residence C' to 'Business A' and the southerly portion of lot 220 (7,500 square feet) will be rezoned from 'Residence C' to 'Business A' for a proposed 7,381 square foot auto parts store and parking area.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

; and be it further

**RESOLVED** that the Commissioner and the Zoning Administrator be, and hereby are, directed to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Planning      Building  
NC Assessors



# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TNH TOWN CLERK  
AUG 5 '20 PM 12:32

Darrie A. Dolan, being duly sworn, deposes and say that she is the principal Clerk of the Publisher of  
The WESTBURY TIMES  
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:                      July 29, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Darrie A Dolan*

Sworn to me this 29 day of  
July-2020

*Shari M Egnasko*  
\_\_\_\_\_  
Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2020

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NOTICE**, that effective immediately and based upon notices and health advisories issued by Federal, State and local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE FURTHER NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on August 13, 2020, at 7:00 p.m. via Zoom, to consider the petition of Autozone Parts, Inc. to rezone 4,248 square feet of the northerly portion of Lot 220 and 7,500 square feet of the southerly portion of Lot 210 of the property located at 565 Old Country Road and 20 Longfellow Avenue, Westbury, New York from 'Residence-C' to 'Business-A', in order to enable the construction of a proposed 7,381 s.f. auto parts store and parking area.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning the petition at the public hearing.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this petition is designated on the Nassau County Land and Tax Map as Section 10, Block 60, Lots 210 and 220.

Dated: Manhasset, New York

July 23, 2020  
BY ORDER OF THE  
TOWN BOARD  
OF THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK  
7-29-2020-1T-#217473-WBY



MR. WINK: Item 6, a public hearing to consider the application of New York SMSA Limited Partnership for a special use permit for the premises located at 83-87 Main Street, Port Washington, New York and designated on the Nassau County Land and Tax Map as Section 5, Block D, Lots 502, 503 and 804.

COUNCILWOMAN DALIMONTE: At the request of the applicant, this item will not be heard this evening and will be continued to the September 24th Town Board meeting. Mr. Wink, have we received any comments related to this item?

MR. WINK: To this item directly, no.

COUNCILWOMAN DALIMONTE: Okay. I move to continue the public hearing to September 24th, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Item 7, a public hearing to consider the adoption of an ordinance affecting Terrace Boulevard in New Hyde Park, New York.

COUNCILWOMAN SEEMAN: The adoption of this ordinance will establish a full stop southbound on Terrace Boulevard at its intersection with Falmouth Avenue in New Hyde Park. Mr. Wink, have you received any comments?

MR. WINK: I have not, Councilwoman.

COUNCILWOMAN SEEMAN: Would anybody like to be heard?

COUNCILWOMAN SEEMAN: No. So seeing no one, I close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

**NOTICE IS HEREBY GIVEN that, after a public hearing duly held by the Town Board of the Town of North Hempstead, the following ordinance was ordered adopted:**

**ORDINANCE NO. T.O. 5-2020**

**NEW HYDE PARK, NEW YORK**

**Section 1. All motor or other vehicles of any kind shall comply with the following regulations:**

**PROPOSAL**

**ADOPT:**

1. TERRACE BLVD – FALMOUTH AVE - FULL STOP

All Traffic southbound on Terrace Blvd shall come to a Full Stop at its intersection with Falmouth Avenue.

**Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.**

**Section 3. PENALTIES:** “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable”

**Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.**

**Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.**

**Dated: August 13, 2020  
Manhasset, New York**

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**



**Affidavit of Publication** TOWN CLERK  
AUG 5 '20 PM 12:32

County of Nassau                      SS  
State of New York,

Darrie A. Dolan, being duly sworn, deposes and say that she is the principal Clerk of the Publisher of  
The NEW HYDE PARK ILLUSTRATED NEWS  
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:                      July 29, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Darrie A Dolan*  
Sworn to me this 29 day of  
July-2020

*Shari M. Egnasko*  
\_\_\_\_\_  
Notary Public.  
Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2020

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NOTICE**  
that a public hearing will be held by the Town Board of the Town of North Hemp-

stead on the 13th day of August, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:  
**NEW HYDE PARK,  
NEW YORK**  
Section 1. All motor or other vehicles of any kind shall comply with the following:  
**PROPOSAL  
ADOPT:**  
1. TERRACE BLVD - FALMOUTH AVE - FULL

**STOP**  
All Traffic southbound on Terrace Blvd shall come to a Full Stop at its intersection with Falmouth Avenue.  
Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.  
Section 3. **PENALTIES:** "A violation of this ordinance shall be punishable by a fine, or when applicable, by

imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable"  
Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New

York.  
Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.  
Dated: July 23, 2020  
Manhasset, New York  
**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**  
7-29-2020-1T-#217475-NHP

MR. WINK: Item 8, a public hearing to consider the adoption of an ordinance affecting Beachway in Port Washington, New York.

COUNCILWOMAN DALIMONTE: This adoption of the ordinance will establish parking restrictions on the corners of Beachway in Port Washington. I have met with the Police Department, the Fire Department and all the residents on Beachway just to let them know the corners. There was an incident down there and the fire trucks were not able to go around the corners. So that's why we are putting this in. Do we have any comments related to this issue, Mr. Wink.

MR. WINK: I have no comments on this item.

COUNCILWOMAN DALIMONTE: Okay. I would like to close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

**NOTICE IS HEREBY GIVEN that, after a public hearing duly held by the Town Board of the Town of North Hempstead, the following ordinance was ordered adopted:**

**ORDINANCE NO. T.O. 6-2020**

**PORT WASHINGTON, NEW YORK**

**Section 1. All motor or other vehicles of any kind shall comply with the following regulations:**

**PROPOSAL:**

**ADOPT:**

1. BEACHWAY – SOUTH SIDE – NO PARKING ANYTIME  
From the West curb line of Beachway, East for a distance of 34 feet.
2. BEACHWAY – WEST SIDE – NO PARKING ANYTIME  
From the South curb line of Beachway, North for a distance of 48 feet.
3. BEACHWAY – NORTH SIDE – NO PARKING ANYTIME  
From the East curb line of Beachway, East for a distance of 30 feet.
4. BEACHWAY – EAST SIDE – NO PARKING ANYTIME  
From the North curb line of Beachway, North for a distance of 30 feet.
5. BEACHWAY – WEST SIDE – NO PARKING ANYTIME  
From the North curb line of Beachway, South for a distance of 43 feet.
6. BEACHWAY – NORTH SIDE – NO PARKING ANYTIME  
From the West curb line of Beachway, East for a distance of 74 feet.
7. BEACHWAY – EAST SIDE – NO PARKING ANYTIME  
From the South curb line of Beachway, South for a distance of 30 feet.
8. BEACHWAY – SOUTH SIDE – NO PARKING ANYTIME  
From the East curb line of Beachway, East for a distance of 30 feet.

**Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.**

**Section 3. PENALTIES:** “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable”

**Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.**

**Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.**

**Dated: August 13, 2020  
Manhasset, New York**

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**





LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NOTICE  
that a public hearing will be  
held by the Town Board of  
the Town of North Hemp-  
stead on the 13th day of Au-  
gust, 2020, at 7:00 o'clock in  
the evening for the purpose  
of considering the adoption  
of the following ordinance:

WASHINGTON,  
NEW YORK  
All motor or oth-  
ers of any kind shall  
comply with the following:  
PROPOSAL:  
ADOPT:

1. BEACHWAY - SOUTH  
SIDE - NO PARKING  
ANYTIME

From the West curb line of  
Beachway, East for a dis-  
tance of 34 feet.

2. BEACHWAY - WEST  
SIDE - NO PARKING  
ANYTIME

From the South curb line  
of Beachway, North for a  
distance of 48 feet.

3. BEACHWAY - NORTH  
SIDE - NO PARKING  
ANYTIME

From the East curb line of  
Beachway, East for a dis-  
tance of 30 feet.

4. BEACHWAY - EAST  
SIDE - NO PARKING  
ANYTIME

From the North curb line  
of Beachway, North for a  
distance of 30 feet.

5. BEACHWAY - WEST  
SIDE - NO PARKING  
ANYTIME

From the North curb line  
of Beachway, South for a  
distance of 43 feet.

6. BEACHWAY - NORTH  
SIDE - NO PARKING  
ANYTIME

From the West curb line of  
Beachway, East for a dis-  
tance of 74 feet.

7. BEACHWAY - EAST  
SIDE - NO PARKING  
ANYTIME

From the South curb line  
of Beachway, South for a  
distance of 30 feet.

8. BEACHWAY - SOUTH  
SIDE - NO PARKING  
ANYTIME

From the East curb line of  
Beachway, East for a dis-  
tance of 30 feet.

Section 2. All ordinances or  
resolutions heretofore ad-  
opted in conflict with this  
ordinance are hereby re-  
pealed.

Section 3. PENALTIES: "A  
violation of this ordinance  
shall be punishable by a  
fine, or when applicable, by  
imprisonment, not in excess  
of the amount set forth in  
the Vehicle and Traffic Law  
of the State of New York, or  
by both such fine and im-  
prisonment, plus any sur-  
charge payable to other gov-  
ernmental entities, and late  
payment, if applicable"

Section 4. This ordinance  
shall take effect ten days  
from the date of its publi-  
cation and posting pursuant  
to Section 133 of the Town  
Law of the State of New  
York.

Section 5. This ordinance  
shall be incorporated to the  
Uniform Traffic Code of the  
Town of North Hempstead.  
Dated: July 23, 2020

Manhasset, New York  
BY ORDER OF THE  
TOWN BOARD  
OF THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK

7-29-2020-1T-  
#217478-PORT

## Affidavit of Publication

County of Nassau  
State of New York,

SS

REC'D TNH TOWN CLERK  
AUG 5 '20 PM 12:33

Darrie A. Dolan, being duly sworn, deposes and say that  
she is the principal Clerk of the Publisher of  
The PORT WASHINGTON NEWS  
a weekly newspaper published at Mineola in the county of  
Nassau, in the State of New York, and that a notice, a printed  
copy of which is hereunto annexed, has been published in  
said newspapers once in each week for

1 weeks, viz: July 29, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Darrie A. Dolan*

Sworn to me this 29 day of  
July-2020

*Shari M. Egnasko*

Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 8, 2020

MR. WINK: Item 9, a public hearing to consider the adoption of an ordinance affecting Third Street in Glenwood Landing, New York.

COUNCILMAN ZUCKERMAN: The adoption of this ordinance will establish a no stopping any time restrictive parking space on the south side of Third Street, west of Highland Avenue in Glenwood Landing. This was requested by the Glenwood Water District to ensure access to their driveway and the driveway of the private residence. Mr. Wink, are there any comments ?

MR. WINK: I have no comments on this item.

COUNCILMAN ZUCKERMAN: All right. Is there anyone who would like to make a comment?

COUNCILMAN ZUCKERMAN: Okay. Seeing that there's no one, I'll close the public hearing, offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

**NOTICE IS HEREBY GIVEN that, after a public hearing duly held by the Town Board of the Town of North Hempstead, the following ordinance was ordered adopted:**

**ORDINANCE NO. T.O. 7- 2020**

**GLENWOOD LANDING, NEW YORK**

**Section 1. All motor or other vehicles of any kind shall comply with the following regulations:**

**PROPOSAL:**

**ADOPT:**

1. **THIRD STREET – SOUTH SIDE – NO STOPPING ANYTIME**  
From a point 225 feet west of the west curb line of Highland Avenue, west to its terminus.

**Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.**

**Section 3. PENALTIES:** “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable”

**Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.**

**Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.**

**Dated: August 13, 2020**  
**Manhasset, New York**

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**



# Affidavit of Publication

County of Nassau  
State of New York,

SS

REC'D TNH TOWN CLERK  
AUG 5 '20 PM 12:32

**LEGAL NOTICE  
NOTICE OF HEARING  
PLEASE TAKE NOTICE**

that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of August, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**GLENWOOD LANDING,  
NEW YORK**

Section 1. All motor or other vehicles of any kind shall comply with the following:

**PROPOSAL:**

**ADOPT:**

1. THIRD STREET -  
SOUTH SIDE - NO  
STOPPING ANYTIME

From a point 225 feet west of the west curb line of Highland Avenue, west to its terminus.

Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.

Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable"

Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.

Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.

Dated: July 23, 2020

Manhasset, New York

**BY ORDER OF THE  
TOWN BOARD  
OF THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

7-29-2020-1T-217476-ROS

Darrie A. Dolan, being duly sworn, deposes and say that

she is the principal Clerk of the Publisher of

The ROSLYN NEWS

a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:

July 29, 2020

*Darrie A Dolan*

Sworn to me this 29 day of

July-2020

*Shari M. Egnasko*

Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2020

MR. WINK: Item 10, a public hearing to consider the adoption of an ordinance affecting Titus Avenue in Carle Place, New York.

COUNCILWOMAN RUSSELL: So this adoption of this ordinance will establish a full stop northbound on Titus Avenue at the intersection of Asbury in Carle Place. This came as the Carle Place Civic Association where they were asking for a three-way -- Titus is a three-way intersection that did not have a stop sign. Is there anyone from the public wishing to be heard?

MR. WINK: We did receive a chat request from Kevin Cheterhagen (phonetic) with respect to this item. Kevin, are you on -- are you on the meeting still?

MR. CHETERHAGEN: I am. Can you hear me.

MR. WINK: Yes, we can.

MR. CHETERHAGEN: Great. Thank you so much. Councilwoman Russell, thank you so much for your help in understanding the process. Basically what's going on is Titus Avenue is a street with no sidewalks and as we've gone through the quarantine, we've seen a lot of situations happen where cars traveling westbound on that Asbury take the corner heading westbound on Asbury, taking a left onto Titus, going the speed limit and still end up in traffic accidents with parked cars. There's also been a couple of the young kids on the street that were almost hit as a result. There's no sidewalk to walk up. And when you're approaching from Asbury, it's a very dangerous corner. I believe that a traffic study was done and they are looking to put a stop sign for northbound Titus. It's impossible to turn and not stop going northbound so that's appreciated but that's not really what the ask from the community was, was the stop sign on Asbury both for east and westbound traffic. This has been done. It looks like three different locations in the last year on Asbury in the Village of Westbury for the exact same situations, cars turning off onto streets with no sidewalks and either hitting cars or hitting some of the kids playing. I'd like just to reiterate that that analysis versus the one stop sign versus an all way stop.

COUNCILWOMAN RUSSELL: So that is something that we can definitely consider. Our traffic technician did go out and did not feel that it was warranted. There are stop signs on both east and west just a block and two blocks away. We think going forward with this and we'll go back and reassess.

MR. CHETERHAGEN: That would be great. But I'd just hate to see something happen. There were multiple (Zoom interference) this summer and this spring.

COUNCILWOMAN RUSSELL: Absolutely. (Zoom interference) -- when it comes to (Zoom interference) if we see something is not working, we can always change it if something needs to be improved. So if there isn't any other comment, I am going to recommend to the board that we go ahead and approve this particular stop sign and then have our traffic commissioner reassess the area.

MR. WINK: So you're closing the public hearing, Councilwoman?

COUNCILWOMAN RUSSELL: Further comments?

MR. WINK: I have no other comments on this item.

COUNCILWOMAN RUSSELL: Seeing none, I'd like to offer the resolution, close the public hearing and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.



**NOTICE IS HEREBY GIVEN that, after a public hearing duly held by the Town Board of the Town of North Hempstead, the following ordinance was ordered adopted:**

**ORDINANCE NO. T.O. 8-2020**

**CARLE PLACE, NEW YORK**

**Section 1. All motor or other vehicles of any kind shall comply with the following regulations:**

PROPOSAL:

ADOPT:

1. TITUS AVENUE – ASBURY AVENUE – FULL STOP  
All traffic northbound

**Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.**

**Section 3. PENALTIES:** “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable”

**Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.**

**Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.**

**Dated: August 13, 2020  
Manhasset, New York**

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**



# Affidavit of Publication

REC'D TNH TOWN CLERK  
AUG 5 '20 PM 12:32

County of Nassau                      SS  
State of New York,

Darrie A. Dolan, being duly sworn, deposes and say that she is the principal Clerk of the Publisher of  
The WESTBURY TIMES  
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz:                      July 29, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Darrie A Dolan

Sworn to me this 29 day of  
July-2020

Shari M. Egnasko  
Notary Public

Shari M. Egnasko  
Notary Public, State of New York  
No. 01EG6119807  
Qualified in Nassau County  
Commission Expires Dec. 6, 2020

**LEGAL NOTICE  
NOTICE OF HEARING**  
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead on the 13th day of August, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**CARLE PLACE,  
NEW YORK**

Section 1. All motor or other vehicles of any kind shall comply with the following:  
PROPOSAL:

ADOPT:  
1. TITUS AVENUE - ASBURY AVENUE - FULL STOP

All traffic northbound  
Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.

Section 3. PENALTIES: "A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable"

Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.

Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.  
Dated: July 23, 2020

Manhasset, New York  
BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF  
NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK  
7-29-2020-1T-#217474-WBY

MR. WINK: Resolutions. Item 11, a bond resolution of the Town of North Hempstead, New York, adopted August 13, 2020, authorizing the acquisition of various equipment for use by the Town of North Hempstead Solid Waste Management Authority, stating the estimated maximum cost thereof is \$130,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$130,000 to finance said appropriation.

SUPERVISOR BOSWORTH: So, Mr. Wink, as you said, the bonding is for various equipment for SWMA. It would be: \$80,000 for two, 480-volt, three-phased, commercial grade portable generators and trailers; \$25,000 for a trailer; and, \$25,000 for a zero-turn mower. Are there any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: Board?

SUPERVISOR BOSWORTH: There being none, I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 316 - 2020**

**A BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED AUGUST 13, 2020, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$130,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$130,000 TO FINANCE SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES** (by the favorable vote of not less than two-thirds of all the members of said Town Board) **AS FOLLOWS:**

Section 1. The Town of North Hempstead, in the County of Nassau, New York (herein called the "Town"), is hereby authorized to acquire various equipment for the Town of North Hempstead Solid Waste Management Authority. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$130,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed \$130,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of not to exceed \$130,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the objects or purposes for which said bonds are authorized pursuant to subdivisions 11.00 a. 28 and 32 of the Law, is or will be limited to five (5) years.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. The proposed maturity of the bonds authorized by this resolution will not exceed five years.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed

by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and the powers and duties relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "Newsday," which are hereby designated the official newspapers of the Town for such publication.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

## CERTIFICATE

I, WAYNE H. WINK, JR., Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of North Hempstead duly called and held on August 13, 2020, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of North Hempstead this 13th day of August, 2020.

(SEAL)

  
Town Clerk

## (SUMMARY NOTICE TO BE PUBLISHED AFTER ADOPTION)

## LEGAL NOTICE

This resolution, a summary of which is published herewith, has been adopted on August 13, 2020, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.  
Town Clerk

**BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED AUGUST 13, 2020, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$130,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$130,000 TO FINANCE SAID APPROPRIATION**

The object or purpose for which bonds are authorized is the acquisition of various equipment for use by the Town of North Hempstead Solid Waste Management Authority.

The maximum amount of obligations authorized to be issued is \$130,000.

The period of probable usefulness applicable to the objects or purposes for which said bonds are authorized is or will be limited to five (5) years.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 220 Plandome Road, Manhasset, New York.

Dated: August 13, 2020  
Manhasset, New York





# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF NORTH HEMP TOWN CLERK  
200 PLANDOME ROAD  
MANHASSET, NY 11030-2326

STATE OF NEW YORK)

Legal Notice No. 0021600853

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Tuesday

August 18, 2020

Nassau

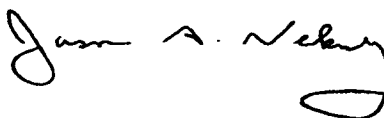
**SWORN** to before me this

18 Day of August, 2020.



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Jason A. Neknez  
Notary Public - State of New York  
No. 01NE6219108  
Qualified in Suffolk County  
My Commission Expires 03/22/2022



**Ad Content**

Legal Notice # 21600853  
LEGAL NOTICE

This resolution, a summary of which is published herewith, has been adopted on August 13, 2020, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been with as of the date of publication of this Notice substantially complied with, and an action, suit or contesting such validity is commenced within days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.  
Town Clerk

**BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED AUGUST 13, 2020, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$130,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$130,000 TO FINANCE SAID APPROPRIATION**

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A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 220 Plandome Road, Manhasset, New York.

Dated: August 13, 2020  
Manhasset, New York

**NEWSDAY PROOF**

Advertiser: TOWN OF NORTH HEMP TOWN CLERK  
Agency: TOWN OF NORTH HEMP TOWN CLERK  
Ad Number: 0021600853  
Start Date: 08/18/2020  
End Date: 08/18/2020  
Price: \$340.00  
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Phone: 5168697625  
Contact: PAUL GARILLE  
Section: Legals  
Class: 11100  
Size: 2 x 43 Times: 1  
Date: 8/18/2020  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

MR. WINK: Item 12, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled, "Zoning."

COUNCILWOMAN DALIMONTE: Okay. The proposed law is for the Waterfront Business Zoning District regarding permanent uses, building height, allowable density, setbacks and parking regulations. The tentative hearing date is September 3rd, 2020. Mr. Wink, have we received any comments to this item?

MR. WINK: A number of comments. Four in writing as of this moment. And I see one person in the chat room who is interested in giving comment on this as well. The first, in no particular order, is from Matthew Frankel. Mr. Frankel has expressed concerns about the fact that the recently moved to Prospect Avenue and learned about the proposed development. He bought his home in large measure because of the beautiful views he has of the bay and he's concerned about waterfront views, waterfront access and the increase in traffic, congestion and safety concerns. He opposes the development and the surrounding area will see a reduction of interest from homebuyers if this were to go forward. So that's comment one. And partially in response to Mr. Frankel and, also, adding to that, is a comment from Mike Sharpf. His wife and two young daughters and him just moved to Third Avenue and they agree completely with the concerns that Mr. Frankel expressed. Additionally, we received an e-mail from Chryta Terenzi and Nick Maenhout, who expressed their concerns as well regarding the alteration of views and things of that nature. And finally I have an e-mail from Michael Gilbert, who expressed concerns about the fact that the Knickerbocker Development should have never been granted variances and asking whether the -- does the proposed rezoning prevent that from happening again. Those are the four e-mails we've received until now. And I'm going to invite Mr. Nick Daniello from Port Washington. If he has an opportunity to make a comment as well.

MR. DANIELO: Hi. Can you guys hear me.

MR. WINK: It's very soft.

MR. DANIELO: Hi. Can you hear me?

MR. WINK: Yes. Now we can hear you.

MR. DANIELO: Okay. Great, great. First, thank you for the opportunity to speak. I very much appreciate it.

COUNCILWOMAN DALIMONTE: Could you please announce yourself.

MR. WINK: Yes. Please identify yourself for the record.

MR. DANIELO: Yeah, Nick Daniello, Port Washington, New York. Yeah, so thank you very much for the opportunity to speak. And even more than that, I'd like to, you know, especially thank Councilwoman Dalimonte and Supervisor Bosworth for being so inclusive of the residents in this process. I know it's been a long and tenuous process and I know you guys have certainly had a lot to deal with with all the different stakeholders to this particular project. But I just wanted to reiterate my support, you know, for the comments of the e-mails that you guys just read aloud. And just to the point, you know, resident collaboration and everything that's being proposed on the waterfront. Given the recent, you know, COVID impacts to residents, it really has been hard for local residents to, I guess, give the full attention needed given the impact that this is going to have on the waterfront. And I know extending the moratorium is something you guys don't take lightly. But if at all possible, if that's something that can be considered, I just

wanted to, you know, provide my support to that thought process as well. But that's pretty much it.

COUNCILWOMAN DALIMONTE: Thank you very much. Do we have any other comments?

MR. WINK: We do. We have Carly Kinberg. Ms. Kinberg, can you -- can you unmute?

COUNCILWOMAN DALIMONTE: She has something in the chat. I guess her --

MR. WINK: Okay. Ms. Kinberg indicates that we oppose the development. We also have requesting to speak -- forgive me Dr. Hildur Palsdottir and we apologize for massacring your name. Doctor, are you available for comment?

DR. HILLER HOUSATIER: Yes, I can be. We're just -- we're concerned and I live right here by the waterfront and we're concerned about traffic, first and foremost. We're at capacity with parking already. And there is -- we have right here at the corner, we have fire department so Atlantic Hooks and Ladder Fire Department so we can't really have lights or speed bumps. So congestion is a big problem here. There's one lane in and one lane out. And we have another problem. There is legislative intent to promote environmental sustainability and increase opportunities for public access. With Knickerbocker that was not the case. So we want to just make that point. And, also, encourage transparency. I have not seen the Environmental Impact Statement. I do not know if it has been made. I would like to know where they're at with that in terms of development. I would like to encourage a careful review of the Environmental Impact Statement, as we are a waterfront. So thank you.

MR. WINK: Thank you.

COUNCILWOMAN DALIMONTE: Do we have any other comments?

MR. WINK: Kevin Moeller. Mr. Moeller, are you able to join the conversation?

MS. MOELLER: I am. Can you hear me?

MR. WINK: Yes, we can.

MR. MOELLER: Yeah, hi. Kevin Muller from Port Washington. I would just echo all the comments thus far. I think the community has been vocal and vehemently opposes any redevelopment. I understand this is private business but there has to be more of a compromise made with those who live on the streets and those who live in Port Washington that are directly affected. The is a beautiful town and a beautiful waterfront and to put up condos or another Knickerbocker that's three stories high is altering the beauty that we all moved to this Town for. So I want you all to think about that if you were to continue in approving any sort of redevelopment. This will massively change Port Washington. It will allow things like the Knickerbocker to be built again that is stripping people of access to the water. On Third Avenue specifically, there's 18 children under the age of 18 that live on that block. There are no stop signs on Plandome/Main Street at that corner. Cars go extremely fast right up until Louie's. I don't -- I have not seen any traffic reports of the type of traffic that we would expect that would result from any sort of redevelopment of this land. And so I would highly recommend that you rethink any sort of allowance of development and extend the moratorium indefinitely. Thank you.

COUNCILWOMAN DALIMONTE: Any other comments?

COUNCILWOMAN DALIMONTE: Wayne, you're muted.

MR. WINK: Forgive me. Thank you, Mr. Moeller. I would just remind everyone before any further comments that this is a procedural item and that the public hearing on this item will actually be on September 3rd. But we also have Mr. Will Kim who wishes to be heard.

MR. KIM: Yes, good evening. Hi, everyone. Thank you for this opportunity to speak on this matter. Can you hear me?

COUNCILWOMAN DALIMONTE: Yes. Could you just state where you live?

MR. KIM: Sure. I live on 35 Second Avenue in Port Washington.

COUNCILWOMAN DALIMONTE: Thank you.

MR. KIM: All right. So we recently moved here in March, the economy was perfect. We got in right before everything got really hectic. And, you know, one of the reasons that attracted my wife and I, who are starting a family here, to the neighborhood is, you know, the beautiful views that a lot of the residents have already echoed, as well as the quiet nature of the community. You know, this is a tucked away community on the north shore, well away from 495, as well as other heavy traffic. So when we talk about development here that's going to change the character of the neighborhood, I think it dramatically changes also our quality of life and property value aspects of this place as it attracts future buyers in the future if one day we are also on the move as well as the previous sellers were. So has any consideration been given to what it will do to property values?

COUNCILWOMAN DALIMONTE: Is Mr. Wilkin done with his comments?

MR. KIM: No.

COUNCILWOMAN DALIMONTE: You can finish your comments because you have three minutes.

MR. KIM: Okay. I appreciate that. Thank you. So I'm curious about the property value aspect where it -- what it will impact us and the community as well as, you know, I think there's other aspects about the school. You know, I read the plan. I was uncertain as if, you know, the residents of this location while some if will be, you know, kept separate for, you know, elderly housing, some of it looks like it could accommodate families who will have children and that will add further congestion to the schools. And the schools, which are a primary attractive factor to Port Washington as well. So has that been considered as well as the capacity for the schools to handle that kind of additional children attending it. Those are the primary factors as someone, you know, like I said, is starting a family here. So thank you for this time. Thank you.

COUNCILWOMAN DALIMONTE: Any other comments?

MR. WINK: Yes. We also have -- I'm going to remind Mr. Frankel, I have read your e-mail into the record. But if you have any additional comments, please unmute yourself at this time. Mr. Frankel. You're on mute.

COUNCILWOMAN DALIMONTE: No further comments.

MR. WINK: All right. Mr. Frankel, okay. Thank you. Also, I would give the same information to Mr. Sharp. Michael Sharp, I did read your e-mail into the record but if you wish to be unmuted at this time, please -- please make your comments.

MR. SHARP: Hi. Can you hear me?

COUNCILWOMAN DALIMONTE: Yes, we can.

MR. WINK: Yes.

MR. SHARP: Okay. My name is Mike Sharp. I live at 15 Third Avenue. Our new Councilwoman Mariann Dalimonte came in this February and during this pandemic has done a Herculean effort to try to make progress for the benefit of the Town residents and the private owners of the Waterfront Business District. But the intent of the moratorium for better support of the word, independent business, public access to the waterfront and preservation of the Town's nautical history, none of them have been met. Furthermore, there's been no reason, and I posed this question to this Town at the end of this, why there hasn't been an Environmental Impact Study done? By my calculations if I look at the max development is six acres that are currently not developed on, that could result up to 200 and 300 added residents in a 0.2 mile strip of land on Main Street, plus about 400 parking spots for cars. And this does not even include the congestion from the Knickerbocker currently or the possibility of the Manhasset Bay Yacht Club's 2.5 acres being developed just like the Knickerbocker Yacht Club was done. Because that's what they're looking to do, is to build condos. Furthermore, it came to light today that unbeknownst to the Town and community leaders, negotiations on the steering committee, that William DiConza, who's the attorney for the Knickerbocker Development, back around 2012 and is currently a member of the steering committee representing La Parma, has a suspended law license due to attorney misconduct, including but not limited to breaching his fiduciary duty by commingling and misappropriating client funds entrusted to him and engaging in conduct involving dishonest, fraud, deceit and misrepresentation. Mr. DiConza was instrumental in the approval in 2012 of the Knickerbocker and all the resident community leaders on the committee, including the Town, believed until today that he was acting as an attorney in good standing. This is tainted the negotiations up to this point and has jeopardized the public's trust in this process. Besides that, the Environmental Impact Study, the negotiations with Mr. DiConza and the fact that we have been dealing with this pandemic, I recently just moved to Port and to find out about this was much of a struggle to know that this was going to happen. It's definitely going to impact my financial investment in this area. It's going to affect my views. It's going to impact the safety and the traffic, the noise congestion. Everything else that an Environmental Study Impact should be done for. So can you please explain why an Environmental Impact Study hasn't been done and whether it will be done. And I respectfully request an extension, at least a six-month extension to the moratorium is more than fair given the pandemic that we find ourselves in and the gravity of this decision that is to be made. I understand that's been 2.5 years but real progress has only been made with Mariann Dalimonte in office in February with the pandemic hitting as it is now. So I find it completely reasonable and fair to extend the moratorium, which even the private developers in May agreed to do, or wanted to do, at this point. Thank you.

COUNCILMAN FERRARA: Just a reminder, this is not the public hearing. This is procedural and it's just to set the date for the public hearing?

MR. SHARPF: Right. I'm asking that the date be set in six months so that it's not voted on at the expiration of the moratorium, which will be September 3rd in three weeks .

COUNCILWOMAN FERRARA: Well, we would have to pass another resolution to extend it.

MR. SHARPF: Yes, that is what I'm asking the Town --

COUNCILMAN FERRARA: Which is not on the agenda -- I'm sorry.

MR. SHARPF: Right. That is what I'm asking the Town to consider at this moment and to let them know about --

COUNCILMAN FERRARA: But that also could be considered at the public hearing where we hear everybody's input, which is the whole purpose of having the public hearing.

MR. SHARPF: Yes. There were three point questions. There was the Environmental Impact Study and there is the extension of the moratorium to have that done and there's also removing Mr. DiConza from the steering committee so we can resume negotiations in good faith. I think that all that is pertinent to this agenda No. 12 and we've been patiently waiting until 9:00 p.m. I'm sure people have to put their kids in bed and you guys are doing a great job. But I would just like those questions to be addressed at least.

COUNCILWOMAN DALIMONTE: Thank you, Mr. Sharpf. Is that all the comments, Mr. Wink.

MR. WINK: We have two additional commentors. One person who identifies himself as GM from Port Washington.

COUNCILWOMAN DALIMONTE: We need a full name. Is that his full name?

MR. WINK: I'd ask that if he or she is going to make a comment, that they identify themselves for the record and make their comment on the record.

COUNCILWOMAN DALIMONTE: GM, you just have to unmute yourself.

MR. WINK: All right. Moving on, we've requested -- we've been requested by Dhina Cerna to make a comment. Is Ms. Cerna available?

MS. CERNA: Yes. Good evening.

MR. WINK: How are you?

MS. CERNA: Good. I just am --

COUNCILWOMAN DALIMONTE: What happened to Dhina?

MS. CERNA: I apologize. Can you hear me?

COUNCILWOMAN DALIMONTE: Yes, we can.

MS. CERNA: Hi. I just want to also echo those sentiments that all of the residents are feeling. We, also, similar story moved here about three years ago, 2017. We moved actually from out of state, Savannah, Georgia. I was stationed down there. I'm a U.S. Army veteran. And we were overcome with the, you know, the beautiful views. We were used to beautiful sunsets down there and from our house on 33 Third Avenue, we have a gorgeous view. And, you know, we've been to a couple of the Town meetings in the past in Manhasset and it's sort of, you know, history repeating itself if we don't, you know, heed the warnings of even a generous individual that's spent her time coming to Port. I believe it was from Glen Cove and she really had, you know, pleaded with the Town not to make the same mistakes because they've lost their waterfront because of a, you know, over development of their Town. And, you know, we just feel really strongly about it. That's what sold us on our house and, you know, if you look on Zillow they still boast from the previous seller the -- the water views. And I echo what that other individual said. Our property values will go down. Probably, you know, the only thing we have then is the commute in and out of Manhattan and the walk to -- to the waterfront. But



we've lost a lot of direct access from the Knickerbocker. There's just so many issues and the traffic, the safety with our children. I have small children as well and we're always waiting to cross and not get hit by cars and I can't even imagine how that traffic flow will be with the increase in residents on that waterfront and the lost views. It will change the whole feel of the Town and, you know, I just hope you really remember these sentiments from all of us tonight. Thank you.

COUNCILWOMAN DALIMONTE: Thanks for being here.

SUPERVISOR BOSWORTH: So I'm just going to jump in a bit. And I'm hearing the comments. There's no question, Port Washington is such a very beautiful community and it is thought of as a waterfront community. And, of course, that's the goal for it to be maintained as a waterfront community. But this just reminds me of two of the public hearings that we just had this evening and they were both in Councilwoman Russell's district, where residents and applicants, although initially were miles apart, met, came together. Found ways of finding the best solution so that there was a compromise that people could live with. I agree with the speakers, with Councilwoman Dalimonte, who's done an extraordinary job since she's been here of bringing together the different stakeholders. This moratorium has been in place now for 2.5 years, which is actually -- for those of you who are attorneys, I'm not, but for those of you who are attorneys, from what I understand that's unprecedented. And we can't just say that all the work that's been done for these many months that Councilwoman Dalimonte has been overseeing of bringing together so many different people coming together and seeing what we could agree upon so that there is a proposed Code. We need to at least see what that is. If a chance to have a public hearing it's -- it's not usual for there to be a set date and to have a lot of discussion and so I think someone took offense about the comment that it's procedural. It's merely setting a date so that we can have the hearing. And so I think we need to -- and I know that -- I believe, and Councilwoman Dalimonte will correct me if I'm wrong, that you have other steering committee meetings before we even come to the hearing on this Code. And so having this set date merely gives us the opportunity to hear what the proposed Code is and then everyone will have the opportunity to talk about why they think it's a good compromise or why they may not think it's a good compromise. But nevertheless, having the set date gives us the ability to have that public discussion.

COUNCILWOMAN DALIMONTE: Thank you, Supervisor Bosworth. And I'd like to thank everyone for your comments. We have noted them. I will share them with the steering committee. But I'd like Michael Levine to speak about the Environmental Impact Study.

MR. LEVINE: Okay. The important thing to remember is that at this point, we are not yet entertaining a development application. Because that is when you conduct your Environmental Impact Review. That can include -- I mean, it will certainly include traffic but it can also include effects on neighboring property values. Right now this is the Code amendment to -- it does not create a development right where there isn't one. Dating back to when these sites were zoned Business B, they've always had the right to do three-story buildings and to go from property line to property line. So what the -- the Code revision does is actually bring down the development yield and open up new corridors, reduce the height. Now we do have to by law allow some level of development on the property. We can't take it completely away. But this exercise does reduce the yield. Now responding to one comment that was written, wasn't spoken, is the Code amendment itself subject to SEQRA review? The answer is yes. But the, you know, again, using the State guidelines, the net effect of the Code revision is to reduce the

development yield from what's there now. So under the State guidelines, you do an Assessment Form and that in itself does not warrant an impact statement. When the development proposal ultimately come in, maybe that's a year from now, maybe it's two years from now, yes, at that point the Town will require the detailed traffic studies, studies of water use, studies of school enrollment. So it's definitely premature at this point.

COUNCILWOMAN DALIMONTE: Thank you, Michael. I was just informed that more people want to speak.

MR. WINK: I have two more people seeking comments. We have discovered the identity of GM. That would be George Musarolis (phonetic). So I want to invite George to unmute himself to make comments.

COUNCILWOMAN DALIMONTE: Thank you.

MR. MUSAROLIS: Thank you. Am I being heard?

COUNCILWOMAN DALIMONTE: Yes.

MR. WINK: You are now. Yes.

MR. MUSAROLIS: Great. Thank you. I'd like to -- my family and I would like to thank our current local government for the transparency and the ability to work together so that we do not have another Knickerbocker on our hands because I lived through the Knickerbocker and I saw first hand some of the things that really took rights away, or quality of life aspects away, from us. And my questions are with the Building Code and the criteria that goes into these studies. Some of the things we discovered during the Knickerbocker process were traffic studies had no guidelines on when they were to be conducted. So when people for the Knickerbocker development told us that there were nine cars per hour traversing along lower Main Street, many of us laughed and we looked up the date for the traffic study and it happened to be during a blizzard. And we want to know, you know, what's some of the back -- the back room stuff on how these studies, what's the criteria? Because we were promised many things with Knickerbocker, like access to the waterfront, which doesn't exist. You know, we were promised many things and through variances, through crafty architects, through crafty lawyers, a lot of these rights were lost. And we're working very hard, we're trying to be in unison with the government, our local government and we really want to maintain our quality of life. Along with quality of life comes property value. You want to make sure your investment is sound, especially in these unchartered waters that we've lived through the last six months. So many of us are worried. You know, we have been worried. We persevered but we didn't move out when Knickerbocker came in even though it's hard to entertain family because Knickerbocker residents take up parking spots. You know, it's hard to not be able to take your family out where you could once see the water view from your home. You know, these are things that impact us. And, you know, we always like to ask the developer, how would you like it if we did this in front of your house or in your neighborhood? And I don't think the personal, you know, quality of life issues are really taken into consideration. It's always about a money grab. So we want to really make sure that all of the shenanigans that took place with previous local government don't happen with this development of the waterfront. So there are some questions in there. It's a little bit of complaining but it's really, what are the guidelines that these developers follow for traffic studies, for the environmental impacts, for density? Is this State? Is this local, Town? Where are these guidelines so that we can become expert in them to protect our properties.

COUNCILWOMAN DALIMONTE: Mr. Wink, is there anybody else that would like to speak?

MR. WINK: Yes. Shay Elias. If you can unmute yourself, you can make your comments now.

COUNCILWOMAN DALIMONTE: Mr. Elias .

COUNCILWOMAN DALIMONTE: Go ahead.

COUNCILWOMAN DALIMONTE: Shay.

COUNCILWOMAN DALIMONTE: One second he said.

MR. WINK: I see him.

COUNCILWOMAN DALIMONTE: Do we want to go to the next person? Is there any more?

MR. WINK: Mr. Michael Sharpf has asked for another opportunity to speak.

COUNCILMAN FERRARA: This is not the hearing.

MR. WINK: I agree. But —

COUNCILWOMAN DALIMONTE: It's not the hearing but you know what, they're allowed to speak.

COUNCILMAN FERRARA: This is a procedural issue. All it is --

COUNCILWOMAN DALIMONTE: I inherited this so --

COUNCILMAN FERRARA: No, I understand that. And I understand the emotions behind it. I really do.

COUNCILWOMAN DALIMONTE: You know --

COUNCILMAN FERRARA: But I think that if we're going to hold the public hearing, we need to announce it as a public hearing so that everybody that wants to speak within that community has the opportunity to do that.

MR. SHARP: I just wanted to respond to what one of the Town members had said about the SEQR.

COUNCILWOMAN DALIMONTE: Okay.

MR. SHARP: I had called an attorney --

MR. WINK: This is Michael Sharpf again; right?

MR. SHARP: Yes, yes.

MR. WINK: Thank you.

MR. SHARP: At the Department of Environmental Conservation up in Albany and he said, and I've read in the legislation that a discretionary action, such as modifying this Code, while it's not a Type I under SEQRA, it is unlisted and it does have SEQRA review and at a minimum the Town, the legislative body, if they find reasonably foreseeable negative consequences, must have a Negative Declaration stating such. And I think when everybody hears that we're going to wait until the permitting phase and the permitting phase, that's not going to do it. Because under this Code, this max development, all of these private developers, we are not against development.

We are not against making a reasonable profit. But they will turn the Knickerbocker and then they will go in and say, you let the Knickerbocker do it and then we do it. And then we do it. And we do it. There's no master plan in fact but if you put in the revised Code, or even the existing Code as it is, there is completely reasonable foreseeable negative consequences to that. And I think at a minimum, I can't see how the Town would not see that and if it does see that under SEQRA, then it must do an Environmental Study.

COUNCILWOMAN DALIMONTE: Thank you very much for your comment.

MR. SHARPF: Thank you.

COUNCILWOMAN DALIMONTE: Mr. Levine, can you please respond to that.

MR. LEVINE: Right. A Negative Declaration would be issued on the Code revision and then the development proposals we would respond to based on the magnitude of the impacts. So what you're basically asking for is something called a Generic Impact Statement, which is where the municipality undertakes an impact statement in advance of any development proposal and in doing so that relieves the developers of having to do that themselves. Usually that's done when the municipality wants to facilitate or expedite development. They get that out of the way and then the developers aren't burdened with it. So, I mean, you're basic suggestion, I can discuss -- I mean, it's an option the Town is allowed to do. I'll discuss with the board members whether it's the right move or whether it's advantageous. But in terms of compliance with SEQRA, you're correct, a declaration has to be made on the Code amendment first and it would be. And then in future months or years as development proposals come in and the developers are burdened with responsibility of providing the detailed traffic, water use, energy use, et cetera. And then a declaration is made on the individual development at that time.

COUNCILWOMAN DALIMONTE: Thank you, Mr. Levine. I want to explain to the board that this is something I inherited. We have been working -- I have been in office, as you know, since January 1st. We have been -- I have been working with the steering committee that was set in place before I took office. We have met several times, actually Tuesday was our last meeting. All of our meetings, except for two, were open to the public. The reason why two were not open to the public is during the pandemic and I did not know really how to work the Zoom, which now they are open. We are having another public meeting. Michael, Len and the steering committee and I are hosting this Tuesday if you'd like to join us at 7:00 p.m. Everyone has to register. So that would be my second public meeting that I'm hosting. My office has been very, very transparent during this entire process. I cannot stress that enough. And if anyone says that we have not been transparent, they really don't know what they're talking about. So that's what I would like to say is, also, I'd like the board to know that the prior Code was 45 feet high. We have reduced that to 35 feet high with getting more setbacks, side yard setbacks. So we have been working very hard and on the committee of property owners, where most of these residents spoke from, they do have two people on the committee representing them. So I just want the board to know that. That's very important for me to let you know that. I am going to take --

MR. WINK: If I may, I believe that Kevin Moeller has requested another opportunity to speak.

COUNCILWOMAN DALIMONTE: He spoke already?

MR. WINK: I believe he did. Yes.

MR. MOELLER: I spoke already.

COUNCILWOMAN DALIMONTE: But Kevin, do you realize this isn't the public hearing yet?

MR. MULLER: Yeah, I think that's kind of my point is I've lived on Third Avenue for about three years. I tried to be as active in the community as possible, understanding when public hearings are and allowing residents a voice at those public hearings is paramount doing this transparently and correctly. So I appreciate Dalimonte, all the work that you've put in for the last seven months. Those of us that have lived here a little bit longer and are shocked at the plans that were going to be in place by the Town. I think there's a lot of skepticism of, is this being done under the table?

COUNCILWOMAN DALIMONTE: Absolutely not. And I take offense to that.

MR. MOELLER: I'm sorry. Excuse me --

COUNCILWOMAN DALIMONTE: You know what, Kevin --

MR. MOELLER: — I'm sorry. I have three minutes.

COUNCILWOMAN DALIMONTE: — I take offense to that question.

MR. MOELLER: You can take offense to it. It's not directed to you but you can take offense to it if you'd like. The fact that the public hearings are not publicized for the community --

COUNCILWOMAN DALIMONTE: I'm setting the date today. I can't publicize it until I set the date. If I don't set the date, I can't publicize it.

SUPERVISOR BOSWORTH: Councilwoman, I think he's talking about the steering committee public hearings. They're not public hearings but the steering committee hearings that you've open to the public.

MR. MOELLER: I'm talking about the entire -- sorry, I have three minutes; right?

COUNCILWOMAN DALIMONTE: Yes.

MR. MOELLER: Thank you.

SUPERVISOR BOSWORTH: But if we're making comments, that doesn't take away from your three minutes.

COUNCILWOMAN DALIMONTE: Yes.

MR. MOELLER: Okay. I appreciate it. Okay. So Councilwoman Dalimonte, this is not directed to you. All indications are you have done a fantastic job since you've been in office. So I, like everyone else, all the other residents, I would applaud you for that work.

COUNCILWOMAN DALIMONTE: Thank you.

MR. MOELLER: This has transpired for -- as Supervisor Bosworth mentioned, for the past two-and-a-half years. The residents of Port Washington are unaware of this moratorium being lifted. If you were to do a poll of the residents in Port Washington, not just the people that have water access and not just the people that have water views, but the Town at large, you will find that people do not know that this is happening. And this isn't just the people that live on Third Avenue or Prospect or this is not just about the yacht club and Louie's. It is about the entire Town. This will massively alter the access to the water for the entire Town and what the Town enjoys about itself. So it's not enough to come up and open up a meeting in Manhasset for

anyone who happens to know that it exists. It is your prerogative or it is your responsibility as a board to publicize this and make it very well known to the residents of Port Washington, hey, your water rights are about to be taken away. And if you guys all feel that that's not the case, then make your case in public of why this is needed. Why we are going to lose access to the water and why the Town is going to massively change because of what you guys are going to allow to happen. So until you do that, there isn't transparency. There isn't residents being able to comment --

MR. WINK: Mr. Moeller, your three minutes have expired.

MR. MOELLER: Thank you.

MR. WINK: Thank you.

COUNCILWOMAN DALIMONTE: Just so everyone knows, the steering committee's actually amending the Code to make it more restrictive. I -- I don't know what else to say. If they want to go with the old Code, we'll go with 45 feet high. I don't know what to say any more. I mean, we're amending the Code to make it very restrictive. There are a lot of residents on this committee. There are property owners on this committee. It's been a give and take. And when I say everyone has give and take, everyone has give and take. So I am going to take those comments. I am going to be calling for a meeting just with the steering committee to discuss what was brought up tonight about Mr. DiConza to see how the rest of the committee feels. But I offer the resolution and set the hearing date for September 3rd, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye .

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 317 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to revise the standards of the "Waterfront Business" zoning district regarding permitted uses, building height, allowable density, setbacks and parking regulations.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on September 3, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 70 of the Town Code entitled, "Zoning" in order to revise the standards of the "Waterfront Business" zoning district regarding permitted uses, building height, allowable density, setbacks and parking regulations; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing as required by law, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE**, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town

further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead, on the 3rd day of September, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 70 of the Town Code entitled "Zoning" in order to revise the standards of the "Waterfront Business" zoning district regarding permitted uses, building height, allowable density, setbacks and parking regulations.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning the Local Law at the time and place advertised.

**PLEASE TAKE FURTHER NOTICE** that the full text of the proposed Local Law will be posted on the Town's website and be on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk**



Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Town Clerk

MR. WINK: Item 13, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 48 of the Town Code entitled, "Sidewalks".

SUPERVISOR BOSWORTH: So the proposed local law would temporarily suspend the Town Code provision limiting the number of sidewalk sale permits that may be issued for any given location during the 12-month period and temporarily waive the fees for sidewalk sale permits during the COVID-19 pandemic. The tentative hearing date is September 3rd. So this is basically another effort by the board to be supporting our local businesses by allowing these sidewalk sales. It will enable stores to go outside because of the fact that there's limited capacity and how many people can be inside. I'd like to, again, thank the business recovery group that is working so hard to find many different ways of supporting our local businesses and encouraging everyone to --to shop locally. You know, they shop small, shop local. So, Mr. Wink, do we have any comments on this?

MR. WINK: We do not.

SUPERVISOR BOSWORTH: Board? (No response.)

SUPERVISOR BOSWORTH: So I offer the resolution setting a date for September 3rd, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 318 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 48 OF THE TOWN CODE ENTITLED "SIDEWALKS."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to temporarily suspend the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit during the COVID-19 pandemic.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 13th day of August, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to temporarily suspend the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit during the COVID-19 pandemic; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing, as required by law, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE**, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit:

[northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead, on the 3rd day of September, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 48 of the Town Code entitled "Sidewalks" in order to temporarily suspend the Town Code provisions limiting the number of sidewalk sale permits that may be issued for any given location during a 12 month period and temporarily waive the fees for a sidewalk sale permit during the COVID-19 pandemic.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.

**PLEASE TAKE FURTHER NOTICE** that the full text of the proposed Local Law will be on available on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Town Clerk

MR. WINK: Item 14, a resolution setting a date for a public hearing to consider the adoption of a local law amending Chapter 75 of the Town Code Entitled, "Wireless Telecommunications Facilities."

SUPERVISOR BOSWORTH: The purpose of the local law is to make certain changes to Chapter 75 to address the expansion of wireless networks throughout the Town. This is a set date for a public hearing to consider amendments to this -- to this Code. It will address the expansion of wireless networks throughout the Town. And that's what it is. Are there any comments, Mr. Wink?

MR. WINK: I have none.

SUPERVISOR BOSWORTH: Would the board like to comment?

SUPERVISOR BOSWORTH: Okay. I offer the resolution setting a date for September 3rd, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 319 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 75 OF THE TOWN CODE ENTITLED "WIRELESS TELECOMMUNICATIONS FACILITIES."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

**WHEREAS**, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 75 of the Town Code entitled "Wireless Telecommunications Facilities" in order to make certain changes to Chapter 75 to address the expansion of wireless networks throughout the Town.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 13th day of August, 2020, at 7:00 P.M. via Zoom, for the purpose of considering the adoption of a Local Law amending Chapter 75 of the Town Code entitled "Wireless Telecommunications Facilities" in order to make certain changes to Chapter 75 to address the expansion of wireless networks throughout the Town; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing, as required by law, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE**, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the

Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit:

[northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead, on the 3rd day of September, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 75 of the Town Code entitled "Wireless Telecommunications Facilities" in order to make certain changes to Chapter 75 to address the expansion of wireless networks throughout the Town.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning the Local Law at the public hearing.

**PLEASE TAKE FURTHER NOTICE** that the full text of the proposed Local Law will be on available on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York  
August 13, 2020



**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Town Clerk

MR. WINK: Item 15, a resolution setting a date for a public hearing to consider the application of N & W Realty, Inc. for a change of zone from "Residence B" to "Business A" for a portion of the premises located at 74 Manor Drive, Great Neck and designated on the Nassau County Land and Tax Map as Section 2, Block 108, Lots 44-47.

COUNCILWOMAN LURVEY: The proposed action is the rezoning of an 830 square-foot portion of a 7,486 square-foot, improved residential lot for conveyance to an adjoining auto dealership for the continued use as accessory off-street parking. The tentative hearing date is September 3rd, 2020. Mr. Wink, are there any comments ?

MR. WINK: I have none.

COUNCILWOMAN LURVEY: So I offer the resolution setting the hearing date of September 3rd, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Lurvey offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 320 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF N & W REALTY, INC. FOR A CHANGE OF ZONE FROM "RESIDENCE-B" TO "BUSINESS-A" FOR A PORTION OF THE PREMISES LOCATED AT 74 MANOR DRIVE, GREAT NECK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 2, BLOCK 108, LOTS 44-47.**

WHEREAS, N & W Realty, Inc. (the "Petitioner") has filed a petition (the "Petition") to rezone (the "Change of Zone") a 830 s.f. portion of a 7,486 s.f. improved residential property located at 74 Manor Drive, Great Neck, New York and identified on the Nassau County Land and Tax Map as Section 2, Block 108, Lots 44-47 (the "Premises"), from 'Residence-B' to 'Business-A, for conveyance to an adjoining auto dealership for the continued use as accessory off-street parking; and

WHEREAS, Town Code Section 70-237 permits the Town Board (the "Board") of the Town of North Hempstead to consider such petition for a Change of Zone after notice and a public hearing pursuant to Town Code Section 70-238.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on August 13, 2020 via Zoom, at 7:00 p.m. to consider the Petition for the Change of Zone for the Premises, at which public hearing all interested persons will be afforded an opportunity to be heard; and be it further

**RESOLVED** that the Commissioner of Planning and Environmental Protection shall immediately notify the Applicant of the date and time of said hearing and the Applicant shall notify certain property owners of said date and time pursuant to Town Code § 70-238(B)(2) and; and be it further

**RESOLVED** that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-238(B)(3); and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish and post a Notice of Hearing, as required by law, which notice shall be in substantially the following form:

#### **NOTICE OF HEARING**

**PLEASE TAKE NOTICE**, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing. The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit: [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on August 13, 2020 via Zoom, to consider the petition of N & W Realty, Inc. to rezone a 830 s.f. portion of a 7,486 s.f. improved residential property located at 74 Manor Drive, Great Neck, New York from 'Residence-B' to 'Business-A' for conveyance to an adjoining auto dealership for the continued use as accessory off-street parking.

**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this petition is designated on the Nassau County Land and Tax Map as Section 2, Block 108, Lots 44-47.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Planning      Building

MR. WINK: Item 16, a resolution setting a date for a public hearing to consider the application of Babak Damaghi (2GDS3, LLC) for an appeal from a disapproval by the Commissioner of Building, Safety, Inspection and Enforcement of a structure (dock) application pursuant to Chapter 42 of the Town Code for the property located at 40 Shore Drive, Kings Point, New York, 11024 and identified on the Nassau County Land and Tax Map as Section 1, Block 42, Lots 26-29.

COUNCILWOMAN LURVEY: Okay. So this proposed action – so the resident would like to construct a 374 foot, six inch dock in order to reach navigable water. Since it exceeds the 150 foot permitted length, the Building Department has denied the application and so the WAC Committee will review and the tentative hearing date will be set for September 3rd, 2020. Mr. Wink, are there any comments ?

MR. WINK: I have no comments on this item.

COUNCILWOMAN LURVEY: Anybody else?

COUNCILWOMAN LURVEY: So seeing that, I offer the resolution setting --

MR. WINK: Councilwoman?

SUPERVISOR BOSWORTH: I think the Councilwoman's frame froze.

MR. WINK: I believe so.

SUPERVISOR BOSWORTH: So I think I will -- for Councilwoman Lurvey, I will offer the resolution setting a date for September 3rd, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY:

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: All right. We've lost Councilwoman Lurvey for the moment. I will call the next item in hopes that she will rejoin us during the item.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 321 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BABAK DAMAGHI (2GDS3, LLC) FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING, SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 40 SHORE DRIVE, KINGS POINT, NEW YORK 11024 AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 1, BLOCK 42, LOTS 26-29.**

**WHEREAS**, Babak Damaghi (2GDS3, LLC) (the “Applicant”), residing at 40 Shore Drive, Kings Point, New York 11024, identified on the Nassau County Land and Tax Map as Section 1, Block 42, Lots 26 through 29 (the “Premises”), has applied to the Town Clerk of the Town of North Hempstead (the “Town”) for a permit under Chapter 42 of the Code of the Town of North Hempstead (the “Town Code”) for the construction of an extension to an existing residential dock structure, including increasing the length of the fixed pier to 303.5 feet, the addition of a 40-foot ramp to a 12 foot by 40-foot float, for a total length of 374.6 feet, and the addition of 4 mooring pilings and 8 boat lift pilings for a 25 foot by 29 foot boat lift (the “Application”); and

**WHEREAS**, the Town Clerk referred the Application to the Commissioner of the Department of Building, Safety Inspection and Enforcement (the “Building Commissioner”) pursuant to Town Code § 42-7 (A) (1); and

**WHEREAS**, by determination dated July 2, 2020, the Deputy Building Commissioner disapproved the Application, based upon its inconsistency with (i) Town Code §42-9A(2), which restricts structures (inclusive of the steps, catwalk, ramp and float) from projecting into the waterway the lesser of the distance required to reach navigable water depth, or a length exceeding 150 feet, (ii) §42-9B(2)(b), which requires the height of a structure to be a minimum

of three feet and a maximum of eight feet above the mean high water as defined by the Datum Plane, and (iii) Town Code §42-9B(10), which limits the width of docks such as the float to six feet for a residential permit (the “Determination”); and

**WHEREAS**, the Town Clerk notified the Applicant of the Determination by letter dated July 8, 2020; and

**WHEREAS**, the Applicant, by and through its attorney, Harris Bloom & Archer LLP, timely filed a notice of appeal seeking review of the Determination by the Board pursuant to Town Code §42-12 (the “Appeal”); and

**WHEREAS**, Town Code §42-11 requires that the Town Board hear the appeal at a public hearing.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing (the “Hearing”) be held by this Board on August 13, 2020 at 7:00 P.M. (the “Hearing Date”) via Zoom, for the purpose of considering the Appeal, and to hear all interested persons concerning the same; and be it further

**RESOLVED** that the Applicant shall provide notice of the Hearing in accordance with Town Code §42-11(C); and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of said hearing no fewer than 10 and no more than 20 days prior to the Hearing Date, which notice shall be in substantially the following form.

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE**, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board of the Town of North Hempstead will not be holding in-person hearings. Until further notice, all future Town Board hearings and meetings will be held via videoconferencing,



as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, Town Board room will not be open to the public and there will be no in-person access to the hearing.

The meeting will be broadcast live on the Town's website beginning at its regularly scheduled time at 7 P.M. Residents who are interested in viewing the meetings can visit:

[northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive). If a resident has a comment related to an item on the agenda, they can email: [comments@northhempsteadny.gov](mailto:comments@northhempsteadny.gov). Written comments must be received 60 minutes prior to the meeting. Those wishing to comment via Zoom regarding an item on the agenda, should visit [northhempsteadny.gov/townboardlive](http://northhempsteadny.gov/townboardlive) on the day of the meeting. There will be a Zoom link available for this 30 minutes prior to the start of the meeting.

**PLEASE TAKE FURTHER NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on August 13, 2020 at 7:00 P.M. via Zoom, to consider an appeal by the owner of 40 Shore Drive, Kings Point, New York 11024, identified on the Nassau County Land and Tax Map as Section 1, Block 42, Lots 26 through 29, from a decision of the Commissioner of Building Safety, Inspection and Enforcement that disapproved an application for a structure permit under Chapter 42 of the Town Code of the Town of North Hempstead for the construction of an extension to an existing residential dock structure, including increasing the length of the fixed pier to 303.5 feet, the addition of a 40-foot ramp to a 12 foot by 40-foot float, for a total length of 374.6 feet, and the addition of 4 mooring pilings and 8 boat lift pilings for a 25 foot by 29 foot boat lift.

**PLEASE TAKE FURTHER NOTICE** that all interested persons shall have an opportunity to be heard concerning this appeal at the public hearing.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Planning      Town Clerk      Buildings

MR. WINK: Item 17, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Roslyn Avenue in Carle Place, New York.

COUNCILWOMAN RUSSELL: This ordinance will establish a reserved parking space on the north side of Roslyn Avenue in Carle Place. I'd like to offer the resolution setting the hearing date of September 3rd, 2020.

MR. WINK: Okay. Councilwoman Lurvey rejoined us .

COUNCILWOMAN LURVEY: I hope so .

MR. WINK: Your video was frozen but we're glad to hear your audio is with us. All right. Vote on item 17. Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

MR. WINK: Now you're muted, Mr. Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Thank you. And Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Can't tell the players without a score card right now -- so.

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 322 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ROSLYN AVENUE IN CARLE PLACE, NEW YORK.**

**WHEREAS**, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space at the north side of Roslyn Avenue, Carle Place, New York from a point 330 feet east of the east curb line of Jamaica Boulevard, east for a distance of 20 feet; and

**WHEREAS**, it is a requirement of law that a public hearing be held by the Board concerning the proposed ordinance.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on September 3, 2020 at 7:00 p.m. via Zoom, to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead at a regularly scheduled meeting of the Board on September 3, 2020, at 7:00 p.m. via Zoom, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.

**PLEASE TAKE FURTHER NOTICE** that the proposed ordinance would establish a reserved parking space at the north side of Roslyn Avenue, Carle Place, New York from a point 330 feet east of the east curb line of Jamaica Boulevard, east, for a distance of 20 feet.

**PLEASE TAKE FURTHER NOTICE** that a copy of the proposed ordinance is posted on the Town's website and on file in the Office of the Town Clerk where it may be viewed during regular business hours, Monday through Friday.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Highways      Traffic Safety      Public Safety

#### PROPOSED ORDINANCE

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21, 2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January

25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008 July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, May 19, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010, December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, September 12, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, April 02, 2013, May 14, 2013, June 4, 2013, September 10, 2013, October 7, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016 June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016, December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, July 18, 2017, September 7, 2017, September 26, 2017; November 14, 2017, January 30, 2018; February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018 December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019 and July 23, 2020 is further amended by adding thereto a new subdivision as follows:

"115" A reserved parking space at the north side of Roslyn Avenue, Carle Place, New York from a point 330 feet east of the east curb line of Jamaica Boulevard, east, for a distance of 20 feet.

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

MR. WINK: Item 18, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting Sixth Street in Garden City Park, New York.

COUNCILMAN FERRARA: The adoption of this ordinance will establish a reserved parking space on the south side of Sixth Street in Garden City Park. The tentative hearing date is September 3rd. I'd like to offer the resolution setting a date of September 3rd for the hearing.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Ferrara offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 323 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING SIXTH STREET IN GARDEN CITY PARK, NEW YORK.**

**WHEREAS**, it has been requested that the Town Board of the Town of North Hempstead (the "Town") enact an ordinance, pursuant to Section 1660 of the Vehicle and Traffic Law, to establish a reserved parking space at the south side of Sixth Street, Garden City Park, New York from a point 384 feet east of the east curb line of Central Avenue, east for a distance of 20 feet; and

**WHEREAS**, it is a requirement of law that a public hearing be held by the Board concerning the proposed ordinance.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on September 3, 2020 at 7:00 p.m. via Zoom, to consider an ordinance establishing a reserved parking space as described in the notice of hearing set forth below; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead at a regularly scheduled meeting of the Board on September 3, 2020, at 7:00 p.m. via Zoom, to consider the enactment of an ordinance establishing a reserved parking space, pursuant to the authority contained in Section 1660 of the Vehicle and Traffic Law.



**PLEASE TAKE FURTHER NOTICE** that the proposed ordinance would establish a reserved parking space at the south side of Sixth Street, Garden City Park, New York from a point 384 feet east of the east curb line of Central Avenue, east, for a distance of 20 feet.

**PLEASE TAKE FURTHER NOTICE** that a copy of the proposed ordinance is posted on the Town's website and on file in the Office of the Town Clerk where it may be viewed during regular business hours, Monday through Friday.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
Town Clerk**

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Highways      Traffic Safety      Public Safety

#### PROPOSED ORDINANCE

1. Section 5 of the ordinance establishing handicapped spaces adopted July 21, 1987 and amended September 15, 1987, February 7, 1989, April 3, 1990, July 17, 1990, November 20, 1990, December 4, 1990, February 19, 1991, October 8, 1991, April 29, 1992, August 11, 1992, April 13, 1993, May 3, 1994, November 22, 1994, April 25, 1995, August 29, 1995, August 27, 1996, November 12, 1996, December 17, 1996, March 4, 1997, May 6, 1997, June 10, 1997, July 15, 1997, March 24, 1998, November 17, 1998, March 2, 1999, June 8, 1999, October 20, 1999, June 27, 2000, August 29, 2000, September 19, 2000, November 14, 2000, February 13, 2001, March 6, 2001, March 27, 2001, May 15, 2001, August 21, 2001, October 16, 2001, November 13, 2001, January 29, 2002, March 12, 2002, April 2, 2002, June 4, 2002, October 1, 2002, November 19, 2002, December 10, 2002, February 11, 2003, April 22, 2003, October 21,

2003, January 6, 2004, March 9, 2004, May 11, 2004, June 29, 2004, August 31, 2004, January 25, 2005, June 14, 2005, July 19, 2005, October 18, 2005, November 15, 2005, January 3, 2006, January 24, 2006, March 21, 2006, May 2, 2006, January 2, 2007, March 6, 2007, April 17, 2007, June 19, 2007, August 14, 2007, September 25, 2007, December 11, 2007, January 29, 2008, May 6, 2008, June 17, 2008 July 29, 2008, August 19, 2008, September 9, 2008, January 6, 2009, May 19, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010, December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, May 8, 2012, June 19, 2012, July 10, 2012, August 21, 2012, September 12, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, April 02, 2013, May 14, 2013, June 4, 2013, September 10, 2013, October 7, 2013, December 10, 2013, February 25, 2014, April 1, 2014, June 10, 2014, December 9, 2014, March 31, 2015, May 12, 2015, July 14, 2015, August 25, 2015, October 20, 2015, November 17, 2015, December 15, 2015 and January 26, 2016, February 23, 2016, April 19, 2016, May 10, 2016 June 7, 2016, July 12, 2016, August 9, 2016, September 13, 2016, September 27, 2016, October 25, 2016, December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, July 18, 2017, September 7, 2017, September 26, 2017; November 14, 2017, January 30, 2018; February 27, 2018, September 6, 2018, September 27, 2018, October 25, 2018, November 20, 2018 December 18, 2018, January 29, 2019, February 28, 2019, March 19, 2019, April 30, 2019, June 18, 2019, September 5, 2019, November 19, 2019 and July 23, 2020 is further amended by adding thereto a new subdivision as follows:

"116" A reserved parking space at the south side of Sixth Street, Garden City Park, New York from a point 384 feet east of the east curb line of Central Avenue, east, for a distance of 20 feet.

2. This Ordinance shall take effect ten (10) days after publication of the Notice of Adoption by the Town Clerk pursuant to Section 133 of the Town Law of the State of New York.

Dated: Manhasset, New York  
August 13, 2020

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK**

MR. WINK: Item 19, a resolution authorizing the Town Board to accept a gift of the Town pursuant to Town Law Section 112.

SUPERVISOR BOSWORTH: So this is accepting a framed 1806 wedding certificate as a gift from the family of Richard Hallock Davis. It's really quite something. It's a piece of history. Are there any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

COUNCILMAN FERRARA: Do we have to go back to 16?

MR. WINK: Well, 16 passed. I can ask --

COUNCILMAN FERRARA: No, no. that's okay.

MR. WINK: Okay. Councilwoman Lurvey, do you wish to cast a vote on item 16?

COUNCILWOMAN LURVEY: Yes. I vote aye.

MR. WINK: Councilwoman Lurvey votes aye on item 16, for the record.

COUNCILWOMAN LURVEY: Thank you.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 324 - 2020**

**A RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT A GIFT TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.**

**WHEREAS**, the family of Richard Hallock Davis, has generously offered, as a gift, a framed Wedding Certificate from 1806; and

**WHEREAS**, this Board wishes to accept the Gift described in this Resolution (the "Gift") in accordance with Town Law Section 64.

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board hereby gratefully accepts the Gift.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Town Clerk

MR. WINK: Item 20, a resolution authorizing a supplemental budget appropriation pursuant to Town Law Section 112.

SUPERVISOR BOSWORTH: This is appropriating the \$2,000 gift approved at the last board meeting for the animal shelter. Mr. Wink, do we have any comments ?

MR. WINK: We have none.

SUPERVISOR BOSWORTH: All right. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 325 - 2020**

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET APPROPRIATION PURSUANT TO TOWN LAW SECTION 112.**

**WHEREAS**, pursuant to Town Law § 112, the Town Board (“the Board”) of the Town of North Hempstead (“the Town”) has the authority to make supplemental appropriations under certain circumstances; and

**WHEREAS**, the Office of the Comptroller has requested that the Town Board authorize a supplemental appropriation in year 2020 (the “Supplemental Appropriation”), as follows: \$2,000.00 to be recorded in revenue line A.2705 with the offsetting expense to be recorded to expense code A.063510.4429 for the care of dogs in the animal shelter; and

**WHEREAS**, the Board wishes to authorize the Supplemental Appropriation.

**NOW, THEREFORE, BE IT**

**RESOLVED** that this Board hereby authorizes the Supplemental Appropriation in year 2020 as requested by Comptroller; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to undertake the Supplemental Appropriation.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

Comptroller

Town Clerk

MR. WINK: Item 21, a resolution authorizing the execution of an amendment to an agreement with Cashin Associates, P.C. for engineering services related to dredging of the boat ramp at Manorhaven Beach Park, Port Washington, New York. DPW Project No. 15-19.

COUNCILWOMAN DALIMONTE: This is for additional funds to cover additional engineering services related to the dredging of the boat ramp at Manorhaven Beach Park. The contract has been in place since February 23rd, 2016. We're asking for an additional \$12,850 for additional testing and construction and administrative services. Do we have any questions?

MR. WINK: I have no questions on this item.

COUNCILWOMAN DALIMONTE: Thank you, Mr. Wink. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 326 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR ENGINEERING SERVICES RELATED TO DREDGING OF THE BOAT RAMP AT MANORHAVEN BEACH PARK, PORT WASHINGTON, NY. DPW PROJECT NO. 15-19.**

**WHEREAS**, pursuant to a resolution duly adopted by this Board, the Town entered into an agreement with Cashin Associates, P.C., 1200 Veterans Memorial Highway, Hauppauge, New York 11788 (the “Consultant”) to provide engineering services for the dredging of a boat ramp at Manorhaven Beach Park in Port Washington, New York, DPW Project No. 15-19 (the “Original Agreement”); and

**WHEREAS**, the Acting Commissioner of Public Works (the “Commissioner”) has recommended that the Town amend the Original Agreement to incorporate additional construction management services including soil sample testing and disposal manifest administration, increasing the amount to be paid to the Contractor by a sum not to exceed Twelve Thousand Eight Hundred Fifty and 00/100 Dollars (\$12,850.00) (the “Amendment”); and

**WHEREAS**, the Town Board finds it in the best interests of the Town to authorize the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendment be and hereby is authorized; and be it further

**RESOLVED** the Supervisor is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further



**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Amendment; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller DPW

MR. WINK: Item 22, a resolution authorizing the award of a bid for dredging of the boat ramp channel at Manorhaven Beach Park, Port Washington, New York. DPW Project No. 15-19R.

COUNCILWOMAN DALIMONTE: So the scope of the work includes the dredging, de-watering and disposal of materials from the boat ramp at Manorhaven Beach Park. Just so everyone's aware this work can only occur from October 1st through December 31st, due to restrictions. So I just wanted to ask if you had any questions?

MR. WINK: I have no questions on this item.

COUNCILWOMAN DALIMONTE: And by the way, the WAC committee was very excited about this. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: I am voting aye. But I just want to also add that we believe that the cost of this project will be entirely reimbursed by FEMA. So that's —

COUNCILWOMAN DALIMONTE: Yes. Sorry, Supervisor. I should have said that.

SUPERVISOR BOSWORTH: Thank you. Aye .

MR. WINK: And let the record reflect that WAC is wacky about this project.

Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 327 - 2020**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR DREDGING OF THE BOAT RAMP CHANNEL AT MANORHAVEN BEACH PARK, PORT WASHINGTON, NY. DPW PROJECT NO. 15-19R.**

**WHEREAS**, the Town Clerk solicited bids for the dredging of a boat ramp at Manorhaven Beach Park in Port Washington, NY, DPW Project No. 15-19R (the "Project"); and

**WHEREAS**, bids in response to the solicitation (the "Bids") were received and were opened, which Bids are as follows; and

<b>Bidder</b>	<b>Price</b>
Galvin Bros., Inc./Madhue Contracting, Inc. JV 149 Steamboat Road Great Neck, NY 11024	\$1,585,200.00
H&L Contracting LLC 38 Homan Avenue Bay Shore, NY 11706	\$1,403,600.00

**WHEREAS**, after a review of the bids, the Acting Commissioner of the Town's Department of Public Works (the "Acting Commissioner") has recommended that the contract for the Project be awarded to H&L Contracting LLC, 38 Homan Avenue, Bay Shore, NY 11706 (the "Contractor"), as the lowest responsible bidder at its bid price of One Million Four Hundred Three Thousand Six Hundred and 00/100 Dollars (\$1,403,600.00); and

**WHEREAS**, the Town Board desires to authorize the award of a contract to the Contractor as recommended by this Acting Commissioner.

**NOW, THEREFORE, BE IT**



MR. WINK: Item 23, a resolution authorizing the award of a bid for trees, flowers and shrubs (TNH038R-2020).

SUPERVISOR BOSWORTH: So this is the award of the bid for the purchase of trees, flowers and shrubs for use by multiple departments in the Town. Mr. Wink, do we have any comments ?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 328 - 2020**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR TREES, FLOWERS AND SHRUBS (TNH038R-2020).**

**WHEREAS**, the Director of Purchasing (the “Director”) has solicited bids for trees, flowers, and shrubs; and

**WHEREAS**, bids were received as forth in Exhibit A attached hereto (the “Bids”); and

**WHEREAS**, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

**WHEREAS**, this Board wishes to authorize the Award as recommended by the Director.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Award as recommended by the Director is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of duly executed and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Purchasing

Exhibit A

TOWN OF 2020 Trees Flowers and Shrubs	Finewood Perennial Gardens LLC (PO Box 913) 260 Sterling Lane Cutchogue, NY 11935 Scott@finewoodperennials.com Scott Carr (631)734-6911	SheOne Landscape Supply 1383 East 36th Street Cleveland, OH 44134 info@sheone.com Keith McGinty (216)706-9230
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**SECTION 1. PERENNIALS & GRASSES**

Item #	Botanical Name	Common Name	Size	Price/Unit	Price/Unit	Price/Unit
				RETAIL PRICE	RETAIL PRICE	RETAIL PRICE
					(Only applicable within 50 miles of the Town)	(Only applicable within 50 miles of the Town)
1	<i>Nivaea japonica</i>	Fern	1gal	\$6.55		\$15.00
2	<i>Achimillea</i>	Lady's Mantle	1gal	(1.5g) \$6.60		\$11.00
3	<i>Anemone hepatica</i>	Flower	1gal	(1.5g) \$6.80		\$11.00
4	<i>Anemone</i>	Anemone	1gal	\$6.35		\$11.00
5	<i>Aster</i>	Polka Dot	1.5gal	\$6.80		\$14.00
6	<i>Cornus</i>	Sage	1gal	\$6.80		\$12.00
7	<i>Chamaenerion</i>	Chamaenerion	1gal	\$5.50		\$11.00
8	<i>Chionodoxa</i>	Bleeding Heart	1.5gal	\$7.50		\$14.00
9	<i>Chionodoxa</i>	Chionodoxa	1gal	\$8.80		\$17.00
10	<i>Chionodoxa</i>	Daylily	1.5gal	\$7.75		\$14.00
11	<i>Chionodoxa</i>	Platinum Lily	1.5gal	\$7.75		\$14.00
12	<i>Iris</i>	Iris	1.5gal	\$6.80		\$14.00
13	<i>Liriodendron</i>	Lily-turf	1gal	\$5.50		\$9.00
14	<i>Nigella</i>	Cor Mix	1gal	\$5.50		\$11.00
15	<i>Pulsatilla</i>	Pussy	3 gal	(2.3g) \$12.00		\$28.00
16	<i>Pulsatilla</i>	Pulsatilla	1.5	\$7.80		\$14.00
17	<i>Pulsatilla</i>	Blazing Star	1.5gal	\$6.55		\$14.00
18	<i>Pulsatilla</i>	Langens	1gal	\$6.80		\$12.00
19	<i>Rudbeckia</i> sp.	Rudbeckia species	1gal	\$5.80	(1.5g) \$6.80	\$11.00
20	<i>Sedum</i>	Sage	1gal	\$5.50		\$11.00
21	<i>Sedum</i>	Stemcrop	8" diam 1.5gal	\$5.80/\$6.90		\$12.00
22	<i>Stachys</i> by Thelma Von Stein	Helena Von Stein	1gal	(1.5g) \$6.80		\$11.00

**SECTION 2. SHRUBS**

Item #	Botanical Name	Common Name	Size	Price/Unit	Price/Unit	Price/Unit
				RETAIL PRICE	RETAIL PRICE	RETAIL PRICE
					(Only applicable within 50 miles of the Town)	(Only applicable within 50 miles of the Town)
23	<i>Abelesia grandiflora</i>	Glossy Abelesia	3gal			\$28.00
24	<i>Aucuba japonica</i>	Japanese Aucuba	3gal			\$35.00
25	<i>Aucuba (European)</i>	European Aucuba	3gal			\$35.00
26	<i>Buxus</i> sp.	Burnwood	3 gal			\$35.00
27	<i>Cyperus</i> sp.	Layland Cyperus	4-5'x-6'			\$85.00
28	<i>Daphne</i> sp.	Jim's Pride	3gal			\$80.00
29	<i>Euonymus japonica</i>	Japanese Euonymus	3'x3gal			\$40.00
30	<i>Forsythia</i> sp.	Forsythia	3gal			\$15.00
31	<i>Forsythia</i>	Forsythia	3gal			\$20.00
32	<i>Hamamelis</i> sp.	Witchhazel	7gal			\$50.00
33	<i>Hydrangea</i> sp.	Hydrangea	3'x3gal	1926		\$35.00
34	<i>Hydrangea</i> sp.	Smoketree	3gal	\$12.80		\$30.00
35	<i>Ilex</i> sp.	Soft Touch Ilex	3gal			\$30.00
36	<i>Ilex</i> sp.	Japanese Holly	5gal			\$40.00
37	<i>Ilex</i> sp.	Massive Holly	5gal			\$40.00
38	<i>Juniperus chinensis</i>	Chinese Juniper	3'x3gal			\$20.00
39	<i>Juniperus chinensis</i>	Climbing Juniper	3gal			\$20.00
40	<i>Juniperus virginiana</i>	Eastern Red Cedar	4-5'x-6'			\$50.00/\$80.00
41	<i>Lagerströmia</i> sp.	Orange Myrtle	3gal			\$40.00
42	<i>Myrica</i> sp.	Myrica	3'x3gal			\$75.00
43	<i>Picea</i> sp.	Marney Spruce	4-5'x-6'			\$125.00/\$150.00
44	<i>Picea</i> sp.	Japanese Pine	3gal			\$60.00
45	<i>Picea</i> sp.	Mugo Pine	3gal			\$35.00
46	<i>Picea</i> sp.	Purple Leaf Spruce	3gal			\$40.00



48	Prunus	'Schipkaensis'	Strip Laurel	3gal				\$60.00
49	Rhododend	Sps.	Rhododendron	3/5gal				\$40.00
50	Rosa	Sps.	Rose Species	3 gal	(2 g)	\$13.80		\$40.00
51	Salix	integra	Dappled Willow	3gal		\$15.80		\$35.00
52	Skimmia	japonica	Japanese Skimmia	3gal				\$40.00
53	Spiraea	Sps.	Spiraea	3gal				\$25.00
54	Syringa	Sps.	Lilac	3/5gal				\$25.00
55	Taxus		Yews	24-30"				\$50.00
56	Thuja	occidentalis	American Arborvitae	4-5ft./5-6ft				\$90.00/\$120.00
57	Thuja	plicata	Western Arborvitae	4-5ft/ 5-6ft				\$60.00/\$120.00
58	Thujopsis	dolabrata Nana	Hiba Arborvitae	3gal/5gal				\$50.00
59	Viburnum	Sps.	Viburnum	3/5gal				\$40.00
60	Vitex		Chaste tree	3gal/5gal				\$26.00/\$46.00
61	Weigela		Weigela	3gal/5gal				\$26.00/\$36.00

**SECTION 3. VINES AND GROUNDCOVER**

Item #	Botanical Genus	Assorted varieties & Species unless noted	Common Name	Size (if bidding a different size)	Price/Unit DELIVERED	Price/Unit PICKED UP (Only applicable within 50 miles of the Town)	Price/Unit DELIVERED	Price/Unit PICKED UP (Only applicable within 50 miles of the Town)
62	Clematis		Clematis	2gal	(1.5g) \$15.00		\$30.00	
63	Ajuga		Bugleweed	Flat/24	qt. \$3.40		\$30.00	
64	Vinca	minor	Myrtle	Flat/24			\$30.00	
65	Carex	flaccosperma	Bluewood Sedge	1 gal			\$14.00	
66	Epimedium	x perralchicum	Frohnleiten	Flat or gal	(gal) \$6.80		\$12.00	
67	Geranium	x cantabrigiense	Biokovo	Flat or gal	(gal) \$6.60		\$12.00	
68	Heuchera	americana	Coral Bells	1 gal	\$6.60		\$12.00	
69	Microbiota	decussata	Russian Arborvitae	3 or 5 gal			\$22.00	
70	Sarcococca	hookeriana var. humilis	Sweet Box	2 gal			\$30.00	
<b>Annuals</b>								
71	Assorted Annuals			Flats of 48			\$20.00	
72	Assorted Annuals			4 1/2 inch pot 15 per tray			\$4.50	
73	Assorted Annuals			1 quart pot 8 per tray			\$6.00	
74	Assorted Annuals			1 gallon annual (ex. Annual Hibiscus)			\$15.00	
75	Assorted hanging baskets			10"			\$22.00	
76	Sunpatiens		Sunpatiens	4 1/2 inch pot 15 per tray			\$6.00	
<b>Bulbs</b>								
77	Darwin Tulips			Price per 100			NB	
78	Daffodils			Price per 100			NB	
79	Hyacinth			Price per 100			NB	

**SECTION 4. TREES**

Item #	Botanical Genus	Assorted varieties & Species unless noted	Common Name	Size (if size available)	Price/Unit DELIVERED	Price/Unit PICKED UP (Only applicable within 50 miles of the Town)	Price/Unit DELIVERED	Price/Unit PICKED UP (Only applicable within 50 miles of the Town)
80	Prunus	'Amanagowa'	Amanagowa Cherry	2 1/2 to 3 inch Cal			\$350.00	
81	Acer	Sps.	Maple				\$375.00	

88	Ginkgo	biloba	Biloba (male only)				\$475.00	
89	Juniperus	Hollywo d	Hollywood Juniper				\$250.00	
90	Koelreuter	paniculata	Golden Raintree				\$450.00	
91	Maackia	amurensis	Amur maackia				\$375.00	
92	Malus		Crabapple species				\$375.00	
93	Parrotia	persica	Ironwood				\$375.00	
94	Picea		Spruce				\$250.00	
95	Pinus		Pine				\$335.00	
96	Prunus (Plums)						\$375.00	
97	Prunus (Cherry)						\$375.00	
98	Quercus		Oak				\$375.00	
99	Stewartia	pseudoca mellia	Stewartia				\$525.00	
100	Styrax	japonicus	Emerald Pagoda				\$450.00	
101	Platanus	occidental is	American Sycamore				\$375.00	
102	Platanus ×	Exclamati on	Excla. London Plane				\$375.00	
103	Syringa	reticulata	Japanese Tree Lilac				\$350.00	
104	Ulmus		Elm				\$350.00	
105	Zelkova		Japanese Zelkova				\$375.00	

**SECTION 5. NATIVE SHRUBS/TREES/PERENNIALS**

Item #	Botanical	Common Name	Size	Price/Unit		Price/Unit PICKED UP (Only applicable within 50 miles of the Town)	
				DELIVERED		DELIVERED	
106	Aronia spp	Chokeberry species	3 gal				\$30.00
107	Arctostaph	Common bearberry	3 gal			#1	\$12.00
108	Clethra aln	Summersweet	3 gal				\$22.00
109	Cornus spp	Dogwood species	3 gal				\$25.00
110	Ilex spp.	Ilex species	3 gal				\$30.00
111	Kalmia lati	Mountain Laurel	3 gal				\$40.00
112	Lindera be	Spicebush	3 gal				\$30.00
113	Myrica per	Northern bayberry	3 gal				\$25.00
114	Physocarp	Ninebark	3 gal				\$28.00
115	Viburnum	Viburnums	3 gal				\$28.00
116	Amelanchi	Serviceberry species	5 gal				\$50.00
117	Cercis can	Eastern Redbud	5 gal				\$75.00
118	Panicum vi	Switchgrass	1 gal	(1.5g)	\$7.80		\$11.00
119	Schizachyi	Little bluestem	1 gal		\$6.80		\$11.00
120	Sorghastru	Indian grass	1 gal				\$11.00
121	Agastache	Anise Hyssop	1 gal				\$11.00
122	Aquilegia	Wild Columbine	1 gal		\$5.80		\$11.00
123	Asclepias s	Milkweed Species (P.P Ncarm	1 gal	(1.5g)	\$6.80		\$11.00
124	Baptisia sp	Indigo spp.	1 gal	(1.5g)	\$7.00		\$11.00
125	Coreopsis	Coreopsis species	1 gal		\$5.80		\$11.00
126	Echinacea	Coneflower species	1 gal	(1.5g)	\$6.80		\$11.00
127	Eupatorium	Joe Pye weed species	1 gal				\$11.00
128	Geranium	Wild geranium	1 gal		\$6.50		\$11.00
129	Sunflower	Sunflower species	1 gal				\$11.00
130	Liatris spp	Blazing star spp.	1 gal	(1.5g)	\$7.00		\$11.00
131	Monarda s	Beebalm spp.	1 gal				\$11.00
132	Penstemon	Smooth white beardtongue	1 gal				\$11.00
133	Phlox spp.	Phlox spp.	1 gal				\$11.00
134	Solidago sp	Goldenrod Species	1 gal				\$11.00
135	Symphyotr	Aster Species	1 gal		\$6.00		\$11.00

138	Percentage Off Catalogue Price: Unspecified Perennials		NB	
139	Percentage Off Catalogue Price: Unspecified Shrubs		NB	
140	Percentage Off Catalogue Price: Unspecified vines and groundcover		NB	
141	Percentage Off Catalogue Price: Unspecified Trees		NB	
142	Percentage Off Catalogue Price: Unspecified Native Shrubs, Trees, Perennials		NB	
<b>If item is not highlighted in red, there is no award at this time.</b>				

MR. WINK: Item 24, a resolution authorizing the award of a bid for auction services (TNH115-2020).

SUPERVISOR BOSWORTH: Mr. Wink, do we have any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 329 - 2020**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR AUCTION SERVICES (TNH115-2020).**

**WHEREAS**, the Director of Purchasing (the “Director”) has solicited bids for auction services (TNH115-2020); and

**WHEREAS**, bids were received as set forth in Exhibit A attached hereto (the “Bids”); and

**WHEREAS**, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

**WHEREAS**, this Board wishes to authorize the Award as recommended by the Director.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Award as recommended by the Director is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Purchasing

Exhibit A

TNH115-2014-Auction Services	
Absolute Auctions & Realty, Inc PO Box 1739 Pleasant Valley, NY 12569 Taylor Robinson (845) 635-3169 Taylor@AArauctions.com Price	Auctions International 11167 Big Tree Road East Aurora, NY 14052 RJ Klisiewicz 111, Operations Manager 800-536-1401 (110) info@auctionsinternational.com Price
Liquidity Services Operations, LLC 979/A Gordon 100 Capitol Commerce Blvd, Suite 110 Montgomery, AL 36117 Les Bailey 800-613-0156 (4470) lesbailey@liquidity.com Price	Musichd.com LLC dba Musichd 1635 Market Street Suite 1600 Philadelphia, PA 19146 James O. Farvak 800-531-4074 (706) james@musichd.com Price
Commission Charge to Town	0%
Commission Charged to Buyer	10% Buyer's Premium charged to the buyer
Additional Fees charged to buyer	Three (3%) buyer's premium if a vehicle is sold within two (2) model years of sale Three (3%) buyer's premium if a vehicle is sold within three (3) model years of sale
Disqualifications	DOES NOT COMPLY WITH SPECIFICATIONS - Vendor does not take photos, upload images. Only an online marketplace - Town would be responsible for handling the upload, images.

## Exhibit B

<b>TNH115-2020-Auction Services</b>	
<b>Winning Vendor</b>	<b>Items Won</b>
<b>Absolute Auctions &amp; Realty, Inc</b>	
<b>PO Box 1739</b>	
<b>Pleasant Valley, NY 12569</b>	
<b>Taylor Robinson</b>	<b>All Items</b>
<b>(845)635-3169</b>	
<b>Taylor@AARauctions.com</b>	



MR. WINK: Item 25, a resolution authorizing the execution of an agreement with Global Fueling Systems for fuel monitoring services.

SUPERVISOR BOSWORTH: Are there any comments, Mr. Wink?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 330 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GLOBAL FUELING SYSTEMS FOR FUEL MONITORING SERVICES.**

**WHEREAS**, the Town requires remote monitoring of its fuel tanks (the “Services”); and

**WHEREAS**, the Director of Purchasing (the “Director”) has recommended that the Town Board authorize the execution of a professional services agreement with Global Fueling Systems, 42 Field Street, West Babylon, NY 11704 to provide the Services in consideration of an amount not to exceed Thirteen Thousand Eight Hundred and 00/100 Dollars (\$13,800.00) (the “Agreement”); and

**WHEREAS**, this Board wishes to authorize the execution of the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Agreement be and hereby is authorized; and be it further

**RESOLVED** that the Supervisor is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs thereof upon receipt of duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Purchasing      Highway

MR. WINK: Item 26, a resolution authorizing the execution of a license agreement with the Great Neck Water Pollution Control District for the use of Manhasset Valley Park, Manhasset.

COUNCILMAN LURVEY: Mr. Wink, are there any comments?

MR. WINK: I have no comments on this item.

COUNCILWOMAN LURVEY: So I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Lurvey offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 331 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE GREAT NECK WATER POLLUTION CONTROL DISTRICT FOR THE USE OF MANHASSET VALLEY PARK, MANHASSET.**

**WHEREAS**, the Town owns certain real property known as Manhasset Valley Park, located on Maple Street in Manhasset, New York (the "Park"); and

**WHEREAS**, the Great Neck Water Pollution Control District (the "District") is installing a new underground wet well and building modifications on its property adjacent to the Park (the "Project"); and

**WHEREAS**, the District has requested the use of a portion of the nonpublic parking lot at the Park for the placement of a conex box for the storage of equipment and materials for use on the Project for the period of two (2) years after which the District will install new fencing between the properties (the "License"); and

**WHEREAS**, the Town Department of Parks and Recreation has recommended granting the License; and

**WHEREAS**, the Board wishes to grant the License and to authorize the Town to execute an agreement with the District for the License (the "Agreement").

**NOW, THEREFORE, BE IT**

**RESOLVED** that the License is hereby granted; and be it further

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute the Agreement, and to take such further action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED**, that the Office of the Town Attorney be and hereby is authorized and directed to supervise the negotiation and execution of the Agreement, and to take such further action as may be necessary to effectuate the foregoing.

Dated:           Manhasset, New York  
                    August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes:           Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays:           None

cc:           Town Attorney       Comptroller       Parks

MR. WINK: Item 27, a resolution authorizing the execution of a license agreement with the North Hempstead Housing Authority to maintain landscaping at the "Yes We Can" Community Center west parking lot, New Cassel.

COUNCILWOMAN RUSSELL: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 332 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE NORTH HEMPSTEAD HOUSING AUTHORITY TO MAINTAIN LANDSCAPING AT THE "YES WE CAN" COMMUNITY CENTER WEST PARKING LOT, NEW CASSEL.**

**WHEREAS**, pursuant to an easement agreement entered into between the Town of North Hempstead and the North Hempstead Housing Authority (the "Housing Authority") the Town granted the Housing Authority a non-exclusive easement for landscaping and access over a portion of the "Yes We Can" Community Center west parking lot located at the corner of Grand Street and Broadway in New Cassel adjacent to the Homestead Senior Apartments; and

**WHEREAS**, the Housing Authority has now requested that the Town grant it a license (the "License") allowing the Housing Authority to access the plot of land in the corner of the lot and the curb strips between the sidewalk and Broadway (the "Licensed Area") to maintain the landscaping in those areas in a safe and attractive condition (the "Agreement"); and

**WHEREAS**, the Commissioner of the Town's Department of Parks and Recreation has recommended granting the License; and

**WHEREAS**, the Board wishes to grant the License and to authorize the Town to execute the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the License is hereby granted; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute the Agreement, and to take such further action as may be necessary to effectuate the foregoing; and be it further





MR. WINK: Item 28, a resolution ratifying and authorizing the execution of an agreement with Manhasset Bay Marina for emergency repairs on Marine 10 and a pump out boat.

COUNCILWOMAN DALIMONTE: Do you want me to take this one, Supervisor?

SUPERVISOR BOSWORTH: Yes.

COUNCILWOMAN DALIMONTE: Okay. So the payments for the emergency repairs done to the two harbor patrol boats, Marine 10 and the pump out boat. Are there any comments?

MR. WINK: No comments on this item.

COUNCILWOMAN DALIMONTE: So I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 333 - 2020**

**A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MANHASSET BAY MARINA FOR EMERGENCY REPAIRS ON MARINE10 AND A PUMP-OUT BOAT.**

**WHEREAS**, the Town of North Hempstead Department of Public Safety required emergency repairs to a Pump-out boat and Marine10 (the “Services”); and

**WHEREAS**, the Department retained Manhasset Bay Marina, 10 Matinecock Avenue, Port Washington, NY 11050 (the “Contractor”) to provide the Services for an amount not to exceed One Thousand Eight Hundred Five and 82/100 Dollars (\$1,805.82) for the repair of Marine10 and One Thousand Five Hundred Twenty Five and 73/100 Dollars (\$1,525.73) for the repair of the Pump-out boat (the “Contract Amount”); and

**WHEREAS**, it has been recommended that this Board ratify the Department’s actions in using the Contractor to provide the Services and to further authorize the execution of an agreement with the Contractor for the Services for the Contract Amount (the “Agreement”); and

**WHEREAS**, this Board finds it to be in the best interests of the Town to ratify the use of the Contractor and authorize the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the actions of the Department in using the Contractor to provide the Services be and hereby are ratified; and be it further

**RESOLVED** that the Agreement be and is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office

of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing;  
and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized  
and directed to negotiate and oversee the execution of the Agreement, and to take such other  
action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay  
the costs of the Services upon receipt of the duly executed Agreement and certified claims  
therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

MR. WINK: Item 29, a resolution authorizing the execution of an agreement between the Town of North Hempstead and the Town of North Hempstead Solid Waste Management Authority for the creation of a storm debris area.

SUPERVISOR BOSWORTH: So this is creating a storm debris area due to the tropical storm. The amounts of debris that Highway is picking up is just too large for the transfer station to accommodate it. So we are going to be setting up this debris collection area at the landfill. We'll collect, ship and then transport it to the transfer station. It's only to be used by Town departments, not the public or other municipalities. And we have the necessary DEC approval. Are there any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 334 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD AND THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY FOR THE CREATION OF A STORM DEBRIS AREA.**

**WHEREAS**, the Town of North Hempstead (the “Town”) is the owner of, and the Town of North Hempstead Solid Waste Management Authority (the “Authority”) is the operator of, the property located at 802 West Shore Road, Port Washington, New York and known as the closed L-4 and L-5 Landfills and the Authority Administration Facility (altogether, the “Landfill”); and

**WHEREAS**, as a result of Tropical Storm Isaias, a very large amount of storm debris was created, necessitating that a storm debris storage and processing area be created in the Town to be used by the Town Department of Highways; and;

**WHEREAS**, the Authority has agreed to locate such an area (the “Storm Debris Area”) in the utility area to the south of the recharge basin between L-4 and L-5 at the Landfill; and

**WHEREAS**, the Town and the Authority wish to enter into an agreement, retroactive to August 10, 2020, to memorialize the use of the Storm Debris Area, the procedures to be used for the Storm Debris Area and payment of the costs for the Storm Debris Area (the “Agreement”)

**WHEREAS**, this Board wishes to authorize the execution of the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Agreement be and hereby is authorized; and be it further

**RESOLVED** that the Supervisor is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs thereof upon receipt of duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Purchasing      Highways

MR. WINK: Item 30, a resolution authorizing the execution of an amendment to an agreement with Communications Leasing, Inc. for the lease of space for the Repeater at North Shore Towers.

SUPERVISOR BOSWORTH: Are there any comments, Mr. Wink?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.



Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 335 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH COMMUNICATIONS LEASING, INC. FOR THE LEASE OF SPACE FOR THE REPEATER AT NORTH SHORE TOWERS.**

**WHEREAS**, pursuant to resolutions, duly adopted by this Board, the Town entered into and amended an agreement with Communications Leasing, Inc., (the “Contractor”), for the lease of repeater space on North Shore Towers, Great Neck, NY which terminated February 28, 2020 (collectively the “Original Agreement”); and

**WHEREAS**, the Director of Purchasing (the “Director”) has recommended that the Town amend the Original Agreement to retroactively extend the term of the Original Agreement for a period of three (3) years such that the Original Agreement shall terminate on February 28, 2023 in consideration of the sum of Seven Hundred Twenty-Five and 00/100 Dollars (\$725.00) per month for the period commencing March 1, 2020 and ending February 28, 2023 (the “Amendment”); and

**WHEREAS**, the Town Board finds it in the best interests of the Town to authorize the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** the Supervisor is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Amendment; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney                      Comptroller

MR. WINK: Item 31, a resolution authorizing the execution of an amendment to an agreement with Forte Payment systems to temporarily reduce ECheck transaction fees .

SUPERVISOR BOSWORTH: So Forte is temporarily reducing the cost of Echecks service fees at the Clarks Animal Shelter in the Building, Planning and Highway Departments and they offer this reduction in response to the Corona pandemic. I think that should be acknowledged. Are there any comments, Mr. Wink?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 336 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH FORTE PAYMENT SYSTEMS TO TEMPORARILY REDUCE ECHECK TRANSACTION FEES.**

**WHEREAS**, pursuant to Resolution No. 16-2020, adopted January 2, 2020, the Town entered into an agreement with Forte Payment Systems, 500 W. Bethany Drive, Suite 200, Allen, Texas 75013 (the “Contractor”) for credit card processing services, to be integrated with the Town’s licensing software, chiefly for the Office of the Town Clerk, the Town Animal Shelter and the Department of Building Safety, Inspection and Enforcement (the “Agreement”); and

**WHEREAS**, due to the coronavirus pandemic, the Contractor offered to temporarily reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from June 11, 2020 for sixty days; and

**WHEREAS**, the Town and the Contractor executed an amendment to reduce the eCheck service fees charged to the Town's customers from \$1.75 to \$0.75 per transaction retroactive from June 11, 2020 until August 11, 2020; and

**WHEREAS**, the Contractor has offered to extend the service fee reduction for an additional sixty days from August 12, 2020 through October 11, 2020 (the “Amendment”); and

**WHEREAS**, the eCheck service fee will return to \$1.75 per transaction from October 12, 2020 for the remainder of the term of the Agreement; and

**WHEREAS**, the Town Board finds it in the best interests of the Town to authorize the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendment be and hereby is authorized; and be it further

**RESOLVED** the Supervisor is authorized and directed to execute, on behalf of the Town, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Amendment.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney Purchasing

MR. WINK: Item 32, a resolution authorizing the purchase of software maintenance and technical support services for the Department of Information Technology and Telecommunications.

SUPERVISOR BOSWORTH: Are there any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: Okay. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 337 - 2020**

**A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS.**

**WHEREAS**, the Department of Information Technology and Telecommunications (the "Department") requires annual software maintenance and technical support for the Town's parking permit software (the "Gtechna Support") and desktop antivirus software (the "Symantec Support"); and

**WHEREAS**, the Director of Purchasing has recommended that the Town purchase the Gtechna Support from Gtechna USA Corporation, 33 Cornelia Street, Plattsburg, New York 12901 for a term of one (1) year in consideration of an amount not to exceed Eleven Thousand Four Hundred Fifty Five and 50/100 Dollars (\$11,455.50) (the "Gtechna Purchase"); and

**WHEREAS**, the Director of Purchasing has recommended that the Town purchase the Symantec Support from CDW\*G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 for a term of one (1) year in consideration of an amount not to exceed Eight Thousand Seven Hundred Forty One and 25/100 Dollars (\$8,741.25) (the "Symantec Purchase"); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to authorize the Gtechna Purchase and the Symantec Purchase (collectively the "Purchases").

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Purchases be and are hereby authorized; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs of the Purchases upon receipt of certified claims therefore.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller



MR. WINK: Item 33, a resolution authorizing a change of address for the premises identified as Section 5, Block 78, Lot 28 on the Nassau County Land and Tax Map from 8 Secor Drive, Port Washington, New York to 39 North Plandome Road, Port Washington, New York.

COUNCILWOMAN DALIMONTE: Mr. Wink, do we have any comments?

MR. WINK: I have no comments on this item.

COUNCILWOMAN DALIMONTE: Thank you. Seeing that the Postmaster has approved this change, I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 339 - 2020**

**A RESOLUTION AUTHORIZING A NEW PROPERTY ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 7, BLOCK 29, LOTS 32 THROUGH 34, LOCATED ON ELM STREET, ROSLYN HEIGHTS, NEW YORK TO 155 ELM STREET, ROSLYN HEIGHTS, NEW YORK.**

**WHEREAS**, Section 10-3 of the Code of the Town of North Hempstead authorizes the Town Board to adjust and renumber street addresses as may be required from time to time; and

**WHEREAS**, Kamran Pourgol, (the “Applicant”) is the owner of real property located on Elm Street, Roslyn Heights, New York designated on the Nassau County Land and Tax Map as Section 7, Block 29, Lots 32, 33 & 34 (the “Property”); and

**WHEREAS**, the Applicant has requested that the Property be assigned a street address; and

**WHEREAS**, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Property should be assigned the following street address: 155 Elm Street, Roslyn Heights, New York (“Address designation”); and

**WHEREAS**, the Roslyn Heights Postmaster has approved the Address designation sought by the Applicant; and

**WHEREAS**, subject to the Nassau County Fire Marshal rendering a determination that the designation would not impede optimum emergency response time (the “Determination”), the Town Board wishes to grant the Applicant’s request for the Address Re-designation.

**NOW, THEREFORE, BE IT**

**RESOLVED** that subject to the Determination of the Nassau County Fire Marshal, the Town Board hereby authorizes and directs the Address Re-designation; and be it further

**RESOLVED** that the Town Board hereby authorizes and directs that all necessary action be taken by the Building Department to effectuate the foregoing; and be it further

**RESOLVED** that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where the premises is located, to advise them of the Address Re-designation.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Receiver of Taxes      Planning      Building      DPW  
Town Clerk

MR. WINK: Item 34, a resolution authorizing a new property address for the premises identified as Section 7, Block 29, Lots 32 through 34, located on Elm Street, Roslyn Heights, New York to 155 Elm Street, Roslyn Heights, New York.

COUNCILMAN ZUCKERMAN: Mr. Wink, are there any comments?

MR. WINK: I have no comments on this item.

COUNCILMAN ZUCKERMAN: I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 339 - 2020**

**A RESOLUTION AUTHORIZING A NEW PROPERTY ADDRESS FOR THE PREMISES IDENTIFIED AS SECTION 7, BLOCK 29, LOTS 32 THROUGH 34, LOCATED ON ELM STREET, ROSLYN HEIGHTS, NEW YORK TO 155 ELM STREET, ROSLYN HEIGHTS, NEW YORK.**

**WHEREAS**, Section 10-3 of the Code of the Town of North Hempstead authorizes the Town Board to adjust and renumber street addresses as may be required from time to time; and

**WHEREAS**, Kamran Pourgol, (the "Applicant") is the owner of real property located on Elm Street, Roslyn Heights, New York designated on the Nassau County Land and Tax Map as Section 7, Block 29, Lots 32, 33 & 34 (the "Property"); and

**WHEREAS**, the Applicant has requested that the Property be assigned a street address; and

**WHEREAS**, the Town has determined that, in the interest of promoting the health, safety and general welfare of Town residents, the Property should be assigned the following street address: 155 Elm Street, Roslyn Heights, New York ("Address designation"); and

**WHEREAS**, the Roslyn Heights Postmaster has approved the Address designation sought by the Applicant; and

**WHEREAS**, subject to the Nassau County Fire Marshal rendering a determination that the designation would not impede optimum emergency response time (the "Determination"), the Town Board wishes to grant the Applicant's request for the Address Re-designation.

**NOW, THEREFORE, BE IT**

**RESOLVED** that subject to the Determination of the Nassau County Fire Marshal, the Town Board hereby authorizes and directs the Address Re-designation; and be it further

**RESOLVED** that the Town Board hereby authorizes and directs that all necessary action be taken by the Building Department to effectuate the foregoing; and be it further

**RESOLVED** that the Town Board hereby authorizes and directs the Town Clerk to notify the Nassau County Clerk, the Nassau County Engineer, the Applicant and the post-office department of the United States where the premises is located, to advise them of the Address Re-designation.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney      Receiver of Taxes      Planning      Building      DPW  
Town Clerk

MR. WINK: Item 35, a resolution authorizing the Town to continue coverage of costs associated with Project Independence taxi transportation during the COVID-19 Public Health Emergency.

SUPERVISOR BOSWORTH: The Town is taking on these costs to protect our senior population during the Corona virus pandemic. Are there any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: Then I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 340 - 2020**

**A RESOLUTION AUTHORIZING THE TOWN TO CONTINUE COVERAGE OF COSTS ASSOCIATED WITH PROJECT INDEPENDENCE TAXI TRANSPORTATION DURING THE COVID-19 PUBLIC HEALTH EMERGENCY.**

**WHEREAS**, the Town of North Hempstead (the “Town”) recognizes the severe impacts of Covid-19 (the “Virus”) on its senior population, and the potential for the spread of the Virus through the physical transfer of payment; and

**WHEREAS**, Project Independence (“PI”) provides taxi transportation for medical appointments and food shopping within the Town of North Hempstead for PI members age 60 and older and disabled residents age 21 to 59 via local contracted Taxi companies; and

**WHEREAS**, pursuant to Resolution 251-2020, adopted June 18, 2020, in an effort to reduce the potential spread of the Virus, this Board authorized the Town to pay for PI taxi transportation for the period beginning April 1, 2020 through August 30, 2020 in accordance with the rate schedule annexed hereto as Exhibit A, including an 18% administrative fee on all rides for both medical transportation and food shopping transportation (the “Payments”); and

**WHEREAS**, in a continued effort to reduce the potential spread of the Virus, the Commissioner of the Department of Services for the Aging has now recommended that the Town continue to pay for PI taxi transportation for the period from September 1, 2020 through December 31, 2020 in accordance with the rate schedule annexed hereto as Exhibit A, including the 18% administrative fee on all rides for both medical transportation and food shopping transportation (the “Continued Payments”); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to authorize the Continued Payments.





MR. WINK: Item 36, a resolution ratifying the placement of a Volunteer Firefighters' Benefit Law liability policy.

SUPERVISOR BOSWORTH: Are there any comments, Mr. Wink?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 341 - 2020**

**A RESOLUTION RATIFYING THE PLACEMENT OF A VOLUNTEER FIREFIGHTERS' BENEFIT LAW LIABILITY POLICY.**

**WHEREAS**, pursuant to the Volunteer Firefighters' Benefit Law, the Town provides coverage to certain volunteer firefighters that become injured during the line of duty; and

**WHEREAS**, the Town of North Hempstead's current insurance policy for Volunteer Firefighter Benefit Law coverage expired on July 1, 2020; and

**WHEREAS**, the Town received favorable pricing and coverage quotations for a Volunteer Firefighter Benefit Law policy from New York State Public Entities Safety Group for the period of July 1, 2020 through June 30, 2021; and

**WHEREAS**, the Town's insurance broker has recommended placement of the policy as quoted; and

**WHEREAS**, the Town's insurance broker has placed the policy.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board ratifies the placement of the Volunteer Firefighter Benefit Law policy with New York State Public Entities Safety Group for the period of July 1, 2020 through June 30, 2021; and be it further

**RESOLVED** that the Supervisor, Comptroller, Commissioner of Human Resources and Town Attorney are hereby authorized to take such other action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs hereof upon receipt of duly executed and certified claims therefor.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Supervisor      Comptroller

MR. WINK: Item 37, a resolution adopting the Town of North Hempstead credit card policy.

SUPERVISOR BOSWORTH: Mr. Wink, do we have any comments?

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: Then I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 342 - 2020**

**A RESOLUTION ADOPTING THE TOWN OF NORTH HEMPSTEAD CREDIT CARD POLICY.**

**WHEREAS**, the Town of North Hempstead (the "Town") has authorized the procurement of Town credit cards which may be used by specified personnel for certain purposes; and

**WHEREAS**, in order to ensure that Town credit cards will be used in an appropriate manner by authorized individuals, the Town Comptroller has recommended that the Town Board adopt a Credit Card Policy in accordance with the proposed language set forth in the Credit Card Policy annexed hereto as Schedule A (the "Credit Card Policy"); and

**WHEREAS**, this Board finds it to be in the best interests of the Town to adopt the Credit Card Policy.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board does hereby authorize and adopt the Credit Card Policy; and be it further

**RESOLVED** that the Supervisor, Comptroller and Town Attorney be and hereby are authorized and directed to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

## **TOWN OF NORTH HEMPSTEAD**

### **CREDIT CARD POLICY**

#### **A. Authorization**

The Town Board has authorized the procurement of a Town credit card. The issuance of individual credit cards shall be at the discretion of the Town Supervisor and shall be limited to the Supervisor, the Deputy Supervisor, the Chief of Staff, Deputy Chief of Staff, Town Comptroller, Commissioners and/or Executive Directors. Before an individual may receive a card, the individual must sign an Agreement acknowledging that he or she has read and understood the Town's credit card policy and accepts responsibility for the protection and proper use of the card. The Supervisor may establish spending limits for each card and each individual transaction, as well as block certain types of vendors or purchases using merchant category codes.

The Comptroller shall maintain a master list of all credit cards issued in the name of Town employees and periodically review the list and cancel those cards that are no longer active. This log will include a list of staff members, who have been granted by the card holder in writing the ability to use the credit card. The Comptroller may conduct routine audits of both credit card activity and document retention procedures to determine compliance with this policy.

#### **B. Use of the Credit Card**

A Town credit card may only be used for properly budgeted and allowable Town expenditures. All purchases made with a Town credit card are subject to, and must comply with, the Town's procurement policy. Only the individual in whose name the card is issued, or an individual designated by the cardholder in writing, may make purchases with a Town credit card.

Town credit cards may only be used where a purchase order cannot be issued through the normal purchasing process. For example, a credit card may be used to pay licensing fees where the transaction can only occur online. A credit card may also be used to pay a deposit on an item that is specially ordered or to be specially made for the Town but is otherwise appropriately purchased through the normal purchasing process.

The Town is tax exempt and will not pay for sales tax. It is the responsibility of the credit card holder to ensure that all purchases are made free of sales tax. Any sales tax included on a purchase will be the personal responsibility of the card holder.

Town credit cards SHALL NOT BE USED for:

- a. Personal purchases or expenses;
- b. Cash advances or cash back from purchases;



- c. Any purchase that exceeds the card's credit limit;
- d. Paying invoices or statements;
- e. Any purchase that violates the Town's procurement policy;
- f. Gift card purchases; and
- g. Any purchase in excess of \$1,000, unless:
  - i. prior approval for the purchase has been received from both the Director of Purchasing and the Director of Finance, or
  - ii. the purchase is of surplus government equipment made for the benefit of the Division of Highways and the purchase is approved by the Director of Finance.

A cardholder who makes unauthorized purchases shall be liable for the total dollar amount of those charges and may be subject to disciplinary action. Use of a Town credit card for personal expenses with or without the intent to reimburse the Town is not permissible and may subject the cardholder to disciplinary action, civil and criminal sanctions.

Each cardholder shall maintain a purchasing log and record each purchase made with the credit card. For each transaction the following information must be included: receipt date, vendor name, purchase amount, budget account code and description of purchase. In addition, the following documentation shall be retained by the Cardholder for each type of transaction:

- a. When a purchase is made over-the-counter, the Cardholder shall retain the invoice and "customer copy" of the charge receipt, checking that the invoice and/or receipt describe the item/s purchased, lists the quantity and purchase price.
- b. When a purchase is made on the Internet, the Cardholder shall print a copy of the receipt and order confirmation before exiting the site.
- c. When a purchase is made over the telephone, the Cardholder shall have the vendor fax or email a copy of the receipt.
- d. When a purchase is made by mail, the Cardholder shall retain all confirmations and shipping documentation.
- e. Where an item is returned, the vendor shall issue the cardholder a credit which should appear on a subsequent statement. Cash shall never be received in lieu of a credit to the credit card account.
- f. When a purchase is made for an "emergency purpose" clear documentation must be provided to justify the need.

### **C. Review and Payment**

The Comptroller's office will receive the monthly credit card statement and will forward copies of the statement for each card to the individual cardholders. For review and payment purposes, each cardholder shall designate a representative to communicate with the Comptroller's office.

Each cardholder, or his or her designee, shall fill out a **Town Claim form** (with the vendor noted as Town of North Hempstead Credit Card), attach the appropriate documentation for each transaction to the claim form, including the, business purpose, appropriate code for each purchase, confirmation that all purchase items have been received, and the claim form should be signed by the Commissioner. The executed claim form and supporting documentation shall be submitted to the individual designated by the Comptroller to receive the statements. Following receipt of each cardholder's statement, the Comptroller's designee shall reconcile the credit card statement and verify that each transaction listed on the statement has been properly recorded, coded and is supported by appropriate documentation. Any unauthorized transactions must be immediately reported to the Comptroller. The complete reconciled statement along with all the supporting documentation shall be returned to the Comptroller's office will coordinate of the credit card.

### **D. Cardholder Security**

It is a Cardholder's responsibility to safeguard his or her credit card and account number. Cardholders shall not give their card or account number to others to use on their behalf except as provided by this policy. The cardholder shall keep the credit card in a secure location, such as a locked drawer, at all times. In the event that the card is lost or stolen, the cardholder shall immediately notify the Comptroller and the credit card company and the card shall be cancelled.

### **E. Cardholder Separation**

Upon separation of employment, the cardholder shall surrender the credit card to the Comptroller. The cardholder shall also surrender all documentation for purchases made with the card that have not yet been reconciled on the most recent credit card statement. The credit cards of cardholders who have separated from Town employment shall be immediately cancelled.

### **F. Revocation of Cardholder Privileges**

In the event a cardholder violates the terms of this policy or the cardholder agreement or engages in misuse of a Town credit card the employee's credit card privileges may be revoked. In addition, disciplinary and/or criminal action may be taken against the employee.. A cardholder's credit card privileges may also be revoked for the following:

1. Loss or theft of an issued credit card.
2. Failure to immediately report the loss or theft of a card upon discovery.
3. Failure to comply with record keeping procedures as outlined in this policy.



TOWN OF NORTH HEMPSTEAD / SWMA  
CREDIT CARD POLICY ACKNOWLEDGEMENT FORM

I hereby acknowledge that I have been given access to a copy of the Town of North Hempstead/SWMA credit card policy and I have read and understand the contents of the document.

I understand the Credit Card Policy summarizes and reflects current policies, which may be modified or superseded at any time by the Town. I understand the Town will attempt to keep me apprised of any such changes in policy, either through my supervisor or through official notices.

I accept the responsibility to read, understand, and keep myself informed of any changes made to the policy. I will follow the practices, policies, rules and regulations of the town.

\_\_\_\_\_  
(Print name of Employee)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date



TOWN OF NORTH HEMPSTEAD / SWMA  
APPLICATION FOR A TOWN CREDIT CARD

Date: \_\_\_\_\_

Department Name: \_\_\_\_\_

Card Holder's Name: \_\_\_\_\_  
(Please note the card will be issued in the employee's name)

Approval by Commissioner:

\_\_\_\_\_  
(Print name of Commissioner)

\_\_\_\_\_  
Commissioners' Signature

\_\_\_\_\_  
Date

Approval by Supervisors office:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



TOWN OF NORTH HEMPSTEAD / SWMA  
DESIGNATION OF USE OF A TOWN CREDIT CARD

Effective \_\_\_\_\_ I \_\_\_\_\_ hereby designate use of the

Town of North Hempstead / SWMA credit card, which is issued in my name, to

\_\_\_\_\_.

I have provided my intended designee a copy of the Town's credit card policy and the credit card policy acknowledgement form.

\_\_\_\_\_  
(Print name of card holder)

\_\_\_\_\_  
Card holder's signature

\_\_\_\_\_  
Date

Approval by Supervisors office:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Town of North Hempstead

Post Office Box 300  
Manhasset, New York 11030

**CLAIM MUST BE FILED WITHIN 20 DAYS OF SERVICES RENDERED OR MERCHANDISE DELIVERED**

PURCHASE ORDER NO. \_\_\_\_\_

DATE \_\_\_\_\_  
WHEN COMPLETE SHIPMENT IS MADE  
MAIL YOUR CLAIM TO  
TOWN OF NORTH HEMPSTEAD

CLAIM NO. \_\_\_\_\_

I.D. No:

TO Town of North Hempstead Credit Card

ACCOUNT CODE

AMOUNT

DELIVERY INSTRUCTIONS:  
SHIP ALL ARTICLES PREPAID  
INSIDE DELIVERY UNLESS OTHERWISE STATE HEREIN

DELIVER TO:  
DATE REQUIRED

AUTHORITY

TERMS:

PLEASE FURNISH THE FOLLOWING ARTICLES OR SERVICES CONSIGNED TO THE DESTINATION GIVEN BELOW IN ACCORDANCE WITH CONDITIONS GIVEN ON THE BACK OF PURCHASE ORDER, WHICH, WHEN, THIS ORDER IS ACCEPTED BY YOU, WILL CONSTITUTE PART THEREOF.

QUANTITY	UNIT	DESCRIPTION	THE ABOVE ORDER NO. AND DEPT MUST APPEAR ON ALL PACKAGE INVOICES, CLAIMS AND CORRESPONDENCE	UNIT PRICE	NET TOTAL
DO NOT INCLUDE FEDERAL, STATE, OR LOCAL TAXES					

VENDOR'S CERTIFICATION: I CERTIFY THAT THE ABOVE BILL IS JUST, TRUE AND CORRECT; THAT NO PART THEREOF HAS BEEN PAID EXCEPT AS STATED AND THAT THE BALANCE IS ACTUALLY DUE AND OWNING AND THAT TAXES FROM WHICH THE TOWN IS EXEMPT ARE EXCLUDED

DATE

VENDOR'S SIGNATURE

TITLE

I HEREBY AUDIT AND ALLOW THIS CLAIM FOR THE SUM OF \$ \_\_\_\_\_ AND ORDER WARRANT DRAWN AGAINST FUND OR ACCOUNT INDICATED ABOVE.

I HEREBY CERTIFY THAT THE QUANTITIES OF THE SUPPLIES DELIVERED AND THE SERVICES RENDERED ARE CORRECT AS INDICATED HEREIN WERE AND FOR THE TOWN OF NORTH HEMPSTEAD

DATE: \_\_\_\_\_  
TOWN COMPTROLLER

SIGNED

TOWN OFFICIAL OR DEPARTMENT HEAD

CLAIM FORM

\_\_\_\_\_

MR. WINK: Item 38, a resolution authorizing certain supervisory arrangements concerning personnel of the Department of Parks and Recreation in accordance with Chapter 16B of the Town Code.

SUPERVISOR BOSWORTH: This is a waiver of our anti-nepotism policy for summer seasonal employees. Do we have any comments, Mr. Wink.

MR. WINK: I have no comments on this item.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 343 - 2020**

**A RESOLUTION AUTHORIZING CERTAIN SUPERVISORY ARRANGEMENTS CONCERNING PERSONNEL OF THE DEPARTMENT OF PARKS AND RECREATION IN ACCORDANCE WITH CHAPTER 16B OF THE TOWN CODE.**

**WHEREAS**, the Town has previously adopted Chapter 16B of the Town Code of the Town of North Hempstead entitled “Anti-Nepotism” (the “Anti-Nepotism Law”), which, among other things, prohibits Town officers and employees from supervising relatives employed by the Town; and

**WHEREAS**, the Anti-Nepotism Law allows officers and employees to supervise a relative with the approval of the Town Board; and

**WHEREAS**, the Commissioner of Parks and Recreation (the “Commissioner”) has requested that this Board authorize the following persons to work at the same locations as their relatives, even though their working at the same location may create an indirect supervisory relationship:

Name	Title	Location
Kyra Kim	Lifeguard Trainee	Manorhaven
Spencer Kim	Lifeguard 1	Manorhaven

; and

**WHEREAS**, the Commissioner has represented to this Board that allowing these indirect supervisory arrangements to exist is essential to the successful operation of the Town’s parks and pools for the summer season and that any indirect supervision will be minor and will not involve the formation or execution of policy at the Town’s parks and pools; and



**WHEREAS**, the Town Board finds it in the best interests of the Town to authorize the above persons to work at the same locations as their relatives as described above, in accordance with the authority given to it under the Anti-Nepotism Law.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the indirect supervisory arrangements described in this resolution be and hereby are authorized; and be it further

**RESOLVED** that the Town Board's authorization as described in this Resolution shall expire September 15, 2020

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney      Comptroller      Parks and Recreation

MR. WINK: Item 39, a resolution authorizing, ratifying and approving a settlement agreement.

SUPERVISOR BOSWORTH: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 344 - 2020**

**A RESOLUTION AUTHORIZING, RATIFYING AND APPROVING A SETTLEMENT AGREEMENT.**

**WHEREAS**, the Town Attorney has requested that the Town Board authorize, approve and ratify the execution of a settlement agreement and release (the "Settlement Agreement") between the Town and Michele Amato, a former employee, for the purpose of resolving issues related to the employment of the employee, as more particularly described in the Settlement Agreement, a copy of which will be on file in the Office of the Town Attorney; and

**WHEREAS**, after careful consideration, the Board finds it is in the best interests of the Town to authorize, approve and ratify the execution of the Settlement Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby authorizes, approves and ratifies the execution of the Settlement Agreement; and be it further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute the Settlement Agreement, a copy of which will be on file in the Office of the Town Attorney.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Town Attorney                      Human Resources                      Comptroller

MR. WINK: Item 40, a resolution authorizing the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of employees and/or officials in various departments of the Town.

SUPERVISOR BOSWORTH: Are there any comments, Mr. Wink?

MR. WINK: I believe we do have one comment from e-mail. No, that was -- I apologize. That was one that was -- well, to the extent that there are two questions in this e-mail from Richard Gibson. One of the questions has a replacement for Carol Trottier been named. That's -- that's the only comment with respect to the personnel item.

SUPERVISOR BOSWORTH: And so we have a new Director of Communications, which is Gordon Tepper.

MR. WINK: Right.

SUPERVISOR BOSWORTH: Okay. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: No.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye,

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Supervisor Bosworth offered the following resolution and moved its-adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 345 - 2020**

**A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.**

**WHEREAS**, the approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the "Town") as more particularly set forth in a memorandum on file in the Office of the Commissioner of Human Resources; and

**WHEREAS**, the Board believes it is in the best interests of the Town to approve the request.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the following employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations are hereby adopted and approved:

**ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK AND CIVIL SERVICE APPROVAL**

**SEE EXHIBIT A ATTACHED**

; and be it further

**RESOLVED** that the above listed employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary are hereby appointed to the respective positions at a rate of compensation shown next to their names; and be it further

**RESOLVED** that the appointments and employments are subject to the satisfactory completion of a physical examination by a physician; and be it further

**RESOLVED** that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board; and be it further

**RESOLVED** that the effective date of the foregoing employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary of said individuals, employees and/or officials in the various departments of the Town shall be that date certified by the Commissioner of Finance; and be it further

**RESOLVED** that the foregoing appointments, employments and terminations are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law.

Dated: Manhasset, New York  
August 13, 2020

The vote of the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: Councilperson Russell

**PERSONNE SOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	New/Old Grid	Grade/Step	Current Department	New Department #	Current Budget Code #	New Budget Code #	Effective Date	RDF Signed
New Hire FT Exempt	Comptroller	Sharon Glassman	Deputy Comptroller	\$110,000 ann./\$4,230.77 bi-weekly	N/A	N/A	121800		A.03.1315.1000			
New Hire FT Hourly	Highway	Eduardo Mastronicola	Auto Servicer	\$50,643 ann./\$24.35 hrly.	New	Grade 13, Step 1	311000		DA.07.5117.1000			
New Hire FT (Vacancy)	Public Safety	Kiersten Gaertner	Code Inspector	\$62,538.00 Ann/ \$2,405.30 bi-weekly		Gr20/St 1	210400		B.06.3625.1000		8/17/2020	
Part Time to Full Time Hourly (Vacancy)	Parks & Rec/Bar Beach	Raymond Jones	Laborer 1	\$13.75/hour to \$45.627 ann/\$21.94 hourly	New	Grade 9, step 1	932000	123200	A.05.7183.1200	A.05.7183.1000		
Seasonal - New Hire	Parks & Rec/YWCCC	Jahrei Anderson	Attendant	\$13.00/hr	N/A	N/A	833300		A.05.7141.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Katharine Caputi	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Ryan Derrasse	Lifeguard Trainee	\$16.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Erin Fisher	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Jamie Fleshel	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Whitney	Michael Frising	Attendant	\$13.00/hr	N/A	N/A	823400		A.05.7185.1200			
Seasonal - New Hire	Parks & Rec/HarborHills	Richard Husch	Lifeguard 1	\$16.00/hr	N/A	N/A	882000		SP152.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Kyra Kim	Lifeguard Trainee	\$16.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Tamar Levy	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Eliana Loughlin	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Joseph Melkonian	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	James Moyer	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Alyssa Puglisi	Lifeguard 1	\$16.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/CGM	Giustino Riccobono	Laborer 1	\$13.00/hr	N/A	N/A	882000		SP154.1200			
Seasonal - New Hire	Parks & Rec/MartinReid	Raven Roberts	Lifeguard 1	\$16.00/hr	N/A	N/A	835000		A.05.7111.1200			
Seasonal - New Hire	Parks & Rec/Whitney	Kamilah Salcedo	Attendant	\$13.00/hr	N/A	N/A	823400		A.05.7185.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Robert Saville	Attendant	\$13.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Alex Singer	Lifeguard 1	\$16.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Michael Sun	Lifeguard 1	\$16.00/hr	N/A	N/A	831000		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/Whitney	Christopher Szywald	Lifeguard 1	\$16.00/hr	N/A	N/A	823400		A.05.7182.1200			
Seasonal - New Hire	Parks & Rec/NHBP	Luca VanVelsor	Attendant	\$13.00/hr	N/A	N/A	832000		A.05.7185.1200			
Seasonal - New Hire	Parks & Rec/Whitney	Julianne Verwys	Lifeguard Trainee	\$16.00/hr	N/A	N/A	823400		A.05.7183.1200			
Seasonal - New Hire	Parks & Rec/YWCCC	Jalen Whittaker	Attendant	\$13.00/hr	N/A	N/A	833300		A.05.7141.1200			

**PERSONNEL RESOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	New/Old Grid	Grade/Step	Current Department	New Department #	Current Budget Code #	New Budget Code #	Effective Date	RDF Signed
Seasonal - New Hire	Parks & Rec/CGM	Matteo Zepperi	Lifeguard 1	\$16.00/hr	N/A	N/A	882000		SP154.1200			
Seasonal - New Hire	Parks & Rec/Manorhaven	Abraham Franchetti	Attendant	\$13.00/hr			831000		A.05.7182.1200			
Part Time to Seasonal Hours w/ rate change	Parks & Rec/NHBP	Devin Tait	Attendant	\$13.00/hr to \$13.50/hr	N/A	N/A	932000		A.05.7183.1200		6/27/2020	
Part Time to Seasonal Hours w/ rate change	Parks & Rec/Martin Reid	Lawrence Quinn	Lifeguard 4	\$22.00/hr to \$24.00/hr	N/A	N/A	935000		A.05.7111.1200			
Returning seasonal w/ rate change	Parks & Rec/Manorhaven	Christopher Czarkowski	Lifeguard 1	\$15.00/hr to \$16.25/hr	N/A	N/A	831000		A.05.7182.1200			
Returning seasonal w/ rate change	Parks & Rec/NHBP	Pia Santodonato Schnauffer	Lifeguard 4	\$22.00/hr to \$24.00/hr	N/A	N/A	832000		A.05.7183.1200			
Change in Grade FT	Comptroller's Office	Thomas Devaney	Grants Technician	\$82,591 ann./\$3,176.60 Bi-weekly to \$82,786		Grade 21, Step 12 to Grade 25, Step 2	121600		A.03.1613.1000			
Change in Location FT Hourly	Parks & Rec/Bar Beach to Purchasing	Clarence King	Laborer 2	\$59,729 ann./\$28.72 hrly	New	Grade 11, step 13	123500	123200	A.05.7111.1000	A.05.7183.1000		
Change in Salary FT		Moir LaBarbera	Deputy Town Attorney/Director of Procurement	\$73,183 ann./\$2,814.73 Bi-Weekly to \$85,183 ann./\$3,276.26 Bi-Weekly			127300		A.10.1345.100		4/1/2020	
Change in Title, Grade & Salary FT	Human Resources	Virginia Smith	Clerk Typist 2 to Administrative Officer 1	\$53,249 ann./\$2,048 bi-wk to \$65,755 ann./\$2,529 bi-wk		Grade 13/St 3.5 to Grade 21/St 1	122000		A.04.1310.1000		7/25/2020	
Change in Title, Grade & Salary FT Hourly	Parks & Rec/Tully Outdoor	Jermaine Mingo	Laborer 2 to Groundskeeper 1	\$51,479 ann./\$24.75 hrly to \$56,869 ann./\$27.34 hrly	New	Grade 11, step 4.5 to Grade 17, step 1	123000		A.05.7181.1000			
Change in Title, Grade, Step & Salary FT Hourly	Highway	Hector Montalvo	Equipment Operator Trainee to Equipment Operator 1	\$49,538 ann./\$23.82 hrly. to \$50,643 ann./\$24.35 hrly	New	Grade 11, Step 2.5 to Grade 13, Step 1	311000		DA.07.5117.1000		7/25/2020	
Change in Title, Grade, Step & Salary FT Hourly	Highway	James Ward	Equipment Operator Trainee to Equipment Operator 1	\$49,052 ann./\$23.58 hrly. to \$50,643 ann./\$24.35 hrly.	New	Grade 11, Step 2 to Grade 13, Step 1	311000		DA.07.5117.1000		8/8/2020	
Change in Title, Grade, Step & Salary FT Hourly	Highway	Ehtan Brower	Equipment Operator Trainee to Equipment Operator 1	\$50,996 ann./\$24.52 hrly. to \$51,164 ann./\$24.60 hrly.	New	Grade 11, Step 4 to Grade 13, Step 1.5	311000		DA.07.5117.1000		7/25/2020	
Change in Title, Grade, Step & Salary FT	Highway	Michael Lisbon	EO 2 to EO 3	\$71,180ann/\$34.22/hr to \$72,741ann/\$34.97/hr		Gr15/S18.5 to Gr17/S15.5			DA.07.5117.1000			
Change in Title, Grade, Step & Salary FT	Highway	Lionel Harvey	EO 1 to EO 2	\$55,855ann/\$26.85/hr to \$56,203ann/\$27.02/hr		Gr13/S16.0 to Gr15/S13.0			DA.07.5117.1000			
Merit Raise FT	Parks & Rec/Admin	Patricia Rubinic	Recreation Aide	\$61,910ann./\$2,381.20 bi-weekly to \$63,266 ann./\$2,433.30 bi-weekly	New	Grade 9, Step 19 to Grade 9, Step 20.5	129000		A.05.7020.1000			



**PERSONNE SOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	New/Old Grid	Grade/Step	Current Department	New Department #	Current Budget Code #	New Budget Code #	Effective Date	RDF Signed
Merit Raise FT Hourly	Parks & Rec/Tully Indoor	Howard Loewenstein	Building Maintenance Supervisor	\$90,715 ann./\$43.61 hrly to \$93,358/\$44.88 hrly	New	Grade 25, Step 6.5 to Grade 25, Step 8	123000		A.05.7181.1000			
Military Leave FT Hourly	Parks & Rec/YWCCC	Freddy Rodriguez	Recreation Aide	\$53,317 ann./\$2,050.70 bi-weekly	New	Grade 9, Step 9.5	133300		A.05.7141.1000		9/18/2020	
Resignation - move to PT	Comptroller	Sherri Marx-Eisenstadt	Deputy Comptroller to Clerk 1 PT	\$93,506.92 ann./\$3,596.42 bi-weekly to \$45/hrly.	N/A	N/A	121800	925000	A.03.1315.1000	A.04.1310.1200	7/31/2020	
Resignation FT	Comptroller	Steven Lentino	Accountant 1	\$56,205 ann./\$2,161.70 bi-weekly	New	Grade 15, Step 3	121800		A.03.1315.1000		7/31/2020	
Resignation PT	Parks & Rec/YWCCC	Priya Baldeo	Recreation Aide	\$18.00/hr	N/A	N/A	933300		A.05.7141.1200			
Resignation PT	311 Call Center	Christina Nieves	Attendant/311 Call Rep	\$15.00/hr	N/A	N/A	903100		A.30.1480.1200			
Retirement FT	Human Resources	Michele Amato	Group Health Insurance Sup	\$83,392 ann./\$3,207.40 bi-wk	Old	Gr.20/St. 6	122000		A.04.1310.1000		7/30/2020	
Change in Title, Grade, Step & Salary	Administrative Services	Emanuel Bateman	Laborer 1 to Maintenance Mechanic Trainee	\$51,960 ann./\$24.98 hrly to \$52,378 ann./\$25.18 hrly	New	Grade 9, Step 8.0 to Grade 12, Step 4.0	120500		A.01.1621.1000			
Change in Title, Grade, Step & Salary	Tax Receiver	Susan Sullivan	Administrative Assistant to Administrative Officer	\$84,182 ann./\$3,237.80 bi-weekly to \$86,084 ann./\$3,310.90 bi-weekly	Old	Grade 20, Step 7.0 to Grade 21, Step 5.5	125600		A.09.1330.1000			
Change in Title, Grade, Step & Salary	Tax Receiver	Josephine Filocamo	Clerk Typist 2 to Administrative Officer	\$65,763 ann./\$2,529.30 bi-weekly to \$66,520 ann./\$2,558.50 bi-weekly	New	Grade 13/Step 15.5 to Grade 21/Step 1.5	125600		A.09.1330.1000			
Change of Title, Salary, Grade & Step FT	Building Department	Venzelos Voutsinas	Building Inspector 1 to Plans Examiner 1	\$84,568 ann./\$3,252.60 bi-weekly to \$86,560.00 ann./\$3,329.20 bi-wk	Old	Grade 20, Step 7.5 to Grade 25, Step 1.5	210500	211000	B.33.3621.1000	B.33.3622.1000		
Change of Title, Salary, Grade & Step FT	Building Department	Anthony Basile	Building Inspector 1 to Plans Examiner 1	\$67,586.00 ann./\$2,599.50 bi-weekly to \$81,023.00 ann./\$3,116.30 bi-weekly	New	Grade 20, Step 4.5 to Grade 25, Step 1	210300	211000	B.33.3623.1000	B.33.3622.1000		

**PERSONNEL RESOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	New/Old Grid	Grade/Step	Current Department	New Department #	Current Budget Code #	New Budget Code #	Effective Date	RDF Signed
Change of Title, Salary, Grade & Step FT	Building Department	Dorys Rendon	Plans Examiner 1 to Bldg. Inspector 1 Bilingual	\$84,547 ann./ \$3,251.80 bi-weekly to \$62,538 ann./ \$2,405.30 bi-weekly	New	Grade 25, Step 3 to Grade 20, Step 1.0	211000	210500	B.33.3622.1000	B.33.3621.1000		
Change of Title, Salary, Grade & Step FT	Building Department	Carlos Reyes	Plans Examiner 1 to Bldg. Inspector 1 Bilingual	\$84,547 ann./ \$3,251.80 bi-weekly to \$62,538.00 ann./ \$2,405.30 bi-weekly	New	Grade 25, Step 3 to Grade 20, Step 1.0	211000	210500	B.33.3622.1000	B.33.3621.1000		
Merit Raise	Administrative Services	Paul Castellanos	Maintenance Carpenter Supervisor	\$92,766 ann./ \$44.60 hrly to \$93,945 ann./ \$45.17 hrly	Old	Grade 20, Step 18 to Grade 20, Step 19.5	120800		A.01.1627.1000			

MR. WINK: Item 41, a resolution approving the action of the Alert Engine, Hook, Ladder and Hose Co., No. 1, Inc., Great Neck, New York, in removing from membership Harry R. Rubenau.

COUNCILWOMAN LURVEY: Any comments, Mr. Wink?

MR. WINK: I have no comments on this item.

COUNCILWOMAN LURVEY: I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Lurvey offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 346 - 2020**

**A RESOLUTION APPROVING THE ACTION OF THE ALERT ENGINE, HOOK, LADDER AND HOSE CO. NO. 1 INC., GREAT NECK, NEW YORK, IN REMOVING FROM MEMBERSHIP HARRY R. RUBENAU.**

WHEREAS, the Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., Great Neck, New York, has advised of removing from membership Harry R. Rubenau

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of Alert Engine, Hook, Ladder and Hose Co. No. 1, Inc., 555 Middle Neck Rd., Great Neck, NY 11023 in removing from membership Harry R. Rubenau, be and the same hereby are approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Alert Engine, Hook Ladder & Hose Co., No. 1, Inc.      Town Attorney  
Comptroller

MR. WINK: Item 42, a resolution approving the action of the Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc., Albertson, New York in adding to membership Sameer Hasan, Andrew Lee, Brendan Falls and David Kempner.

COUNCILMAN ZUCKERMAN: Mr. Wink, are there any comments?

MR. WINK: I have no comments on this item.

COUNCILMAN ZUCKERMAN: Thank you.

I'd like to offer the resolution and move for its adoption.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 347 - 2020

**A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON HOOK & LADDER, ENGINE & HOSE CO., NO. 1., INC., ALBERTSON, NEW YORK, IN ADDING TO MEMBERSHIP SAMEER HASAN, ANDREW LEE, BRENDAN FALLS AND DAVID KEMPNER.**

**WHEREAS**, the Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc., Albertson, New York, has advised of adding to membership Sameer Hasan, Andrew Lee, Brendan Falls and David Kempner.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc., 100 I.U. Willets Road, Albertson, NY 11507 in adding to membership Sameer Hasan, 4 Hickory Rd., New Hyde Park, NY, 11040, Andrew Lee, 10 Old Searingtown Rd., Albertson, NY, 11507, Brendan Falls, 674 Willis Ave., Apt. 1, Williston, NY, 11596, and David Kempner, 69 Cherrytree Lane, Roslyn Heights, NY, 11577, be and the same hereby are approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York  
August 13, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey,  
Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,  
Supervisor Bosworth

Nays: None

cc: Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc.      Town Attorney  
Comptroller

SUPERVISOR BOSWORTH: I move to adjourn.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Councilwoman Seeman.

COUNCILWOMAN SEEMAN: Aye.

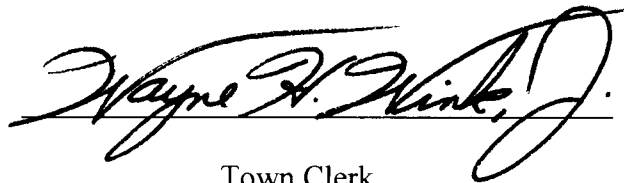
MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye. (At 10:00 p.m., the proceedings were concluded.)

Compiled from Stenographer's Transcript, MGR Reporting, File Name 081320tnhtb.docx

A handwritten signature in black ink, reading "Wayne V. Wink, J." The signature is written in a cursive style with a large, sweeping initial "W".

Town Clerk