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

Town Hall

220 Plandome Road

Manhasset, New York 11030

Tuesday, September 24, 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

WAYNE H. WINK, JR., Town Clerk

LEONARD KAPSALIS, ESQ., Town Attorney

MICHAEL LEVINE, Planning Commissioner

SUPERVISOR BOSWORTH: Good Evening. Please rise for the Pledge of Allegiance.  
(Pledge of Allegiance.)

SUPERVISOR BOSWORTH: Mr. Wink, if you'd please call the meeting to order

MR. WINK: Town of North Hempstead Board meeting, Thursday, September 24th, 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. If you would now please begin tonight's agenda.

MR. WINK: Continuations. Item 1, a public hearing to consider the adoption of a local law amending Chapter 75 of the Town Code entitled, "Wireless Telecommunications Facilities."

SUPERVISOR BOSWORTH: Are there any comments?

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

SUPERVISOR BOSWORTH: All right. We're going to be continuing this. So I move to continue the hearing until October 8th, 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 2, 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 and designated on the Nassau County Land and Tax Map as Section 5, Block D, Lots 502, 503 and 804.

COUNCILWOMAN DALIMONTE: Are there any cards on this?

MR. WINK: I have no comment requests.

COUNCILWOMAN DALIMONTE: Okay. I move to continue this item without a date at the request of the applicant.

MR. WINK: Okay. 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 3, a public hearing to consider the adoption of an ordinance affecting Roslyn Avenue in Carle Place, New York.

COUNCILWOMAN RUSSELL: The adoption of this ordinance will establish a reserve parking space on the north side of Roslyn Avenue in Carle Place. During our September 3<sup>rd</sup> meeting, there was a neighbor that brought to our attention that the placement of this reserved parking spot would take up two spots. Therefore, we'll continue the meeting to have our traffic engineer reexamine the location. Our traffic engineer has amended the description of the location to correct the error and move it to 20 feet so that it's only taking up one spot as opposed to two. And so accordingly, I'm asking that we amend this resolution and move for its adoption.

Do we have any cards or any comments ?

MR. WINK: I'm told that we have a request for a comment from Michael DeJulio.

COUNCILWOMAN RUSSELL: Sure. If you can bring him on.

MR. WINK: Mr. DeJulio on the Zoom, for his comments.

(No response.)

MR. WINK: Michael, are you on?

MR. DEJULIO: Hello. Yes, I think I'm on. Yes. I just want to know the location -- the new location if I might ask.

COUNCILWOMAN RUSSELL: So we did move it according to your suggestion. We moved it 20 feet further to the east so that it would allow for parking -- for an additional parking spot, as we suggested.

MR. DEJULIO: I suggest at least eight feet but I think 20 feet's actually going to put it right across the neighbor's driveway. But -- according to -- but, you know, that's another discussion I guess.

COUNCILWOMAN RUSSELL: I can send you a copy of what it would look like. But a good thing about these public hearings that if it does not work and for any reason if there's an issue, we can always come back to it and readjust it.

MR. DEJULIO: Okay. Sure. I mean, that sounds good to me. I mean, again, it doesn't affect me but it would be across in my neighbor's driveway, I believe. So, yes, if there anything that the traffic engineer had, that'd be great. Thank you very much.

COUNCILWOMAN RUSSELL: You're welcome.

MR. WINK: I have no further comments, Councilwoman.

COUNCILWOMAN RUSSELL: Are there any comments from the board?

COUNCILWOMAN RUSSELL: Seeing no comment, 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, you're muted,

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor

SUPERVISOR BOSWORTH: Aye.

MR. WINK: Okay. The – we did amend the original traffic ordinance, did we not, Councilwoman.

COUNCILWOMAN RUSSELL: Yes. We did.

MR. WINK: Okay. And they voted on the amended version. Right. 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. 388 - 2020**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING ROSLYN AVENUE IN CARLE PLACE, NEW YORK.**

**WHEREAS**, the Town Board (the “Board”) of the Town of North Hempstead has held a public hearing to consider enacting an ordinance (the “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 350 feet east of the east curb line of Jamaica Boulevard, east, for a distance of 20 feet; and

**WHEREAS**, all interested persons were afforded an opportunity to be heard concerning the proposed Ordinance; and

**WHEREAS**, this Board deems it in the public interest to adopt the Ordinance.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the ordinance establishing a reserved parking space at the north side of Roslyn Avenue, Carle Place, New York, from a point 350 feet east of the east curb line of Jamaica Boulevard, east, for a distance of 20 feet, pursuant to section 1660 of the Vehicle and Traffic Law of the State of New York is adopted by this Board, the Ordinance being more particularly described in the Notice of Adoption (the “Notice”); and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish the Notice as required by law in substantially the following form:

**NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of North Hempstead at a regular public meeting of the Board held on the 24th day of September, 2020 at 7:00 P.M.

via Zoom, duly adopted 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 ordinance shall read as follows:

**AN ORDINANCE ESTABLISHING A RESERVED PARKING SPACE AT THE NORTH SIDE OF ROSLYN AVENUE, CARLE PLACE, NEW YORK.**

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, January 27, 2009, May 19, 2009, June 23, 2009, July 14, 2009, August 4, 2009, August 25, 2009, October 20, 2009, December 8, 2009, January 26, 2010, October 5, 2010 and December 14, 2010, January 25, 2011, March 8, 2011, June 14, 2011, July 12, 2011, September 27, 2011, December 13, 2011, May 8, 2012, June 19, 2012, July 10, 2012 August 21, 2012, November 20, 2012, December 11, 2012, January 8, 2013, February 19, 2013, March 12, 2013, April 23, 2013, May 14, 2013, June 4, 2013, September 10, 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, 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 and December 13, 2016, January 31, 2017, February 28, 2017, April 4, 2017, April 25, 2017, and 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, July 23, 2020 and September 3, 2020 is further amended by adding thereto a new subdivision as follows:

“115” A reserved parking space is established on the north side of Roslyn Ave, Carle Place, New York from a point 350 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  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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      Traffic Safety      Public Safety



# Affidavit of Publication

County of Nassau  
State of New York,

SS

REC'D TNH TOWN CLERK  
AUG 24 '20 AM 11:47

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: August 19, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Darrie A Dolan*

Sworn to me this 19 day of  
August-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 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 Rossmore 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**

8-19-2020-1T-#217915-WBY



MR. WINK: Public hearings. Item 4, a public hearing to consider the adoption of a local law amending Chapter 55 of the Town Code entitled "Tow Trucks."

COUNCILMAN FERRARA: The proposed local law will provide that the fees to be charged by tow operators will be found in the Town of North Hempstead Fee Schedule, including a maximum fee that may be charged by to operators for a private property tow. Any comments on this item?

MR. WINK: I received no comments on it.

COUNCILMAN FERRARA: 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.

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. 389 - 2020**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 55 OF THE TOWN CODE ENTITLED "TOW TRUCKS."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead, is empowered to enact local laws 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 55 of the Town Code entitled "Tow Trucks" to provide that the fees to be charged by tow operators will be found in the Town of North Hempstead Fee Schedule including a maximum fee that may be charged by tow operators for a private property tow; 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 24th day of September, 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 has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on September 24, 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**, 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 Local Law No. 10 of 2020 be and it hereby is adopted, which

Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 10 OF 2020**

**A LOCAL LAW AMENDING CHAPTER 55 OF  
THE TOWN CODE ENTITLED "TOW TRUCKS"**

**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 make amendments to Chapter 55 entitled "Tow Trucks" in order to provide that the fees that may be charged by licensed tow truck operators for towing, storage and labor charges are to be found in the Town of North Hempstead Fee Schedule. The amendments also provide greater protection to the public against fraud and prevent potential abuses in the towing for hire industry by extending the Town's rate setting authority to include tows from private property.

Section 2.

§ 55-2 of the Town Code is hereby amended as follows:

§ 55-2. Words and terms defined.

Unless otherwise expressly provided, for the purpose of this chapter the following words shall have the meanings herein indicated:

**ACCIDENT**

Any incident or occurrence in which one or more vehicles come into contact with each other or other objects, thereby causing personal injury or property damage.

**AUTHORIZED AGENT**

An individual, excluding the tow truck owner or operator, authorized by the property owner to act on the property owner's behalf to authorize a tow. [Added 7-19-2005 by L.L. No. 4-2005]

**DRIVER**

Any person driving a tow truck for hire within the enforcement jurisdiction of the Town of North Hempstead.

**FOR HIRE**

Any incident where a fee, charge or other consideration is directly or indirectly imposed for towing, carrying or removing any vehicle and shall be inclusive of repairs made on a towed vehicle for a consideration although no charge is expressly imposed for the towing of such vehicle.

#### OPERATE

The control and direction of the use of a vehicle for towing from places within the enforcement jurisdiction of the Town of North Hempstead.

#### OPERATOR

A person or entity that controls and directs the use of a vehicle for towing from places within the enforcement jurisdiction of the Town of North Hempstead.

#### OWNER

A person owning, leasing or controlling one or more tow trucks and driving, operating or causing any such vehicle to be operated for hire within the enforcement jurisdiction of the Town of North Hempstead.

#### PERSON

An individual, partnership, unincorporated association, corporation or other entity.

#### RESTRICTED LICENSE

That license issued to the owners of towing trucks and authorizing the holder thereof to engage in all tow truck operations, except that he/she may not respond to the scene of an accident or remove a disabled vehicle from the scene of an accident; nor may he/she solicit any person involved in an accident at the scene of such accident for the towing of such vehicle, whether directly or indirectly, on his/her behalf or on behalf of any other person, firm or corporation; nor may he/she at the scene of an accident where towing is required make an estimate of the cost of repairs or offer to make such an estimate or offer to make such repairs, although no charge is imposed for towing. No such solicitation shall be made at the scene of the accident nor from private property in the vicinity of the scene of the accident.

#### SCENE OF ACCIDENT

Any area of a street or private property where a vehicular accident has occurred or to which a vehicle is removed to prevent obstruction of traffic and will remain so until the vehicle or vehicles are removed either under its/their own power or by a properly licensed tow truck.

#### SOLICIT

To entreat, to approach with a request or plea, to strongly urge, to accost or to try to obtain by asking.

**TERMINAL**

Any place of business maintaining twenty-four-hour service and located within the Town of North Hempstead or within an incorporated village located within the area of the Town of North Hempstead where the licensee, as the sole business activity conducted on the premises, or in conjunction with a business activity on the premises owned or operated by the licensee, maintains a licensed tow truck to respond to calls regarding motor vehicles.

**TOWING**

The moving or removing of a disabled or abandoned motor vehicle by another vehicle for hire.

**TOWING TRUCK or TOW TRUCK**

A vehicle which either is towing or is equipped with a crane, winch or similar device designed to raise, remove, push, pull or carry a motor vehicle or the front or rear end thereof. For the purpose of this definition, the following shall not be considered "towing trucks":

- A. Vehicles of a governmental agency.
- B. Vehicles used exclusively for towing motor vehicles which are owned, leased or operated by the owner or lessee of the towing vehicle or by a person, firm or corporation which is affiliated with the owner or lessee of the towing vehicle, and such vehicles have legibly inscribed on each side, in letters no less than three inches high, the legend "not for public hire."

**TOWN**

The unincorporated area of the Town of North Hempstead, including both public highways and private property, and excluding the incorporated villages located therein unless provisions of § 55-53B are applicable.

**UNRESTRICTED LICENSE**

That license which is issued to the owners of towing trucks authorizing the holder thereof to engage in all tow truck operations, including responding to the scene of an accident as hereinafter provided. The Town Clerk shall have authority to limit the number of unrestricted towing truck licenses to be issued hereunder to any one licensee in accordance with such reasonable standards as he/she may establish.

**Section 3.**

§ 55-7 of the Town Code is hereby amended as follows:

**§ 55-7. Additional requirements.**

Every individual applicant for an owner's license shall, at the time of submitting his/her application:

- A. Submit two (2) individual photographs of the applicant taken within thirty (30) days prior to the date of the application, such photographs to be one and one-half by one and one-half

(1 ½ x 1 ½) inches in size, and such pictures must be in a true likeness of the applicant and must show neck, shoulders and uncovered head.

- B. Be fingerprinted under the direction and supervision of the Town Clerk.
- C. Submit copies of any written agreements which authorize the applicant to tow unauthorized parked cars from private property pursuant to Section 55-40 of this chapter.

Section 4.

§ 55-37 of the Town Code is hereby amended as follows:

§ 55-37. Towing, storage and labor charges; exceptions.

A. Towing charges. [Amended 5-14-2002 by L.L. No. 7-2002; 2-16-2010 by L.L. No. 1-2010]

(1) The charges for towing shall be based solely upon the distance that the motor vehicle is to be towed and shall not be estimated or based upon the availability of tow trucks. Towing charges shall be at the rates [of not more than \$125] found in the Town of North Hempstead Fee Schedule for the first mile or part thereof and for each additional mile or part thereof.

B. Storage charges. An operator may impose outside storage charges [shall be] at the rate found in the Town of North Hempstead Fee Schedule. [of not more than \$15 per day for the next seven days and not more than \$30 for each day thereafter.] Inside storage charges may be determined by written agreement between the parties. All vehicles must be stored on the premises of the licensee, whether indoors or outdoors, and shall not be permitted on any public highway. [Amended 5-14-2002 by L.L. No. 7-2002; 2-16-2010 by L.L. No. 1-2010]

C. Labor charges. [An additional charge shall not exceed \$50 per half hour or part thereof when the use of special skills is required to right an overturned vehicle or to remove it from an off-the-road location.] An Operator may impose labor charges at the rate(s) found in the Town of North Hempstead Fee Schedule. [Amended 2-16-2010 by L.L. No. 1-2010]

D. Fuel surcharge. A fuel surcharge may be imposed by tow truck owners or operators only upon authority of the Town Board, acting upon the recommendation of the Town Clerk. [Added 7-19-2005 by L.L. No. 4-2005]

E. Exceptions. The maximum towing and storage charges set forth in the Town of North Hempstead Fee Schedule [this section] shall not apply to: [Amended 7-19-2005 by L.L. No. 4-2005]

(1) Motor trucks exceeding one and one-half tons' capacity.

(2) Towing of motor vehicles pursuant to a contract executed prior to the need for towing, provided that such motor vehicles are either owned or leased by the contracting party.

Section 5.

Section 55-40 of Article IX of Chapter 55 of the Town Code is hereby amended as follows:

§ 55-40 Towing from private property

[Amended 7-19-2005 by L.L. No. 4-2005]

No motor vehicle which is parked on private property without authorization of the property owner shall be towed therefrom unless the following conditions are met:

A. The property owner or his/her authorized agent shall file with the police precinct having jurisdiction a copy of a written agreement authorizing one or more tow truck owners to tow unauthorized parked cars. The agreement shall set forth:

- (1) Explicit authorization to tow or remove unauthorized vehicles;
- (2) The rate to be charged vehicle owners and operators;
- (3) The business location, within the Town of North Hempstead, where vehicles will be towed or removed and stored, and where they may be redeemed; and
- (4) Copies of all licenses, certificates, and permits issued by the Town.

B. The property owner shall post in a conspicuous place or places, and at all entrances, signs stating that unauthorized parked cars will be towed away at the vehicle owner's expense and stating where the vehicle can be recovered. No owner or operator of parking facilities on private property shall tow or cause to be towed from such private property any motor vehicle unless such owner or operator shall have conspicuously posted and maintained upon such private property a sign or signs setting forth the name and telephone number of the tow owner. Any signs required to be installed pursuant to this section must comply with the Building Zone Ordinance of the Town of North Hempstead.

C. No vehicle shall be removed by a tow truck owner or operator from private property without first obtaining contemporaneous direction to tow by the owner of the private property or his or her authorized agent. The following shall be recorded in a log book by the tow owner or operator at the time of the tow: the identity of the person who authorized the tow, the time the authorization was received, the place of the tow, and the make, model and license plate number of the vehicle to be towed. Log books shall be retained by the tow owner for at least one year and shall be made immediately available to the Town Clerk upon request.

D. Solicitation of towing work by the owner, operator or other occupant of a tow truck while on private property is prohibited. Prior to each individual tow, contemporaneous authorization must precede the tow truck operator's entry onto private property for towing purposes.

E. Any tow truck owner or operator who tows a vehicle shall remove the vehicle directly to its facility and shall, within one hour of the vehicle's removal, notify the local police precinct having jurisdiction over the area from which the vehicle was removed. Thereafter, within 1 1/2 hours of the vehicle's removal, the tow truck owner or operator shall notify the same local police precinct of the following, in writing by hand delivery or via facsimile: the location of the vehicle's storage site, the time the vehicle was removed, the location from which the vehicle was removed, the name of the person who authorized the removal, a description of the vehicle, proof of the tow truck operator's valid North Hempstead tow truck license, and the fact that the removal was pursuant to a contract with the owner of the private property. The tow truck owner or operator shall obtain the name of the person at such police precinct to whom such information was reported and note such name on a trip record, together with the time and date that the vehicle was removed, as well as the location from where the vehicle was removed.

F. If the registered owner or other person lawfully in possession of the keys to the vehicle arrives at the scene of the tow prior to the removal of the vehicle, and the vehicle is connected to any apparatus for removal, then upon request and upon payment of a service fee described herein] found in the Town of North Hempstead Fee Schedule, the vehicle shall be disconnected from such apparatus, and such registered owner or other person lawfully in possession of the keys to the vehicle shall be allowed to remove the vehicle from the premises without interference. [The service fee shall not be more than half of the charge allowed for removal pursuant to the written agreement on file with the police precinct,] Upon payment of the service fee for which a receipt shall be given by the tow truck owner or operator. Each tow truck operator shall carry a legible copy of this section of the law, with this paragraph highlighted, and shall show it to a vehicle owner or other person lawfully in possession of the keys to the vehicle who arrives at the scene of the tow prior to the removal of a vehicle.

G. A vehicle may not be removed if it is occupied by a person or if the removal may cause physical harm to a person.

H. Notwithstanding any other provision of this chapter, where a licensed Operator removes a vehicle because it is parked on private property in a manner inconsistent with posted instructions and restrictions, and the removal is pursuant to a contract between the owner of the private property and the Operator, the Operator may collect no more than the maximum charges as may be established by resolution of the Town Board and found in the Town of North Hempstead Fee Schedule from the vehicle owner or other person in control of such vehicle, payable before the vehicle is released, except that no charge may be collected for removal of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to this chapter.

Section 6.

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

**RESOLVED** that the Town Clerk be and 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 September 24, 2020 via Zoom, Local Law No. 10 of 2020 was adopted. The local law amends Chapter 55 of the Town Code entitled "Tow Trucks" to provide that the fees to be charged by tow operators will be found in the Town of North Hempstead Fee Schedule including a maximum fee that may be charged by tow operators for a private property tow.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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.

0021605258

: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:

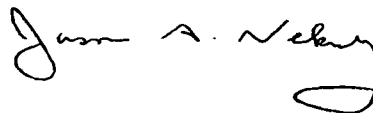
Wednesday      September 09, 2020      Nassau

**SWORN** to before me this  
9 Day of September, 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 # 21605258

**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 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. 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 NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on the 24th day of September, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 55 of the Town Code entitled "Tow Trucks" in order to provide that the fees to be charged by tow operators will be found in the North Hempstead fee schedule including a maximum fee that may be charged by tow operators for a private property tow.

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

September 3, 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  
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 Section: Legals  
 Class: 11100  
 Size: 2 x 42 Times: 1  
 Date: 9/9/2020  
 Zone(s): C-Nassau

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

MR. WINK: Item 5, a public hearing to consider the adoption of a local law amending Chapter 27 of the Town Code entitled "Historic Landmarks Preservation."

SUPERVISOR BOSWORTH: So this law is -- would allow the installation of generators and HVAC units, which is shielded from adjoining lots in the public street by evergreen planting screens without review by the Historic Landmark Preservation Commission. Mr. Wink, do we have any comments ?

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

SUPERVISOR BOSWORTH: So 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. 390 - 2020**

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 27 OF THE TOWN CODE ENTITLED "HISTORIC LANDMARKS PRESERVATION."**

**WHEREAS**, the Town Board, as the legislative body of the Town of North Hempstead, is empowered to enact local laws 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 27 of the Town Code entitled "Historic Landmarks Preservation" in order to exempt the installation, replacement or relocation of generators and HVAC units that are shielded from adjoining lots and the public street by evergreen planting screens, from review by the Historic Landmarks Preservation Commission, while still preserving the historic, architectural, and aesthetic qualities of landmarked buildings and districts; 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 24th day of September, 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 has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on September 24, 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**, 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 Local Law No. 11 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 11 OF 2020**

**A LOCAL LAW AMENDING CHAPTER 27 OF THE TOWN CODE  
ENTITLED “HISTORIC LANDMARKS PRESERVATION”**

**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 27 of the Town Code entitled “Historic Landmarks Preservation” in order to exempt the installation, replacement or relocation of generators and HVAC units that are shielded from adjoining lots and the public street by evergreen planting screens, from review by the Historic Landmarks Preservation Commission, while still preserving the historic, architectural, and aesthetic qualities of landmarked buildings and districts.

**Section 2.**

Chapter 27 of the Town Code is hereby amended as follows:

Article 1 General Provisions

§ 27-1 Findings and intent.

A. The Town Board hereby finds and declares that it is desirable to take measures to provide for the designation of historic landmarks and districts in furtherance of the following public purposes, which are found to promote the general health, safety and welfare of our residents:

(1) To preserve historic landmarks and districts within the Town in order to foster a greater stability in our neighborhoods, create an appreciation of our historical heritage and further the education of our future generations.

- (2) To provide for the protection, enhancement, preservation, perpetuation and use of those landmarks and districts which are illustrative of the growth and development of our nation, our state and our Town and which are of particular historic or aesthetic value to the Town of North Hempstead.
- (3) To recognize and insure the preservation of those elements of the Town's past which represent the many and varied architectural, artistic, technological, cultural, and/or historic achievements.
- (4) To promote the preservation of historic landmarks and districts as a means of providing appreciation and unique educational benefits by perpetuating the physical evidence of the Town's past.
- (5) To stabilize and improve property values of such historic landmarks and districts and otherwise promote their utilization.
- (6) To foster civic pride in those elements of the Town's past which create its unique character and set it apart from other communities.

B. It is the intent of this chapter to establish procedures and criteria to evaluate and preserve historic landmarks and districts deemed to be significant in the history of our Town and prevent the destruction, decay or incompatible alteration of those historic landmarks and districts.

#### § 27-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### ALTERATION

Any act or process which changes one or more of the architectural or natural features of an historic landmark or a building or site located within an historic landmark district, including but not limited to the replacement of roofing or siding materials, the erection, construction, restoration, renovation, reconstruction, demolition in part or whole, the removal of such structure or alteration to the landscape or topography of a site. Alteration shall not include ordinary repair and maintenance of a building or landscape which does not change the building materials and/or the appearance of the subject property.

#### APPLICANT

Any individual, partnership, unincorporated association, corporation, or any other entity that submits an application for designation of a landmark or district or for a certificate of appropriateness.

#### COMMISSION

The Historic Landmarks Preservation Commission established pursuant to this chapter.

#### COMMISSIONER



The Commissioner of Building and Safety Inspection and Enforcement of the Town of North Hempstead.

#### CONSTRUCTION

Any act of erecting an addition to an existing structure, building, site or object or the erection of a new principal or accessory structure on a lot or property.

#### DEMOLITION

Any act or process that destroys, in part or in whole, a landmark or a structure, building, site or object within an historic landmark district.

#### DEPARTMENT

The Department of Building and Safety Inspection and Enforcement of the Town of North Hempstead.

#### DISTRICT

An historic landmark district as defined in this chapter.

#### EXTERIOR ARCHITECTURAL FEATURES

The architectural style, design, general arrangement and components of all of the outer surfaces of any building, structure, site or object, including but not limited to the kind and texture of the building material and the type and style of all windows, window frames, shutters, doors, door frames, lights, signs, fences, railings, porches, balconies, swings, ornamentation and other fixtures appurtenant to said building or structure or significant changes to the landscaping and/or topography of a site.

#### HISTORIC LANDMARK

A building, structure, site or object or parcel of land designated pursuant to this chapter, which may or may not be located in a designated historic landmark district and which possesses one or more of the following characteristics:

- A. Is associated with persons or events of historic significance to the Town, region, state or nation;
- B. Is illustrative of historic growth and development of the Town, region, state or nation;
- C. Embodies distinctive characteristics of a type, period or method of construction;
- D. Contains unique architectural, archaeological, landscaping or artistic qualities.

#### HISTORIC LANDMARK DISTRICT

An area of the Town, designated pursuant to this chapter, which possesses the following characteristics:

- A. Has special character and/or special historic value;

B. Represents one or more periods or styles of art or architecture typical of one or more past eras; and

C. Geographically is an identifiable portion of the Town.

#### HISTORIC LANDMARK SITE

A parcel or part thereof on which is situated an historic landmark, and any abutting parcel or part thereof constituting part of the premises on which the landmark is situated and designated as an "historic landmark site" pursuant to this chapter. An historic landmark site may also be a parcel of land so designated due to its historic significance.

#### HISTORIC SITE MAP

A map prepared and maintained by the Department of Planning and Economic Development of the Town of North Hempstead on which the location of all designated historic landmarks and districts within the Town shall be identified.

#### LANDMARK

An historic landmark as defined in this chapter.

#### PERSON

An individual, partnership, unincorporated association, corporation or any other entity or organization.

#### RELOCATION

Any change to the location of. a building, structure or object on its site or removal to another site.

#### REPAIR

Any mechanical or physical change to a building, structure, site or object that is not construction, demolition, relocation or alteration, whether or not such change requires a building permit.

#### STRUCTURE

Any assembly of materials forming a construction framed of component materials intended for occupancy or use, whether or not it is being actually used or occupied, including, but without limiting the generality of the foregoing. buildings, gazebos, walls, sidewalks, signs, billboards, radio and television antennas, retaining walls, paving and swimming pools.

#### STYLES OF ARCHITECTURE

A style recognized by any one of the following:

A. National Register of Historic Places.

- B. Historic American Buildings Survey, Historic American Engineering Records, United States Department of the Interior.
- C. Historic Preservation Field Services Bureau of the New York State Office of Parks, Recreation, and Historic Preservation.
- D. Nassau County Museum.
- E. National Trust for Historic Preservation.
- F. Society of Architectural Historians.

#### TOWN

The unincorporated area within the Town of North Hempstead, New York.

#### Article II Historic Landmarks Preservation Commission

§ 27-3 Establishment, membership, terms, vacancies, compensation, ethics.

- A. There is hereby established an Historic Landmarks Preservation Commission for the Town of North Hempstead.
- B. The Commission shall consist of seven members appointed by the Town Board.
- C. All Commission members shall have a demonstrated interest in competence in or knowledge of historic preservation. The Town Historian shall serve as a permanent member of the Commission. At least one member shall be an attorney at law licensed by the State of New York. At least two members shall be architects licensed by the State of New York with experience in working with historic buildings.
- D. The Commissioner of Planning and Economic Development, or a designee, shall be an ex officio nonvoting member of the Commission and shall provide staff for the Commission for the purpose of conducting and/or coordinating studies and research and providing other material and information necessary for the Commission to exercise its powers and duties.
- E. Each member shall serve for a term of three years, except for the first appointments to the Commission, of whom two shall serve for three years, two shall serve for two years and two shall serve for one year. All members shall continue to hold office until their successors have been appointed and qualified. Whenever a vacancy occurs, the Town Board shall appoint a person with the requisite qualifications to fill the unexpired term of the former member.
- F. The Supervisor shall annually designate one of the appointed members of the Commission to serve as its Chair. The Commission members shall annually designate a Vice Chair, who shall act as the Chair in the absence of the Chair. The Chair and the Vice Chair shall continue to serve in their positions until their successors shall have been appointed.

G. The Commissioner, or a designee, shall serve as the Executive Secretary. The Executive Secretary shall not be a member of the Commission. The Executive Secretary shall provide for minutes of the proceedings of the Commission to be kept, including a record of the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall maintain permanent records of all Commission meetings, hearings and proceedings and all correspondence of the Commission. The Executive Secretary shall provide for keeping a file of all records of the Commission, and such records shall be public records open to inspection at reasonable times and upon reasonable notice.

H. The members of the Commission shall serve without compensation, but may be fully reimbursed for expenses incurred in the performance of their duties, provided the Town's budget shall include monies for such purpose.

I. The Commission shall set meeting dates and adopt such procedures pertaining to its duties as are necessary for it to properly perform its functions as set forth herein and as are consistent with the laws of the Town.

J. Four members shall constitute a quorum, and actions may be taken by a majority of members present and voting, except that the affirmative vote of at least four voting members shall be required to recommend designation of an historic landmark or historic landmark district or to recommend rescission of such a designation.

K. Commission members shall be familiar with and shall be governed by Chapter 16A of the Code of the Town of North Hempstead, entitled "Ethics, Code of."

L. A member who misses two consecutive meetings without an excuse may, upon a recommendation adopted by a majority of the voting members of the Commission, be removed from office by the Town Board.

#### **§ 27-4 Duties of Commission.**

The Commission shall have the authority to:

A. Nominate and/or designate areas, buildings, structures, sites or objects as historic landmarks or historic landmark districts and prepare reports, studies and/or surveys related to consideration for designation.

B. Issue or deny certificates of appropriateness for designated historic landmarks or buildings, structures, sites or objects in historic landmark districts.

C. Maintain and periodically revise, at least every five years, a public listing of designated historical sites, buildings, structures, objects or districts and data about them, appropriately classified with respect to national, state or local significance.

D. Establish procedures for the identification and nomination of historic landmarks and districts.

- E. Formulate recommendations concerning the establishment of an appropriate system of markers for historic landmarks and districts and/or architecturally significant buildings, structures, sites and objects within an historic landmark district.
- F. Advise the owners of historic buildings, structures, sites or objects on the preservation of their properties and as to procedures for inclusion on the State and National Registers of Historic Places.
- G. As defined in this article, submit nominations to the State and National Registers of Historic Places.
- H. Formulate recommendations concerning the preparation and publication of maps, brochures and descriptive material about the Town's historic and/or architectural features and resources.
- I. Cooperate with and advise the Town Board, the Board of Zoning and Appeals and other Town departments regarding proposed zoning amendments, applications for variances or special use permits that affect proposed or designated historic landmarks and districts.
- J. Recommend to the Town Board that the Town apply for and/or accept grants, private donations and other funds and recommend to the Town Board how such funds shall be appropriated.
- K. Adopt rules and regulations with respect to the duties granted herein, subject to the approval of the Town Board.
- L. Submit a report on its activities to the Town Board.

### Article III Procedures

#### § 27-5 Establishment of historic districts, sites and landmarks.

Historic landmarks and districts shall be designated as provided herein:

- A. An application for the designation of a building, structure, site or object as an historic landmark or an area an historic landmark district may be submitted to the Commission by any person. In addition, the Commission may, on its own motion, initiate such an application. The application shall be in writing and shall include the following:
  - (1) An application to designate a building, structure, site or object for preservation as an historic landmark shall include:
    - (a) A concise description of the physical elements, age, architectural style, period and historical significance represented by the building, structure, site or object, including a consideration of design, scale, material, workmanship and spatial qualities, as relevant.

- (b) A concise statement of how the building, structure, site or object meets the definition of "historic landmark" as defined in this chapter.
  - (c) Exterior photographs of the building, structure, site or object and surrounding property and a site map illustrating the characteristics enumerated in the definition of "historic landmark" as provided in this chapter; the area to be considered for landmarking shall be clearly defined in the site map.
  - (d) The name and address of the subject property owner(s).
  - (e) The name, address and telephone number of the person who submitted the proposal and the person represented, if any.
  - (f) The relationship, if any, between the applicant(s) and the owner(s) of the subject property.
  - (g) If required by the Commission, architectural drawings, including scaled plans and elevations.
  - (h) Such other information as the Commission deems necessary.
- (2) An application to designate an area for preservation as an historic landmark district shall include:
- (a) A concise statement of the physical elements which make the area an historic landmark district and a description of all buildings, structures, sites or objects located within the proposed district, with special note of types, architectural styles and periods represented which would qualify for designation an historic landmark under the chapter.
  - (b) A concise statement identifying other buildings, structures, sites or objects located within the proposed district that, while not qualifying under this chapter for designation as an historic landmark, contribute to the overall visual enhancement of the proposed district or are within the boundaries of the proposed district but do not contribute to it.
  - (c) A concise statement of how the proposed district meets the definition of "historic landmark district" as prescribed by this chapter.
  - (d) A scaled map showing the boundaries of the proposed district and the locations of buildings, structures, sites or objects therein, with contributing properties noted as such.
  - (e) A justification of the boundaries of the proposed district.
  - (f) The street address and section, block and lot, as shown on the most recent tax roll, of every property within the proposed district and the owners of record thereof.

(g) The name, address and telephone number of the person who submitted the application and the person represented, if any.

(h) The relationship, if any, between the applicant(s) and any of the properties, buildings, sites, objects or structures within the proposed district.

B. The Commission can choose to amend an application in any manner, including but not limited to, adding or deleting properties proposed for inclusion in an historic landmark district, or by limiting an application to the structure only and eliminating a site or outbuilding included in an application for an historic landmark. In the event the Commission amends an application, it shall adopt a written statement of the reasons for doing so, which shall be included as an addendum to the application.

C. Public hearing and decision by the Commission.

(1) Upon a Commission decision to accept the application, a public hearing shall be held by the Commission within 60 days. The Executive Secretary shall notify the Building Department, the Board of Zoning and Appeals and the applicant. The applicant shall notify the owners of record of the subject property and other owners of record as they appear on the tax rolls of the Town of property located within 300 feet of the boundary lines of the affected property, by certified mail, return receipt requested. Said notice shall be mailed not less than 10 days nor more than 20 days prior to the date of the hearing. The applicant must submit an affidavit of mailing along with a copy of the notice and certified mail receipts postmarked by the U.S. Postal Service to the Executive Secretary at least five days before the public hearing. The Commission shall place a notice of the public hearing in an official newspaper of the Town, which circulates in the affected area. All notices required herein shall state the nature of the application, including the location(s) of the affected property, and the date, time and place of public hearing. The notice shall be published at least 14 days prior to the date of the public hearing. If, prior to the close of the public hearing, the Commission shall determine that there is a failure to comply with the notice provisions of this chapter, the public hearing may be recessed until there is compliance with these notice provisions.

(2) The Commission shall have 45 days after the close of the public hearing to make its decision to deny or recommend approval of the application to the Town Board. Such decisions shall be made at a meeting of the Commission.

(3) If the Commission shall deny an application, the proceeding shall terminate, and the Commission shall not consider a new application for the same site for one year thereafter.

(4) The Executive Secretary shall file the written decision of the Commission with the Town Clerk, the Building Department and the Board of Zoning and Appeals and shall mail a copy to the applicant and the owner of the subject property within 10 business days after the decision of the Commission.

D. Submission to the Town Board.

- (1) A Commission recommendation to designate a proposed historic landmark or historic landmark district shall be submitted to the Town Board. The Town Board shall schedule a public hearing on the recommendation within 90 days after the filing of the Commission's decision with the Town Clerk. Notice of this public hearing shall be given by the applicant in accordance with the provisions of this chapter.
- (2) The Town Board shall, within 45 days after the close of the public hearing:
  - (a) Accept the recommendation of the Commission;
  - (b) Remand the recommendation of the Commission for further consideration or information with written findings of the Town Board in which it states specific concerns and its reasons for the remand; or
  - (c) Reject the recommendation of the Commission.
- (3) The Town Board shall make a determination under the State Environmental Quality Review Act. If the Town Board issues a positive declaration, the person who submitted the application shall pay for all expenses incurred in the preparation of the environmental impact statement. In the event of a positive declaration by the Town Board, the time allowed for the Town Board to take action on a recommendation of the Commission shall be stayed until the State Environmental Quality Review Act process has been completed.

E. Within 10 days of the Town Board's final action, the Town Clerk shall notify the Commission, the Building Department, the Board of Zoning and Appeals, the applicant, and the owner of the subject property. If the Town Board accepts the recommendation, the Town Clerk shall also notify the Nassau County Board of Assessors.

#### § 27-6 Rescission of historic landmark or historic landmark district designation.

Historic landmark or historic landmark district designation may be rescinded by the Town Board as follows:

- A. Upon a written recommendation from the Commission in which the Commission states that the historic landmark or historic landmark district no longer meets the eligibility criteria established in this chapter; and
- B. After full compliance with all of the procedures and notice requirements in this article for the designation of an historic landmark or historic landmark district.

#### § 27-7 Limitations on activity regarding property proposed for historic landmark or historic landmark district designation.

No approval of a zone change, variance, conditional use permit, site plan, building permit, demolition permit, sign permit or any other permit issued by the Town shall be granted by the Town for any property proposed as an historic landmark or historic landmark district from the



date of the filing of the application with the Commission until the final disposition of the application by the Commission or Town Board.

#### Article IV Construction, Alteration, Demolition and Removal

##### § 27-8 Certificate of appropriateness.

A. Notwithstanding any other ordinance, code, rule or regulation concerning the issuance of a building permit, and whether or not a proposed activity requires a building permit, none of the following activities shall be commenced without the issuance of a certificate of appropriateness:

- (1) Any alteration which causes any material change in appearance of any feature of a building, structure, site or object in a designated historic landmark district or of a designated historic landmark.
- (2) Any new construction within a designated historic landmark district.
- (3) Any demolition or relocation of a building, structure, site or object in a designated historic landmark district or of a designated historic landmark.
- (4) Consideration by the Board of Zoning and Appeals of an application for a variance or conditional use permit.

B. The certificate of appropriateness required by this article shall be in addition to and not in lieu of any building, sign or other permit or approval that may be required by any agency having jurisdiction or authority.

C. An application for a certificate of appropriateness shall be submitted to the Commission in such form and including such written information and such plans, elevations, drawings or other data as the Commission may require.

D. Prior to the Commission reviewing any application for a certificate of appropriateness, the applicant shall be required to notify the owners of record as they appear on the tax rolls of the Town of property located within 300 feet of the boundary lines of the subject property, by certified mail, return receipt requested. This notice shall provide the substance of the application and the address designated by the Commission to which comments may be submitted to the Commission on the application. The applicant must submit an affidavit of mailing along with a copy of the notice and certified mail receipts postmarked by the U.S. Postal Service to the Executive Secretary. The Commission shall not act on any application until at least 30 days after the date of mailing of the notice.

E. In reviewing an application for a certificate of appropriateness the Commission shall be limited to those portions of an application relating to the exterior architectural features.

F. The Commission shall determine whether the proposed change will be appropriate to the preservation of the historic landmark or historic landmark district in view of the purposes of this chapter. In exercising this power, the Commission shall:

(1) With respect to historic landmarks, consider, in addition to any other pertinent factors, the historical and architectural value, the general appropriateness of the proposed design arrangement, texture and material of component(s) or sign(s) involved and the relationship thereof to other buildings, structures, sites or objects in the immediate neighborhood.

(2) With respect to historic landmark districts, consider, in addition to any other pertinent factors and those set forth above, the visual relationship between the property in question and existing buildings, structures, sites or objects either immediately adjacent to or in the surrounding area and the character of the district and the extent to which a new or altered building, structure, site or object would be harmonious with or incongruous to the historic and architectural qualities or distinctive aspects of the district.

G. With respect to demolition or relocation in whole or in part of a historic landmark or building, structure, site or object in an historic landmark district, the Commission shall consider whether:

(1) The building, structure, site or object is of such architectural or historic interest that its demolition or relocation would be to the detriment of the public interest;

(2) Retention of the building, structure, site or object would help preserve and protect an historic place or area of historic interest in the Town.

H. If the Commission approves an application which involves demolition or relocation of an historic landmark or structure or portions thereof within an historic landmark district, it shall find the building or structure or portion thereof is in such condition that it is not feasible to preserve or restore it; or that relocation is appropriate to preserve the historic landmark or structure. The Commission shall take into consideration the economic feasibility of alternatives to the application, and balance the interest of the public in preserving the building or structure or portion thereof and the interest of the owner in its utilization. In the event the demolition or relocation is approved, the property shall be cleared and left in a manner which will have no adverse impact on any adjacent properties or present a public danger.

I. In making its determination whether to approve an application for a certificate of appropriateness, the Commission shall apply the United States Secretary of the Interior's Standards for Rehabilitation and the Illustrated Guidelines for Rehabilitating Historic Buildings issued by the National Park Service, except that for applications related to historic landmark districts, such should be considered only a guideline.

J. Where the Commission approves an application under circumstances where the permitted activity is likely to uncover or affect archaeological resources the Commission shall require reasonable efforts to identify, protect and preserve such resources. Where such protection and preservation is not feasible, the Commission shall nevertheless impose appropriate and

reasonable conditions to insure that the archaeological resources are made accessible for a reasonable period of time to qualified persons.

K. The Commission may permit a structure designated as an historic landmark, site, or located within an historic landmark district to be moved as an alternative to demolition.

L. Nothing in this to chapter shall be construed to prevent **the following:**

**(1) [ø]Ordinary maintenance or repair with like materials of similar quality, of any place, site, structure, object or building designated as an historic site, or any property located wholly or partially within the boundaries of an historic landmark district; or**

**(2) The installation, replacement or relocation of generators or heating, ventilation and air conditioning (HVAC) units and appurtenances, provided that a permit is obtained from the Building Department and that such generators or HVAC units and appurtenances, shall be screened from adjoining lots and the public street by a completely planted visual barrier consisting of evergreen plantings.**

**(a) All screening shall be maintained in a healthy condition. Any planting or landscaping which may become diseased or die shall be removed and promptly replaced with plantings similar in size and type.**

**(b) The proposed use of fencing or other manmade screening to shield generators or HVAC units and appurtenances, is not exempt by this provision and shall require prior review by the Commission.**

**(c) Nothing in this section shall be construed as to permit the exterior installation, replacement or relocation of appurtenant ductwork to the façade of a building or structure without prior review by the Commission.**

M. New construction shall be consistent with the architectural styles of historic value in an historic landmark district. However, the Commission may approve the construction of buildings or structures which have a dissimilar architectural style to that of an historic landmark district, if the Commission determines that such new construction will be consistent with the goals of this chapter.

N. Approval.

(1) Notwithstanding any other provisions of this chapter, the Commission shall approve an application for a modification of an historic landmark if the applicant establishes that:

(a) The land or improvement in question cannot yield a reasonable return if the proposed action is denied;

(b) The hardship of the applicant is due to unique circumstances of the property and not because of the general nature of the neighborhood;

- (c) The proposed action will not alter the essential character of the area; and
  - (d) The hardship is the result of the provisions of this chapter and not created by the action or omission of the applicant.
- (2) To the extent possible, any approval granted on the above factors shall conform to the purposes of this chapter.

§ 27-9 Procedure for review of applications and plan.

A. Applications for a building permit to construct, alter, move or demolish any place, designated as an historic landmark site or located within an historic landmark district, shall be made to the Department of Buildings pursuant to Chapter 2 of the Code of the Town of North Hempstead, except as provided hereafter. A location map and plan drawing shall be submitted with the application. The application shall identify the structure as either a designated historic landmark, an historic site, or a structure within an historic landmark district, and shall include the following information:

- (1) Name, address and telephone number of applicant;
- (2) Location and photographs of the subject property and properties within the immediate vicinity;
- (3) Elevation drawings of proposed changes, if any;
- (4) Perspective drawings, including relationship to adjacent properties, if available;
- (5) Samples of materials to be used;
- (6) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property, and
- (7) Any other information as requested by the Building Commissioner.

B. The Commissioner shall not issue a building permit until the Commission has issued a certificate of appropriateness. If the Commission denies a certificate of appropriateness, no building permit shall be issued.

C. If the Commission issues a certificate of appropriateness, the Building Department shall review the application for a permit in accordance with its usual procedures and standards and shall make its determination based on same.

D. Every owner or other person in charge of a landmark building, structure, site or object or a building, structure, site or object in an historic landmark district shall keep in good and proper

repair the property and all portions thereof which, if not so maintained, may cause or tend to cause the property to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair.

§ 27-10 Exemptions.

This chapter shall not apply to actions undertaken by any person pursuant to an order issued pursuant to Chapter 2A of the Code of the Town of North Hempstead for the purpose of remedying conditions determined to be unsafe or dangerous to the life, health or property of any person.

§ 27-11 Publicly owned property.

Plans for the construction, reconstruction, alteration or demolition of any structure or proposed structure which is owned by Nassau County, the Town of North Hempstead or any other local government, or is to be constructed upon property owned by Nassau County, the Town of North Hempstead, or any other local government; and is located on an historic landmark or in an historic landmark district shall, prior to final Town action approving or otherwise authorizing the use of such plans with respect to securing the performance of such work, be referred to the Commission by the governmental agency having responsibility for the preparation of such plans. Within 60 days after such referral, the Commission shall submit its recommendations thereon to the Town Board and the referring agency. Failure of the Commission to submit such recommendations within said 60 days shall be deemed approval by the Commission.

§ 27-12 Fees established.

[Amended 4-11-2006 by L.L. No. 5-2006]

Any application for designation of an historic landmark shall be submitted to the Executive Secretary and shall be accompanied by fees in the amount indicated in the Town of North Hempstead Fee Schedule. No fee shall be required for any application made by the Commission on its own motion.

§ 27-13 Penalties for offenses.

A. Any offense against any provision of this chapter, except a violation of Article IV, § 27-8A, shall be a violation punishable by a fine not to exceed \$250, or by imprisonment for a term not to exceed 15 days, or both such fine and imprisonment. Each day's offense against this chapter shall constitute a separate and distinct violation.

B. A violation of Article IV, § 27-8A of this chapter shall be a misdemeanor, punishable by a fine of not more than \$1,000 or by imprisonment for a term not to exceed one year, or both such fine and imprisonment.

C. In addition to the penalties set forth in this section, the Town Attorney may institute appropriate proceedings to prevent, restrain, correct or abate a violation of this chapter.

§ 27-14 Severability.

If any clause, sentence, paragraph, section, word or part of this chapter is adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this chapter, but shall be confined in its operation to the, sentence, paragraph, section or part of this chapter directly involved in the controversy to which the judgment is rendered.

**Section 3.**

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

**RESOLVED** that the Town Clerk be and 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 September 24, 2020 via Zoom, Local Law No. 11 of 2020 was adopted. The local law amends Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to exempt the installation, replacement or relocation of generators and HVAC units that are shielded from adjoining lots and the public street by evergreen planting screens, from review by the Historic Landmarks Preservation Commission, while still preserving the historic, architectural, and aesthetic qualities of landmarked buildings and districts.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021605260

: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:

Wednesday      September 09, 2020      Nassau

**SWORN** to before me this  
9 Day of September, 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 # 21605260

**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 room. 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 24th day of September, 2020, at 7:00 P.M. via Zoom, to consider the adoption of a Local Law amending Chapter 27 of the Town Code entitled "Historic Landmarks Preservation" in order to exempt the installation of generators and HVAC units that are shielded from adjoining lots and the public street by evergreen planting screens, from review by the Historic Landmarks Preservation Commission, while still preserving the historic, architectural, and aesthetic qualities of landmarked buildings and districts.

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  
September 3, 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: 0021605260  
Start Date: 09/09/2020  
End Date: 09/09/2020  
Price: \$360.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: Nick Guariglia  
Section: Legals  
Class: 11100  
Size: 2 x 45 Times: 1  
Date: 9/9/2020  
Zone(s): C-Nassau

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

MR. WINK: Item 6, a public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled, "Zoning."

COUNCILWOMAN RUSSELL: So this is a public hearing to amend the penalties for certain offenses in the Industrial Zoning District. Currently, our ranges for fines in the Industrial A and B zones are zero to a \$1,000 for the first offense. It will now range from: \$2,500 up to \$10,000 for the first offense; and, Under this proposal, a conviction for a second or third offense would also have an escalating fine range for a second offense from \$10,000 to \$20,000; and, Third offense from \$20,000 to \$30,000. This has come about due to the proliferation of dust and other offenses in the New Cassel industrial area. And as we've seen with the COVID pandemic that areas in minority communities such as New Cassel have suffered through exceptionally high rates of positive cases. And we all know that dust and other pollutants in the air can cause respiratory issues and those respiratory issues contribute greatly to some of the illnesses and fatalities in the community. So I would like to offer this resolution and move for its adoption. And the hope is that we will gain some compliance from some of the businesses in the industrial area so that we can all enjoy the quality of life that we all deserve. So I'd like to offer —

SUPERVISOR BOSWORTH: I'd just like to thank Councilwoman Russell for working on this as diligently as you did. It's been a -- something very important to you and really important to all of us. It holds true now for the, you know, for any industrial area that we have in the Town of North Hempstead. And it -- I think it's a really good initiative.

COUNCILWOMAN RUSSELL: Thank you.

MR. WINK: There's a --

COUNCILWOMAN RUSSELL: I offer the resolution --

MR. WINK: My apologies.

COUNCILWOMAN RUSSELL: I'd like to -- I'm sorry. Do we have any cards on this?

MR. WINK: We do not.

COUNCILWOMAN RUSSELL: Mr. Wink.

MR. WINK: We do not.

COUNCILWOMAN RUSSELL: I'd like to offer 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.

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. 391 - 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 adjust the penalties for certain offenses in the Industrial zoning districts; 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 September 24, 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 has carefully considered the proposed Local Law during the seven day period, conducted a public hearing on September 24, 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**, in accordance with the State Environmental Quality Review Act and the Act's implementing regulations (the "SEQRA Regulations") the Department of Planning and Environmental Protection has recommended that the adoption of the Local Law be

determined to be a Type II Action pursuant to Section 617.5(c)(33) of the SEQRA Regulations and, as such, no further environmental review is required; 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 determines that the adoption of the Local Law is a Type II Action pursuant to Section 617.5(c)(33) of the SEQRA Regulations and, as such, no further environmental review is required; and be it further

**RESOLVED** that Local Law No. 12 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 12 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 adjust the penalties for certain offenses in the Industrial zoning districts.

Section 2.

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

§ 70-235 Penalties for offenses; additional fees for certain nonconforming structures.

[Amended 11-19-1974 by L.L. No. 11-1974; 8-18-1987 by L.L. No. 13-1987; 5-25-1993 by L.L. No. 5-1993; 8-27-1996 by L.L. No. 21-1996; 12-16-1997 by L.L. No. 24-1997]

For any and every violation of the provisions of this chapter, the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and

the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor or any other person who knowingly commits, takes part in, allows or assists in any such violation or who maintains any part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a violation against this chapter and shall be punished as follows:

A. For a violation of § 70-212 or 70-213, by a fine of not less than \$50 nor more than \$250 for conviction of a first offense; by a fine of not less than \$250 nor more than \$500 for conviction of the second of two offenses, both of which were committed within a period of five years; and by a fine of not less than \$500 nor more than \$1,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a third or subsequent offense of a series of offenses, all of which were committed within a period of five years. Each week's continued violation shall constitute a separate and distinct violation.

B. For a violation of §§ 70-3.2, 70-3.3, 70-5, 70-5.1, 70-14, 70-15, 70-24, 70-25, 70-34, 70-35, 70-44, 70-45, 70-47, 70-54, 70-55, 70-57, 70-66, 70-67 or 70-69, by a fine of not less than \$1,000 nor more than \$2,500 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense; by a fine of not less than \$2,500 nor more than \$5,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the second of two offenses, both of which were committed within a period of five years; and by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a third or subsequent offense of a series of offenses, of which were committed within a period of five years. Each week's continued violation shall constitute a separate and distinct violation.

C. For a violation of § 70-229, by a fine of not less than \$250 nor more than \$1,500 or by imprisonment for a period not to exceed 15 days, or by both, for conviction of a first offense; by a fine of not less than \$1,500 nor more than \$5,000 or by imprisonment for a period not to exceed 15 days, or by both, for conviction of the second of two offenses, both of which were committed within a period of five years; and by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment or a period not to exceed 15 days, or by both, for conviction of the third or subsequent offense of a series of offenses, all of which were committed within a period of five years. Each week's continued violation shall constitute a separate and distinct violation.

D. For a violation of § 70-222 of this chapter or any rule or regulation made pursuant thereto shall be guilty of a misdemeanor punishable by a fine of up to \$1,000, or by imprisonment of up to one year, or by both fine and imprisonment as hereinbefore set forth in this Subsection D. Each week's continued violation shall constitute a separate and distinct violation of said section or any rule or regulation made pursuant thereto. [Added 5-15-2003 by L.L. No. 5-2003]

E. For a violation of §§ 70-202.2 and 70-202.3 of this chapter or any rule or regulation made pursuant thereto shall be guilty of a misdemeanor punishable by a fine of up to \$1,000, or by imprisonment of up to one year, or by both fine and imprisonment as hereinbefore set forth in

this Subsection E. Each week's continued violation shall constitute a separate and distinct violation of said section or any rule or regulation made pursuant thereto. [Added 4-12-2005 by L.L. No. 2-2005]

F. For a violation of §§ 70-173, 70-186, 70-187, 70-188, by a fine of not less than \$2,500 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or by both, for conviction of a first offense; by a fine of not less than \$10,000 nor more than \$20,000 or by imprisonment for a period not to exceed 15 days, or by both, for conviction of the second of two offenses, both of which were committed within a period of five years; and by a fine of not less than \$20,000 nor more than \$30,000 or by imprisonment or a period not to exceed 15 days, or by both, for conviction of the third or subsequent offense of a series of offenses, all of which were committed within a period of five years. Each week's continued violation shall constitute a separate and distinct violation.

[F]G. For all other violations of this chapter, by a fine not exceeding \$1,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense; by a fine of not less than \$1,000 nor more than \$2,500 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the second of two offenses, both of which were committed within a period of five years; and by a fine of not less than \$2,500 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a third or subsequent offense of a series of offenses, all of which were committed within a period of five years. Each week's continued violation shall constitute a separate and distinct violation.

[G]H. Applications submitted prior to December 31, 2006. [Added 2-13-2008 by L.L. No. 3-2008; amended 3-8-2011 by L.L. No. 6-2011]

(1) All building permit applications submitted on or after January 1, 2000, through and including December 31, 2006, which have received approval or authorization by Building Department personnel, but are now deemed by the Building Department to be outside the scope of the Zoning Code, shall be hereby authorized for approval under the following circumstances and with the following conditions:

(a) Square footage, setback, sky plane and height.

[1] A structure not greater than 10% beyond the allowed square footage under the Zoning Code shall be deemed authorized on the condition that the applicant pay additional permit fees as set forth in the following schedule: \$170 per square foot, up to 6% beyond that allowed under the Zoning Code, plus an additional \$85 per square foot for each square foot greater than 6% and up to 10% of that allowed under the Zoning Code.

[2] Setback: A structure that is 10% or less beyond the allowed setback under the Zoning Code shall be deemed authorized on the condition that the applicant pay an additional permit fee of \$1,500 per inch beyond the setback authorized under the Zoning Code.

[3] Sky plane:



[a] A structure that is four feet or less beyond the allowed sky plane under the Zoning Code shall be deemed authorized on the condition that the applicant pay an additional permit fee of \$10,000 per foot beyond the sky plane authorized under the Zoning Code.

[b] A structure that is not greater than seven feet beyond the allowed sky plane under the Zoning Code and contains no height violation shall be deemed authorized on the condition that the applicant pay additional permit fees as set forth in the following schedule: \$10,000 per foot, up to six feet beyond the sky plane authorized under the Zoning Code, plus an additional \$5,000 per foot, or \$425 for each inch greater than six feet, but not exceeding seven feet beyond the sky plane authorized under the Zoning Code.

[4] Height: A structure that is not greater than 24 inches beyond the allowed height under the Zoning Code shall be deemed authorized on the condition that the applicant pay additional permit fees as set forth in the following schedule: \$5,000 per inch, up to 12 inches beyond the height authorized under the Zoning Code, plus an additional \$2,500 per inch for each inch greater than 12 inches and up to 24 inches beyond the height authorized under the Zoning Code.

(b) All measurement calculations are to be set by the Building Department and shall be rounded upward for purposes of permit fee costs.

(c) The Commissioner of the Building Department or his designee is hereby authorized to serve or cause to be served a written notification by regular mail and certified mail, return receipt requested, to the last known residential owner(s) of all known properties where building permit applications were submitted on or after January 1, 2000, through and including December 31, 2006, and which were issued certificates of occupancy by Building Department personnel, but are now deemed by the Building Department to violate the Zoning Code. Such written notification shall advise said owner(s) of the provisions of § 70-235G and shall advise of a date and time to be heard and afford an opportunity to reconcile the status of any nonconforming dwelling by satisfying the conditions and criteria required therein. Nothing stated herein shall preclude the owner of any premises that meets the foregoing description from submitting, without prior notification from the Town, an application to the Building Department pursuant to this article.

(d) The Building Commissioner shall have the authority, after notice and an opportunity to be heard, to revoke any certificates of occupancy erroneously issued in connection with building permit applications submitted on or after January 1, 2000, through and including December 31, 2006, for properties now deemed by the Building Department to violate the Zoning Code. The Building Commissioner shall provide written notification to the owner prior to said revocation. Contemporaneously upon revocation, the Building Commissioner shall issue a restricted/limited certificate of occupancy that is annotated in such a manner as to provide any prospective purchaser with sufficient notice of the nonconforming zoning issues related to the subject property.

(2) Property owners with building permit applications submitted prior to January 1, 2000, and subsequent to December 31, 2006, but are otherwise in conformance with the above-mentioned criteria, may apply to the Town Board to receive certification approval by requesting that the

matter be heard by resolution before the Town Board. Such requests must be in writing and submitted to the Town's Building Commissioner. Matters that are presented to the Town Board pursuant to a resolution are subject to any conditions and/or additional fees set by the Town Board.

Section 3.

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

**RESOLVED** that the Town Clerk be and 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 September 24, 2020 via Zoom, Local Law No. 12 of 2020 was adopted. The Local Law amends Chapter 70 of the Town Code entitled "Zoning" in order to adjust the penalties for certain offenses in the Industrial zoning districts.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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.

0021605261

: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:

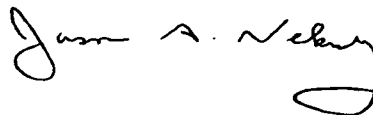
Wednesday    September 09, 2020    Nassau

**SWORN** to before me this  
9 Day of September, 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 # 21605261  
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 meetings 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 NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on the 24th 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 adjust the penalties for certain offenses in the Industrial zoning districts.

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  
September 3, 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: 0021605261  
Start Date: 09/09/2020  
End Date: 09/09/2020  
Price: \$344.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: Nick Guariglia  
Section: Legals  
Class: 11100  
Size: 2 x 43 Times: 1  
Date: 9/9/2020  
Zone(s): C-Nassau

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

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

MR. WINK: Item 7, a public hearing to consider the adoption of a local law amending Chapter 70 of the Town Code entitled "Zoning."

SUPERVISOR BOSWORTH: So again this is another initiative from our business recovery team, where many of the Councilmembers are part of. This local law will further assist local establishments that are required to operate at a reduced occupancy due to COVID. And so this will allow them to conduct operations in private parking lots. Are there any comments?

MR. WINK: I have no comments.

SUPERVISOR BOSWORTH: 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. 392 - 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 occupancy by allowing certain businesses and organizations, including gyms, fitness centers, barbershops, hair salons, personal care services and religious institutions, to expand their operations into private parking lots after obtaining a permit; 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 September 24, 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**, 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 pursuant to General Municipal Law § 239-m; and

**WHEREAS**, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on September 24, 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 September 17, 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. 13 of 2020 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. 13 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 occupancy by allowing certain businesses and organizations, including gyms, fitness centers, barbershops, hair salons, personal care services and religious institutions, to expand their operations into private parking lots after obtaining a permit.

**Section 2.**

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

**§ 70-103.2 COVID-19 Outdoor Accommodations; Temporary suspension of off-street parking requirements for certain uses.**

- A. **Purpose. The provisions of this section are designed to temporarily allow certain places of public assembly or places of assembly uses (exclusive of restaurants uses), including gyms, fitness centers and religious institutions, and certain personal service uses, including barbershops, hair salons, personal care services, and similar uses, 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.**
- B. **Notwithstanding any provision in Chapter 70 of the Town Code to the contrary, the uses described in § 70-103.2 (A) may expand their operating areas by up to 50% of the previously approved floor area devoted to such use without providing additional parking spaces, subject to compliance with the provisions of this section.**
- C. **No use described in § 70-103.2 (A) shall temporarily expand its capacity outdoors under § 70-103.2 of the Town Code without first filing with the Building Commissioner an application for such temporary expanded outdoor use 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.**
- D. **Temporary expanded outdoor use 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.**
- E. **Subject to the provisions of this section, temporary expanded outdoor use areas may be established entirely within the property boundaries, within a parking lot, or in a courtyard. An eligible business may utilize one or more of the aforementioned locations as a temporary expanded outdoor use area. This section of the Town Code only permits temporary expanded outdoor use areas in the locations referenced herein.**

- F. A permit for a temporary expanded outdoor use 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.
- G. 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 the use or service area;
- (b) The required certificate of insurance, if applicable;
- (c) A statement affirming that the applicant shall comply with all requirements set forth in this section; and
- (d) 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.
- H. 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 outdoor use area in one or more of the locations authorized in this section.
- I. The following regulations are applicable to all temporary expanded outdoor use areas:
- (1) Except within a mixed-use zoning district or approved mixed-use development, no temporary expanded outdoor use area shall be established within 50 feet of a residential property.
- (2) Where necessary, sun shade may be provided either by individual umbrellas or an area-wide canopy.
- (3) Businesses 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 clean and free of litter, debris and putrescible waste.
- (4) Businesses with temporary expanded outdoor use areas shall take all steps necessary to maintain safety and to immediately remedy any unsafe situation. It is the permit holder's responsibility to be aware of severe weather and remove or secure any temporary objects.
- (5) A Town Building Inspector or Code Enforcement Officer may temporarily suspend a permit for a temporary expanded outdoor use 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 outdoor use area permit if he or she is satisfied that all violations have been remedied. An affected business may appeal a decision to suspend a temporary expanded outdoor use 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.

(6) Applicants shall provide a site plan for the premises for which the permit is requested showing all structures thereon and a sketch showing the proposed area of use.

(7) Use of any temporary expanded outdoor use area shall be permitted on Weekdays and Saturdays between the hours of 7:00am and 9:00 p.m., and on Sundays between the hours of 8:00am and 8:00pm.

(8) Outdoor lighting shall be installed in accordance with Chapter 70 of the Town Code.

(9) The premises on which the temporary expanded outdoor use area is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.

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

(11) 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.

#### J. Use of Parking Lot Areas.

(1) Temporary expanded outdoor use areas within parking lots shall conform to the following:

(a) Such areas must be protected by a barricade, bollard or other vehicle impact protection device. A minimum distance of eight feet must be maintained between the area of use and the closest vehicular parking stall or access lane.

(b) Paved surfaces in parking lot areas must be kept in a clean and sanitary condition.

(2) Vehicle Impact Protection Devices Required.

(a) Vehicle impact protection devices shall be required to protect a temporary expanded outdoor use 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 between any area designated for parking spaces and the beginning of the adjacent, converted parking area to be used as the outdoor use area. Barriers and bollards may be offset and staggered in terms of relative distance to provide protection.

**(d) Barricades, bollards or other vehicle impact protection devices shall be equipped with reflectorized tape or other reflector devices adequate to warn others of its presence during night hours.**

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

**(4) All platforms and ground coverings shall provide for accessibility. Notwithstanding any provisions of this section, outdoor parking lot uses 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.**

**(5) 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.**

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

**K. Outdoor uses 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 outdoor use area, provided the written permission of the owner of the property on which the use is to be conducted 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 use areas 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.**

**L. 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.**

**M. 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 outdoor use area 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.**

**N. Any temporary expanded outdoor use area permit issued under this section shall terminate on December 1, 2020. All items located within the temporary expanded outdoor use 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 and 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 September 24, 2020 via Zoom, Local Law No. 13 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 occupancy by allowing certain businesses and organizations, including gyms, fitness centers, barbershops, hair salons, personal care services and religious institutions, to expand their operations into private parking lots after obtaining a permit.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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





2020 09 09 12:23

# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021605263

: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:

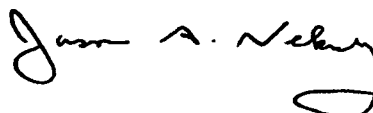
Wednesday      September 09, 2020      Nassau

**SWORN** to before me this  
9 Day of September, 2020.



---

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 # 21605263  
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 room. 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 NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead, on the 24th 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 further assist those establishments required to operate at reduced occupancy by allowing certain businesses and organizations, including gyms, fitness centers, barbershops, hair salons, personal care services and religious institutions, to expand their operations into private parking lots after obtaining a permit.

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  
September 3, 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: 0021605263  
Start Date: 09/09/2020  
End Date: 09/09/2020  
Price: \$352.00  
Ordered By: Legaladv@newsday.com

Phone: 5168697625  
Contact: Nick Guariglia  
Section: Legals  
Class: 11100  
Size: 2 x 44 Times: 1  
Date: 9/9/2020  
Zone(s): C-Nassau

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

MR. WINK: Item 8, a public hearing to consider the adoption of an ordinance affecting In Place in Albertson, New York.

COUNCILMAN ZUCKERMAN: The adoption of this ordinance will establish a full stop at In Place at the intersection of Foxcroft in Albertson. Mr. Wink, do we have any comments ?

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

COUNCILMAN ZUCKERMAN: Seeing none, 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.

**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. 9 - 2020  
ALBERTSON, NEW YORK**

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

**PROPOSAL**

**1. IN PLACE – FOXCROFT ROAD – FULL STOP**

All Traffic southbound on In Place shall come to a Full Stop at its intersection with Foxcroft Road.

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: September 24, 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                      SS  
State of New York,

REC'D TNH TOWN CLERK  
SEP 14 '20 PM 12:00

**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 24th day of September, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**ALBERTSON, NEW YORK**

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

**PROPOSAL**  
1. IN PLACE - FOXCROFT ROAD - FULL STOP

All Traffic southbound on In Place shall come to a Full Stop at its intersection with Foxcroft Road.

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: September 3, 2020  
Manhasset, New York

BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF NORTH  
HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK  
9-9-2020-1T-#218352-ROS

Darrie A. Dolan, being duly sworn, deposes and says 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:

September 9, 2020

*Darrie A. Dolan*

Sworn to me this 9 day of  
September-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 9, a public hearing to consider the adoption of an ordinance affecting Jeffrey Place in Manhasset Hills, New York.

COUNCILMAN ZUCKERMAN: The adoption of this ordinance will establish a full stop westbound and northbound on Jeffrey Place at its intersection with Robby Lane in Manhasset Hills. Mr. Wink, are there any comments ?

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

COUNCILMAN ZUCKERMAN: Seeing that, 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. 10 - 2020  
MANHASSET HILLS, NEW YORK**

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

**PROPOSAL**

**ADOPT:**

1. **JEFFREY PLACE – ROBBY LANE – FULL STOP**

All Traffic westbound on Jeffrey Place shall come to a Full Stop at its intersection with Robby Lane.

2. **JEFFREY PLACE – ROBBY LANE – FULL STOP**

All Traffic northbound on Jeffrey Place shall come to a Full Stop at its intersection with Robby Lane.

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: September 24, 2020  
Manhasset, New York

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



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

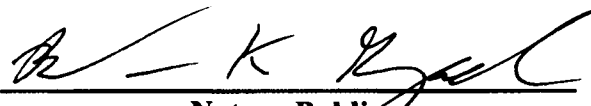
Henry Krukowski, being duly sworn, deposes and says that on the 8<sup>th</sup> day of September, 2020, he posted the attached Notice of Hearing to consider the adoption of an ordinance affecting Jeffrey Place, Manhasset Hills, to establish a full stop at the intersection of Jeffrey Place and Robby Lane, at the following locations:

- Town Clerk Bulletin Board
- New Hyde Park Post Office
- Pole at the corner of Jeffrey Place & Robby Lane
- Pole on Jeffrey Place 100 feet south of Robby Lane

  
\_\_\_\_\_  
Henry Krukowski

Sworn to me this

24<sup>th</sup> day of September, 2020

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

Brandon K Gimpelman  
Notary Public, State of New York  
No. 01GI6371819  
Qualified in Nassau County  
Commission expires March 5, 2022

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TNH TOWN CLERK  
SEP 14 '20 PM 12:00

**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 24th day of September, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**MANHASSET HILLS,  
NEW YORK**

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

**ADOPT:**

1. JEFFREY PLACE - ROBBY LANE - FULL STOP

All Traffic westbound on Jeffrey Place shall come to a Full Stop at its intersection with Robby Lane.

2. JEFFREY PLACE - ROBBY LANE - FULL STOP

All Traffic northbound on Jeffrey Place shall come to a Full Stop at its intersection with Robby Lane.

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: September 3, 2020  
Manhasset, New York

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

9-9-2020-1T-#218353-NHP

Darrie A. Dolan, being duly sworn, deposes and says 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:

September 9, 2020

*Darrie A. Dolan*

Sworn to me this 9 day of  
September-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 East Lane in Manhasset Hills, New York.

COUNCILMAN ZUCKERMAN: The adoption of this ordinance will establish a full stop northbound on East Lane at its intersection with Jeffrey Place in Manhasset Hills. In addition, the adoption of these ordinances will establish a full stop eastbound and westbound on Jeffrey Place at its intersection with East Lane, Manhasset Hills. Mr. Wink, are there any comments ?

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

COUNCILMAN ZUCKERMAN: Thank you. In that case, I'd like to offer the resolution -- 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. 11 - 2020  
MANHASSET HILLS, NEW YORK**

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

PROPOSAL

ADOPT:

1. JEFFREY PLACE – EAST LANE – FULL STOP

All Traffic eastbound on Jeffrey Place shall come to a Full Stop at its intersection with East Lane.

2. JEFFREY PLACE – EAST LANE – FULL STOP

All Traffic westbound on Jeffrey Place shall come to a Full Stop at its intersection with East Lane.

3. EAST LANE – JEFFREY PLACE – FULL STOP

All Traffic northbound on East Lane shall come to a Full Stop at its intersection with Jeffrey Place.

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: September 24, 2020  
Manhasset, New York

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

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

Henry Krukowski, being duly sworn, deposes and says that on the 8<sup>th</sup> day of September, 2020, he posted the attached Notice of Hearing to consider the adoption of an ordinance affecting East Lane Place, Manhasset Hills, to establish a full stop at the intersection of Jeffrey Place and East Lane, at the following locations:

Town Clerk Bulletin Board

New Hyde Park Post Office

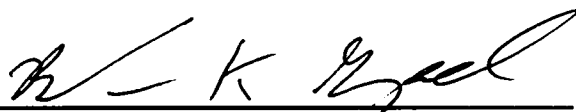
Pole at the corner of East Lane and Jeffrey Place

Pole at the corner of East Lane and Robby Lane

  
\_\_\_\_\_  
Henry Krukowski

Sworn to me this

24<sup>th</sup> day of September, 2020

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

Brandon K Gimpelman  
Notary Public, State of New York  
No. 01GI6371819  
Qualified in Nassau County  
Commission expires March 5, 2022

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TNH TOWN CLERK  
SEP 14 '20 PM 12:00

Darrie A. Dolan, being duly sworn, deposes and says 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:                      September 9, 2020  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Darrie A. Dolan

Sworn to me this 9 day of  
September-2020

\_\_\_\_\_  
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 24th day of September, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**MANHASSET HILLS,  
NEW YORK**

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

**PROPOSAL  
ADOPT:**

1. JEFFREY PLACE - EAST LANE - FULL STOP  
All Traffic eastbound on Jeffrey Place shall come to a Full Stop at its intersection with East Lane.

2. JEFFREY PLACE - EAST LANE - FULL STOP  
All Traffic westbound on Jeffrey Place shall come to a Full Stop at its intersection with East Lane.

3. EAST LANE - JEFFREY PLACE - FULL STOP  
All Traffic northbound on East Lane shall come to a Full Stop at its intersection with Jeffrey Place.

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: September 3, 2020  
Manhasset, New York

BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF NORTH  
HEMPSTEAD  
WAYNE H. WINK, JR.  
TOWN CLERK  
9-9-2020-1T-#218354-NHP

MR. WINK: Item 11, a public hearing to consider the rescission and adoption of an ordinance affecting Beachway in Port Washington, New York.

COUNCILWOMAN DALIMONTE: This adoption of the ordinance will change parking restrictions that are presently posted on the east side of Beachway near the beach side between Beachway north of Richard Road and Beachway south of Richard Road in Port Washington. Is there anyone wishing to be heard?

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

COUNCILWOMAN DALIMONTE: 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. 12 - 2020  
PORT WASHINGTON, NEW YORK**

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

PROPOSAL

RESCIND:

1. T.O. 6-2020

Adopted August 13, 2020

BEACHWAY – EAST SIDE – NO PARKING ANYTIME

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

2. T.O. 6-2020

Adopted August 13, 2020

BEACHWAY – EAST SIDE – NO PARKING ANYTIME

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

ADOPT:

1. BEACHWAY – EAST SIDE – NO PARKING ANYTIME

From the North curb line of Beachway (South of Richard Road), North for a distance of 222 feet to the south curb line of Beachway (North of Richard Road).

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: September 24, 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 Hempstead on the 24th day of September, 2020, at 7:00 o'clock in the evening for the purpose of considering the adoption of the following ordinance:

**PORT WASHINGTON,  
NEW YORK**

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

**PROPOSAL**

**RESCIND:**

1. T.O. 6-2020

Adopted August 13, 2020

**BEACHWAY - EAST SIDE  
- NO PARKING ANYTIME**

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

2. T.O. 6-2020

Adopted August 13, 2020

**BEACHWAY - EAST SIDE  
- NO PARKING ANYTIME**

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

**ADOPT:**

1. **BEACHWAY - EAST  
SIDE - NO PARKING ANY-  
TIME**

From the North curb line of Beachway (South of Richard Road), North for a distance

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: September 3, 2020

Manhasset, New York

**BY ORDER OF THE  
TOWN BOARD OF  
THE TOWN OF NORTH  
HEMPSTEAD**

**WAYNE H. WINK, JR.  
TOWN CLERK**

9-9-2020-1T-#218355-PORT

# Affidavit of Publication

County of Nassau                      SS  
State of New York,

REC'D TNH TOWN CLERK  
SEP 14 '20 PM 12:00

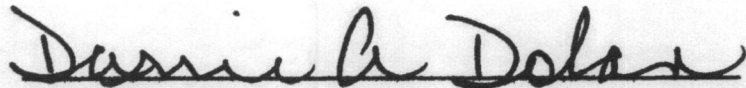
Darrie A. Dolan, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of

The PORT WASHINGTON NEW

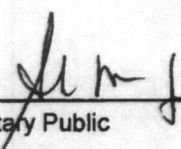
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

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Sworn to me this 9 day of  
September-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: Resolutions. Item 12, a resolution accepting the receipt of the tentative budget of the Town of North Hempstead, together with the budgets of all Special Improvement Districts and the assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District and the Port Washington Water Pollution Control District for the year 2021.

SUPERVISOR BOSWORTH: All right. And so the budget season begins. This is the official acceptance of the tentative budget by the Town Board. They'll be a number of meetings where we'll have the opportunity to go over the different things in the budget and certainly -- and to entertain comments by the public. At this point, 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. 393 - 2020**

**A RESOLUTION ACCEPTING THE RECEIPT OF THE TENTATIVE BUDGET OF THE TOWN OF NORTH HEMPSTEAD, TOGETHER WITH THE BUDGETS OF ALL SPECIAL IMPROVEMENT DISTRICTS AND THE ASSESSMENT ROLLS OF THE BELGRAVE WATER POLLUTION CONTROL DISTRICT, THE GREAT NECK WATER POLLUTION CONTROL DISTRICT AND THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT FOR THE YEAR 2021.**

**WHEREAS**, the various departments and Special Districts of the Town of North Hempstead (the "Town") have submitted tentative estimates of their budgets for the year 2021 to the Supervisor, in her capacity as Budget Officer of the Town; and

**WHEREAS**, the tentative budgets for the Town of North Hempstead General Fund; the Part Town Fund, the Commissioner and Town-Operated Special Improvement Districts and assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District, and the Port Washington Water Pollution Control District for the year 2021 have been filed by the Supervisor with the Town Clerk; and

**WHEREAS**, the Town Clerk has presented the tentative budgets and assessment rolls to the Town Board in accordance with Town Law §106(3).

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board does hereby acknowledge receipt of the tentative budgets for the Town of North Hempstead General Fund; the Part Town Fund; the Commissioner and Town-Operated Special Improvement Districts; and the assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District, and the Port Washington Water Pollution Control District for the year 2021 from the Town Clerk (the "Tentative Budget"); and be it further

**RESOLVED** that this Board orders that the Tentative Budget be filed in the Office of the Town Clerk.

Dated: Manhasset, New York  
September 24, 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 13, a resolution setting a date of October 8th, 2020 for a public hearing on the tentative budget of the Town of North Hempstead, together with the budgets of all special improvement districts and the assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District and the Port Washington Water Pollution Control District for the year 2021.

SUPERVISOR BOSWORTH: Are there any cards, Mr. Wink?

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

SUPERVISOR BOSWORTH: Okay. I offer the resolution setting a date of October 8th, 2020.

MR. WINK: Councilwoman Dalimonte.

COUNCILWOMAN DALIMONTE: Aye.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Before I vote on that, just to put a question. Supervisor is this a 7:00 meeting?

SUPERVISOR BOSWORTH: Yes.

COUNCILMAN FERRARA: It's not a special time?

SUPERVISOR BOSWORTH: No. We'll have special work sessions.

COUNCILMAN FERRARA: I'm sorry?

SUPERVISOR BOSWORTH: We will schedule a special work session.

COUNCILMAN FERRARA: Right. But this one will be at 7:00. I vote aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

MR. WINK: You need to unmute.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: Thank you. 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. 394 - 2020**

**A RESOLUTION SETTING A DATE OF OCTOBER 8, 2020 FOR A PUBLIC HEARING ON THE TENTATIVE BUDGET OF THE TOWN OF NORTH HEMPSTEAD, TOGETHER WITH THE BUDGETS OF ALL SPECIAL IMPROVEMENT DISTRICTS AND THE ASSESSMENT ROLLS OF THE BELGRAVE WATER POLLUTION CONTROL DISTRICT, THE GREAT NECK WATER POLLUTION CONTROL DISTRICT AND THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT FOR THE YEAR 2021.**

**WHEREAS**, the Town Board has accepted receipt of the tentative budgets for the Town of North Hempstead General Fund, Part Town Fund, Commissioner and Town-Operated Special Improvement Districts and assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District, and the Port Washington Water Pollution Control District for the year 2021 (altogether, the “2021 Tentative Budget”); and

**WHEREAS**, the Town Board desires to set October 8, 2020 as the date for a public hearing on the 2021 Tentative Budget.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing on the 2021 Tentative Budget shall be held before the Town Board via Zoom on October 8, 2020 at 7:00 p.m.; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of such public hearing, 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 on the tentative budgets for the Town of North Hempstead General Fund, Part Town Fund, Commissioner and Town-Operated Special Improvement Districts and assessment rolls of the Belgrave Water Pollution Control District, the Great Neck Water Pollution Control District, and the Port Washington Water Pollution Control District for the year 2021 will be held before the Town Board on October 8, 2020 at 7:00 p.m. via Zoom.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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 special meeting of the Town Board of the Town of North Hempstead for October 29, 2020.

SUPERVISOR BOSWORTH: So this sets the date of the Special Town Meeting for the budget vote. We've committed for voting for the budget every year before the election. No Town members are up for election but nevertheless that has been our practice now to vote on the budget before any election. So I offer the resolution setting the date for a special meeting of the Town Board on October 29th, 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. 395 - 2020**

**A RESOLUTION SETTING A DATE FOR A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD FOR OCTOBER 29, 2020.**

**WHEREAS**, the Town Board desires to set a Special Meeting of the Town Board (the "Board") to consider the adoption of the Town's 2021 budget and to consider any other matters that may come before the Board.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a Special Meeting of the Town Board shall be held via Zoom on October 29, 2020 at 7:00 p.m. to consider the approval of the Town's 2021 budget and to consider any other matters that may come before the Board; and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of such Special Meeting, which notice shall be in substantially the following form:

**NOTICE OF SPECIAL MEETING**

**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 Special Meeting of the Town Board of the Town of North Hempstead will be held on October 29, 2020 at 7:00 p.m. via Zoom, to consider the approval of the Town's 2021 budget and to consider any other matters that may come before the Board.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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 55 Harbor Park Drive LLC for site plan review for the premises located at 55 Harbor Park Drive, Port Washington and designated on the Nassau County Land and Tax Map as Section 6, Block 89, Lot 2.

COUNCILWOMAN DALIMONTE: This is to set a public hearing to legalize an interior addition to the second floor of 55 Harbor Park Drive, Port Washington. The BZA has granted a variance allowing 103 parking spaces instead of the required 144. Do we have any cards on this?

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

COUNCILWOMAN DALIMONTE: Okay. So I offer the resolution and set the hearing date for October 22nd, 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. 396 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 55 HARBOR PARK DRIVE LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 55 HARBOR PARK DRIVE, PORT WASHINGTON AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 6, BLOCK 89, LOT 2.**

**WHEREAS**, 55 Harbor Park Drive LLC (the “Applicant”) has applied (the “Application”) to the Town to legalize a 11,083 s.f. interior addition to the second floor of a 53,407 s.f. building on a 3.26-acre site on property located at 55 Harbor Park Drive, Port Washington and identified on the Nassau County Land and Tax Map as Section 6, Block 89, Lot 2 (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**, this Board wishes to set a date for a public hearing for the Site Plan Review.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on October 22, 2020 at 7:00 P.M. via Zoom to consider the Application for Site Plan Review; and be it further

**RESOLVED** that the Commissioner shall immediately notify the Applicant of the date and time of the hearing so that the Applicant may provide notice of the hearing for the Site Plan Review to certain property owners pursuant to Sections 70-219(F)(2) and 70-240 of the Town Code; and be it further

**RESOLVED** that the Applicant shall also comply with the sign notice requirements pursuant to Town Code § 70-219(F)(3); and be it further

**RESOLVED** that the Town Clerk be and hereby is authorized and directed to publish a notice of hearing as required by § 70-219(F)(1) of the Town Code, 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 October 22, 2020 at 7:00 p.m. via Zoom, on the application for site plan review submitted by 55 Harbor Park Drive LLC to legalize a 11,083 s.f. interior addition to the second floor of a 53,407 s.f. building on a 3.26-acre site.



**PLEASE TAKE FURTHER NOTICE** that the property which is the subject of this application is known as 55 Harbor Park Drive, Port Washington and designated on the Nassau County Land and Tax Map as Section 6, Block 89, Lot 2.

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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 amending Resolution No. 64-2020 adopted February 27, 2020, authorizing the execution of contracts with various Fire Protection Companies to provide fire protection services in Town-operated Fire Protection Districts and to provide certain contributions to length of service award programs.

COUNCILWOMAN SEEMAN: The proposed action is the amendment of the Town's agreement with the Vigilant Engine Hook and Ladder and Hose Company, Inc., in order to align with the company's adopted budget. Tentative hearing date is October 22nd. So I offer the resolution setting a date for the public hearing on October 22nd.

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

**RESOLUTION NO. 397 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER AMENDING RESOLUTION NO. 64-2020, ADOPTED FEBRUARY 27, 2020, AUTHORIZING THE EXECUTION OF CONTRACTS WITH VARIOUS FIRE PROTECTION COMPANIES TO PROVIDE FIRE PROTECTION SERVICES IN TOWN-OPERATED FIRE PROTECTION DISTRICTS AND TO PROVIDE CERTAIN CONTRIBUTIONS TO LENGTH OF SERVICE AWARD PROGRAMS.**

**WHEREAS**, pursuant to Resolution No. 64-2020, duly adopted on February 27, 2020 (the “Original Resolution”), the Town Board authorized the execution of agreements with various fire protection companies to provide fire protection services in Town-operated fire protection districts and to contribute to length of service award programs; and

**WHEREAS**, the Town has discovered that the amount approved in the Original Resolution for the Vigilant Engine, Hook & Ladder & Hose Company, Inc. varies slightly from the Company’s approved budget; and

**WHEREAS**, it has been recommended that this Board set a date for a public hearing to consider amending the Original Resolution to adjust the amount to be paid to the Company for fire protection services to correspond to the Company’s final adopted budget relating to services provided to the Town, as follows:

Service	Approved Amount	Amended Amount
Fire Protection Services	\$ 394,977.00	\$407,108.00

(the “Amendment”); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to set a date for a public hearing to consider the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing shall be held on the 22nd day of October, 2020 at 7:00 P.M. via Zoom to consider the Amendment; and be it further

**RESOLVED** that the Town Clerk, be and is hereby authorized and directed to publish a notice of hearing, 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 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 NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on the 22nd day of October, 2020 at 7:00 P.M. via Zoom, to consider an amendment to Town Board Resolution No. 64-2020, adopted February 27, 2020, to adjust the amount to be paid to the Vigilant Engine, Hook & Ladder & Hose Company, Inc. for fire protection services to correspond to the Company's final adopted budget relating to services provided to the Town, as follows:

Service	Approved Amount	Amended Amount
Fire Protection Services	\$ 394,977.00	\$407,108.00

Dated: Manhasset, New York  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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

MR. WINK: Item 17, a resolution setting a date for a public hearing to consider the adoption of an ordinance affecting 4th Avenue in Westbury, New York.

MR. WINK: You're on mute, Councilwoman.

COUNCILWOMAN RUSSELL: So sorry.

MR. WINK: That's okay.

COUNCILWOMAN RUSSELL: This is for a reserved handicapped space on 4th Avenue. I'd like to offer the resolution setting a tentative hearing date of October 22nd.

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. 398 - 2020**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AFFECTING 4TH AVENUE IN WESTBURY, 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 Northwest side of 4th Avenue, Westbury, New York from a point 500 feet Northeast of the Northeast curb line of 6th Street, Northeast, for a distance of 40 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 October 22, 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 October 22, 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 Northwest side of 4th Avenue, Westbury, New York from a point 500 feet Northeast of the Northeast curb line of 6th Street, Northeast, for a distance of 40 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  
September 24, 2020

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

Dated: Manhasset, New York  
September 24, 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 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, July 23, 2020, August 13, 2020, September 3, 2020 and September 24, 2020 is further amended by adding thereto a new subdivision as follows:

"117" A reserved parking space at the Northwest side of 4th Avenue, Westbury, New York from a point 500 feet Northeast of the Northeast curb line of 6th Street, Northeast, for a distance of 40 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  
September 24, 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 authorizing the Town Board to accept a gift to The Town pursuant to Town Law Section 64.

SUPERVISOR BOSWORTH: So this is \$1,100 for the purchase of a commemorative bench at Ritters Pond Park. 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. 399 - 2020**

**A RESOLUTION AUTHORIZING THE TOWN BOARD TO ACCEPT A GIFT TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.**

**WHEREAS**, Russ Pantino, Norman Spitzer and Sandy Goldberg have generously offered, as a gift, \$1,100.00 for the purchase of a commemorative bench at Ridders Pond Park; 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  
September 24, 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 19, a resolution authorizing a supplemental budget appropriation pursuant to Town Law Section 112.

SUPERVISOR BOSWORTH: So this is appropriating the funds from the gift from the previous item. 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. 400 - 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: \$1100.00 to be recorded to revenue line A.2705 with the offsetting expense to be recorded to expense code A.05.7111.4743; 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  
September 24, 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 the execution of an agreement with LIRO Engineers Inc. for the replacement of the track and turf field at Michael J. Tully Park, New Hyde Park, NY. DPW Project 19-17.

COUNCILMAN FERRARA: Do we have any comments on this, Mr. Wink?

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

COUNCILMAN FERRARA: Then 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 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. 401 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LIRO ENGINEERS INC. FOR THE REPLACEMENT OF THE TRACK AND TURF FIELD AT MICHAEL J. TULLY PARK, NEW HYDE PARK, NY. DPW PROJECT 19-17.**

**WHEREAS**, the Acting Commissioner of the Department of Public Works (the “Acting Commissioner”) for the Town of North Hempstead (the “Town”) has recommended that this Board authorize the retention of an engineering consulting firm to provide professional engineering services for the Replacement of the Track and Turf Field at Michael J. Tully Park, New Hyde Park, New York, DPW Project No. 19-17 (the “Services”); and

**WHEREAS**, following the review and analysis of proposals submitted for the Services, the Acting Commissioner has recommended the retention of Liro Engineers Inc., a Liro Group Company, Three Aerial Way, Syosset, NY 11791 to provide the Services in consideration of an amount not to exceed Sixty Four Thousand Four Hundred and 68/100 Dollars (\$64,400.68) (the “Agreement”); and

**WHEREAS**, the Acting Commissioner has requested that this Board authorize the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Agreement be and hereby is authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, the Agreement, a copy of which Agreement 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 Agreement and to 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 of the Services upon receipt of duly executed Agreement and certified claims therefor.

Dated:           Manhasset, New York  
                    September 24, 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



MR. WINK: Item 21, a resolution authorizing the execution of an agreement with Eagle Control Corp. for pool repairs at Michael J. Tully Park, New Hyde Park.

COUNCILMAN FERRARA: Any comments on this item, Mr. Wink?

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

COUNCILMAN FERRARA: Then 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 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. 402 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EAGLE CONTROL CORP. FOR POOL REPAIRS AT MICHAEL J. TULLY PARK, NEW HYDE PARK.**

**WHEREAS**, the Town of North Hempstead Department of Parks and Recreation (the “Department”) requires pool repairs at Michael J. Tully Park in New Hyde Park, New York (the “Services”); and

**WHEREAS**, the Director of Purchasing (the “Director”) solicited three (3) quotes for the Services, in accordance with the Town’s Procurement Policy; and

**WHEREAS**, the vendor submitting the lowest quote for the Services was unable to comply with the Town’s insurance requirements; and

**WHEREAS**, Eagle Control Corp., 23 Old Dock Road, Yaphank, New York 11980 (the “Contractor”) submitted the second lowest quote, proposing to perform the Services for a sum not to exceed Thirteen Thousand Five Hundred and 00/100 Dollars (\$13,500.00) (the “Contract Amount”); and

**WHEREAS**, the Director has recommended that the Town enter into an agreement with the Contractor to perform the Services for the Contract Amount (the “Agreement”); and

**WHEREAS**, this Board wishes to authorize the execution of the Agreement.

**NOW, THEREFORE, BE IT**

**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  
September 24, 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 22, a resolution ratifying the execution of a license agreement with the Mineola School District for use of the North Hempstead Beach Park Parking lot for the purpose of holding a drive-in movie screening.

COUNCILMAN FERRARA: Any comments on this issue?

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

COUNCILMAN FERRARA: 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 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. 403 - 2020**

**A RESOLUTION RATIFYING THE EXECUTION OF A LICENSE AGREEMENT WITH THE MINEOLA SCHOOL DISTRICT FOR USE OF THE NORTH HEMPSTEAD BEACH PARK PARKING LOT FOR THE PURPOSE OF HOLDING A DRIVE-IN MOVIE SCREENING.**

**WHEREAS**, the Mineola Union Free School District requested that the Town allow it to use the parking lot at North Hempstead Beach Park on September 1, 2020 from 6PM to 10PM for the purpose of holding a drive-in movie screening for Mineola Middle School students (the "Use"); and

**WHEREAS**, the fees for the Use are as follows: use of the parking lot - \$70 per hour; Permit fee - \$50; cost of overtime for 2 Town maintenance staff for four (4) hours at the overtime rate of \$98.33 per hour (the "Use Fees"); and

**WHEREAS**, the Town of North Hempstead's Department of Parks and Recreation has recommended ratifying the Use in consideration of the Use Fees (the "License") and authorizing the execution of an Agreement therefor (the "License Agreement"); and

**WHEREAS**, the Board wishes to ratify the License and authorize the execution of a License Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the License is hereby ratified; and be it further

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute the License 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 License Agreement, and to take such further action as may be necessary to effectuate the foregoing.

Dated:           Manhasset, New York  
                    September 24, 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 23, a resolution authorizing the execution of a license agreement with the Searingtown School PTA for the use of the North Hempstead Beach Park parking lot for the purpose of holding a drive-in moving screening.

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. 404 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE SEARINGTOWN SCHOOL PTA FOR THE USE OF THE NORTH HEMPSTEAD BEACH PARK PARKING LOT FOR THE PURPOSE OF HOLDING A DRIVE-IN MOVIE SCREENING.**

**WHEREAS**, the Searingtown School PTA (the "PTA") has requested that the Town allow it to use the parking lot at North Hempstead Beach Park on October 16, 2020 from 6PM to 10PM for the purpose of holding a drive-in movie screening in consideration of payment as follows: use of the parking lot - \$70 per hour; Permit fee - \$50; cost of overtime for 2 Town maintenance staff for four (4) hours at the overtime rate of \$98.33 per hour (the "License"); and

**WHEREAS**, the Town of North Hempstead'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 an agreement with the PTA 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 License Agreement, and to take such further action as may be necessary to effectuate the foregoing.

Dated:           Manhasset, New York  
                    September 24, 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 24, a resolution authorizing the execution of a license agreement with the Great Neck Center for the Visual and Performing Arts, Inc., D/B/A Gold Coast Arts Center for the use of the North Hempstead Beach Park parking lot for the purpose of holding drive-in movie screenings.

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

**RESOLUTION NO. 405 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE GREAT NECK CENTER FOR THE VISUAL AND PERFORMING ARTS, INC. D/B/A GOLD COAST ARTS CENTER FOR THE USE OF THE NORTH HEMPSTEAD BEACH PARK PARKING LOT FOR THE PURPOSE OF HOLDING DRIVE-IN MOVIE SCREENINGS.**

**WHEREAS**, the Great Neck Center for the Visual and Performing Arts, Inc. d/b/a Gold Coast Arts Center (“Gold Coast”) has requested that the Town allow it to use the parking lot at North Hempstead Beach Park on October 17, 2020 from 5PM to 10PM for the purpose of holding drive-in movie screenings as part of the Gold Coast Arts Center Film Festival, in consideration of One and 00/100 Dollars (\$1.00), payment waived (the “License”); and

**WHEREAS**, the Town of North Hempstead’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 an agreement with Gold Coast 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 License Agreement, and to take such further action as may be necessary to effectuate the foregoing.

Dated:           Manhasset, New York  
                    September 24, 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 25, a resolution authorizing the execution of a sponsorship agreement between the Town of North Hempstead and North Shore University Hospital for the placement of a Scoreboard in Manhasset Valley Park.

COUNCILWOMAN LURVEY: Do we have any comments on this, Mr. Wink?

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

COUNCILWOMAN LURVEY: 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 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. 406 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SPONSORSHIP AGREEMENT BETWEEN THE TOWN OF NORTH HEMPSTEAD AND NORTH SHORE UNIVERSITY HOSPITAL FOR THE PLACEMENT OF A SCOREBOARD IN MANHASSET VALLEY PARK.**

**WHEREAS**, North Shore University Hospital, 300 Community Drive, Manhasset, NY 11030, (“North Shore”) desires to sponsor the purchase of a scoreboard for the Manhasset Police Activity League, to be placed in Manhasset Valley Park; and

**WHEREAS**, as consideration for the purchase of the scoreboard, North Shore proposes to execute an agreement with the Town for certain sponsorship rights on the scoreboard; specifically the placement of the scoreboard, displaying North Shore’s trademarks, trade names and logos, within Manhasset Valley Park for a term of fifteen (15) years commencing from the date of execution (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, 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.

Dated:           Manhasset, New York  
                    September 24, 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 26, a resolution authorizing the execution of an agreement with Best Products Sales and Service, Inc. for the maintenance of a currency counter in the Office of the Receiver of Taxes.

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. 407 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEST PRODUCTS SALES AND SERVICE, INC. FOR THE MAINTENANCE OF A CURRENCY COUNTER IN THE OFFICE OF THE RECEIVER OF TAXES.**

**WHEREAS**, the Office of the Receiver of Taxes (the "Office") requires maintenance for a currency counter (the "Services"); and

**WHEREAS**, the Receiver of Taxes has recommended that the Town enter into an agreement with Best Products Sales and Service, Inc., 111 Plainfield Avenue, Floral Park, NY 11001, to provide the Services for a term of one (1) year in consideration of an amount not to exceed Four Hundred Fifty and 00/100 Dollars (\$450.00) (the "Agreement"); and

**WHEREAS**, the Town Board finds it to be in the best interests of the Town to authorize the Agreement.

**NOW, THEREFORE, BE IT**

**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, as more particularly set forth in a copy of the agreement which will be on file in the Office of the Town Clerk, and to take such other related action as may be necessary to effectuate the foregoing resolution; 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 therefore.

Dated: Manhasset, New York  
September 24, 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

MR. WINK: Item 27, a resolution authorizing the execution of an agreement with Canon Solutions America, Inc. to maintain a check imager and endorser for the Office of the Receiver of Taxes.

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. 408 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CANON SOLUTIONS AMERICA, INC. TO MAINTAIN A CHECK IMAGER AND ENDORSER FOR THE OFFICE OF THE RECEIVER OF TAXES.**

**WHEREAS**, the Office of the Receiver of Taxes requires maintenance for a check imager and endorser to scan and endorse property tax payment checks for school and general taxes (the "Services"); and

**WHEREAS**, the Receiver of Taxes has recommended that the Town enter into an agreement with Canon Solutions America, Inc. to provide the Services for a term of one (1) year in consideration of an amount not to exceed One Thousand and 0/100 Dollars (\$1,000.00) (the "Agreement"); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to authorize the Agreement.

**NOW, THEREFORE, BE IT**

**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 therefore.

Dated:           Manhasset, New York  
                    September 24, 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       Tax Office

MR. WINK: Item 28, a resolution authorizing the execution of a sponsorship agreement with the Manhasset Women's Coalition Against Breast Cancer for a virtual run.

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. 409 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SPONSORSHIP AGREEMENT WITH THE MANHASSET WOMEN'S COALITION AGAINST BREAST CANCER FOR A VIRTUAL RUN.**

**WHEREAS**, the Town of North Hempstead (the "Town") owns certain real property known as Mary Jane Davies Green park located on Plandome Road in Manhasset, New York (the "Premises"); and

**WHEREAS**, the Manhasset Women's Coalition Against Breast Cancer, PO Box 1007, Manhasset, New York 11030 (the "Coalition") has requested that the Town sponsor its Breast Cancer Awareness Month activities; and

**WHEREAS**, pursuant to the sponsorship, the Town will provide the Coalition with a license to hold an event for a virtual run at the Premises on October 4, 2020 between 8 a.m. and 2 p.m. and to tie a pink ribbon to each tree at the Premises during the month of October in honor of Breast Cancer Awareness Month (the "License") as well as signage advertising Breast Cancer Awareness Month and in consideration the Licensee will include the Town's sponsorship in its promotional materials (the "Agreement"); and

**WHEREAS**, this Board wishes to grant the License and authorize the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the License is hereby granted; and be it further

**RESOLVED** that the Supervisor be and is hereby authorized to execute on behalf of the Town, the Agreement, a copy of which will be on file in the Office of the Town Clerk; and be it further

**RESOLVED** that the Office of the Town Attorney be and is hereby authorized and directed to negotiate and supervise the execution of the Agreement; and be it further

**RESOLVED** that the Supervisor or Deputy Supervisor is authorized take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller      Public Safety



MR. WINK: Item 29, a resolution making certain determinations pursuant to the State Environmental Quality Review Act and authorizing the sale of a parcel of real property known and designated as Section 2, Block 349, adjacent to lot 5, located in Great Neck, New York to 280 East Shore Road Realty, LLC and authorizing the taking of related actions in connection therewith.

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.

MR. WINK: Councilwoman Russell.

MR. WINK: I don't know if she's frozen.

COUNCILWOMAN DALIMONTE: It looks like she's frozen.

MR. WINK: Yeah, she might be frozen. Okay. We'll continue with the vote. Councilwoman Russell, can you hear me?

MR. WINK: Okay. 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. 410 - 2020**

**A RESOLUTION MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE SALE OF A PARCEL OF REAL PROPERTY KNOWN AND DESIGNATED AS SECTION 2, BLOCK 349, ADJACENT TO LOT 5, LOCATED IN GREAT NECK, NEW YORK TO 280 EAST SHORE ROAD REALTY, LLC AND AUTHORIZING THE TAKING OF RELATED ACTION IN CONNECTION THEREWITH.**

**WHEREAS**, the Town of North Hempstead (the "Town") is the owner of real property located on East Shore Road, Great Neck, New York known and designated as Section 2, Block 349, adjacent to Lot 5 on the Land and Tax Map of Nassau County (the "East Shore Road Property"); and

**WHEREAS**, the Town has negotiated a contract of sale (the "Agreement") with 280 East Shore Road Realty, LLC (the "Purchasers") to sell the East Shore Road Property (the "Premises") in consideration of the sum of Forty-Five Thousand and 00/100 Dollars (\$45,000.00) (the "Transfer"); and

**WHEREAS**, the Premises is a parcel of real property lying and being in the Incorporated Village of Great Neck, Town of North Hempstead, County of Nassau and State of New York, being known and designated as property adjacent easterly to Lot 5, Block 349, Section 2 as shown on the Nassau County Land and Tax Map, said parcel being more particularly bounded and described as follows:

COMMENCING at a point on the easterly side of East Shore Road, said point being on the division line between Lot 5 and Lot 6 as shown on the above mentioned map and distant 726.62 feet northerly as measured along the easterly side of East Shore Road from its intersection with the northerly side of Vista Hill Road;

RUNNING THENCE from said point of commencement along said division line South 89 degrees 42 minutes 54 seconds East, 207.17 feet to the true point or place of BEGINNING;

RUNNING THENCE from said point of beginning the following eight (8) courses;

North 04 degrees 39 minutes 20 seconds West, 44.60 feet;

North 83 degrees 59 minutes 26 seconds East, 23.64 (23.45 feet, deed);

North 05 degrees 47 minutes 34 seconds West, 107.46 feet, (102.40 feet, deed);

North 84 degrees 27 minutes 21 seconds East, 5.05 feet;

South 05 degrees 59 minutes 02 seconds East, 50.77 feet;

South 05 degrees 56 minutes 49 seconds East, 55.66 feet;

South 03 degrees 22 minutes 41 seconds East, 48.71 feet;

North 89 degrees 42 minutes 54 seconds West, 28 feet to the point or place of BEGINNING.

Containing within said bounds 1,874 Sq. Ft or 0.043 Acres, more or less.

; and

**WHEREAS**, the Town Board wishes to authorize the Supervisor to execute the Agreement and take any and all actions necessary to complete the Transfer and otherwise effectuate the provisions of the Agreement and this resolution (the “Action”); and

**WHEREAS**, it is required that a “lead agency” be established to review the Action pursuant to the SEQRA Regulations; and

**WHEREAS**, this Board, through action of 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 September 24, 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 Environmental Assessment Form (the “EAF”) Parts 1 and 2 (the “Determinations and Negative Declaration”) for the reasons that the proposed Action will not (1) create a material conflict with an adopted land use plan or zoning regulations; (2) result in a change in the use or intensity of

use of land; (3) impair the character or quality of the existing community; (4) have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area; (5) result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway; (6) cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities; (7) impact existing public or private water supplies or wastewater treatment utilities; (8) impair the character or quality of important historic, archaeological, architectural or aesthetic resources; (9) result in an adverse change to natural resources; (10) result in an increase in the potential for erosion, flooding or drainage problems; or (11) create a hazard to environmental resources or human health.

**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 EAF, and upon the testimony and reports adduced at this meeting; 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 this Board hereby authorizes the Transfer, subject to the terms and conditions contained in the Agreement, a copy of which shall be on file with the Office of the

Town Clerk and to take any further actions necessary to effectuate the terms of the Agreement and the provisions of this resolution; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute the Agreement, and any related documents on behalf of the Town, and to take any other action necessary to complete the Action and effectuate the terms of the Agreement and this resolution; and be it further

**RESOLVED** that the Office of the Town Attorney be and hereby is authorized and directed to supervise the execution of the Agreement and related documents, and to take any and all other action necessary to effectuate the terms of the Agreement and this resolution; and be it further

**RESOLVED**, that within ten (10) days of the adoption of this Resolution, the Town Clerk shall post and publish the following notice in accordance with Section 90 of the Town Law:

**NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM**

**NOTICE IS HEREBY GIVEN** that at its meeting held on September 24, 2020, the Town Board of the Town of North Hempstead duly adopted a resolution (the "Resolution"), subject to permissive referendum pursuant to Town Law Article 7, an abstract of which is as follows: A resolution authorizing the Town to transfer to 280 East Shore Road Realty, LLC (the "Purchasers") a certain parcel of real property known and designated as property adjacent easterly to Lot 5, Block 349, Section 2 as shown on the Nassau County Land and Tax Map, said parcel being more particularly bounded and described as follows:

COMMENCING at a point on the easterly side of East Shore Road, said point being on the division line between Lot 5 and Lot 6 as shown on the above mentioned map and distant 726.62

feet northerly as measured along the easterly side of East Shore Road from its intersection with the northerly side of Vista Hill Road;

RUNNING THENCE from said point of commencement along said division line South 89 degrees 42 minutes 54 seconds East, 207.17 feet to the true point or place of BEGINNING;

RUNNING THENCE from said point of beginning the following eight (8) courses;

North 04 degrees 39 minutes 20 seconds West, 44.60 feet;

North 83 degrees 59 minutes 26 seconds East, 23.64 (23.45 feet, deed);

North 05 degrees 47 minutes 34 seconds West, 107.46 feet, (102.40 feet, deed);

North 84 degrees 27 minutes 21 seconds East, 5.05 feet;

South 05 degrees 59 minutes 02 seconds East, 50.77 feet;

South 05 degrees 56 minutes 49 seconds East, 55.66 feet;

South 03 degrees 22 minutes 41 seconds East, 48.71 feet;

North 89 degrees 42 minutes 54 seconds West, 28 feet to the point or place of BEGINNING.

Containing within said bounds 1,874 Sq. Ft or 0.043 Acres, more or less.

(the "Land Transaction") and to authorize the Town to enter into an agreement with the Purchasers to complete the Land Transaction (the "Agreement"); and

**PLEASE TAKE FURTHER NOTICE**, that pursuant to the Resolution of the Board the Land Transaction and the Agreement is subject to a permissive referendum as set forth in Section 90 of the Town Law of the State of New York; and

**PLEASE TAKE FURTHER NOTICE** that the Resolution shall take effect unless a petition calling for a referendum on the Land Transaction and the Agreement is filed with the Town Clerk pursuant to Section 91 of the Town Law within thirty (30) days of adoption of the Resolution; and

**PLEASE TAKE FURTHER NOTICE** that the full text of the Resolution is on file in the Office of the Town Clerk and may be examined during regular business hours.

Dated:           Manhasset, New York  
                    September 24, 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 this resolution shall take effect immediately.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

Absent: Councilperson Russell

cc: Town Attorney      Comptroller





# NEWSDAY AFFIDAVIT OF PUBLICATION

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

STATE OF NEW YORK)

Legal Notice No.

0021611562

: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:

Thursday

October 08, 2020

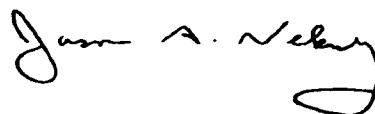
Nassau

**SWORN** to before me this  
8 Day of October, 2020.



---

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 # 21611562

**NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that at its meeting held on September 24, 2020, the Town Board of the Town of North Hempstead duly adopted a resolution (the "Resolution"), subject to permissive referendum pursuant to Town Law Article 7, an abstract of which is as follows: A resolution authorizing the Town to transfer to 280 East Shore Road Realty, LLC (the "Purchasers") a certain parcel of real property known and designated as property adjacent easterly to Lot 3, Block 249, Section 2 as shown on the Nassau County Land and Tax Map, said parcel being more particularly bounded and described as follows:

COMMENCING at a point on the easterly side of East Shore Road, said point being on the division line between Lot 5 and Lot 6 as shown on the above mentioned map and distant 726.62 feet northerly as measured along the easterly side of East Shore Road from its intersection with the northerly side of Vista Hill Road;

RUNNING THENCE from said point of commencement along said division line South 89 degrees 42 minutes 54 seconds East, 207.17 feet to the true point or place of BEGINNING;

RUNNING THENCE from said point of beginning the following eight (8) courses;

- 1. North 04 degrees 39 minutes 20 seconds West, 44.60 feet;
- 2. North 83 degrees 59 minutes 26 seconds East, 23.64 (23.45 feet, dead);
- 3. North 05 degrees 47 minutes 34 seconds West, 107.46 feet, (102.40 feet, dead);
- 4. North 84 degrees 27 minutes 21 seconds East, 5.05 feet;
- 5. South 05 degrees 59 minutes 02 seconds East, 50.77 feet;
- 6. South 05 degrees 56 minutes 49 seconds East, 55.66 feet;
- 7. South 03 degrees 22 minutes 41 seconds East, 48.71 feet;
- 8. North 89 degrees 42 minutes 54 seconds West, 28 feet to the point or place of BEGINNING.

Containing within said bounds 1,874 Sq. Ft or 0.043 Acres, more or less.

(the "Land Transaction") and to authorize the Town to enter into an agreement with the Purchasers to complete the Land Transaction (the "Agreement"); and

PLEASE TAKE FURTHER NOTICE, that pursuant to the Resolution of the Board the Land Transaction and the Agreement is subject to a permissive referendum as set forth in Section 90 of the Town Law of the State of New York; and

PLEASE TAKE FURTHER NOTICE that the Resolution shall take effect unless a petition calling for a referendum on the Land Transaction and the Agreement is filed with the Town Clerk pursuant to Section 91 of the Town Law within thirty (30) days of adoption of the Resolution; and

PLEASE TAKE FURTHER NOTICE that the full text of the Resolution is on file in the Office of the Town Clerk and may be examined during regular business hours.

Dated: Manhasset, New York  
September 24, 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: 0021611562  
 Start Date: 10/08/2020  
 End Date: 10/08/2020  
 Price: \$496.00  
 Ordered By: Legaladv@newsday.com

Phone: 5168697625  
 Contact: PAUL GARILLE  
 Section: Legals  
 Class: 11100  
 Size: 2 x 62 Times: 1  
 Date: 10/8/2020  
 Zone(s): C-Nassau

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

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

MR. WINK: Item 30, a resolution authorizing the execution of an agreement with The United States Geological Survey for groundwater well monitoring throughout the Port Washington peninsula.

COUNCILWOMAN DALIMONTE: This agreement with USGS will conduct well monitoring throughout the Port Washington Peninsula. They will monitor for salt water intrusion among other things. I offer the -- oh, do we have any cards?

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

COUNCILWOMAN DALIMONTE: Thank you. Sorry. I offer the resolution and move for its adoption.

MR. WINK: Councilwoman Russell, are you back on the meeting?

COUNCILWOMAN RUSSELL: I am back.

MR. WINK: Okay. I don't see you by video but I do see you -- on the screen.

MR. WINK: Councilwoman Dalimonte, we'll take the vote.

COUNCILWOMAN DALIMONTE: I offer the resolution and move for its adoption.

MR. WINK: Right. But your vote.

COUNCILWOMAN DALIMONTE: Oh, I'm sorry. Aye. I didn't know you called on me. I'm sorry.

MR. WINK: That's all right.

MR. WINK: Councilman Ferrara.

COUNCILMAN FERRARA: Aye.

MR. WINK: Councilwoman Lurvey.

COUNCILWOMAN LURVEY: Aye.

MR. WINK: Councilwoman Russell.

COUNCILWOMAN RUSSELL: Aye.

MR. WINK: So everybody has moved on my screen. I'm having a hard time. I had a visual pattern here but now I'm gone. So thank you, Councilwoman Russell. Councilwoman Seeman, your vote again, please.

COUNCILWOMAN SEEMAN: Aye.

MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye.

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

MR. WINK: All right. At some point we'll get this all down pat. My apologies.

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. 411 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR GROUNDWATER WELL MONITORING THROUGHOUT THE PORT WASHINGTON PENINSULA.**

**WHEREAS**, the Town Board (the “Board”) of the Town of North Hempstead (the “Town”), is committed to environmental conservation; and

**WHEREAS**, the Town desires to complete annual groundwater testing throughout the Port Washington Peninsula, as part of the Nassau County groundwater monitoring network, in order to monitor possible salt water intrusion into the aquifers (the “Project”); and

**WHEREAS**, in order to facilitate completion of the Project, the Grants Coordinator (the “Coordinator”) has recommended that the Town enter into agreement with the United States Department of the Interior U.S. Geological Survey (“USGS”) for a term beginning on October 1, 2020 and terminating on September 30, 2021, in consideration of an amount not to exceed Five Thousand Nine Hundred Fifty and 00/100 Dollars (\$5,950.00) (the “Agreement”); and

**WHEREAS**, as part of the terms of the Agreement, USGS will provide a grant in the amount of One Thousand Two Hundred and 00/100 Dollars (\$1,200.00) (the “Grant”) to the Town towards the cost of the Project and the Town will be responsible for the remainder, an amount not to exceed Four Thousand Seven Hundred Fifty and 00/100 Dollars (\$4,750.00); and

**WHEREAS**, this Board finds it to be in the best interests of the Town to authorize the Agreement and accept the Grant.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Agreement be and is hereby authorized; and be it further

**RESOLVED** that the Town is authorized to accept the Grant; and be it further

**RESOLVED** that the Supervisor is authorized and directed to execute the Agreement as well as all other documents required to be executed to accept the Grant 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 supervise the execution of the Agreement and other documents for the Grant; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized and directed to pay the costs of the Project upon receipt of the duly executed Agreement and certified claims therefore.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller

MR. WINK: Item 31, a resolution authorizing the use of an agreement between the County of Suffolk and Global Fueling Systems Inc. for alarm equipment maintenance and fuel tank repairs.

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. 412 - 2020**

**A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND GLOBAL FUELING SYSTEMS INC. FOR ALARM EQUIPMENT MAINTENANCE AND FUEL TANK REPAIRS.**

**WHEREAS**, the Town of North Hempstead (the “Town”) requires the services of a contractor to perform alarm equipment maintenance and repair of fuel tank systems (the “Services”); and

**WHEREAS**, the County of Suffolk awarded contract AEMR060120P entitled “Alarm Equipment Maintenance Repair Fuel Tank Systems” (the “Agreement”) to Global Fueling Systems Inc., Henrich 42 Field Street, W. Babylon, New York 11704 (the “Contractor”); and

**WHEREAS**, under New York General Municipal Law §103(16), the Town is authorized to contract for services through municipal or quasi-municipal entities in the State of New York; and

**WHEREAS**, the Board wishes to authorize the use of the Agreement for its duration, inclusive of any extensions.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the use of the Agreement be and is hereby authorized; and be it further

**RESOLVED** that the Supervisor be and hereby is authorized and directed to execute any documentation 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 documentation, 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 Agreement and certified claims therefore.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller      Purchasing



MR. WINK: Item 32, a resolution authorizing the execution of an amendment to an agreement with Affordable Cesspool for cesspool cleaning services (TNH204-2018).

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. 413 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH AFFORDABLE CESSPOOL FOR CESSPOOL CLEANING SERVICES (TNH204-2018).**

**WHEREAS**, pursuant to a resolution duly adopted by this Board, the Town of North Hempstead (the "Town") the Town entered into an agreement with Affordable Cesspool, Sewer and Drain Inc., 180 Blydenburgh Road, Islandia, NY 11749 to provide cesspool cleaning services (the "Original Agreement"); and

**WHEREAS**, the Original Agreement contained an option to renew the Original Agreement with the same terms and conditions, including price (the "Option"); and

**WHEREAS**, the Director of Purchasing (the "Director") has recommended that the Town exercise the Option to extend the term of the Original Agreement for a period of one (1) year to begin on September 7, 2020 and ending September 6, 2021 (the "Amendment"); and

**WHEREAS**, this Board finds it to be 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  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller

MR. WINK: Item 33, a resolution authorizing the execution of an amendment to an agreement with TGI Office Automation for the lease of a copier for the Department of Public Safety.

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. 414 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH TGI OFFICE AUTOMATION FOR THE LEASE OF A COPIER FOR THE DEPARTMENT OF PUBLIC SAFETY.**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town entered into and amended an agreement with TGI Office Automation, 1860 Walt Whitman Road, Melville, NY 11474 (the "Contractor"), to provide copier leases, repairs and maintenance (TNH032-2017) (the "Original Agreement"); and

**WHEREAS**, the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to include the lease of an additional Lanier MP C2504ex copier for the Department of Public Safety in consideration of an amount not to exceed Ninety and 00/100 Dollars (\$90.00) per month for a period of thirty-six (36) months, with copies billed on the basis of \$0.0059 for black and white copies and \$0.042 for color copies (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  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller

MR. WINK: Item 34, a resolution authorizing the execution of an amendment to an agreement with LDI Color Toolbox for the lease of a color canon copier for the Department of Administrative Services.

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. 415 - 2020**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH LDI COLOR TOOLBOX FOR THE LEASE OF THE COLOR CANON COPIER FOR THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

**WHEREAS**, pursuant to a resolution, duly adopted by this Board, the Town entered into an agreement with Leslie Digital Imaging LLC, 50 Jericho Quadrangle, Jericho, New York 11753 (the "Contractor"), to lease a color Canon copier for the Department of Administrative Service's reproduction area (the "Lease"); and

**WHEREAS**, the term of the Lease expired on July 29, 2020; and

**WHEREAS**, the Director of Purchasing (the "Director") has recommended that the Town amend the Original Agreement to extend the term of the Original Agreement retroactive to July 30, 2020 and to continue until such time as a new copier is leased, in consideration of the an amount not to exceed One Thousand One Hundred Fifty Two and 00/100 Dollars (\$1,152.00) per month, \$0.082 per black and white copy and \$0.0358 per color copy (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  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller

MR. WINK: Item 35, a resolution authorizing an amendment to a Memorandum of Understanding between CSEA Local 1000 AFSCME, AFL-CIO, Nassau Municipal Employees Local #882, Town of North Hempstead Unit #7555 and the Town of North Hempstead.

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. 416 - 2020**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO A MEMORANDUM OF UNDERSTANDING BETWEEN CSEA LOCAL 1000 AFSCME, AFL-CIO, NASSAU MUNICIPAL EMPLOYEES LOCAL #882, TOWN OF NORTH HEMPSTEAD UNIT #7555 AND THE TOWN OF NORTH HEMPSTEAD.**

**WHEREAS**, pursuant to a resolution duly adopted by this Board, the Town entered into a memorandum of agreement with CSEA LOCAL 1000 AFSCME, AFL-CIO, Nassau Municipal Employees Local #882, Town of North Hempstead Unit #7555 (“CSEA”) (the “Original Agreement”); and

**WHEREAS**, the Original Agreement set forth the terms and conditions for the return of non-essential Town employees covered in the CSEA bargaining unit to their standard work locations;

**WHEREAS**, the Original Agreement is set to expire on or about September 24, 2020; and

**WHEREAS**, the CSEA and the Town desire to extend the terms of the Original Agreement through December 31, 2020 (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.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney      Comptroller      DPW

MR. WINK: Item 36, a resolution amending the Town of North Hempstead fee schedule with respect to tow fees.

COUNCILMAN FERRARA: Do we have any comments on this, Mr. Wink?

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

COUNCILMAN FERRARA: Well, before I vote on it, I'd like to personally thank our Town Clerk, Wayne Wink, his entire great staff, the Town Attorney's office and all those who participated in helping to orchestrate this. So with that, I'd like to say thank you. And I offer the resolution and move for its adoption.

MR. WINK: Thank you, Councilman. Supervisor Dalimonte.

COUNCILMAN FERRARA: Boy, he took a compliment and that's it, it threw him off.

MR. WINK: That's it. Completely thrown off. I'm not used to them lately. I've got to tell you with these Zoom meeting. Councilwoman Dalimonte, your vote.

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 want to take the opportunity to thank all those that Councilman Ferrara thanked. But in addition, thank you, Councilman Ferrara, because you spent a lot of time and were very involved with this initiative. Thank you so much. And I vote aye.

COUNCILMAN FERRARA: Thank you.

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. 417 - 2020**

**A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD FEE SCHEDULE WITH RESPECT TO TOW FEES.**

**WHEREAS**, the Town Board of the Town of North Hempstead (the "Board") has heretofore established a schedule of fees for use by the Office of the Town Clerk (the "Schedule"); and

**WHEREAS**, the Board wishes to amend the Schedule to state the fees for towing, storage and labor charges pursuant to Chapter 55 of the Town Code, as follows:

Towing charges:           \$125.00 hookup fee, first mile of a tow is free, \$7.00 for each additional mile or part thereof

Storage charges:           \$30.00 per day, \$75.00 one-time fee for a suspension compromised vehicle

Labor charges:            \$50.00 for the first half hour, \$75.00 for each additional half hour of labor

Clean-up charges:         \$50 for use of speedy dry in area clean-up; and

**WHEREAS**, the Board wishes to further amend the Schedule to establish the maximum fee that may be charged by an Operator where a vehicle is towed from private property pursuant to Section 55-40 of Chapter 55 of the Town Code, as follows:

Private Property Tow:       \$275 per vehicle

Service Fee:                \$150 drop fee to unhook a vehicle where the vehicle's owner arrives on scene prior to the vehicle leaving the private lot

; and

**WHEREAS**, the amendments shown in this Resolution shall be known as the "Amendments"; and

**WHEREAS**, the Town Board desires to authorize the Amendments.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Amendments are hereby authorized and established, and that said Amendments shall take effect immediately.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

MR. WINK: Item 37, a resolution amending Resolution No. 235-2020, adopted June 18, 2020, authorizing the execution of agreements with various agencies to provide activities and services for senior citizens within the Town of North Hempstead.

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. 418 - 2020**

**A RESOLUTION AMENDING RESOLUTION NO. 235-2020, ADOPTED JUNE 18, 2020, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS AGENCIES TO PROVIDE ACTIVITIES AND SERVICES FOR SENIOR CITIZENS WITHIN THE TOWN OF NORTH HEMPSTEAD.**

**WHEREAS**, pursuant to Resolution No. 235-2020, duly adopted on June 18, 2020, this Board authorized the execution of agreements with agencies that provide recreational, instructional and/or nutritional programs for senior citizens in the amounts and with the agencies set forth in the resolution (the "Resolution"); and

**WHEREAS**, since adoption of the Resolution the Department of Services for the Aging (the "Department") has learned that some of the services provided by various organizations have changed; and

**WHEREAS**, the Commissioner of the Department has requested that the Resolution be amended to account for these changes and the amounts the organizations should receive as follows:

Provider	Original Amount	Amended Amount
Herricks Union Free School District	\$4,750	\$0
Herricks Community Fund, Inc.	\$4,000	\$4,750
Sid Jacobson JCC Senior Services Dept.	\$10,500	\$14,500

(the "Amendment"); and

**WHEREAS**, this Board finds it to be in the best interest of the Town to authorize the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Resolution be and hereby is amended to reflect the Amendment;  
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  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney

MR. WINK: Item 38, a resolution authorizing the transfer of funds from the Town's Reserve Funds.

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. 419 - 2020**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE TOWN'S RESERVE FUNDS.**

**WHEREAS**, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established various Reserve Funds (the "Funds"), pursuant to applicable law, for payment on various projects and related expenses; and

**WHEREAS**, the Town has available funds in a number of the Funds; and

**WHEREAS**, the Board desires to transfer monies from the Funds' as follows:

1. The transfer of funds from the Highways Fund's Capital Projects Reserve Fund to a capital account for the renovation of the bridge deck work on Plandome Road, Manhasset in the amount of \$77,500
2. The transfer of funds from the Part-Town Fund Capital Projects Reserve Fund to a capital account for the purchase of a passenger vehicle for the Department of Public Safety Enforcement Division in the amount of \$23,538.56
3. The transfer of funds from the General Fund's Capital Projects Reserve Fund to a capital account for the purchase of a utility cart for the Department of Public Safety's Marine Division in the amount of \$11,784.18
4. The transfer of funds from the General Fund's Capital Projects Reserve Fund to a capital account for the purchase of laptops for various Town Departments in the amount of \$25,001
5. The transfer of funds from the General Fund's Capital Projects Reserve Fund to a capital account for the purpose of replacing the pool panel and associated work, and engineering services at Michael J. Tully Park in the amount of \$15,000
6. The transfer of funds from the Insurance Reserve fund to the Town Attorney Tort Reserve/Litigation account to cover the payment of Settlements in the amount of \$61,000
7. The transfer of funds from the Worker's Compensation Reserve Fund to the Worker's Compensation account to cover the payment of an employee's workers' compensation award in the amount of \$146,000

; and

**WHEREAS**, after careful consideration, the Board finds it in the best interests of the Town to make the transfers as outlined above (collectively the "Transfers").

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board hereby authorizes the Transfers from the Funds to the accounts as outlined above; and be it further

**RESOLVED** that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Town Attorney Comptroller

MR. WINK: Item 39, a resolution authorizing the transfer of funds from a Capital Fund to the General Fund's Capital Projects Reserve Fund.

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. 420 - 2020**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM A CAPITAL FUND TO THE GENERAL FUND'S CAPITAL PROJECTS RESERVE FUND.**

**WHEREAS**, the Town Board (the "Board") of the Town of North Hempstead (the "Town") has heretofore established a General Fund's Capital Projects Reserve Fund (the "Fund"), pursuant to applicable law, and

**WHEREAS**, the Board authorized the transfer of monies from the Fund to a capital account for HVAC items related to Michael J. Tully Park; and

**WHEREAS**, the project has been completed and the Board desires to transfer the remaining monies, in the amount of \$195.69, back to the General Fund's Capital Projects Reserve Fund; and

**WHEREAS**, after careful consideration, the Board finds it in the best interests of the Town to make the transfer monies as outlined above (the "Transfer").

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board hereby authorizes the Transfer as outlined above; and be it further

**RESOLVED** that the Offices of the Town Attorney and Comptroller are hereby directed to take such action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays:           None

cc:             Town Attorney           Comptroller



MR. WINK: Item 40, a resolution authorizing the payment of claims against the Town of North Hempstead and authorizing the Comptroller or Deputy Comptroller to pay the costs thereof.

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. 421 - 2020**

**A RESOLUTION AUTHORIZING THE PAYMENT OF CLAIMS AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.**

**WHEREAS**, the Town Attorney has requested the approval of the Town Board for the settlement and payment of claims as more particularly described herein below, for the reasons set forth in a memorandum to the Board on file in the Office of the Town Attorney; and

**WHEREAS**, the Board deems it to be in the best interests of the Town to approve the request of the Town Attorney.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the settlement and payment of the following claims, in the amount set forth herein, be and the same are approved by this Board in all respects:

Claimant	File No.	Amount
Geico a/s/o Patricia Byrnes v. ToNH	TD-16-0150	\$750
Geico a/s/o Andrew Mosca v. ToNH	TD-17-0055	\$3,500
PGA Mechanical v. ToNH	LTA-19-0014	\$2,942.83

; and be it further

**RESOLVED** that the Office of the Comptroller be and hereby is authorized and directed to pay the amount set forth above upon receipt of a properly executed and certified claims therefor.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays:           None

cc:           Town Attorney       Comptroller

MR. WINK: Item 41, 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: 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. 422 - 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  
                    September 24, 2020

The vote of the foregoing resolution was recorded as follows:

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

Nays:           None



9/24/2020 4:30 PM

**PERSONNEL RESOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	Employee Type	Grid	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
PT w/ Loc Chg	Parks and Recreation Harbor Hills to Tully	Mollie Zimmerman	Lifeguard 1	\$17.50 hrly	Part-time	N/A	N/A	981000	930000	SP152.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Manohaven to Fuschillo	Raymond Winans	Laborer 1	\$13.75 hrly	Part-time	N/A	N/A	882000	935000	A.05.7182.1200	A.05.7111.1200	
PT w/ Loc Chg	Parks and Recreation Manohaven to Tully	Margaret Salerno	Rec Aide	\$18.00 hrly	Part-time	N/A	N/A	931000	930000	A.05.7182.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Manohaven to Tully	Robert Lemney	Lifeguard 1	\$18.50 hrly	Part-time	N/A	N/A	931000	930000	A.05.7182.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Tully	Laurence Quinn	Lifeguard 4	\$24.00 hrly	Part-time	N/A	N/A	935000	930000	A.05.7111.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Yes We Can	Anisss Dorvilus	Attendant	\$13.75 hrly	Part-time	N/A	N/A	935000	933300	A.05.7111.1200	A.05.7141.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Yes We Can	Brandon Outley	Attendant	\$13.75 hrly	Part-time	N/A	N/A	935000	933300	A.05.7111.1200	A.05.7141.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Yes We Can	Jamal Nazeer	Rec Aide	\$16.00 hrly	Part-time	N/A	N/A	935000	933300	A.05.7111.1200	A.05.7141.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Yes We Can	Michael Jackson	Rec Aide	\$30.00 hrly	Part-time	N/A	N/A	935000	933300	A.05.7111.1200	A.05.7141.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Yes We Can	Noldyne Ostane	Attendant	\$13.25 hrly	Part-time	N/A	N/A	935000	933300	A.05.7111.1200	A.05.7141.1200	
PT w/ Loc Chg	Parks and Recreation Marin "Bunky" Reid to Yes We Can	Travis Troiano	Rec Aide	\$14.75 hrly	Part-time	N/A	N/A	935000	933300	A.05.7111.1200	A.05.7141.1200	

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**PERSONNEL RESOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	Employee Type	Grid	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Caitlin Orlando	Rec Aide	\$18.00 hrly	Part-time	N/A	N/A	933000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Eric Kern	Lifeguard 1	\$18.50 hrly	Part-time	N/A	N/A	932000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Faith Fishkin	Rec Aide	\$18.00 hrly	Part-time	N/A	N/A	933000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Gavin Hwang	Lifeguard 1	\$18.00 hrly	Part-time	N/A	N/A	932000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Gregory Noid	Lifeguard 3	\$22.00 hrly	Part-time	N/A	N/A	933000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Jonathan Ng	Lifeguard 1	\$18.00 hrly	Part-time	N/A	N/A	932000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation NHBP to Tully	Sean Stagnari	Lifeguard 1	\$18.50 hrly	Part-time	N/A	N/A	933000	930000	A.05.7183.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Tully to Clark	Thomas Wellbrock	Labourer 1	\$13.50 hrly	Part-time	N/A	N/A	930000	929000	A.05.7181.1200	A.05.7112.1200	
PT w/ Loc Chg	Parks and Recreation Whitney to Tully Park	Brittany Hagan	Rec Aide	\$18.00 hrly	Part-time	N/A	N/A	923400	930000	A.05.7185.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Whitney to Tully Park	Michael Baltzer	Lifeguard 1	\$18.00 hrly	Part-time	N/A	N/A	923400	930000	A.05.7185.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Whitney to Tully Park	Tiffara Steward	Rec Aide	\$18.00 hrly	Part-time	N/A	N/A	923400	930000	A.05.7185.1200	A.05.7181.1200	
PT w/ Loc Chg	Parks and Recreation Whitney to Yes We Can	Meliki Summers	Attendant	\$13.50 hrly	Part-time	N/A	N/A	923400	933300	A.05.7185.1200	A.05.7141.1200	
PT w/ Title & Salary Change	Department of Parks and Recreation Yes We Can	Nelson Guevara	Attendant to Rec Aide	\$13.50 hrly to \$14.00 hrly	Part-time	N/A	N/A	933300	N/A	A.05.7141.1200	N/A	
PT w/ Sal Chg	Department of Parks and Recreation Yes We Can	Ajami Bolden	Rec Aide	\$14.25 hrly to \$16.50 hrly	Part-time	N/A	N/A	833300	933300	A.05.7141.1200	N/A	

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**PERSONNEL RESOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	Employee Type	Grid	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
Seasonal to FT	Parks & Rec/Whitney Pond Park to Parks & Rec/Tully	Matthew Riquelme	Laborer 1	\$13.75/hour to \$45,627 anna \$1,754.90 bi	FT Hourly	New	Grade-9, step 1	923400	123000	A.05.7185.1200	A.05.7181.1000	
Seasonal to PT	Department of Parks and Recreation CGM	Austin Krasinski	Laborer 1	\$13.75 hrly	Part-time	N/A	N/A	882000	982000	SP154.1200	N/A	
Seasonal to PT	Department of Parks and Recreation Tully	Angelo Ferrigno	Laborer 1	\$13.00 hrly	Part-time	N/A	N/A	830000	930000	A.05.7181.1200	N/A	
Seasonal to PT	Department of Parks and Recreation Tully	Michael Super	Laborer 1	\$13.00 hrly	Part-time	N/A	N/A	830000	930000	A.05.7181.1200	N/A	
Seasonal to PT	Department of Parks and Recreation Whitney	Matthew Russell	Laborer 1	\$13.25 hrly	Part-time	N/A	N/A	823400	923400	A.05.7185.1200	N/A	
Seasonal to PT w/ Loc Chg	Department of Parks and Recreation Clark to Manohaven	Matthew Collins	Laborer 1	\$13.25 hrly	Part-time	N/A	N/A	829000	931000	A.05.7110.1200	A.05.7182.1200	
Seasonal to PT w/ Loc Chg	Department of Parks and Recreation Harbor Hills to NHBP	Joseph Brautigam	Laborer 1	\$13.50 hrly	Part-time	N/A	N/A	881000	932000	SP152.1200	A.05.7183.1200	
Seasonal to PT w/ Loc Chg	Department of Parks and Recreation Manohaven to Tully	Robert McCormick	Laborer 1	\$13.25 hrly	Part-time	N/A	N/A	831000	930000	A.05.7182.1200	A.05.7181.1200	
Seasonal to PT w/ Loc Chg	Department of Parks and Recreation NHBP to Tully	Michael McGoldrick	Lifeguard 1	\$16.00 hrly	Part-time	N/A	N/A	832000	930000	A.05.7183.1200	A.05.7181.1200	
Seasonal to PT w/ Title Chg	Department of Parks and Recreation Yes We Can	Jahrel Anderson	Attendant to Laborer 1	\$13.00 hrly	Part-time	N/A	N/A	833300	933300	A.05.7141.1200	N/A	
Seasonal to PT w/ Title Chg	Department of Parks and Recreation Yes We Can	Jalen Whitaker	Attendant to Laborer 1	\$13.00 hrly	Part-time	N/A	N/A	833300	933300	A.05.7141.1200	N/A	

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**PERSONNEL RESOLUTION**

Type	Department Name	Employee Name	Employee Title	Employee Rate	Employee Type	Grid	Grade/Step	Current Dept #	New Dept #	Current Budget Code #	New Budget Code #	Effective Date
Resignation	Department of Parks and Recreation Broadway Park	Lafayette Turner	Labor Supervisor 2	\$25.68 hrly	Union Full Time Hourly	NA	NA	133300	N/A	A.05.7141.1000	N/A	8/28/2020
Resignation	Department of Parks and Recreation Yes We Can	Alexander Gilles	Attendant	\$13.50 hrly	Part Time	N/A	N/A	933300	N/A	A.05.7141.1200	N/A	
Retirement	Port Washington Public Parking District	Edward Niemann	Labor Supervisor 2	\$41.48 hrly / \$86,277 ann.	Union Full Time Hourly	Old	Grade 19, Step 14	4000000	N/A	ST016.1000	N/A	10/17/2020
Termination	Sidewalk District/ (Green Team)	Jeremy Lantigua	Laborer	13.00/Hr	Part Time	N/A		915500	N/A	SM017.1200	N/A	9/3/2020

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MR. WINK: Item 42, a resolution approving the action of the Fire-Medic Co., No. 1, Port Washington, New York in adding Noah Silverman, Noah Bellman and Rafael Sedaghatzandi and removing Melanie Yvette Osorio from membership.

COUNCILWOMAN DALIMONTE: 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.

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. 423 - 2020**

**A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN ADDING NOAH SILVERMAN, NOAH BELLMAN AND RAFAEL SEDAGHATZANDI AND REMOVING MELANIE YVETTE OSORIO FROM MEMBERSHIP.**

**WHEREAS**, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of adding Rafael Sedaghatzandi, Noah Bellman and Noah Silverman and removing Melanie Yvette Osorio from membership

**NOW, THEREFORE, BE IT**

**RESOLVED** that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050, had advised of adding Rafael Sedaghatzandi, 17 Lighthouse Rd., Great Neck, NY, 11024, Noah Bellman, 97 Firwood Rd., Port Washington, NY 11050 and Noah Silverman, 55 Farmview Rd., Port Washington, NY, 11050 and removing Melanie Yvette Osorio from membership, be and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York  
September 24, 2020

The vote on the foregoing resolution was recorded as follows:

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

Nays: None

cc: Fire-Medic Co. No. 1      Town Attorney      Comptroller

SUPERVISOR BOSWORTH: Aye. 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.

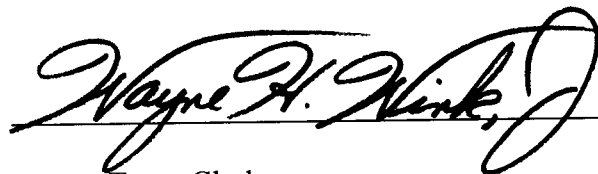
MR. WINK: Councilman Zuckerman.

COUNCILMAN ZUCKERMAN: Aye,

MR. WINK: Supervisor Bosworth.

SUPERVISOR BOSWORTH: Aye.

Compiled from Stenographer's Transcript, MGR Reporting, File Name 092420tnhtb.docx

A handwritten signature in black ink, reading "Wayne H. Wink, J." The signature is written in a cursive style with a horizontal line underneath the name.

Town Clerk